



# Complaints Policy

## Purpose

The objective of this policy is to enable complaints to be resolved in a manner that is consistent with the Retirement Living Code of Conduct and the Retirement Living Code of Conduct Complaints Handling Guidelines.

No complaint can be allowed to impact the rights of residents and staff to work in a safe environment free from harassment and intimidation.

## Retirement Living Code of Conduct

The Retirement Living Code of Conduct has been developed by the peak bodies after extensive consultation with key industry stakeholders, including governments, operators and most importantly, residents and resident representative bodies.

Walka Grange Lifestyle Village has signed up to the Code to demonstrate our commitment to the village residents.

## Scope

This policy has been prepared in consultation with the Walka Grange Lifestyle Village Residents Committee.

This policy covers all complaints raised by a resident concerning us, our staff, the village, another resident or any other matter that the resident wants to raise.

The principles of our complaints management system reflect the principles set out in the Code of Conduct:

- ✓ A transparent, open, accessible and effective complaints process;
- ✓ A process and environment that provides residents confidence in the complaint's resolution mechanism, encourages feedback on complaints and allows for complaints to be managed in a timely and fair manner;
- ✓ A framework in which complaints can be identified, raised and addressed in a non-judgmental environment;
- ✓ A framework that does not persecute, penalise or otherwise prejudice any participant engaged in the process of complaint handling.

The complaint handling investigation procedure does not and is not intended to override or displace any rights or obligations of a resident or an operator as set out in relevant legislation, statutory rules or contractual arrangements. It is a guideline for resolution of complaints that can be achieved within those frameworks.

A resident may appoint a representative to act on their behalf. We will respect and cooperate in the same way with an intermediary or representative acting on behalf of residents as we would with the residents themselves.

## **Issues or Concerns**

It is important that you can informally raise with us any issues or concerns that you may have. You are encouraged, but not required, to raise any issues or concerns informally with us prior to making a Formal Complaint.

Any issues or concerns will be dealt with in accordance with our Issues and Concerns Procedure set out below in this policy.

Issues or concerns raised anonymously cannot be dealt with in accordance with our Issues and Concerns Procedure, however we will endeavour to investigate, consider or resolve any issue or concern anonymously brought to the attention of the Village Manager. If the issue or concern results in a change to any policy or practice at the Village which would ordinarily be notified, then all residents will be notified of this outcome.

## **Issues or Concerns Procedure**

Any issue or concern may be raised at any time with the Village Manager.

We suggest that you come and talk to us as a first step. We may be able to resolve this with you immediately without the need for any written correspondence.

Where you have raised an issue or concern, we will acknowledge this to you in writing within 5 working days. Many of our residents like us to email them, and we're happy to do that if it's your preference.

We will respond to your issue or concern within a reasonable time. If we are unable to give you a response within 10 working days of the date you raised the issue or concern, the Village Manager will contact you and explain what progress has been made and when a final response might be expected. Once the Village Manager has completed the investigation of the issue or concern, a written advice of the outcome will be provided to you.

If you are not satisfied with our response or the progress towards resolution you may choose to raise a Formal Complaint

## **Formal Complaints**

You have the right to make a Formal Complaint about us, our staff, the village, other residents or any other matter. We're happy to talk you through the steps involved. Our aim is for any formal complaint to be resolved in a fair, quick, appropriate and cost-effective way.

Before making any formal complaint, you may wish to raise an issue or concern with us first. If you'd like to do that, the section above explains how you can do so.

Where possible and reasonable, we will endeavour to resolve complaints within 15 days of receiving the complaint.

## How to Make a Formal Complaint

A formal complaint needs to be in writing or email:

- you can choose to write the complaint yourself, or have a friend or family member help you write it; or
- if that is not possible, we can write the complaint for you, based on what you tell us.

In either case you will need to forward the complaint to the Village Manager:

Email: [manager@walkagrange.com.au](mailto:manager@walkagrange.com.au) or to the village office via reception, or to the dedicated letterbox located in the residents letterbox area. The postal address is PO Box 12, Maitland NSW 2320.

Should the complaint be about the Village Manager please forward the complaint directly to our Code of Conduct Compliance Officer, Bernice Unicomb:

Email: [bernice@unicomb.com.au](mailto:bernice@unicomb.com.au) or Post: PO Box 522, Maitland NSW 2320.

We will acknowledge your complaint in writing within 5 working days of receiving the complaint. This may be done by email if that is your preference.

All complaints will be treated as confidential and private. Requests for anonymity will be respected unless the circumstances of the complaints handling process requires disclosure.

