

## Complaints Policy for Retirement Village Occupants

**PURPOSE:** This policy and procedure is to enable every formal complaint to be resolved in a way that is resident-appropriate, objective and fair, quick and cost-effective for the operator and the resident.

**SCOPE:** All Villa/Serviced Cottage residents.

**RESPONSIBILITIES:** Staff

### PROCEDURE

**General:** Te Awa Lifecare strives to deliver a high standard of service at the Village and encourage the expression of informal complaints (issues and concerns) and formal complaints and see these as an opportunity for ongoing improvement for the services we provide.

An outline of the complaints procedure below is set out in a flow-chart; see **Appendix 1**

#### 1. Resident Rights:

- All residents (you) have the right to raise complaints and receive a response within a reasonable time. (Right 4 – Code of Residents' Rights)
- You have the right to a speedy and efficient process for resolving disputes you have with us or with other residents. (Right 5 – Code of Residents' Rights)
- You have the right to have a support person represent you in your dealings with us or other residents. Any associated costs for representation support are your responsibility. (Right 6 – Code of Residents' Rights)
- You have the right to be treated with courtesy and respect. (Right 7 Code of Residents' Rights)
- When raising a complaint, we will treat you with courtesy and respect. We will not treat you differently from any other resident on the basis of you having made a complaint.
- Nothing in this policy limits your right to contact the Statutory Supervisor, Retirement Commissioner, Registrar of Retirement Villages or any other person at any time as an alternative or in addition to making a Formal Complaint, or regarding any alleged breach of the Code of Residents' Rights. You may exercise this right by contacting the Statutory Supervisor, Registrar of Retirement Villages or Retirement Commissioner directly using the contact details provided in Appendix 2.

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## 2. Informal complaint: (Issue or concern)

- You may at any time, informally raise an issue or concern that you may have. This may relate to a concern about the Village, the operator, another resident or other matter.
- You are encouraged, but not required to raise any issues or concerns informally prior to making a formal complaint. Informal complaints must be made to the village coordinator/ or Village Manager at your site, See **Appendix 2** for contact details.
- Verbal issues or concerns need to be recorded accurately and responded to as if they had been received in writing. The Village Coordinator/Village Manager will ensure that a record of the informal complaint is recorded, including date and time, issue, intended outcome and any other relevant details. It may be signed by both the Village Coordinator and/or Village Manager and yourself.
- Issues or concerns raised will be acknowledged in writing within 5 working days and we will endeavour to resolve and respond to your informal issue or concern within 15 working days.
- If you are dissatisfied with the response to your issue or concern you may at any time raise your issues as a formal complaint (see below). Raising an informal issue or concern does not prevent you from making a formal complaint prior to an issue raised, or in addition to an issue raised.
- Anonymous concerns or issues raised will, of course, be unable to be followed up as outlined; therefore, it is important that the complainant is identified.

## 3. Formal Complaint:

- You can raise a formal complaint at any time, regardless of whether the issue is already progressing in the informal process or if this is the initial complaint.
- You have the following options in the complaint process. If you wish to raise a formal complaint, you may do so in one of the following ways:
  - i. You write, date and sign your complaint.
  - ii. If you cannot write your complaint, then you can get a representative to write it; someone you authorize to do so on your behalf. It must also be signed and dated.
  - iii. Alternately, if you cannot write it yourself, or have anyone you can authorise to do so, you can request that the Village Manager/Village Coordinator writes it for you, based on what you tell the Manager/Coordinator to write.
- If option (iii) is chosen, then the Village Manager/Coordinator will record what you want to say, read it back to you (to confirm it is correct), then you both sign and date the record. A copy of this complaint will be provided for your records.

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- You will be provided with a written acknowledgement of your complaint within 5 working days.
- Throughout the investigation of the complaint, you will be kept informed on progress of the complaint resolution.

#### **4. Formal Complaint Process**

- We will work directly with you to resolve the complaint to your satisfaction within 20 days of the complaint being received.
- We will suspend taking any proposed action that is the subject of the complaint until the complaint can be resolved. However, we may, after consulting with the Statutory Supervisor, decide that it is in the best interests of the village as a community to continue with the proposed action, while the dispute about the action is being resolved.
- If a formal complaint is resolved by mutual agreement, or by reference to the statutory supervisor, a mediator or independent third party, the resolution must:
  - i. be recorded in writing;
  - ii. state what actions, if any, are required to be taken, by whom and by when;
  - iii. set out the terms of any agreement about costs and any other terms; and
  - iv. be dated and signed by all parties, and copied to all parties

##### **4 (a) Statutory Supervisor**

- If the complaint is not resolved then we will, on behalf of the parties, refer it to the statutory supervisor and ask the statutory supervisor to provide us both with an impartial perspective and to recommend a way forward.

