

SUMMERSET VILLAGES

COMPLAINTS POLICY

1 OBJECTIVE

The objective of this policy is to enable Complaints to be resolved in a manner that addresses residents' concerns in an objective, fair, quick and cost-effective manner.

We strive to deliver a high standard of service at our Villages. This commitment means that we will acknowledge all Complaints and will ensure that whilst Complaints are being resolved, every complainant is treated with dignity and respect.

Some words in this policy are defined terms and the definitions are set out in section 9.

2 SCOPE

This policy covers all Complaints raised by a Resident concerning us, our staff, the Village, another Resident or any other matter that the Resident wants to raise. An outline of the Complaints procedures is set out in Schedule 1 as a flowchart.

3 INFORMAL ISSUES OR CONCERNS

It is important that you can at any time informally raise with us any issues or concerns that you may have. You are encouraged, but not required, to raise any issues or concerns informally with us first to give us a chance to address the issue. All issues and concerns will be dealt with in accordance with section 4 of this policy.

If you are dissatisfied with the response to your issue or concern you may at any time raise your issue or concern as a Formal Complaint in accordance with the procedure set out in sections 6 and 7 of this policy.

4 INFORMAL ISSUES AND CONCERNS PROCEDURE

You may raise an informal issue or concern with us at any time via one of our managers.

Informal issues or concerns can be raised in writing or verbally, there is no prescribed form. You may wish to use the Feedback Form (these available throughout the Village) to document your issue or concern but you do not have to.

We will acknowledge and respond to your informal issue or concern in writing within a reasonable time unless the nature or seriousness of your issue or concern is such that we can deal with it straight away or without putting anything in writing.

If we are unable to give you a satisfactory response to your informal issue or concern within 20 Working Days of the date you raised it we will contact you and explain what progress has been made and when a final response might be expected. Once the

manager has completed their investigation they will provide written advice of the outcome to you.

If you are not satisfied with our response or the progress towards resolution you may choose to raise a Formal Complaint.

5 FORMAL COMPLAINTS

You have the right to make a Formal Complaint about us, our staff, the Village, other Residents or any other matter.

The procedure for managing a Formal Complaint related to health or disability services is outlined in the pamphlet entitled 'Code of Health and Disability Services Consumers' Rights' which is provided to all care centre residents prior to their admission and is available on request.

The procedure for managing formal complaints which relates to Residents and Former Residents of our Villages is outlined in section 6 of this document.

Before commencing the Formal Complaints resolution procedure you may wish to:

- (a) raise the matter as an issue or concern as set out in sections 4 and 5;
- (b) talk to us first about making a Formal Complaint. We encourage you to do this so we can try and resolve your complaint first. Alternatively, you may talk to the Statutory Supervisor, Registrar of Retirement Villages and/or the Retirement Commissioner about making a Formal Complaint. Contact details for those organisations are set out in Schedule 2;
- (c) as an alternative, or in addition to making a Formal Complaint, contact the Statutory Supervisor if your Complaint is about a breach of the Code of Residents' Rights;
- (d) request that the Residents' committee (if there is one) call a meeting with us and/or the Statutory Supervisor.

6 HOW TO MAKE A FORMAL COMPLAINT

Formal Complaints must be given to the Village Manager. A Formal Complaint must be in writing, signed and dated by you. We encourage you to use the attached Formal Complaint Form (Schedule 3). Copies of the form are available from the office or the Village Manager on request.

If you wish, you can ask a personal representative or support person to write the Complaint for you.

If you are not able to write the Complaint and you do not have a person to assist you in writing the Complaint, the Village Manager can record your Complaint in writing based on what you tell the Village Manager at the time. The Village Manager will read the Complaint back to you to confirm it is recorded correctly and will provide you with a copy before taking any further action.

7 FORMAL COMPLAINTS RESOLUTION PROCEDURE

We will acknowledge in writing every Formal Complaint within 5 Working Days of receiving it. This acknowledgement will include the process and timeframe for resolving the Formal Complaint.

