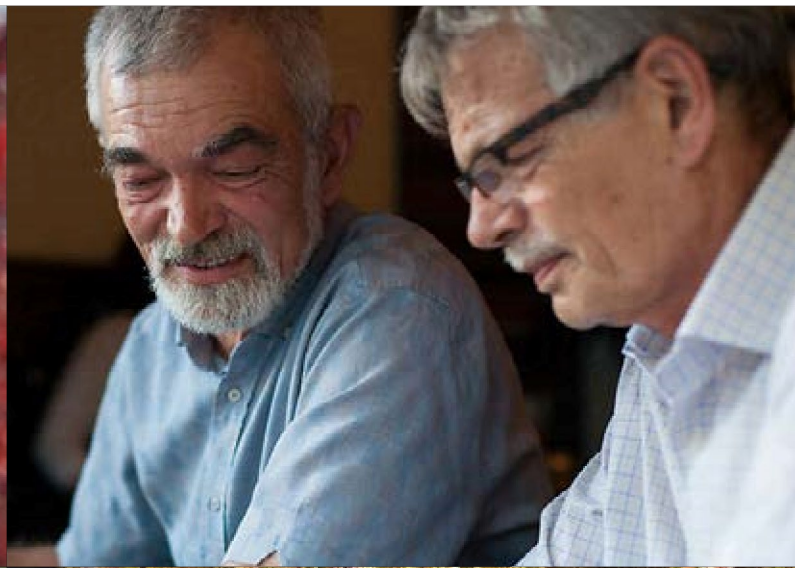



Council Policy

Accredited Professionals



COUNCIL POLICY

 <p>Adelaide Hills COUNCIL</p>	<h2>Accredited Professionals</h2>
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Policy Number:	DEV-14
Responsible Department(s):	Development & Regulatory Services
Relevant Delegations:	Nil
Other Relevant Policies:	Nil
Relevant Procedure(s):	Nil
Relevant Legislation:	<i>Planning, Development & Infrastructure Act 2016</i> <i>Planning, Development & Infrastructure (General) Regulations 2017</i> <i>Planning, Development & Infrastructure (Accredited Professionals) Regulations 2019</i>
Policies and Procedures Superseded by this policy on its Adoption:	Previous Policy adopted 23 June 2020.
Adoption Authority:	Council
Date of Adoption:	22 August 2023
Effective From:	05 September 2023
Minute Reference for Adoption:	Item 12.4 - 226/23
Next Review:	No later than August 2026 or as required by legislation or changed circumstances

Version Control

Version No.	Date of Effect	Description of Change(s)	Approval
<i>1.0</i>	<i>23/06/2020</i>	<i>New Policy</i>	<i>Council - Res Item 12.7 109/20</i>
<i>2.0</i>	<i>22/08/2023</i>	<i>Policy Review</i>	<i>Council - Res 226/23</i>

ACCREDITED PROFESSIONALS POLICY

1. INTRODUCTION

- 1.1 This Policy provides Council and its administration with guidelines for the responsibilities of Accredited Professionals who require accreditation by the Accreditation Authority to carry out the functions and/or duties associated with their employment or appointment by, the Council (Accredited Professionals).

2. OBJECTIVES

- 2.1 To detail the responsibilities expected of Accredited Professionals regarding changes in accreditation.

3. DEFINITIONS

“Act” means the *Planning, Development and Infrastructure Act 2016*;

“accreditation authority” means the Chief Executive of the Planning Land Use Services Department;

“accredited professional” means a person who is accredited in one of the classes of accreditation defined by Regulation 5 of the Regulations as:

- (a) Accredited professional – planning level 1
- (b) Accredited professional—planning level 2
- (c) Accredited professional—planning level 3
- (d) Accredited professional—planning level 4
- (e) Accredited professional—surveyor
- (f) Accredited professional—building level 1
- (g) Accredited professional—building level 2
- (h) Accredited professional—building level 3
- (i) Accredited professional—building level 4

“notifiable event” means:

