**Building regulator left public in the dark**

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**Richard Baker and Nick McKenzie**

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Planning Minister Matthew Guy.

VICTORIA's soon-to-be-abolished building industry regulator secretly stopped publishing the results of disciplinary hearings involving builders and surveyors, leaving the public unaware of a practitioner's performance history.

The revelation comes after Planning Minister Matthew Guy confirmed on Thursday that the Victorian Building Commission and associated bodies would be replaced next year by a new single authority called the Victorian Building Authority.

Documents obtained by Fairfax Media reveal the commission in July last year ended its long-standing policy of publishing the results of Building Practitioners Board disciplinary hearings in an industry newsletter it produced.

That decision was made under the leadership of the then commissioner, Tony Arnel, who resigned in January.

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In August, his replacement Michael Kefford went further and decided to no longer publish the results of disciplinary hearings on the commission's website.

But Mr Kefford has been forced to review his stance on the publication of disciplinary hearings after the State Ombudsman described the policy change as lacking in transparency.

The Ombudsman's office became involved after being contacted by a member of the public.

In a letter to the complainant, Ombudsman's office investigator, Adam Clair, wrote that the commission had advised that its publishing policy changed in August and that findings of inquiries into a practitioner's performance would ''not be published in any form''.

Instead, the commission said it would only respond to individual requests for information about the disciplinary history of a practitioner, arguing ''there is no statutory obligation … to publish the results of the board's inquiries''.

However, the Ombudsman's office took a different stance, with Mr Clair writing:

''This office was of the view that this policy change marked a departure from the previous policy which appeared to provide transparency and ease of access to information about a registered building practitioner's disciplinary history.

''This office also considered that the commission had not appropriately communicated this policy change to the public or advised how the public could access information about a registered building practitioner's disciplinary history.''

Acting Ombudsman John Taylor has provided a series of publishing proposals that have been accepted by Mr Kefford. The commission's website now has details on how the public can discover a practitioner's disciplinary history.

Mr Taylor is expected to table the results of a significant inquiry into the building commission in Parliament next month after Fairfax Media earlier this year exposed its extravagant use of public funds, conflicts of interests involving senior officials and failure to oversee the building permit system.

Under legislation to be introduced next year, Victoria's building industry regulator will have a simpler and more transparent complaints and disciplinary mechanism.

In addition to the building commission, the Plumbing Industry Commission and the Architects Registration Board will also be abolished. Their functions will be performed by the Victorian Building Authority, which will be led by a chief executive and an independent board.

The futures of the Building Practitioners Board and the Building Appeals Board - statutory bodies that discipline builders and surveyors and hear appeals - is also under review as part of Mr Guy's reforms.

Mr Guy has criticised the present state of building industry regulation as ''ad hoc'', adding that the public did not have confidence in the commission and its associated bodies.

The Master Builders Association welcomed the creation of a new authority, with executive director Brian Welch saying ''the events leading to this announcement have brought our industry into disrepute and action is absolutely necessary to restore the public's faith in the building system''.

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