

POLICY NO. 1.06

COMPLAINTS & DISPUTES RESOLUTION

Village Complaints/Disputes 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.

1. Introduction:

Martha Cove 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 and effectively 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.

2. Definitions:

“Resident” means a retired person who lives or proposes to live in a retirement village.

“Village Manager” means a person who manages a retirement village.

“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 affect:

(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 Services Association.

“Management Complaint” means any complaint that a resident has against the Services Association of a retirement village about:

- (a) the control, management or administration of the retirement village by the Services Association or
- (b) any action or failure to act by the Services 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 Services Association to residents of the retirement village.

3. Procedures:

Resident Disputes (Resident vs Resident)

(a) Complaints may be lodged with the Village Manager (Leanne Avery) through the Managers office via either face to face, telephone or in writing between 8.30am - 4.30pm Monday to Friday. Complaints may also be lodged with a Committee of Management member who will call on the assistance of the Village Manager.

The Village Manager and/or Committee Member will aim to deal with the complaint fairly, promptly, confidentially 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.

(b) If the complaint cannot be resolved within 72 hours (not counting weekends & 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 or Committee Member within 72 hours.

(c) If the Village Manager is unable to remedy the situation by mediating with both residents, the issue will go before the Committee of Management or resolution and the Villages’ Bolton Clarke representative will be asked to assist in the mediation process.

(d) Finally, if all processes have failed and the matter remains unresolved, the complainant may exercise their right to complain to Consumer Affairs Victoria, so it can review the dispute, including the documentation of internal attempts to resolve it or

choose to have it heard before either the Victorian Civil & Administrative Tribunal (VCAT) or the courts.

Management Complaints (Resident vs Service Association)

(a) Complaints may be lodged with the Village Manager through the Managers office via either face to face, telephone or in writing between 8.30am - 4.30pm Monday to Friday. Complaints may also be lodged with a member of Committee of Management who will call on the assistance of the Village Manager if necessary.

The Village Manager and/or Committee Member will aim to deal with the complaint fairly, promptly, confidentially 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.

(b) If the complaint cannot be resolved within 72 hours (not counting weekends & 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 Committee of Management and as a result, the BOLTON CLARKE representative will assist in the resolution process.

The complainant (or their representative) 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 record and file all correspondence regarding the dispute.

(c) Finally, if all processes have failed and the matter remains unresolved, the complainant may exercise their right to complain to Consumer Affairs Victoria, so it can review the dispute, including the documentation of internal attempts to resolve it or choose to have it heard before either the Victorian Civil & Administrative Tribunal (VCAT) or the courts.

4. Responsibility

The Village Manager is responsible for addressing all Management complaints and Resident disputes. He/she is also responsible for informing residents of the Villages 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
Phone: 1300 372 888
Email: dscvfeedback@disputes.vic.gov.au

Consumer Affairs Victoria
121 Exhibition Street
Melbourne 3000
Phone: 1300 558 181
Web: www.consumer.vic.gov.au

VCAT
55 King Street
Melbourne 3000
Ph: 1300 018 228
Web: www.vcat.vic.gov.au

Code Compliance Officer
Bolton Clarke
Ladelle Mazzaferri
Email: lmazzaferri@boltonclarke.com.au

[The Code Administrator](#)
[Retirement Living Council](#)
Ph: (03) 9650 8300
Web: www.propertycouncil.com.au

5. 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.

6. Reporting

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

At the Residents 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 made to address issues arising out of the comment or complaint.

VILLAGE MANAGER

20 March 2025