We will work with you directly to resolve the Formal Complaint to your satisfaction and will endeavour to resolve the Formal Complaint within 20 Working Days from the date we receive the Formal Complaint and will regularly inform you of progress.

If we are unable to resolve the Formal Complaint within 20 Working Days the Village Manager will advise you of the progress of the Formal Complaint and the reason for the delay. We will continue to regularly inform you about the progress of the Formal Complaint.

- 7.1 **Statutory Supervisor:** If the Formal Complaint has not been resolved within 20 Working Days of being received by us, we must refer the Formal Complaint to the Statutory Supervisor and ask that the Statutory Supervisor work with the parties to provide an impartial perspective and recommend a way forward. We will advise you once we refer the matter to the Statutory Supervisor.
- 7.2 **Mediation:** If the Formal Complaint has not been resolved within 20 Working Days after being referred to the Statutory Supervisor (or if it is not possible to refer the Formal Complaint to the Statutory Supervisor) we will offer you the option of mediation with an independent mediator.

The mediator must be either a member of an alternative dispute resolution agency which is approved by the Retirement Commissioner and listed on the Retirement Commissioner's website (www.cffc.org.nz/retirement/retirement-villages/retirement-village-disputes/panel-members/) or alternatively the parties have the option to agree on another independent third party.

We will suggest one or more independent mediators to you. If we can agree on a mediator we will refer the Formal Complaint to that person. If we cannot agree on a mediator within 5 Working Days we will ask the Retirement Commissioner to select one whom 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.

- 7.3 **Resolved Formal Complaints:** If the Formal Complaint is resolved by mutual agreement or by reference to the Statutory Supervisor under 7.1 or by reference to a mediator or independent third party under 7.2, the resolution must:
- (a) Be recorded in writing;
 - (b) State what actions, if any, are required to be taken, by whom and by when;
 - (c) Set out the terms of any agreement about costs and any other terms; and
 - (d) Be dated and signed by all parties and copied to all parties.
- 7.4 **Unresolved Formal Complaints:** The above process does not prevent you at any time after 20 Working Days of your Formal Complaint being received by us from issuing a dispute notice. Your right to issue a dispute notice is subject to the terms set out in the Retirement Villages Act 2003 if the nature of your dispute relates to the type of matter covered by the Act.

If your Formal Complaint has not been resolved within 20 working days of referral to a mediator or if you do not agree to mediation, you may be able to issue a dispute notice. A dispute notice may be issued up to 6 months after you first notify us of a Formal Complaint in writing.

The New Zealand Retirement Villages Association has a Complaints process in place which can be employed in addition to the Complaints process described in this policy. More information about that process can be found at www.cffc.org.nz/retirement/retirement-villages/retirement-village-disputes/

8 RESIDENTS' RIGHTS

Residents' have the following rights:

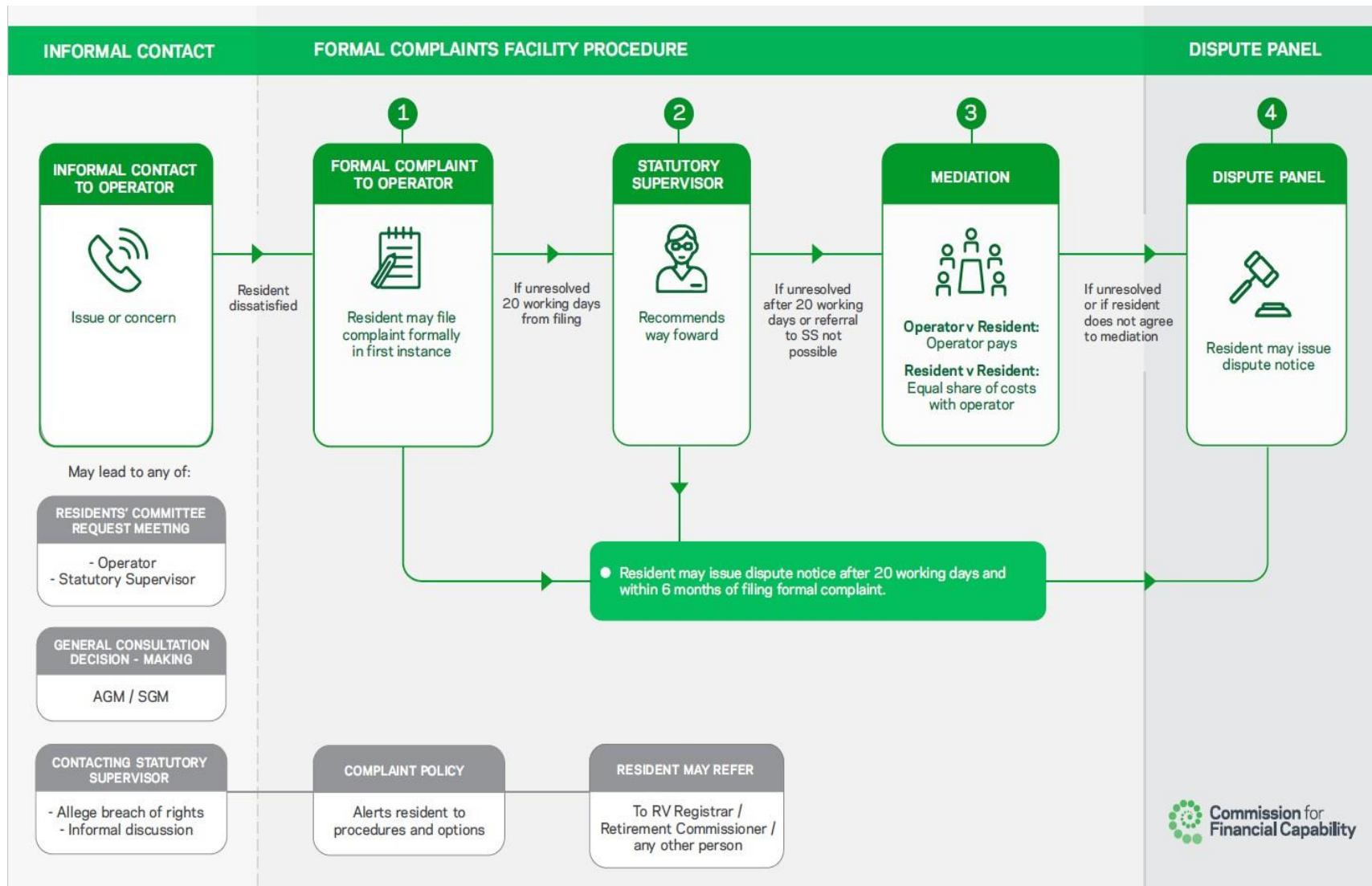
- (a) All Residents have the right to raise Complaints and receive a response within a reasonable time. (Right 4 – Code of Residents' Rights)
- (b) All Residents have the right to a speedy and efficient process for resolving disputes they have with us or with other Residents. (Right 5 – Code of Residents' Rights)
- (c) All Residents have the right to have a support person represent them in their dealings with us or other Residents. (Right 6 – Code of Residents' Rights)
- (d) All Residents have the right to be treated with courtesy and respect. (Right 7 Code of Residents' Rights)
- (e) 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.
- (f) Nothing in this policy limits any rights you have under your Occupation Right Agreement or 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 Complaint, or regarding any alleged breach of the Code of Residents' Rights. You may exercise this latter right by contacting the Statutory Supervisor, Registrar of Retirement Villages or Retirement Commissioner directly using the contact details provided in Schedule 2.

