

# Escalation process for non-compliance

## Master records

Non-compliance can be any issue that contradicts NZTA legal requirements. An act of non-compliance carried out by any person who is not bound to NZTA cannot be held accountable by NZTA. If the inspecting organisation (IO) or vehicle inspector (VI) participates in a non-compliant act with a third party(s) who are not bound, the IO and VI will still be accountable for their part. See the next page for examples.

Area of non-compliance	Potential result	Possible action	Comments



## Escalation process for non-compliance – examples

Area of non-compliance	Potential result	Possible action	Comments
Vehicle does not comply with VIRM requirements	<ul style="list-style-type: none"> <li>▪ Vehicle is non-compliant</li> </ul>	<ul style="list-style-type: none"> <li>▪ Vehicle fails inspection</li> </ul>	The HVSC VIRM is the primary reference for VIs
Customer believes VI's decision to certify are non-compliant with a legal requirement or customer believes VI decision to fail certification are unjustified with a legal requirement	<ul style="list-style-type: none"> <li>▪ Customer may take vehicle elsewhere</li> <li>▪ Customer may be right</li> <li>▪ Customer may complain to NZTA</li> <li>▪ Vehicle may be unsafe to operate</li> <li>▪ It may cost the customer money that should not have been spent if additional work required</li> </ul>	<ul style="list-style-type: none"> <li>▪ VI to reference decision to a legal requirement for the customer to understand</li> <li>▪ VI to refer customer to IO</li> <li>▪ Reinspect vehicle</li> <li>▪ VI to direct customer to complaints process</li> <li>▪ Corrective action to upskill VI</li> </ul>	An open mind must be maintained in these cases. Mistakes can be made however, accountability is a must. Corrective action and training must be carried out to ensure the practice does not continue to happen
IO believes VI decision / VI believes IO decision to fail/pass certification are non compliant with a legal requirement	<ul style="list-style-type: none"> <li>▪ Customer may be disadvantaged by extra costs</li> <li>▪ Customer may take vehicle elsewhere</li> <li>▪ Customer may unsuspectingly drive away in non-compliant vehicle</li> <li>▪ Customer may be at risk if stopped by the Police</li> <li>▪ Vehicle may be unsafe to operate</li> <li>▪ VI and IO breaching NOA</li> <li>▪ IO appointment at risk</li> </ul>	<ul style="list-style-type: none"> <li>▪ IO to seek clarification of decision by VI byway of the VI showing the legal requirement to the IO to understand</li> <li>▪ Reinspect vehicle</li> <li>▪ IO to shop VI inspecting</li> <li>▪ IO to initiate corrective action</li> </ul>	<ul style="list-style-type: none"> <li>▪ The VI is the one who understands the legal requirements technically so shall provide expert advise to the IO to consider</li> <li>▪ Record on your PDS full details to allow a full investigation if required.</li> <li>▪ Customer complaints policy must be displayed</li> </ul>