



ABCBC

Charter of Transparency and Engagement

April 2023



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The Australian Building Codes Board

The Australian Building Codes Board (ABCB) is a joint initiative of all levels of government in Australia, together with the building industry. Its mission is to oversee issues relating to health, safety, amenity and sustainability in building. The ABCB promotes efficiency in the design, construction and performance of buildings through the National Construction Code, and the development of effective regulatory and non-regulatory approaches. The Board aims to establish effective and proportional codes, standards and regulatory systems that are consistent between states and territories.

For more information see the [ABCB website](#).

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Purpose of this document

A commitment to trust

Community and industry trust and confidence is an essential part of every effective regulatory system.

This document is intended to clearly set out our commitment to building and retaining the long-term confidence and trust of the people and organisations who have an interest in our work.

Through this document, we are committing to share information about the way we work, to consult in ways that help people share perspectives with us and to explain the way we have made our decisions.

About the ABCB

Who we are

The Australian Building Codes Board (ABCB) is a multi-jurisdictional standards writing body responsible for the National Construction Code (NCC) and the administration of the WaterMark and CodeMark certification schemes.

The ABCB was established in 1994 by an agreement between the Commonwealth and all state and territory governments.

The roles and responsibilities of the ABCB are captured in an Intergovernmental Agreement (IGA) that sets out the governance and funding arrangements for the Board and ABCB Office.

The ABCB is accountable to the group of Australian Government, state and territory ministers responsible for building and construction ('Building Ministers'). The Building Ministers' Meeting oversees policy issues affecting Australia's building and construction industries and sets the strategic direction for the ABCB.

What we do

On behalf of the Australian Government and each state and territory government, we develop the National Construction Code, which governs the technical design and construction provisions for buildings and plumbing and drainage systems in Australia.

Our work helps the Australian building industry to meet minimum necessary standards for health, safety, amenity, accessibility, and sustainability.

We keep the NCC under constant review and release updates every 3 years.

Our national approach ensures a safe and nationally consistent built environment underpinned by a commitment to effective and contemporary education and industry engagement.

The Board

Our board comprises 18 members - including a Chair who is independent of sectoral interests, 9 Australian state and territory government representatives, 7 industry representatives, and one representative of local government.

The current membership of the Board can be viewed on [the ABCB website](#).

The Board is supported by 2 formal advisory committees established under the IGA, the Building Codes Committee, and the Plumbing Codes Committee, and can establish other committees as required. Each committee has Terms of Reference and membership agreed by the Board. More information on these committees is provided later in this document.

The Office and Chief Executive Officer

The ABCB is a portfolio agency of the Commonwealth Department of Industry, Science, and Resources (the department) and works in accordance with Australian and department laws and policies.

The ABCB Office has 4 priorities:

1. Maintain the NCC to ensure the Code remains fit for purpose

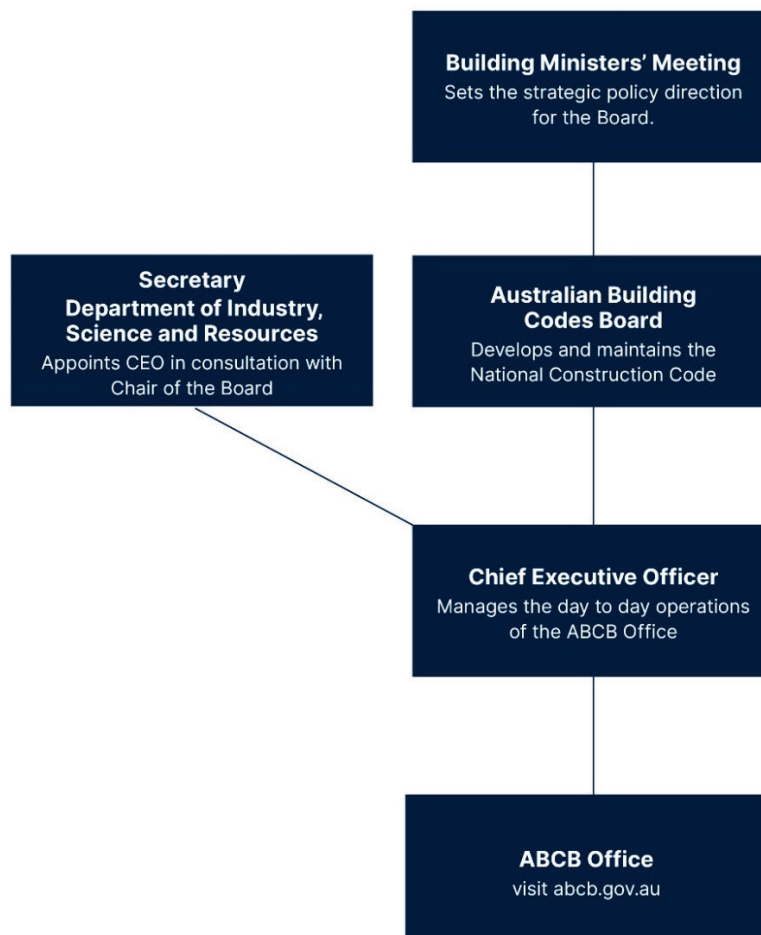
2. Explore and assess strategic and emerging opportunities and challenges to ensure the NCC meets community expectations and responds to emerging challenges
3. Continuously improve practitioner understanding of the NCC across Australia through relevant education and support materials
4. Promote widespread understanding and awareness of the NCC, WaterMark and CodeMark Product certification schemes through effective marketing and communication.