## Formal Complaints Resolution Procedure

### Step 1 – Working Together

With your agreement, the Village Manager will work together with you in the first instance, to try and resolve your complaint to your satisfaction. In our experience most complaints are resolved at this stage.

Should you decide that you do not wish to work together with the Village Manager, the complaint will automatically progress to Step 2.

Complaints about the Village Manager will automatically progress to Step 2.

### Step 2 – Assistance from the Code of Conduct Compliance Officer

If your complaint is not resolved to your satisfaction under Step 1 within 5 working days of us receiving your complaint, we will refer the complaint to our Code of Conduct Compliance Officer, Bernice Unicomb.

We will ask our Code Compliance Officer to assist with the complaint and provide an impartial point of view and recommend a way forward. This may include mediation utilising any organisational resources available.

Should the complaint be about another resident and cannot be resolved to your satisfaction we will give you the option of referring the complaint to Step 3, as the Retirement Living Code of Conduct does not address complaints between residents.

**Any other complaints that cannot be resolved to your satisfaction will automatically progress to Step 4.**

If any proposed action by us is the subject of the Formal Complaint, we will advise you whether or not we will suspend taking that action until the complaint is resolved.

#### Step 3 – Referral for External Mediation

If your complaint is not resolved to your satisfaction under Step 2 within 10 working days of us referring it to our Code of Conduct Compliance Officer, we will give you the option of referring the complaint to a publicly funded mediation service. The Retirement Living Code of Conduct provides the following details for NSW residents:

- Community Justice Centres as governed by the NSW Department of Justice. Phone 1800 990 777 or [www.cjc.justice.nsw.gov.au](http://www.cjc.justice.nsw.gov.au)
- Advice available through Law Access NSW. Phone 1300 888 529 or [www.lawaccess.nsw.gov.au](http://www.lawaccess.nsw.gov.au)

#### Step 4 – Unresolved Formal Complaints

Should your complaint not be resolved to your satisfaction, excluding complaints between residents, you have the right to refer the complaint to the Code of Conduct Code Administrator. Complaints can be made online at the Code web portal, [www.retirementlivingcode.com.au](http://www.retirementlivingcode.com.au).

You may also contact NSW Fair Trading on 13 32 20 or [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) who can provide assistance for unresolved complaints, including complaints between residents.

You may also contact the NSW Civil and Administrative Tribunal (NCAT) on 1300 006 228 or [www.ncat.nsw.gov.au](http://www.ncat.nsw.gov.au) who can provide assistance for unresolved complaints of a more serious nature.

Should your complaint relate to your electricity account, via our embedded network arrangements, you may contact the Energy & Water Ombudsman NSW on 1800 246 545 or [www.ewon.com.au/complaints](http://www.ewon.com.au/complaints) to lodge a complaint or for free independent information and advice.

We will cooperate with the Code Administrator (or the Code Review Panel), independent mediator or any regulatory authority during any investigation and abide by any agreement we make.

### **When a Complaint will not be Considered or Stopped**

There may be circumstances where a complaint will not be considered or may be stopped. These include:

1. The unreasonable conduct of a party in making repetitive, vexatious, unsubstantiated complaints.
2. The unreasonable conduct of a party in using inappropriate, derogatory and crude language.
3. The unreasonable conduct of a party in making fanciful, irrational complaints.

4. The failure of the complainant to cooperate or respond to reasonable requests of the operator during an investigation.
5. The parties issuing or tendering correspondence that is defamatory towards the operator or any of its employees.
6. A party seeks information in relation to another person that could constitute a breach of that person's privacy.

## Accountability, Monitoring and Improvement

We will maintain a record of:

- Complaints lodged;
- Outcomes – agreed or otherwise; and
- Compliance and implementation of agreed outcomes.

We will include the complaints handling system, complaints reporting and feedback as an agenda item at the annual management meeting with residents.

We will seek feedback from the residents and staff each year on any issues or problems with this Policy and adopt a continuous improvement ethos.

## Relevant Documents

- Retirement Living Code of Conduct
- Retirement Living Code of Conduct – Complaints Handling Guidelines
- Lease Agreement
- Walka Grange Lifestyle Village Rules

## Relevant Legislation

- Retirement Villages Act 1999 (NSW)
- Retirement Villages Regulation 2017 (NSW)
- Work Health and Safety Act 2011 (NSW)
- Work Health and Safety Regulation 2017 (NSW)

## Authority

Author: Des Malone, Village Manager  
 Approval: Chris Unicomb, Village Operator  
 Date created: 19 December 2019  
 Date approved: 17 January 2020  
 Date updated:

## Revision History

Version	Date	Description of Change	Approved by