

Blue Mountains Retirement Village (BMRV)

COMPLAINTS POLICY

Policy Number: POL-OM2

Blue Mountains Retirement Village (BMRV) promotes a culture that values and encourages residents to raise concerns and supports the effective resolution of any complaints.

Our policy is:

- To provide a fair complaints procedure which is clear and easy to use for anyone wishing to make a complaint;
- To publicise the existence of our complaints procedure so that people know how to contact us to make a complaint;
- To make sure everyone at Blue Mountains Retirement Villages knows what to do if a complaint is received;
- To make sure all complaints are investigated fairly and in a timely way;
- To make sure that complaints are, wherever possible, resolved and that relationships are repaired; and
- Not to discourage a resident or a person acting on behalf of a resident (including members of the Residents committee of the village) from making a complaint or pursuing an internal dispute.
- Not prevent Residents from consulting the Residents committee (if in the future a committee has been introduced).

Definitions

Complaint: A complaint is any expression of dissatisfaction, whether justified or not, about any aspect of Blue Mountains Retirement Village.

A serious complaint is one which:

- Relates to Competitive Neutrality;
- Relates to alleged criminal activity;
- Relates to alleged conflict of interest;
- Alleges corrupt activity;
- Is made under protected disclosure; or
- Relates to harassment of an employee, resident to member of the public.

Manager: The Manager is the person to whom a complaint is assigned in the first instance.

Employee: Means employee of Blue Mountains Retirement Village, contractor or agent to Blue Mountains Retirement Village and volunteer with Blue Mountains Retirement Village services.

The Board: Directors of the Board of the Blue Mountains Retirement Village.

Corrupt Activity: Could involve, but not limited to:

- Dishonest or partial exercise of official functions;
- A breach of public trust; or
- A misuse of information or material acquired in the course of official functions.

Protected Disclosures: Are made in accordance with the specific requirements of the Protected Disclosures Act.

The *Protected Disclosures Act (NSW) 1994* provides certain protection for public

officials, including the Board and Blue Mountains Retirement Village employees, who make protected disclosures.

The Manager is a senior Blue Mountains Retirement Village staff member appointed by the Board. The Manager is the officer responsible for the managing and monitoring of complaints against Blue Mountains Retirement Village staff, in accordance with the Model Code of Conduct.

Responsible Officer: is the supervisor or Manager of the person whom a complaint is assigned in the first instance.

Complaint And Internal Dispute Resolution Process

1. The complaint and internal dispute resolution process must outline the following matters:
 - a) The types of complaints and internal disputes that are covered and not covered by the processes;
 - b) The resolution options available for each type of complaint and internal dispute.
2. Both processes must also:
 - a) Clearly explain the process, including the roles and contact details of relevant staff;
 - b) Include a clear and understandable visual representation of the process;
 - c) Outline the roles and responsibilities of relevant staff in receiving, reviewing, responding to, and resolving complaints or internal disputes;
 - d) Outline the steps involved in each stage of the complaints or internal dispute resolution process and the expected actions that are generally involved at each stage of the process;
 - e) Include information of the management and escalation of complaints, internal disputes, and the types of complaints and internal disputes that are not covered by either of the processes.
 - f) Include measures to ensure the privacy of residents is maintained; and,
 - g) Include measures for the review of organisational processes arising from the analysis of data about complaints and internal disputes and the continual monitoring of the process.

Records Of Complaints And Internal Disputes

1. Records of the following information about complaints and internal disputes that have been raised in the retirement village.
 - a) Details of each complaint or internal dispute, including the name and contact details of each resident concerned, and the date of the complaint or dispute was raised;
 - b) Details of actions taken in response to each complaint or internal dispute, including names and contact details of any staff involved in the handling of the complaint or internal dispute, and the date the action was taken;
 - c) Whether the complaint or internal dispute was resolved, withdrawn, referred or escalated or another outcome was achieved; and,
 - d) The number of complaints or internal disputes handled each calendar year.

The records must be kept for at least 5 years.

Confidentiality

- Confidentiality – is central to the feedback / complaints management process. The communication of relevant facts and decisions must not infringe on the personal privacy of any person.
- Meeting and discussions – must be conducted in a private location.
- Changes – if as a result of feedback or a complaint changes are to be made to the Village, inform relevant staff and document the changes into relevant documentation without referring to the complaint.

Evaluate Actions

- Satisfaction with outcome – before signing off on the matter, ask the person if they are satisfied with the actions taken to manage their feedback or complaint.
- Dissatisfaction with outcome - Complainants who may be dissatisfied with the outcome of the complaint may refer their concerns to the NSW Department of Fair Trading or the Tribunal. Depending on the nature of the complaint. The Manager will be available to advise the complainant of the appropriate authority. The complainant may refer their matter to the above-mentioned external authorities regardless of the outcome of BMRV's investigation.

Where Complaints Come From

- Complaints may come from any person or organisation that has a legitimate interest in Blue Mountains Villages.
- A complaint can be received verbally, by phone, by e-mail or in writing.
- This policy does not cover complaints from staff, which should use BMRV RST1 Counseling & Discipline policies.

Responsibility

Overall responsibility for this policy and its implementation lies with the manager of Blue Mountains Retirement Villages.

Blue Mountains Retirement Village will manage complaints within the requirements of:

- The Freedom of Information Act;
- The Privacy and Personal Information Protection Act;
- The ICAC Act;
- The Protected Disclosures Act;
- Anti-Discrimination Legislation;
- The Trades Practices Act;
- The Local Government (State) Award
- State Records Act
- Health Records and Information Protection Act
- Relevant Workplace Agreements; and
- Relevant Criminal Acts.
- Retirement Village Act amendment Regulation 2019
- Department of Fair Trading NSW

This policy is reviewed regularly and updated as required.

POLICY APPROVAL

Policy Name: Complaints Policy

Policy Number: OM2

Created On: December 2016

Review Date: January 2022

Developed By: Patricia Samios

Name

Date:

Signature

Authorised By: Alexis Viles Chairperson

Name

Date:

Signature