##### **4 (b) Mediation:**

- If the complaint is not resolved within 20 working days of being referred to the statutory supervisor, or if it is not possible to proceed, then we will provide you with the option of mediation.
  - i. If you agree to mediation, then we will offer you the option of an independent mediator. The independent mediator must be a member of an alternative dispute resolution agency which is approved by the Retirement Commissioner, and listed on the Retirement Commissioner's website. Alternatively, the parties have the option to agree on another independent third party.
  - ii. We will suggest one or more independent mediators to you. If we cannot agree on a mediator within 5 working days, we will ask the Retirement Commissioner to select one who we will engage.
- Each party is responsible for their own costs in preparing for mediation. If the Formal Complaint is about us or our staff, we will pay the mediator's costs. If the Formal Complaint is between residents the mediator's, costs will be divided evenly between each party and us.

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#### **4.(c) Disputes Panel:**

- If you do not agree to mediation, or if the complaint is not resolved to either parties' satisfaction within 20 working days of the referral to a mediator or other third party, the resident may issue a dispute notice which would require the complaint to go to a disputes panel for resolution.
- Nothing in the aspects above limit either your right to take the complaint to a disputes panel at any earlier time permitted under the Act, or you right to agree to mediation at any time during a dispute panel process.
- The costs of the disputes panel are initially met by us, whether or not we are party to the dispute, however, the Disputes Panel is able to award costs in favour of a successful applicant, which may be either us (Te Awa Lifecare village) or you (resident).
- A complaint raised formally (as per section 3: Formal complaints) is deemed the first referral to the complaints facility. A dispute notice may therefore be given up to 6 months after a formal complaint is made.

## **5. Information**

- A copy of the complaints procedure is available for all residents of the Retirement Village and available on request for prospective residents. It is also available on the Facility website.
- Village residents may request additional copies of the Retirement Villages Code of Practice 2008, variations included 2017, from the Village Manager or Village Coordinator.
- Complaints (formal or informal) will then be forwarded to the General Manager, logged in the Complaints Register and reported to the National Quality Advisor monthly.
- Every six months (October and April), a summary of formal complaints will be reported to the Retirement Commissioner, through Head Office National Quality Advisor. The complaint summary will include the number of complaints, nature of the complaint and the outcome.

