



**BANKSIA
VILLAGES**

BANKSIA VILLAGES LIMITED	
Document Title:	Village Complaint and Internal Dispute Resolution Policy
Department	Banksia Village
Original Approval Date:	29 September 2020
Approval Authority:	CEO
Review Date:	
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1. Introduction

Banksia Villages values feedback and is committed to fairly, efficiently and effectively responding to complaints. Banksia Villages is required to ensure that complaint and internal dispute resolution processes are prepared and maintained in accordance with Schedule 3A Part 5 of the Retirement Villages (NSW) Regulation 2017. This document is intended for the use of residents, prospective residents, interested parties and staff and provides guidance as to the treatment of complaints and internal dispute resolution.

2. Scope

This policy is intended to deal with disputes and complaints raised by independent living residents, prospective residents, and persons acting on behalf of residents, and extends to all elements of the relationship between Banksia Villages and residents, and the services, facilities and functions of the retirement village. This policy also provides for disputes between residents.

Complaints and disputes that arise and/or relate to matters that occur outside of the retirement village and/or are not related to the operations and function of the retirement village and the relationship between Banksia Villages, residents and prospective residents, are not covered by this policy.

3. How to make a complaint

Complaints can be made by completing the *Banksia Village Complaint & Feedback Form*. This form is available in common centres, from Village administration and at Banksia Villages website www.banksiavillage.com.au. This form can also be provided in electronic form, on request, by contacting the Village administration office in person or by calling 02 4471 6031. Alternatively, complaints can be made in person or by phone 02 4471 6031 or email heidi.pendlebury@banksiavillage.com.au. Assistance will be provided to make a complaint if needed.

4. Timeframes

Banksia Villages will acknowledge receipt of the form within 5 business days of it being received. Banksia Villages undertakes to investigate, enquire and act on the information provided by the complainant in good time and aims to provide resolution to the complaint or dispute within a maximum period of 60 days from receipt.

Banksia Villages undertakes to keep the parties to the complaint or dispute informed of progress and will advise accordingly if settlement within the maximum period is not attainable for any reason.

5. Roles

a) Village Manager

Banksia Villages' representative for managing retirement village complaints and disputes is the Village Manager. Where the Village Manager is not able to act, Banksia Villages' representative will be the CEO. The role of the Village Manager will be to collect all required information, to analyse and synthesise information gathered, to liaise with the complainant and other relevant parties and to seek resolution to the complaint or dispute. The Village Manager will advise the complainant and other relevant parties of the decision and/or remedy when closing out of a complaint or dispute. The Village Manager will receive training and guidance in complaints handling and dispute resolution. All staff are expected to understand and comply with Banksia Villages complaints handling processes and principles. Village Manager contact details are as follows:

Village Manager

P: 02 4471 6031

E: heidi.pendlebury@banksiavillage.com.au

b) Residents Committee

Residents may seek assistance, support or representation from the Residents Committee of the retirement village to make a complaint or pursue an internal dispute, or resolve a complaint or internal dispute. However, there is no requirement for residents to advise, involve or consult the Resident Committee or any other resident in the resolution of a complaint or internal dispute.

c) Complainant

Banksia Villages is committed to being accessible and responsive to any feedback and complaints brought forward. To effectively and efficiently handle complaints it is essential that those bringing forward a complaint or feedback provide factual information, maintain confidentiality and engage with staff and other parties in a positive manner to work towards a resolution.

6. Process

Banksia Villages will undertake the following processes when in receipt of a complaint or dispute;



a) Acknowledge

Unless the complaint has been resolved at the outset, we will record the complaint and its supporting information. We will acknowledge receipt of each complaint within 5 business days. The acknowledgement will outline the complaints process and contact details for who will be handling the complaint.

b) Assess

After acknowledging receipt of the complaint, we will confirm whether the issues/s raised in the complaint is/are within our control. We will also consider the outcome/s sought by the complainant and, where there is more than one issue raised, determine whether each issue needs to be separately addressed.

When determining how a complaint or dispute will be managed, we will consider:

- how serious, complicated or urgent the complaint is
- whether the complaint raises concerns about people's health and safety
- how the complainant is being affected
- the risks involved if resolution of the complaint is delayed, and
- whether the resolution requires the involvement of other organisations

c) Investigate

We will investigate the circumstances of the complaint or dispute, which may involve discussions with other parties, staff or contractors, and may extend to a review of the legal, policy or procedural obligations of Banksia Villages, residents or other parties.

Banksia Villages is committed to an impartial, confidential and transparent review of any issues raised by the complainant.

Banksia Villages will advise the complainant of the preliminary results and findings of the investigation, including potential remedies to resolve the complaint.

d) Respond

Following consideration of the complaint or dispute, and any investigation into the issues raised, the complainant will be contacted to advise:

- the outcome of the complaint and any action taken
- the reason/s for our decision
- the remedy or resolution/s that we have proposed or put in place
- provision of further information about internal and external escalation options if the matter is not resolved to the complainants satisfaction

e) Follow up

Complainants will have the opportunity to provide feedback on how their complaint was handled and resolved.

f) Consider

Banksia Villages management will monitor the complaints register and feedback to identify if there are any trends or issues arising from complaints. Banksia Villages is committed to continuous improvement and complaints analysis will be used as a tool to review and improve services.

7. Record keeping

All complaints and disputes will be documented in a register, including the name and contact details of each resident concerned, the date on which the complaint or dispute was raised, a summary of the outcomes and actions taken (including whether the complaint or dispute was resolved, withdrawn, referred or escalated), identification of staff involved and any referral of continuous improvement actions. Records will be kept for a minimum of 5 years.

8. Internal Escalation

Where the Village Manager is unable to resolve and settle a complaint within the maximum period, otherwise chooses to or is requested to by the complainant, the matter will be referred to the CEO.

9. External Escalation

The complainant is free to refer the complaint or dispute to an external tribunal or body at any time. Banksia Villages will assist the complainant in referring the matter if requested to do so. NSW Fair Trading provide a retirement village complaint service, which may either recommend mediation, provide dispute resolution assistance, or referral to the NSW Civil an Administrative Tribunal.

10. Privacy

Banksia Villages value the privacy of all residents and will treat all resident information in accordance with its privacy policy. Banksia Villages respect the right of residents or persons acting on behalf of residents to raise complaints, disputes and give feedback. Any matter brought forward in accord with this policy will be treated with respect, confidentiality and discretion. It is noted that in the pursuit of investigating and attempting to resolve a complaint or dispute, persons other than the complainant may need to be contacted and advised of some or all of the particulars of the complaint or dispute and the complainant. This information will only be released to the extent required to progress the matter in a positive way and all persons receiving such information will be briefed of their privacy and confidentiality obligations.

11. Review

This policy will be reviewed every two years or as otherwise required.

12. Further Information and Accessibility

Further information in relation to this policy and any of the referred documents, policies or procedures can be obtained by contacting the Village Manager. This policy will be provided to all independent living residents and Banksia village staff. A copy of this policy will be on display in common centres, on Banksia Villages' website and is available from Banksia Villages Administration.

13. Reference Documents

- a) Banksia Village Complaint & Feedback Form
- b) Retirement Villages Act (NSW) 1999
- c) Retirement Villages Regulation (NSW) 2017
- d) Privacy and Confidentiality Procedure