

COMPLAINTS HANDLING AND INTERNAL DISPUTES

A **complaint** is when someone expresses their disagreement, disapproval, or disappointment. Halliday Shores promotes a culture that values and encourages residents to raise concerns and supports the effective resolution of complaints and internal disputes.

Halliday Shores has a very active Resident Committee with residents aware they can seek assistance from the Committee to make a complaint or pursue an internal dispute if they wish to.

Residents have the right to designate a person to act on their behalf.

Halliday Shores values feedback from employees and residents and recognizes that opportunities to improve arise from the effective handling of complaints and internal disputes.

All employees are encouraged to take initiative in ensuring early warning of any likely employee or resident problem and assist in seeking a satisfactory solution. All efforts will be made to deal with the complaint internally however external mechanisms are available as detailed in the procedure below.

The Village Manager/Operator will formally acknowledge receipt of a complaint/internal dispute within five working days. They will ensure the complaint/internal dispute is managed within 60 working days setting out an expected resolution date where possible.

The Village Manager will have a sound working knowledge through training and experience in Complaints Handling. All staff and residents will be informed on the complaints handling process. Staff through staff meetings, residents through the Village Handbook, and the policies and procedures manual, located in the library.

Responsibilities

The General Manager is responsible for ensuring:

- Impartiality – If you make a complaint, it will be investigated in a fair and impartial manner. No judgments or assumptions will be made, and no action will be taken until the investigation is complete. If a complaint is made against you, your rights will be protected, and you will be given an opportunity to tell your side of the story
- Confidentiality – You should feel secure that if you do make a complaint, it will remain confidential
- No victimization – Provided your complaint is made in good faith, you should rest assured that you will not suffer in any way, as a consequence
- Timeliness – Each complaint will be finalized within as short a period of time as practicable. Complainants will be advised if the matter cannot be finalized within 30 working days.



Procedures

Residents and employees are encouraged to firstly try to resolve any issues directly with the person involved.

Informal Complaint

1. The first level of the complaint procedure is informal where a resident or employee may approach the Village Manager to discuss a concern or make a complaint. This does not need to be in writing, and it is anticipated that most complaints can be resolved at this level.
2. The Village Manager will record details of the complaint, the person involved, and actions taken to resolve the complaint.
3. An informal response will generally be given verbally to the person within 10 working days from when it was received. The person is also informed of the formal procedure available if they are unsatisfied with the outcome of the informal process.

Formal Complaint

1. The second level of the procedure is formal where a complaint could not be resolved using an informal approach.
2. Any person approaching the Village Manager to make a formal complaint will be first asked to attempt and resolve the complaint via the informal process if not already done.
3. Once it has been established that the complaint could not be resolved informally, the complaint is made formally in writing and must contain the following details:
 - Name and contact details of complainant
 - A description of the complaint
 - A description of the steps already taken to try to resolve the complaint
 - An indication of the desired outcome.
4. The owner of Halliday Shores is informed of the complaint and an investigation will commence in order to resolve the complaint. The owner in consultation with the Village Manager will have the final determination in the outcome of the complaint.
5. The person making the complaint will normally be provided with a written response within 30 working days from when the formal complaint was received. The complainant will be kept informed of the progress to resolution and any delays.
6. Once the complaint has been finalized, all related documentation is stored in the Complaints Register and in the relevant file. Details of all complaints are included in the Monthly Management Report to the owner.



External Agencies

If the complaint remains unresolved using both of the above methods, or the complainant is unhappy with the outcome, the complaint can be directed to an external agency such as:

Employees

- Anti-Discrimination Board
- Human Rights & Equal Opportunity Commission
- NSW Ombudsman
- The Police

Residents

- Mediation*--Department of Fair Trading
- The Consumer, Trader and Tenancy Tribunal
- The Aged Care Rights Service (TARS)

***Mediation**

The Retirement Village Amendment Act 2018 introduced a regulation-making power to provide the mediation of disputes arising under the Retirement Village Act 1999 (NSW).

NSW Department of Fair Trading offer a free mediation service. It's an informal negotiation with a neutral (qualified) mediator to help you reach a beneficial settlement. The mediator's role is to help identify the issues in dispute and help find options that could address everyone's concerns. More information about this service can be found at <https://www.fairtrading.nsw.gov.au/housing-and-property/retirement-villages/living-in-a-retirement-village/retirement-village-disputes>

To access fill in the complaints form available online at Department of Fair Trading and depending on the issue, Retirement Village Complaint Service will either recommend mediation, provide dispute resolution assistance, or refer you to the NSW Civil and Administrative Tribunal.

General

- Halliday Shores will record, assess and review complaints on a regular basis to ensure responsiveness and ongoing commitment to service improvement.
- Halliday Shores will be transparent and accountable in relation to complaints by ensuring information about the procedure is widely available and by informing both residents and employees about feedback received and actions taken to improve.
- If the complaint is about the Village Manager, speak directly with the owner of Halliday Shores.
- At any point in the procedure a person may withdraw their complaint.
- Residents have the right to discuss any issues/complaints with the Resident Committee.

COMPLAINTS/INTERNAL DISPUTE PROCEDURE FLOWCHART



