

## **Armstrong Green Village**

### **COMPLAINTS AND DISPUTE RESOLUTION POLICY**

The aim of this policy is to provide residents and staff access to a formal complaints mechanism process and to provide a consistent approach to the management of resident feedback.

#### **Introduction:**

Armstrong Green Village welcomes complaints from all residents. A simple and easy to use complaints resolution mechanism is in place to allow residents access to management in order to resolve a dispute. Management is aware that complaints have a constructive aspect in that they provide an opportunity for Village management to review how services are delivered and to identify areas for improvement.

The complaints policy aims to provide a mechanism where:

- All disputes can be dealt with efficiently within the village
- All residents are offered a highly accessible option to resolve problems.
- Minor problems can be addressed early so they don't develop into a major dispute.

Resident Dispute means a dispute between residents in a retirement village about any action or failure to act by residents in the retirement village that affects:

- (a) The use and enjoyment of the retirement village land by other residents in the retirement village; or
- (b) The use of services by other residents in the retirement village, being services provided to residents in the retirement village by the Service Association.

Management/Operator complaint means any complaint that a resident has against the Service Association of the retirement village about:

- (a) The control, management or administration of the retirement village by the Service Association; or
- (b) Any action or failure to act by the Service Association that affects residents' use or enjoyment of the retirement village land; or
- (c) The provision of services or a failure to provide services by the Service Association to residents of the retirement village.

## **Procedures:**

### ***Resident Disputes (Resident vs. Resident)***

***Residents in the first instance must endeavour to raise their concerns or dispute with the concerned resident with the intent to resolve the matter. If unsuccessful in your attempt to resolve the dispute, the following procedures applies.***

Disputes may be lodged with the Village Manager (Kerry Rentsch) through the Village Manager's office via either face to face, telephone or in writing during normal business hours, Monday to Friday.

The Village Manager will aim to deal with the complaint fairly, promptly, confidently and without retribution, in order to achieve an effective remedy at the first contact with the person who has the complaint or grievance. Once the complaint is resolved, the complainant is informed of the outcome.

- (a) If the complaint cannot be resolved within 72 hours (not counting weekends and public holidays), the Village Manager will confirm in writing with the complainant the essential issues to be resolved and outcomes sought, and then put this written summary to the resident who is the subject of the complaint. The resident is then invited to respond to the Village Manager within 72 hours.
- (b) If the Village Manager is unable to remedy the situation by mediating with other residents, the issue will go before the Committee of Management for resolution and the Villages' Bolton Clarke representative will be asked to assist in the mediation process.
- (c) Finally, if all processes have failed and the matter remains unresolved, the complainant may exercise their right to contact the Village Code Compliance Officer, Consumer Affairs Victoria for advice or engage the Dispute Settlement Centre of Victoria so it can review the dispute, including the documentation of internal attempts to resolve it and mediate a resolution, contact the Code Administrator or choose to have it heard before either the Victorian Civil & Administrative Tribunal (VCAT) or the courts.

### ***Management Complaints (Resident Vs Service Association)***

(a) Management complaints may be lodged with the Village Manager (Kerry Rentsch) through the Village Manager's office via either face to face, telephone or in writing during normal business hours, Monday to Friday.

(b) The Village Manager will then aim to deal with the complaint fairly, promptly, confidently and without retribution, in order to achieve an effective remedy in the first instance. Once the complaint is resolved, the complainant is informed of the outcome.

(c) If the complaint cannot be resolved within 72 hours (not counting weekends and public holidays) the Village Manager will confirm in writing with the complainant the essential issues to be resolved and outcomes sought and put this written summary to the Committee and, as a result, the Bolton Clarke representative will assist in the resolution process. The complainant (or their representatives) will be kept informed of the Committee's and Bolton Clarke's progress and will be advised about outcomes from the Village Manager. The Village Manager will confidentially record and file all correspondence regarding the dispute.

(d) Finally, if all processes have failed and the matter remains unresolved, the complainant may exercise their right to contact the Village Code Compliance Officer, Consumer Affairs Victoria, the Code Administrator of the Retirement Living Council for advice, engage the Dispute Settlement Centre of Victoria so it can review the dispute, including the documentation of internal attempts to resolve it, contact the Code Administrator or choose to have it heard before either the Victorian Civil & Administrative Tribunal (VCAT) or the courts.

**Responsibility:**

The Village Manager is responsible for addressing all Management complaints and Resident disputes. He/she is also responsible for informing residents of the 'Village Complaints Policy' and ensuring written information on the complaints mechanism is available to all residents.

It must be understood that residents do not have to use the internal complaints resolution mechanism for resident or management complaints. They may choose to first seek the advice of Consumer Affairs Victoria, the assistance of Dispute Settlement Centre of Victoria, the Victorian Civil & Administrative Claims Tribunal (VCAT) or another external service or dispute resolution body.

**Dispute Settlement Centre of Victoria**

4/456 Lonsdale Street

Melbourne 3000

Ph: 1300 372 888

Email: [dscv@justice.vic.gov.au](mailto:dscv@justice.vic.gov.au)

**Consumer Affairs Victoria**

121 Exhibition Street

Melbourne 3000

Ph: 1300 558 181

Web: [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)



**The Code Administrator**

Retirement Living Council

Ph: (03) 9650 8300

Email:

[retirementliving@propertycouncil.com.au](mailto:retirementliving@propertycouncil.com.au)

**VCAT**

55 King Street

Melbourne 3000

Ph: 1800 133 055

Email: [vcat@vcat.vic.gov.au](mailto:vcat@vcat.vic.gov.au)

**Code Compliance Officer**

Ladelle Mazzaferri

Level 3 – 44 Musk Avenue

Kelvin Grove QLD 4059

Email: [lmazzaferri@boltonclarke.com.au](mailto:lmazzaferri@boltonclarke.com.au)

**Communication:**

All complaints are formally responded to by the Village Manager in accordance with the relevant State legislation or Industry body. Throughout the entire process, the complainant (or their representatives) will be kept informed of the steps the Village Manager intends to take, the date by which the Village Manager will advise the resident further and any successful outcomes.

Complaints, which can be resolved quickly, and which do not involve policy change or input from the Committee, will be addressed at once. Other complaints, which remain unresolved after 72 hours, will be recorded and all correspondence will be kept on file should any outside parties be called in to mediate the dispute.

**Reporting:**

The Village Manager will keep a PRIVATE AND CONFIDENTIAL record of all complaints made by residents, including records of the outcomes reached and the action, if any, taken in relation to each complaint and dispute.

At the Resident's Annual General Meeting, the Village Manager will present a report on the number and nature of management complaints and resident disputes, the outcome of each complaint or dispute, and any changes made or proposed to be making to address issues arising out of the comment or complaint.

For more information go to the Consumer Affairs Victoria website. [www.consumer.vic.gov.au](http://www.consumer.vic.gov.au)