The Chief Executive Officer (CEO) is appointed by the Secretary of the Department, in consultation with the Chair of the ABCB. The CEO supports and enacts the decisions of the Board, and administers the work of the ABCB Office, in accordance with delegations provided by the Secretary of the Department.

The structure of the Office can be viewed on the ABCB website.

Structure and responsibilities

Figure 1: ABCB structure and responsibilities



Openness and transparency in our work

General approach

The ABCB commits to sharing information about our work, conducting regular consultations, and responding to questions in a timely manner. We believe that maintaining transparent and accountable work practices will enhance industry and community confidence in the NCC.

From time to time, there will be information that cannot be disclosed due to exemptions under legislation such as the *Privacy Act 1988* or *Freedom of Information Act 1982*.

Disclosure of interests, conflict of interests and conflicts of duty

Our Board includes representatives of industry, the Australian Government, state and territory governments and local government.

Managing competing priorities

Board members have a duty to bring forward the views of industry and each level of government within the context of our work.

From time to time, Board members will have an affiliation with a body or sector that is proposing or opposing a change to the NCC. Other than in situations of direct conflict of interest, this affiliation does not preclude any member from participating in a decision-making process, but the affiliation and existing position must be declared in a transparent manner.

All Board members are required to act professionally and transparently to manage their dual accountabilities – to their government body or industry sector and to their ABCB role.

Managing conflict of interest

The ABCB has adopted the Australian Public Service Code of Conduct requirements for managing conflict of interest.¹

All ABCB staff and Board members are bound by these requirements for the identification, declaration and management of real or apparent conflicts of interest. The Board maintains a standing register of interests, relevant to all foreseeable work of the ABCB, and also records disclosure of any additional interests relevant to specific items on the agenda of each meeting.

If a Board member cannot fulfil their duties to the Board or the jurisdiction/sector they represent because of an unmanageable conflict of interest, that Board member must declare this as a conflict of duty. The initial responsibility for managing conflicts of duty rests with the Chair of the ABCB.

Communication and engagement channels

To ensure widespread understanding of the NCC and any amendments, the ABCB uses a wide range of communication and engagement activities and channels.

They include the ABCB website, electronic newsletters, seminars and presentations (online and offline), subscriber emails, meetings, public forums, advertising, social media, and enquiry lines.

Public record of our Board meetings

To promote transparency and accountability, we publish a summary of each Board meeting. This is generally a high-level summary of matters considered in a Board meeting and will be published on the ABCB website within 2 weeks of the meeting. The summary will include disclosure of any competing priorities or conflicts of interest relevant to matters discussed at that meeting.

¹ See [APS Values and Code of Conduct in practice, Section 5: Conflict of Interest](#) for more information.

The level of detail in any public disclosure must balance the importance of transparency with appropriate rights to privacy. For example, we may disclose that an individual declared a financial interest, without disclosing the precise detail or value of that interest.

Public forum

The Chair and Chief Executive Officer will aim to host a stakeholder forum each year.

Where possible, an open forum will be scheduled around the timing and location of each Board meeting to enable participation by people in different capital cities. Facilities will also allow virtual participation via online meeting systems.

The open public forum is an opportunity for interested parties (including industry representatives and members of the public) to ask questions and share perspectives about the NCC and the work of the ABCB. A stakeholder forum is intended to be a complement to, and not a substitute for, formal consultation (see below).

