

## COMPLAINTS AND INTERNAL DISPUTE RESOLUTIONS POLICY and PROCESS

### We are Here to Listen

Kensington Gardens Albury promotes a culture that values and encourages residents to raise concerns and supports the effective resolution of any complaints. We believe that comments, complaints, suggestions and feedback present us with an opportunity to maintain and enhance resident wellbeing and satisfaction; and enhance our operational effectiveness by continuous review and improvement.

We will not discourage a resident (or a person representing a resident) from making a complaint or pursuing an internal dispute. Should the need arise, our Complaints and Dispute Resolution process is easy to access and complies with our privacy rules. Residents (or a person acting on a resident's behalf) are encouraged to raise any concerns with Management firstly and we support the effective resolution of any complaint or dispute raised. The process set out herein applies to both:

1. Resolution of complaints made by (or by persons acting on behalf of) residents of Kensington Gardens Albury; and
2. Resolution of internal disputes between a resident and the Operator, or between two or more residents of Kensington Gardens Albury.

Types of complaints or internal disputes that are covered under this process are, general complaints or disputes, concerns regarding non-compliance of Village rules and general complaints or disputes related to material items.

Types of complaints or disputes that are not covered under this process are those involved in legal processes or those that fall under criminal offences such as certain types of harassment. Such matters beyond the scope of this complaints and internal dispute resolution process should be referred by you to the appropriate authority, such as the police for criminal matters (by calling 000 for emergencies or crime stoppers on ph. 1800 333 000 for less urgent issues) or such as

The Australian and Human Rights Commission via:

GPO Box 5218, Sydney NSW 2001

Email: [infoservice@humanrights.gov.au](mailto:infoservice@humanrights.gov.au)

Phone: 1300 656 419

Resolution outcomes of complaints and internal disputes will depend on the nature of the concern; the emotional well being of the parties; the expected time frame for a resolution; the impact of the matter being referred for mediation.

## Using our complaints and internal dispute resolution process

We will sensitively deal with your complaint or internal dispute using the following resolution process :

### 1. How to lodge a complaint or notify a dispute for resolution

In the first instance, you should notify local Village Management at Albury of your complaint or dispute. You can raise your issue with the local Management team by either:

- Meeting in private with Management to notify and lodge your complaint or dispute. This can be either in the administration office, open weekdays between 9am to 4pm; or in the privacy of your home; OR
- If you prefer, by completing the Complaints and Disputes Resolution Form (copy attached). Further copies are available from our administration office.

A completed Complaints and Internal Disputes Resolution Form should be marked ***“Private and Confidential”*** and returned to Management via post or email to the following administration contacts:

Attn: Village Manager  
Kensington Gardens Albury  
100 Tabletop Road  
THURGOONA NSW 2640

Email: [admin@kensingtongardens.com.au](mailto:admin@kensingtongardens.com.au)

Your complaint or dispute will be handled in accordance with our Privacy and Personal Information Policy, by respecting the privacy of the residents or persons involved. Management will only act on your complaint or dispute with your consent.

### 2. Acknowledgment of Complaint or Internal Dispute

We will enter the complaint or dispute in our internal Register and acknowledge receipt to you within 5 working days.

We are required to record, and retain these records for 5 years, in accordance with the Retirement Villages Regulation 2017 [NSW]. The details required to be recorded in the Register include:

- Details of the complaint or internal dispute, including the name and contact details of each resident concerned;
- Date the complaint or dispute was raised;
- Details of action taken in response to each complaint or internal dispute, including the names and contact details of any staff involved in handling the complaint or dispute
- Date such action was taken;
- Outcome i.e. resolved / withdrawn / referred / escalated / other outcome.

### 3. Investigation

Our goal is to resolve your complaint or dispute as promptly as possible. Within 14 days of your complaint or dispute being lodged:

- (a) Management may, if appropriate, or if your complaint or dispute is not in writing, provide you with a summary of our understanding of your concerns raised, confirm our understanding of the outcome you have advised that you are seeking and the steps that Management proposes to take and timing of such.
- (b) With your consent, Management will investigate the complaint or dispute including reviewing any documents you provide and interviewing staff (where relevant).
- (c) Where the lodged complaint or dispute is made between residents of the Village, with the complainant resident's consent, we will contact the other resident in writing to advise them of the subject of your complaint/dispute and request a response from them within 14 days of our correspondence.

### 4. Next Steps - Response and Facilitating

Within 20 working days of the complaint or dispute being lodged, Management will:

- (a) Update you on the status of the complaint or dispute;
- (b) Where the complaint or dispute is raised by you about the Management or Operator of Kensington Gardens Albury:
  - (i) Local Management will write or email you to advise you of the outcome of the investigation by Management and any action proposed to be taken to address the subject of the complaint/dispute; or
  - (ii) where further investigation is required, the date by which Local Management will be in a position to respond as outlined in (i) above.
- (c) Where the lodged complaint or dispute is made between residents of Kensington Gardens Albury, and the resident the subject of the complaint/dispute has provided a written response, with their consent, Management will notify you of the resident's response to your complaint/dispute.

It may be that local Management feels that in order to resolve the dispute or complaint, it is beneficial to facilitate a meeting between you and the other resident the subject of your complaint/dispute, provided you both agree to attend.

Management will endeavour to assist with resolution of the complaint or dispute (and advise you of an expected resolution date where possible) **within 60 days** from the date of lodgement of your complaint or internal dispute.

### 5. Escalating a complaint or dispute

If local Management is unable to handle your complaint or dispute or the subject matter requires escalation, local Management will refer your complaint to Senior Management or the Group Board of Directors.

We will endeavour to contact you within 5 working days of the matter being referred to the Senior Management or the Group Board and the person(s) who will be the liaison handling the matter on behalf of the Operator (whether the CEO of Kensington Gardens Albury or another board member or representative).

That person will follow the above steps of the resolution process.

## **6. External Resolution**

If your complaint or dispute has not been resolved to your satisfaction, you can lodge your dispute with the NSW Fair Trading or the NSW & Civil Administrative Tribunal (NCAT). NSW Fair Trading or NCAT provide fair and independent dispute resolution services to consumers:

NSW Fair Trading  
PO Box 972  
Parramatta 2124  
Phone: 9895 0111

NCAT  
Level 1, 175 Scott St, Newcastle  
Email: [ccdnewcastle@ncat.nsw.gov.au](mailto:ccdnewcastle@ncat.nsw.gov.au)  
Phone: 1300 006 228

### ***Complaints and Internal Dispute Register***

Our Complaints and Internal Dispute Register will be updated accordingly showing the result/outcome of the complaint or dispute. This data will be reviewed annually to monitor our organisational processes and refine or modify our resolution process where required.

### ***Privacy Statement***

Any information provided will be treated as private and confidential in accordance with our Privacy and Personal Information Policy and will be retained at Kensington Gardens Albury for at least 5 years.

### ***Complaints and Internal Disputes Resolutions Procedure Review***

Kensington Gardens Albury will refer to the Complaints and Dispute Resolution Policy and, in conjunction, will review the Register for each of the above processes every 2 years, and introduce any changes believed to improve the process.

*(Kensington Gardens Albury also holds on file an internal Complaints & Disputes Handling Policy & Procedure for staff in accordance with the Rules of Conduct.)*