

# Continuing professional development on the National Construction Code

## Overview

In 2017, Building Ministers authorised an assessment of the effectiveness of compliance and enforcement systems for the Australian building and construction industry. Recommendation 3 of the resulting [Building Confidence Report](https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/building_ministers_forum_expert_assessment_-_building_confidence.pdf) [<https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/building\\_ministers\\_forum\\_expert\\_assessment\\_-\\_building\\_confidence.pdf>](https://www.industry.gov.au/sites/default/files/July%202018/document/pdf/building_ministers_forum_expert_assessment_-_building_confidence.pdf) (BCR) states *that each jurisdiction requires all practitioners to undertake compulsory continuing professional development (CPD) on the National Construction Code (NCC)*.

In response, the BCR Implementation Team within the Australian Building Codes Board is developing national model guidance to provide assistance to governments and industry, and to facilitate national consistency. The Team has received input from an Experts Panel, an industry CPD working group and governments.

Stakeholder feedback is now being sought via a discussion paper, which explores and proposes content for inclusion in the model guidance.

The Executive Summary of the discussion paper can be accessed below.

### Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

## Executive summary

In 2017, Building Ministers authorised an assessment of the effectiveness of compliance and enforcement systems for the Australian building and construction industry. Recommendation 3 of the resulting [Building Confidence Report](#) (BCR) states *“that each jurisdiction requires all practitioners to undertake compulsory continuing professional development (CPD) on the National Construction Code (NCC)”*.<sup>1</sup>

In response to this recommendation, the BCR Implementation Team (the Team) within the Australian Building Codes Board (ABCB) is developing model guidance to provide assistance to governments and industry and to facilitate national consistency. The Team has received input from an Experts Panel<sup>2</sup>, an industry CPD working group and governments.

You can access the full discussion paper below or download a copy at the bottom of this page. You can also access a preview of the consultation via the ‘consultation preview’ attachment at the bottom of this page.

## Executive summary

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In 2017, Building Ministers authorised an assessment of the effectiveness of compliance and enforcement systems for the Australian building and construction industry. Recommendation 3 of the resulting [Building Confidence Report](#) (BCR) states *“that each jurisdiction requires all practitioners to undertake compulsory continuing professional development (CPD) on the National Construction Code (NCC)”*.<sup>1</sup>

In response to this recommendation, the BCR Implementation Team (the Team) within the Australian Building Codes Board (ABCB) is developing model guidance to provide assistance to governments and industry and to facilitate national consistency. The Team has received input from an Experts Panel<sup>2</sup>, an industry CPD working group and governments.

## Why we are consulting

Continuing Professional Development (CPD) is an ongoing process that maintains and/or improves practitioner competency, and for the purpose of this work, in understanding and applying the NCC.

CPD allows practitioners to:

- better interpret and apply the NCC
- identify non-compliance quickly and to rectify it
- have confidence in the decisions they make in designing, constructing and/or inspecting buildings for compliance, and
- justify their design and construction decisions to other practitioners.

CPD is an educational lever that can contribute to the building industry better valuing compliance with the NCC and other requirements. Ultimately, ensuring practitioners having up-to-date knowledge of the NCC and how to apply it, will increase the number of NCC-compliant buildings, reduce defects and increase consumer confidence in new building and plumbing work.

In addition, anecdotal evidence suggests CPD also ensures a person has confidence in their own level of understanding of regulatory requirements which:

- allows them to contribute to an overall workplace and industry culture where meeting regulatory requirements is valued,
- provides them the confidence to identify instances of non-compliance and explain to others why the work is non-compliant, and
- support other practitioners to understand how to rectify work so it is compliant.

Stakeholder feedback on proposed minimum requirements for CPD on the NCC is essential to informing the development of appropriate guidance for jurisdictions to consider.

## Information collection

# 1 Important: Please ensure that you have read and understood the below statements before proceeding

## Privacy Collection Statement

The Australian Building Codes Board (ABCB) is bound by the Australian Privacy Principles (APPs) outlined in Schedule 1 of the *Privacy Act 1988* (Cth) (Privacy Act), which regulates how entities may collect, use, disclose and store personal information.

Your personal and sensitive information is being collected by the ABCB Office to assist the ABCB to carry out its functions, to inform the consultation process and for other purposes including to communicate with individuals or organisations about their submission.