Prior to each stakeholder forum, the ABCB Office will call for expressions of interest to identify issues and parties who may wish to participate in that forum. A registration process will also be required for the open public forums at the time of the Board meetings.

Formal consultation and technical review

General approach

The ABCB stakeholder engagement framework guides how we identify and collect views on matters relevant to the NCC.

The views of relevant and diverse stakeholder groups enable us to enrich our understanding of the NCC environment and the potential impacts of any changes. These engagements and insights are achieved through carefully listening then assessing these views. This helps us to build trust with our key stakeholders, make better decisions and take action that delivers against our strategic objectives and annual business plans. It also complements the [Australian Government Guide to Regulatory Impact Analysis](#) published by the Office of Impact Analysis.

Our stakeholder engagement approach has 6 key steps:

1. Set the engagement scope
2. Identify key stakeholders
3. Plan engagement
4. Communication and engagement
5. Evaluation of stakeholder views
6. Report back on what we heard and next steps.

This approach allows us to:

1. apply a consistent stakeholder engagement framework based on leading government practices
2. adapt to new and changing collaboration technology
3. facilitate targeted or broad engagement and communications activities based on organisational priorities.

We are committed to the continuous improvement of ABCB's communication and stakeholder engagement capability. We will:

- improve our ability to engage with and positively influence key stakeholders
- continually reassess who our 'stakeholders' are – with a view to actively reaching new audiences who have an interest in our work and reducing the risk of interested parties being unaware of our work
- understand emerging trends and needs
- gain more value, insights and impact from industry and regulatory subject matter experts
- deliver better and more co-designed solutions with stakeholders
- build a coalition of supporters who understand and promote the work the ABCB does and its contribution to the economy
- explain technical concepts in easy, understandable, simple language.

Formal Committees – Building Codes Committee and Plumbing Code Committee

The ABCB has 2 technical advisory committees formally established under the IGA.

The Building Codes Committee (BCC) and the Plumbing Code Committee (PCC) are national forums for regulatory authorities and industry to consider technical issues related to building, plumbing and drainage regulations.

The BCC and PCC supports the Board, through the ABCB Office, to make sure its decisions are based on robust, technical advice. The remit of these committees is to provide technical advice, but they are not responsible for making decisions in relation to the content of the NCC or matters of policy.

The work of the BCC and PCC are aligned to ensure a coordinated approach to building, plumbing and drainage regulatory reform.

Details of the current membership of BCC and PCC are available from [the ABCB website](#).

Working groups

From time to time, the ABCB Office will convene collaborative working groups such as Technical Reference Groups, Implementation Advisory Committees and Roundtable Discussions. While these are not formal committees under the IGA, these engagement mechanisms are generally established for a specific purpose such as the generation of new ideas, helping guide key projects or refining the implementation plans for new regulatory provisions.

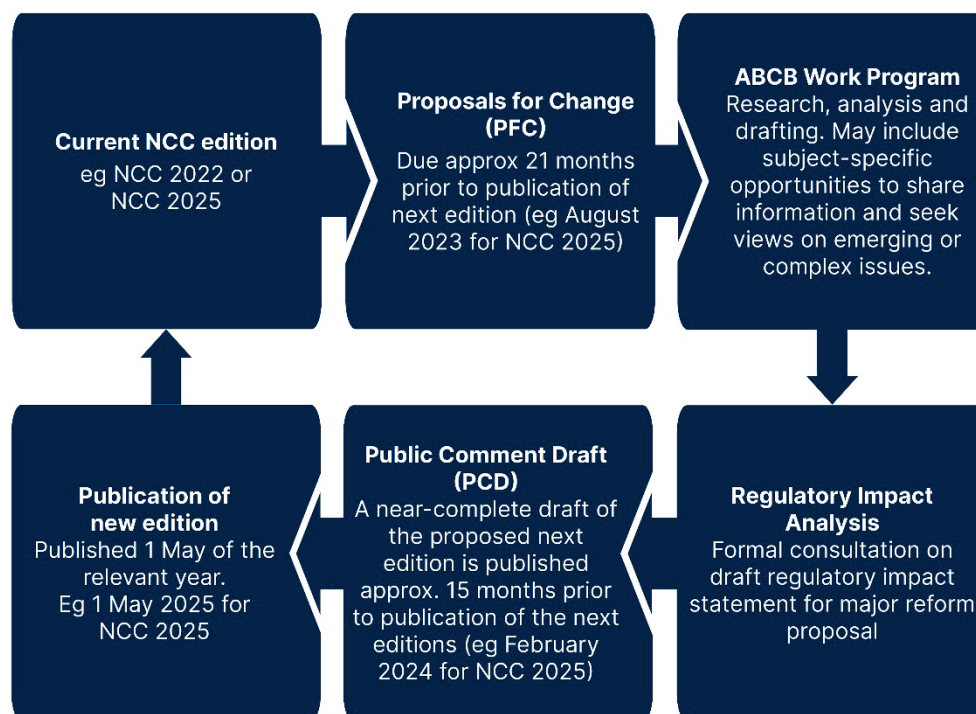
Relevant skills and experience, along with diversity of perspectives, are considered in assembling these working groups. Their general purpose is to augment the internal capability of the Office and build consensus.