9 DEFINITIONS

In this policy, the following defined terms have the corresponding meaning:

Code of Practice	The Code of Practice approved by the Minister under section 89 of the Retirement Villages Act, as updated, amended or replaced from time to time.
Complaint	Any issue or concern or Formal Complaint.
Formal Complaint	A written complaint made by a Resident or Former Resident in accordance with sections 6 and 7 of this policy relating to us, our staff, the Village, another Resident or any other matter that the Resident wants to raise.
Former Resident	A person who was a Resident, or a representative of that former Resident, of the Village and whose occupation right agreement has since terminated.
Resident	Means any of the following: <ul style="list-style-type: none"> (a) a person who has entered into an occupation right agreement with us in relation to the Village; (b) a person who under an occupation right agreement is, for the time being, entitled to occupy a Residential unit within the Village, whether or not the agreement is made with that person or some other person; or (c) if the occupation right agreement provides, or with our consent, the spouse, civil union partner, or de facto partner of the person referred to in paragraph (b) who is occupying the residential unit with that person, or after that person's death or departure from the Village.
Statutory Supervisor	Public Trust but also means any other entity who may become our statutory supervisor.
Village	The Summerset retirement village in which you are a Resident or Former Resident.
Working Day	Means a day of the week other than: <ul style="list-style-type: none"> (a) a Saturday, a Sunday, Waitangi Day, Good Friday, Anzac Day, the Sovereign's Birthday and Labour Day; and (b) a day in the period commencing with 25 December in a year and ending with 2 January in the following year; and (c) if 1 January falls on a Friday, the following Monday; and (d) if 1 January falls on a Saturday or a Sunday, the following Monday and Tuesday.

SCHEDULE 1



SCHEDULE 2

Contact Information

Statutory Supervisor:

Name: Ireen Muir at Public Trust
Phone: 0800 371 471
Email: Ireen.Muir@PublicTrust.co.nz
Address: PO Box 5067, Wellington 6145

Registrar of Retirement Villages:

Phone: 0800 268 269 (toll-free within New Zealand)
Phone: (03) 962 2602
Website: www.retirementvillages.govt.nz
Address: Registrar of Retirement Villages
Northern Business Centre
Private Bag 92061
Auckland Mail Centre
Auckland 1142

Retirement Commissioner:

Phone: (09) 356 0052
Address: Level 3
108 Quay Street
Auckland 1010
Postal address: PO Box 106-056
Auckland City 1143
Email: office@cffc.org.nz

Retirement Villages Association:

Phone: (04) 499-7090
Address: Level 11, Petherick Tower
38-42 Waring Taylor Street
Wellington 6011
Postal address: PO Box 25-022
Panama Street
Wellington 6146
Email: info@retirementvillages.org.nz

Retirement Village Residents Association New Zealand Inc:

Phone: (07) 571-8788
Postal address: 79 Tenth Avenue
Tauranga 3110
Email: secretary@rvranz.org.nz

Agencies which may offer Advocacy Services:

Age Concern:

Phone: (04) 801 9338
Fax: (04) 801 9336
Email: national.office@ageconcern.org.nz
Website: www.ageconcern.org.nz follow links – New Zealand
Address: National Office
4th floor, West Block, Education House
178 Willis Street
Wellington

Citizens Advice Bureau:

Phone: 0800 367 222
Fax: (04) 382 8647
Email: admin@cab.org.nz
Address: National Office
PO Box 9777
Wellington
Website: www.cab.org.nz

Advocacy Network Services:

Free phone: 0800 423 638 / 0800 423 639
Phone: (04) 237 0418
Address: Room 2/5 Pember House
16 Hagley Street
Porirua

If the complaint concerns health or disability services we are providing you may also contact the following:

Health and Disability Advocacy:

Phone: 0800 555 050
Email: advocacy@hdc.org.nz

Health and Disability Commissioner:

Website: www.hdc.org.nz
Email: hdc@hdc.org.nz
Postal address: Health and Disability Commissioner
PO Box 1791
Auckland 1140
Fax: (09) 373 1061

SCHEDULE 3
Formal Complaint Form

If you wish to make a formal complaint, please use the form below. If you wish to raise an issue or concern informally, please contact the Village Manager.

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, please contact the Village Manager.

NAME OF COMPLAINANT:

HOME ADDRESS:.....

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

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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 endeavour 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.