- (a) A change to the class of accreditation
- (b) The addition, substitution or deletion of a condition or limitation specified pursuant to Regulation 17 of the Regulations
- (c) The surrender by an accredited professional of their accreditation pursuant to Regulation 20 of the Regulations
- (d) The cancellation or suspension of the accredited professional’s accreditation by the Accreditation Authority
- (e) The provision of notice to an accredited professional by the Accreditation Authority of the intention to suspend or cancel the accredited professional’s accreditation
- (f) The provision of a final report by a qualified auditor pursuant to Regulation 27(13) of the Regulations, where a copy of the report is provided to the accredited professional
- (g) Any action taken by the Accreditation Authority (including giving directions to an accredited professional) pursuant to Regulation 27 (14), (15) or (16) of the Regulations

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- (h) The provision of notice to an accredited profession of a decision by the Accreditation Authority to investigate a complaint made against the accredited professional under Regulation 28 of the Regulations which relates to an act or omission of the accredited professional in the course of their employment with, or engagement or appointment by, the Council
 - (i) The provision of a final report of an investigator to the Accreditation Authority pursuant to Regulation 28(11) (b) of the Regulations, or the outcome of any process that the Accreditation Authority has adopted to investigate a complaint made against an accredited professional pursuant to Regulation 28 of the Regulations
 - (j) Any action taken by the Accreditation Authority against an accredited professional pursuant to Regulation 28 (13) of the Regulations following the investigation of a complaint
 - (k) Any decision made by the South Australian Civil and Administrative Tribunal (SACAT) or an South Australian Court in relation to an accredited professional's accreditation
 - (l) A finding of guilt for an offence against the Act or the Development Act 1993 (Repealed Act) and
 - (m) A finding of guilt for an offence against any regulations under the Act or the Repealed Act, including the Regulations.

“Regulations” means *Planning, Development & Infrastructure (Accredited Professionals) Regulations 2019*

4. SCOPE

4.1 The policy applies to:

- Employees of the Council who are required to be an Accredited Professional to carry out the functions and/or duties of their position
- Contractors engaged by the Council
- Members of the Council Assessment Panel.

5. POLICY STATEMENT

5.1 The Council is committed to maintaining a robust and integrated Governance Framework that assures stakeholders that it is pursuing its objectives and fulfilling its responsibilities with due diligence and accountability.

5.2 Responsibilities of Accredited Professionals

All accredited professionals must take the necessary steps to gain and maintain accreditation at the class required under the Regulations for the role they have been employed, engaged, or appointed, to perform.

Without limited Clause 5.1, all accredited professionals must:

- 5.2.1 Take all necessary steps to maintain their accreditation by applying for continuation of their accreditation annually as required under the Act and Regulations.
- 5.2.2 Ensure they fulfil the requirements of continuing professional development (CPD) under the Regulations.

- 5.2.3 Act in accordance with the Accredited Professionals Scheme Code of Conduct adopted by the Minister under Schedule 3 of the Act (Code of Conduct) when carrying out their functions and duties as an accredited professional.

5.3 Obligations of Accredited Professionals

- 5.3.1 An accredited professional must, within five (5) business days of the occurrence of one of the following events, provide a copy of his or her certificate of accreditation to the Council CEO, including any conditions or limitations imposed by the accreditation authority, unless already provided.

- Becoming registered as an Accredited Professional
- Commencing employment with the Council
- Being engaged by the Council to act as, or provide advice to the Council in the person's capacity as an Accredited Professional
- Accepting an appointment to the Council Assessment Panel

- 5.3.2 An accredited professional must, within five (5) business days of receiving confirmation of their continuance of certificate of accreditation, provide a copy of this to the Council CEO.

- 5.3.3 An accredited professional must within five (5) business days of the occurrence of a notifiable event, provide the Council CEO written advice of the notifiable event and a copy of any correspondence or other documentation received from the Accreditation Authority in relation to the notifiable event.

6. **NON-COMPLIANCE WITH POLICY**

- 6.1 The CEO may take such action as is reasonable and appropriate in relation to:

- 6.1.2 Failure of an accredited professional to comply with their responsibilities and obligations of this Policy; or

- 6.1.2 Written advice from an accredited professional of a notifiable event.

7. **DELEGATION**

- 7.1 The Chief Executive Officer has the delegation to:

- Approve, amend and review any procedures that shall be consistent with this Policy; and
- Make any legislative, formatting, nomenclature or other minor changes to the Policy during the period of its currency.

8. **AVAILABILITY OF THE POLICY**

- 8.1 This Policy will be available via the Council's website www.ahc.sa.gov.au.