Formal consultation and participatory processes

Our work is driven by the BMM, the needs of the Australian people and the building construction industry.

We use a range of formal consultation and participatory processes to gather the knowledge and opinions of our key stakeholders.

Figure 2: NCC development and update process



Key activities and processes

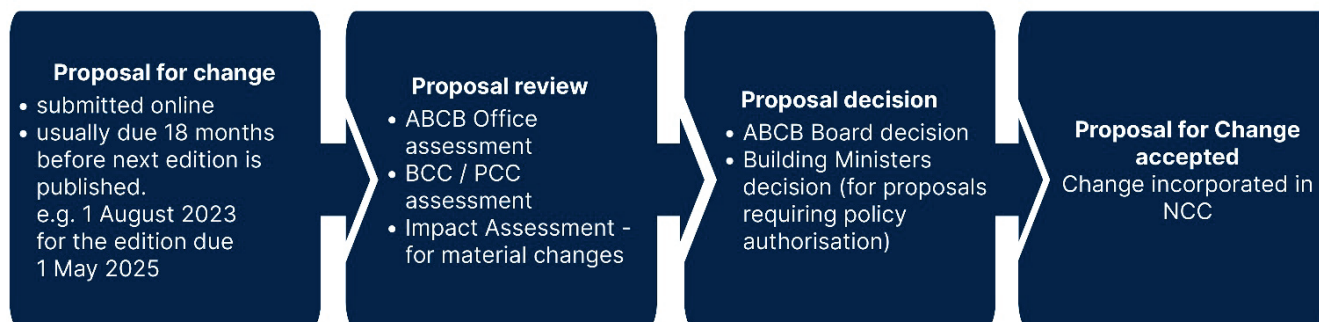
Interested parties can contribute to the ABCB's work through Proposals for Change (PFC), responding to Discussion Papers, and making submissions to formal consultations such as Regulatory Impact Statements (RIS) and the NCC Public Comment Draft (PCD) issued during each cycle.

Proposal for Change (PFC)

While the NCC is updated in 3-year cycles through a public consultation process, amendments to any volume of the code can be suggested at any stage through the PFC process.

To help interested parties prepare a PFC, we have prepared a [guidance document](#). We are also happy to meet with proponents to help guide them through the process.

Figure 3: Proposal for Change (PFC) process



Discussion paper

Discussion papers may be prepared when we are seeking a broad range of perspectives before doing any detailed analysis.

Regulatory Impact Statement

A Consultation Regulation Impact Statement (RIS) is prepared for consulting interested parties on regulatory proposals and includes a full cost benefit analysis.

Each Consultation RIS is independently assessed by the Office of Impact Analysis (previously the Office of Best Practice Regulation).