The personal and sensitive information collected as part of the submission process may be disclosed to and used by the following individuals or organisations:

- the Department of Industry, Science, Energy and Resources or the ABCB Office, and the staff of the Department and the ABCB Office;
- the ABCB, its committees and any working groups established by the ABCB, and their staff and advisors;
- the Commonwealth Government, and State and Territory Ministers responsible for building regulation and policy, and their staff and advisors;
- other Commonwealth or State and Territory government departments and agencies;
- any consultant or contractor engaged by the ABCB for the purpose of undertaking work in respect of the subject matter of the submission process.
- any organisation for any authorised purpose with your express consent, for the purposes set out above.

Personal and sensitive information obtained will be stored and held in accordance with the ABCB's obligations under the *Archives Act 1983* (Cth). Further information about how the ABCB collects, uses and discloses personal information is set out in its **Privacy Policy** <<https://abcb.gov.au/Footer/Privacy>> .

If you have an enquiry or request relating to your personal information, please contact:

Privacy Contact Officer  
Australian Building Codes Board  
GPO Box 2013  
Canberra ACT 2601

## Confidential Information Statement

All submissions and comments will be published unless they are marked 'commercial-in-confidence'. However, any contact details you provide within your submission will be redacted prior to the submission being published.

In order to promote debate and transparency, the ABCB prefers that all submissions and comments be provided in a way that does not require confidentiality to be maintained. However, it recognises that in some circumstances you may want to provide information in confidence.

It is the responsibility of the person making the submission to ensure that any 'commercial-in-confidence' information is clearly identified. Please consider if you can structure your response to keep only some parts confidential. If only part of your submission is confidential, you can provide the confidential part as a separate submission so that the ABCB can publish the non-confidential part of the submission.

Where confidentiality is requested for an entire submission, it will not be published by the ABCB, nor will your name or organisation details; however, see the comments below regarding Regulation Impact Statements.

Please note that we may still disclose the confidential part of your submission to any of the above identified users of the information as part of the consultation process and we will use reasonable efforts to ensure that the recipients keep the submission confidential.

Submissions for Regulation Impact Statements will be made public in accordance with the Council of Australian Government's **Best Practice Regulation: A Guide for Ministerial Councils and National Standard Setting Bodies** <<https://www.pmc.gov.au/resource-centre/regulation/best-practice-regulation-guide-ministerial-councils-and-national-standard-setting-bodies>> . A summary of the views expressed in the submissions will be published as part of the Regulation Impact Statement.

The ABCB or the ABCB Office may also disclose confidential information in circumstances where:

- we are required or authorised by law disclose it;
- you agree to the information being disclosed; or
- someone other than you has made the confidential information public.

Your submission, comments, opinions and responses will not be published if the ABCB or the ABCB Office considers that your submission, comments, opinions and responses may contain potentially defamatory statements or other offensive comments.

**2** By making a submission to this consultation you agree to the collection of the information you provide in your submission; and the use and disclosure of the information you provide in your submission as outlined above.

(Required)

*Please select only one item*

- ☐ Publish response
- ☐ Publish response anonymously (this will remove personal identifiers including name and organisation)
- ☐ Do not publish

## Personal Information

### 3 What is your name?

Name (Required)

### 4 What is your email address?

Email (Required)

### 5 On whose behalf are you making this submission?

Oh whose behalf are you making this submission? (Required)

*Please select only one item*

- ☐ I am making this submission on my own behalf   ☐ I am making this submission on behalf of a business
- ☐ I am making this submission on behalf of an industry body
- ☐ I am making this submission on behalf of a government agency

### 6 What is your organisation?

Organisation

### 7 Which best describes your industry sector?

*Please select only one item*

- ☐ Building Commercial   ☐ Building Residential   ☐ Building Commercial and Residential
- ☐ Building and plumbing products   ☐ Building Certification/ Surveying   ☐ Architecture and design
- ☐ Engineering   ☐ Plumbing   ☐ Compliance, testing and accreditation   ☐ Legal and Finance
- ☐ Specialist - disability access   ☐ Specialist - energy efficiency   ☐ Specialist - fire safety
- ☐ Specialist - health   ☐ Specialist - hydraulic/ plumbing   ☐ Student/ apprentices
- ☐ Trades and other construction services   ☐ Education   ☐ Community and Non-Government organisations
- ☐ Government   ☐ General Public   ☐ Other

If other, please specify.