#### **References:**

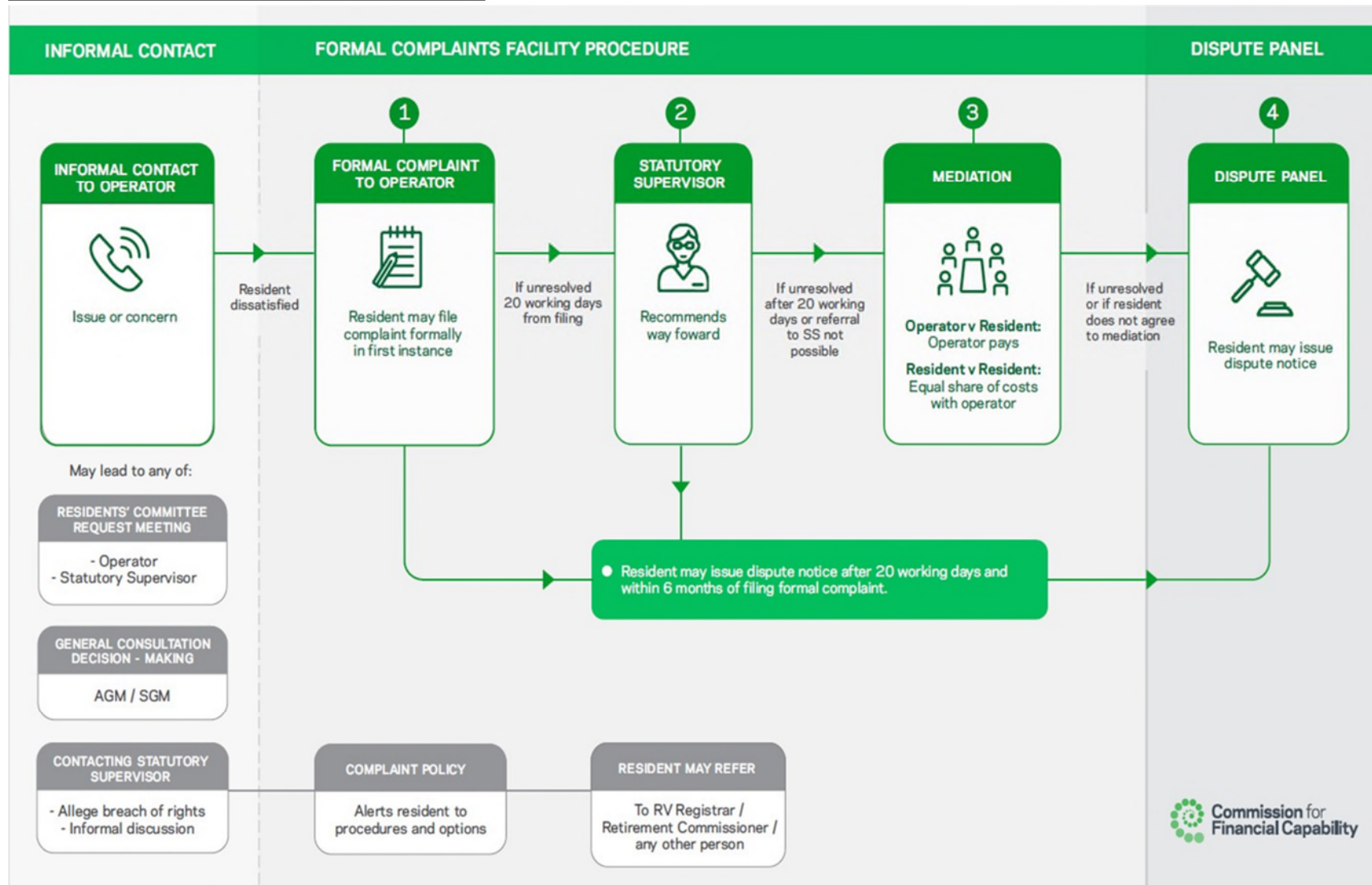
Retirement Villages Code of Practice 2008, including variations 2017  
Commission for Financial Capability: [www.cffc.org.nz](http://www.cffc.org.nz).

#### **Associated Documents and Forms:**

Complaints Process (Appendix 1)  
Complaints Register  
Contact Persons (Appendix 2)

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**Appendix ONE: Complaint Process**



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## APPENDIX TWO: Contact Details:

Te Awa Lifecare	
<b>General Manager</b> Mandy Hudson	<b>Alternative after hours contact</b> (for urgent concerns or complaints)
1866 Cambridge Road, Cambridge <b>Phone:</b> (07) 8276103 <b>Contact hours:</b> 8:30 – 3:30pm weekdays	<b>Phone:</b> 021 764536

Statutory Supervisor 0800 268 362 or (09) 3020638	Covenant Trustee Company Ltd Po Box 4243 Auckland 1140 grm@covenant.co.nz
Registrar of Retirement Villages 0800 268 269	Registrar of Retirement Villages Private Bag 92061 Victoria Street West Auckland 1142
Retirement Commissioner 0800 268269 or (09) 356 0052	Commission of Financial Capability PO Box 106-056 Auckland City 1143 office@cffc.org.nz

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**APPENDIX THREE:**

**FORMAL COMPLAINT FORM (Sample)**

If you wish to make a **formal complaint**, please use this form. If you wish to raise an issue or concern informally, please contact your Village Coordinator or Village Manager, as detailed in Appendix Two.

If you require assistance with completing this form and you do not have a family member, friend or other personal representative available to assist you, you can ask the Village Manager or Village Coordinator to help.

**NAME OF COMPLAINANT:** .....

**UNIT ADDRESS:** .....

**DESCRIPTION OF COMPLAINT** (please provide as much relevant information here as possible, including a date or dates if relevant):

.....  
 .....  
 .....  
 .....  
 .....

If you are complaining about a person, who are you complaining about?

**NAME:** .....

**SIGNED:** ..... **DATE:** .....

If a complainant is being assisted in completing the form by a personal representative, then the complainant or the personal representative may sign above.

**We will provide you with a written acknowledgement of receipt of this complaint within 5 working days of receiving it.**

**The acknowledgement will tell you the process we will follow in resolving the complaint.**

**We will endeavor to resolve it within 20 working days from the date we receive it.**

**We will keep you informed of any progress made towards resolving your complaint.**

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