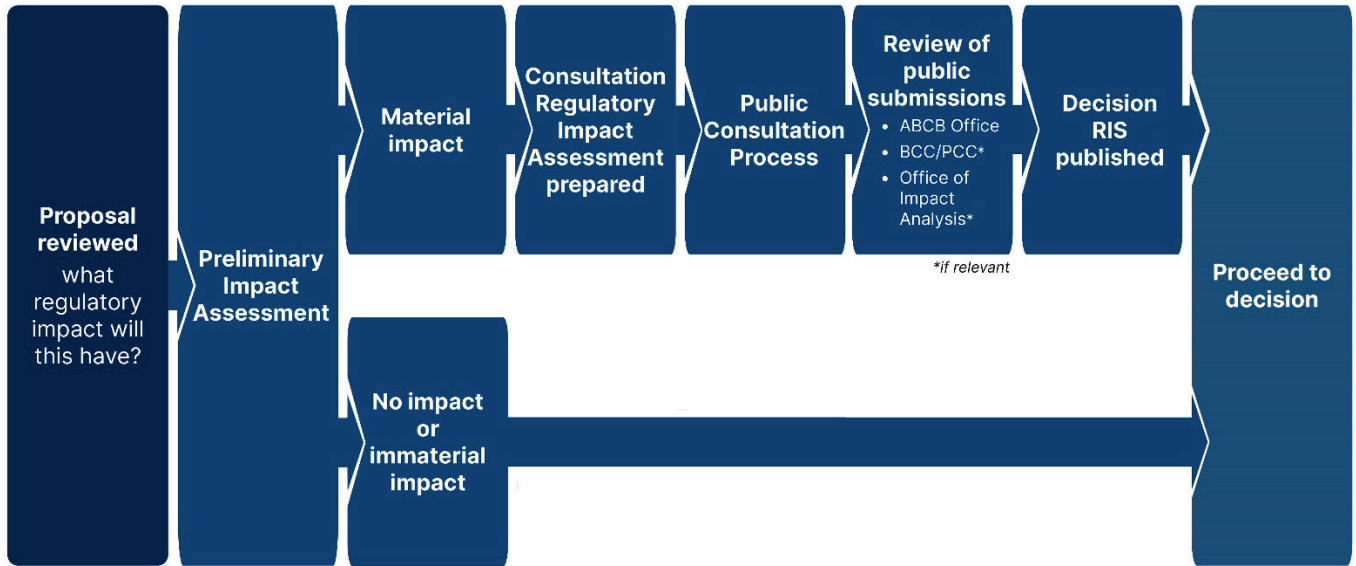
Feedback is invited on any aspect of the analysis. For example, interested parties can provide comment on the description of the problem and suggest alternatives. Interested parties are encouraged to comment on the impacts of the options – both costs and benefits – and how the proposed regulation will work.

Comments on a Consultation RIS assists the preparation of a Decision RIS. A Consultation RIS does not reflect a final decision of the Board.

The ABCB executive and Board reviews comments received on a Consultation RIS, any updates to the cost benefit analysis and incorporates relevant stakeholder information and data into the Decision RIS as appropriate.

Consultation currently open for public comment are on the ABCB's [Consultation Hub](#).

Figure 4: Consultation Regulatory Impact Statement (CRIS) process



Public Comment Draft (PCD)

Approximately halfway through the 3-year cycle, we publish a near-complete draft of the proposed next edition of the NCC for public review and comment. This Public Comment Draft, known as the PCD, contains all proposed changes to the NCC.

To make it easier to identify the proposed changes, publication of the PCD is accompanied by a table and/or description of major differences between the proposed next edition and the current edition.

Figure 5: Public Comment Draft process



Publication of submissions from stakeholders

We publish submissions and responses to submissions as soon as possible after the close of an ABCB consultation.

In the interests of transparency and accountability, the ABCB will publish all submissions received during formal consultation unless the submitter presents a strong reason for not doing so.

Where a submitter seeks to withhold their submission from publication, our preferred second approach is to publish the content, or a summary of the content, of the submission in a de-identified manner (including redacting content that is likely to identify the submitter).

If there is no way to summarise the content without identifying the submitter, we will include a notation “Submission withheld from publication” in the list of submission received.

Complaints and feedback

Customer service commitment

The ABCB Office is part of the Australian Government Department of Industry, Science and Resources (DISR) and we actively support the [DISR Customer Service Charter](#).

As part of our commitment to customer service, we actively seek and value your feedback on our performance. It helps us to refine and continuously improve our performance.

If we exceed your expectations – please let us know

It is important for us to know what works well. Positive feedback enables us to identify best practice and is important for our team. Telling us when you have received excellent customer service and what we got right, helps us to recognise the efforts of our people and to ensure we can repeat what is working well.

If we don't meet your expectations – tell us that too

When we don't meet expectations, it is important for us to understand why and how we have missed the mark. If your dissatisfaction is elevated to a complaint, we promise to take it seriously and manage it efficiently, fairly and confidentially. If the service received does not meet expectations, we ask that you tell us as soon as possible through our customer complaint process.

Complaints can be made either verbally or in writing.

Written complaints can be easily lodged via the online complaints form or by email to feedbackandcomplaints@industry.gov.au

We aim to resolve all complaints as soon as possible, however depending upon the nature of the complaint response times may vary. All complaints will be handled in a confidential manner and you will be provided with updates during the investigation of your complaint.