### 8 Please select your state or territory

State or territory

*Please select only one item*

- ☐ ACT   ☐ NSW   ☐ NT   ☐ Qld   ☐ SA   ☐ Tas   ☐ Vic   ☐ WA

### 9 If you work in the building industry, in which state or territory do you undertake the most work?

*Please select only one item*

- ☐ ACT   ☐ NSW   ☐ NT   ☐ Qld   ☐ SA   ☐ Tas   ☐ Vic   ☐ WA
- ☐ NA - I do not work in the building industry

## Acronyms and definitions

Continuing professional development on the NCC – Discussion paper on BCR  
recommendation 3

### Acronyms and definitions

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#### Acronyms

The following acronyms are used in this document:

**ABCB** means Australian Building Codes Board

**AIA** means Australian Institute of Architects

**AIB** means Australian Institute of Building

**AIBS** means Australian Institute of Building Surveyors

**AMR** means Automatic Mutual Recognition

**BCR** means Building Confidence Report

**CPD** means Continuing Professional Development

**EA** means Engineers Australia

- 10** Do you agree with the terminology proposed for 'continuing professional development (CPD)' and 'CPD on the NCC'? Please explain your answer and, if applicable, propose alternative terminology.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**11** Are there additional terms that are relevant to BCR recommendation 3 that should be defined in the Preferred Terms Publication?

Please select only one item

☐ Yes ☐ No ☐ Unsure

If you answered 'yes', please provide further information

## Context

### Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

## Context

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The [Building Confidence Report](#) (BCR) highlighted shortcomings in the implementation of the NCC and made 24 recommendations to address these issues.

Recommendations 1 to 3 of the BCR focus on the registration and training of *practitioners*, including the need for compulsory *CPD on the NCC*.

### BCR recommendations 1, 2 and 3

Recommendations 1 and 2 of the BCR propose the registration of building *practitioners* involved in the design, construction and maintenance of buildings, and that each jurisdiction prescribes consistent registration requirements covering knowledge of the *NCC*, competency and experience, insurance and financial viability, and integrity.

## Overview of model guidance

Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

### Overview of model guidance

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Consistent with the objective of BCR recommendation 3, the purpose of the model guidance is to assist:

- jurisdictions establishing or amending mandatory *CPD on the NCC* requirements, and
- development and integration of *CPD on the NCC* into *CPD schemes*.

Achieving this purpose will:

- improve practitioner competency on the *NCC*,
- increase *NCC* compliance, and
- improve outcomes for consumers.

For stakeholder clarity, and to ensure alignment with other work being undertaken on

## Principle 1: CPD on the NCC is compulsory

Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

### Principle 1: CPD on the NCC is compulsory

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#### Proposed minimum requirements

It is recommended that all *practitioners* identified in the NRF undertake compulsory *CPD on the NCC* each year by 30 June.

#### Discussion

#### NRF disciplines

The BCR stated:

*“practitioners operate in a dynamic environment. New products, technologies and practices are actively encouraged through the*

**12** Should all registered practitioners identified in the NRF complete CPD on the NCC? If you answered 'no' or 'unsure', please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**13** Should all practitioners be required to undertake CPD on the NCC each year? If you answered 'no' or 'unsure', please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**14** Should CPD on the NCC be completed by 30 June each year by all practitioners? If you answered 'no' or 'unsure', please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

## Principle 2: The amount, type and expiration of CPD on the NCC is regulated

Continuing professional development on the NCC – Discussion paper on BCR  
recommendation 3

### **Principle 2: The amount, type and expiration of CPD on the NCC is regulated**

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#### **Proposed minimum requirements**

It is recommended that:

1. Practitioners undertake:
  - a. *CPD on the NCC* through the types of *CPD activities* described in Table 4 and specified for each NRF discipline in Table 5; and
  - b. a minimum amount of *CPD on the NCC* each year as specified in Table 6.
2. The amount of *CPD on the NCC* required each year to be undertaken by a *practitioner*:
  - a. is pro-rata apportioned as necessary due to: part-time work, maternity leave, paternity leave and personal (sick) leave, and registration of a

## Table 4, Table 5 and Table 6

### Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

Table 4 Types of CPD activities

Type	CPD activity	Description
1	University education	<ul style="list-style-type: none"> <li>Includes formal face-to-face education, distance education, and short courses provided by a university</li> <li>Typically provided as a unit/component on the NCC</li> <li>Usually includes an assessable component</li> <li>Includes degree, postgraduate diploma and courses or units undertaken on a semester basis or part-time basis</li> <li>Example: Courses provided by a university on the BCA<sup>15</sup></li> </ul>
2	Vocational education	<ul style="list-style-type: none"> <li>Includes formal face-to-face education, distance education and short courses on the NCC delivered by TAFE or a Registered Training Organisation (RTO).</li> <li>Typically provided as a unit/component on the NCC</li> <li>Undertaken on a full-time or part-time basis</li> <li>Usually includes a formal assessable component</li> <li>Example: TAFE NSW provides a short online course on reading plans and specifications and applying codes and standards<sup>16</sup></li> </ul>
3	Seminar, webinar, conference or	<ul style="list-style-type: none"> <li>Seminars, webinars, conferences and workshops provided by an industry association or government body</li> </ul>

Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

mandatory learning requirement for CPD on the NCC would not unduly disadvantage practitioners who have not engaged with formal training for several years, have a disability, or are from culturally or linguistically diverse backgrounds. This means that choice and flexibility are important considerations, particularly for trade-based NRP disciplines, being builders, plumbers and fire systems installers.

In the interests of supporting national consistency, mutual recognition and occupational mobility, Principle 2 proposes the types of CPD activities that would be considered suitable for the delivery of NCC content for each practitioner discipline from the NRP. Alignment with existing CPD scheme requirements has been undertaken where possible and consideration given to the factors described above.

Using the types of activities and descriptions from Table 4, the allowable types of activities to meet CPD on the NCC requirements, for each discipline, are provided in Table 5.

Feedback from stakeholders is sought as to whether the proposed allowable types of activities for CPD on the NCC for each NRP discipline provided in Table 5 are reasonable, meaning they would provide enough flexibility for practitioners to complete compulsory CPD on the NCC while still ensuring the objective of compulsory CPD on the NCC is met.

Consultation question:

8. Do you agree with the content of Table 5 Proposed allowable types of activities for CPD on the NCC based on NRP discipline? If you answered 'no' or 'unsure' please provide further information.

Continuing professional development on the NCC – Discussion paper on BCR  
recommendation 3

Often the detailed application of standards is not included in design documents meaning those responsible for construction must know where to find this information. It is therefore essential for *practitioners*, such as builders, to understand the documents that are referenced, such as Australian Standards. Stakeholders have indicated that *practitioners* involved in construction will likely need as much *CPD on the NCC* as other *practitioner* disciplines given how many standards they need to apply to ensure building work complies with the *NCC*.

With the above in mind the BCR Team's Expert Panel members have proposed that for a given discipline, 25% of any existing or known *CPD* requirements (refer Table 3) should specifically relate to *CPD on the NCC*.

The amounts proposed in Table 6 are a starting point for discussion and to seek the views of industry and government stakeholders, as well as the wider community.

Table 6 Proposed CPD on the NCC amount (hours/annum) for each NBE discipline as a

**15** Are there any types of CPD activities missing from Table 4 that should be included? If you answered 'yes' please provide further information.

Please select only one item

☐ Yes ☐ No

**16** Do you have any comments on the content of Table 4? If you answered 'yes' please provide further information.

Please select only one item

☐ Yes ☐ No

**17** Do you agree with the content of Table 5 Proposed allowable types of activities for CPD on the NCC based on NRF discipline? If you answered 'no' or 'unsure' please provide further information.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**18** Do you agree with content of Table 6 Proposed CPD on the NCC amount (hours/annum) for each NRF discipline as a proportion of 'Typical CPD requirement'? If you answered 'no' or 'unsure' please provide further information.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**19** Should the required amount of CPD on the NCC vary according to a practitioner's level of registration? If you answered 'yes' please explain why and how the requirements should vary.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**20** Do you have any other comments on the type and amount of CPD on the NCC proposed for a particular practitioner discipline? If you answered 'yes' provide further information.

*Please select only one item*

☐ Yes ☐ No

**21** Do you agree with the proposal that outlines the required CPD on the NCC for practitioners with multiple registrations? If you answered 'no' or 'unsure' please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**22** Do you agree with the proposal for carrying-over CPD on the NCC? If you answered 'no' or 'unsure' please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

## Principle 3: CPD on the NCC is evidence-based and is complemented by ethics CPD

Continuing professional development on the NCC – Discussion paper on BCR  
recommendation 3

### **Principle 3: CPD on the NCC is evidence-based and is complemented by ethics CPD**

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#### **Proposed minimum requirements**

It is recommended that:

1. *CPD on the NCC* should:
  - a. have a clearly stated purpose;
  - b. be targeted at specific *practitioner* disciplines;
  - c. have a method of delivery that is suitable for the specific type of practitioner;
  - d. use up-to-date *NCC* content and terminology and link to an *NCC* edition;
  - e. be developed using a risk and evidence-based approach, and be informed by data; and

**23** What sources of data should inform CPD content (focus areas of the NCC) for each practitioner discipline?

**24** Do you have any comments on the proposal for CPD on the NCC to be based on evidence and data? If you answered 'yes' please provide further information.

