



COUNCIL POLICY

Notification – Accredited Professionals Policy

Policy Number:	PO180		
Strategic Plan Objective	Goal 5 – Responsible Governance		
Policy Owner:	Director Development Services	Record Number:	20/51092
Responsible Officer:	Director Development Services	Minute Reference:	168/2020(8/07/2020)
Date Adopted:	8 July 2020	Next Review Date:	July 2024

1. POLICY OBJECTIVES

This policy aims to clarify the obligations and responsibilities of persons who are, or become, accredited as Accredited Professionals pursuant to Section 88 of the Planning, Development and Infrastructure Act 2016 (Act) and Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019.

2. SCOPE

This policy applies to all:

- Employees of the Yorke Peninsula Council (Council);
- Contractors and/or agents of the Council during the course of their engagement;
- Members of Council's Assessment Panel:

who are or become accredited as Accredited Professionals pursuant to the scheme established under Section 88 of the Planning, Development and Infrastructure Act 2016 (Act) and the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019 (Regulations).

3. DEFINITIONS

Definitions are provided in Attachment 1.

4. POLICY STATEMENT

Accredited Professionals require accreditation in order to carry out the functions and/or duties associated with their employment with, or engagement or appointment by, the Council.

Council are committed to ensuring that those undertaking the role of an Accredited Professional take all necessary steps to ensure that accreditation is maintained and legislative requirements are met.

4.1 Responsibilities of Accredited Professionals

All Accredited Professionals must take all steps necessary to gain and maintain accreditation under the Act and Regulations at the class required under the Act and Regulations for the role or function they have been employed, engaged or appointed to perform (Accreditation).

Without limiting the above, all Accredited Professionals must:

- Take all steps necessary to maintain their Accreditation by applying for the continuation of their Accreditation annually as required under the Act and Regulations;
- Ensure they fulfil all requirements of continuing professional development under the Regulations;
- 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.

4.2 Obligations of Accredited Professional

An Accredited Professional must, within 14 business days of the occurrence of any of the following events:

- The commencement of this Policy;
- Becoming registered as an Accredited Professional by the accreditation authority;
- 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; or
- Accepting an appointment to the Council Assessment Panel,

provide a copy of his or her Accreditation to Council's Director, Development Services, including any conditions or limitations imposed on the Accreditation by the accreditation authority, unless the Accreditation has already been provided to the Council (for example, during the recruitment process).

An Accredited Professional must, within 14 business days of receiving confirmation of the renewal of his or her accreditation, provide a copy of the renewal to the Council's Director, Development Services.

Notifiable Event

An Accredited Professional must, within 3 business days of the occurrence of a Notifiable Event, provide to the Chief Executive Officer (CEO) with written notification of the Notifiable Event and a copy of any correspondence or other documentation (including electronic) received from the accreditation authority in relation to the Notifiable Event.

4.3 Policy Compliance

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

- The failure of an Accredited Professional to comply with this policy;
- Written notification from an Accredited Professional of a Notifiable Event.

5. COMPLAINTS

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Complaints about this Policy can be made in writing to the Director, Development Services and will be managed in accordance with Council's Complaints Policy PO147.

6. REVIEW

This policy will be reviewed every four years and as necessary in consideration of any changes to legislation and relevant standards, codes, guidelines and audit findings.

7. TRAINING

Council will ensure that Accredited Professionals are appropriately accredited and trained and are committed to supporting Accredited Professionals in complying with this policy.

Training needs will be identified through recruitment processes, performance reviews, audit results and training needs analysis.

Training will also occur as necessary in response to changes to legislation and relevant standards, codes and guidelines.

8. RELATED COUNCIL POLICIES AND DOCUMENTS

PO011 Training and Development Policy
PO014 Employee Code of Conduct Policy
PO146 Support Disciplinary and Performance Management Policy
PO147 Complaints Policy

9. REFERENCES AND LEGISLATION

Planning, Development and Infrastructure Act 2016
Local Government Act 1999

10. COUNCIL DELEGATION

Details of Delegation:	Appendix 40A - Instrument of Delegation - Planning, Development And Infrastructure Act 2016 - Powers of Council as a Council and Designated Authority and Designated Entity - as at 10-06-2020 Appendix 40B - Instrument of Delegation - Planning, Development and Infrastructure Act 2016 PDI General Regulations 2017 PDI Fees Charges and Contributions Regulations 2019 - Council as Relevant Authority - as at 10-06-2020
Delegate:	Chief Executive Officer Director Development Services

11. VERSION HISTORY

Archived Policy Name	Policy Number	Date Adopted	Last Reviewed
Accredited Professionals Policy	PO180	8/07/2020	

DEFINITIONS

Accredited Professional(s)	A person(s) identified in Clause 2 of this policy.
Accreditation Authority	Chief Executive of the Department and includes a person for the time being acting in that position.
Department	Department means the administrative unit of the Public Service that is responsible for assisting a Minister in the administration of the Planning, Development and Infrastructure Act 2016.
Notifiable Event	<ul style="list-style-type: none">a) A change to the class of an Accredited Professional's Accreditation;b) The addition, substitution or deletion of a condition or limitation on an Accredited Professional's Accreditation pursuant to Regulation 17(5) of the Regulations;c) The surrender by an Accredited Professional of his or her Accreditation pursuant to Regulation 20 of the Regulations;d) The cancellation or suspension of an Accredited Professional's Accreditation pursuant to Regulation 21(1) of the Regulations or Regulation 93A of the Development Regulations 2008;e) The provision of notice to an Accredited Professional by the Accreditation Authority of a proposal to suspend or cancel the Accredited Professional's Accreditation pursuant to Regulation 22(1) of the Regulations;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;h) The provision of notice to an Accredited Professional 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

	<p>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;</p> <p>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;</p> <p>k) Any decision made by the South Australian Civil and Administrative Tribunal (SACAT) or any South Australian Court in relation to an Accredited Professional's Accreditation;</p> <p>l) A finding of guilt for an offence against the Act or the Development Act 1993 (Repealed Act); and</p> <p>m) A finding of guilt for an offence against any regulations under the Act or the Repealed Act, including the Regulations.</p>
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