*Please select only one item*

☐ Yes ☐ No

**25** Do you believe compulsory CPD on ethics should be undertaken by all practitioners?

Please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**26** Besides the NCC and ethics, are there other subject matters that should be mandatory for some types of practitioners? If you answered yes, please provide further information.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**27** Do you have any comments on the proposed model guidance for Principle 3? If you answered 'yes' please provide further information.

*Please select only one item*

☐ Yes ☐ No

## Principle 4: Transparent and consultation-based CPD on the NCC

Continuing professional development on the NCC – Discussion paper on BCR  
recommendation 3

### Principle 4: Transparent and consultation-based CPD on the NCC

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#### Proposed minimum requirements

It is recommended that:

1. *CPD on the NCC* should be developed in consultation with industry and governments.
2. A *CPD scheme* should be
  - a. periodically reviewed in consultation with stakeholders and as part of a continuous improvement plan; and
  - b. transparent, i.e. its policies and procedures should be publically available and accessible.

**28** Are there other matters that can assist transparency and improvement of CPD on the NCC and/or CPD schemes? If you answered 'yes' please provide more information.

Please select only one item

☐ Yes ☐ No ☐ Unsure

## Principle 5: Evidence and records of CPD on the NCC are retained

Continuing professional development on the NCC – Discussion paper on BCR recommendation 3

### Principle 5: Evidence and records of CPD on the NCC are retained

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#### Proposed minimum requirements

It is recommended that:

1. A *CPD scheme* should:
  - a. provide appropriate tools and resources to assist participants of its scheme to comply with its requirements; and
  - b. have adequate record-keeping processes and procedures.
2. A *practitioner* should:
  - a. document completion and retain evidence of their *CPD on the NCC* and retain their records for at least six years;
  - b. record as evidence of completion of *CPD on the NCC* the following

**29** Should practitioners retain their CPD on the NCC records for at least 6 years? If you answered 'no', or 'unsure' please explain your answer.

Please select only one item

☐ Yes ☐ No ☐ Unsure

**30** Do you have any comment on the recommended evidence that a practitioner should record and retain of CPD on the NCC they have completed? If you answered 'yes' please provide further information.

*Please select only one item*

☐ Yes ☐ No

**31** Should a practitioner be required to provide evidence of their fulfilment of CPD on the NCC prior to re-registration or would a declaration be sufficient? Please explain your answer.

Agree

Disagree

Neither agree or disagree

Evidence should be provided

☐☐☐

*Please select only one item*

A declaration should be provided

☐☐☐

*Please select only one item*

## Principle 6: CPD on the NCC is oversighted

Continuing professional development on the NCC – Discussion paper on BCR  
recommendation 3

### Principle 6: CPD on the NCC is oversighted

#### Proposed minimum requirements

It is recommended that a *CPD scheme* implement the following auditing and enforcement strategy to ensure appropriate oversight of *CPD on the NCC*:

1. A *CPD scheme* should annually and randomly audit *practitioners* by giving them a specified period (e.g. 21 business days), to submit evidence of completion of their *CPD on the NCC* that supported their declaration.  
Refer to Principle 5 regarding appropriate evidence.
2. Where a *practitioner* has not completed their *CPD on the NCC*, the following enforcement action should be undertaken:
  - a. Providing a set amount of time to a *practitioner* to bring themselves into compliance with the *practitioner* having to proactively report until compliant. It is also recommended that the practitioner proactively submit

**32** Should a proportion of a CPD scheme's participants be randomly audited each year? If so, please explain your answer and include a suggested percentage e.g. 10%.

Please select only one item

☐ Yes ☐ No ☐ Unsure

**33** Do you have any comments on the proposed auditing and enforcement strategy? Please explain your answer and provide further information if necessary.

*Please select only one item*

☐ Yes ☐ No

**34** Should all practitioners be subject to the same potential consequences? Please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**35** Should practitioners be subject to additional disciplinary measures where they make a false declaration? Please explain your answer.

*Please select only one item*

☐ Yes ☐ No ☐ Unsure

**36** Do you have any other feedback or suggestions to improve the national model guidance proposed for BCR recommendation 3? If you answered 'yes' please provide further information.

*Please select only one item*

☐ Yes ☐ No