



Mercy Health

*Care first*

## **VILLAGE COMPLAINT / DISPUTE RESOLUTION PROCEDURE**

**Retirement Villages Act 1986 (Vic)  
Retirement Villages Regulations 2026 (Vic)**

## PART 1 - OVERVIEW

The Retirement Villages Act 1986 (Vic) (the Act) and the Retirement Villages Regulations 2026 (Vic) (the Regulations) require the operator (We, Us, Our) to establish, maintain and publish a procedure for dealing with village disputes and complaints. This document sets out that procedure.

A village dispute means either a management dispute (a dispute between you and us) or a resident dispute (a dispute between you and another resident).

We agree to handle your dispute / complaint in the strictest confidence, respecting your rights and privacy, without discrimination or bias. We will only act on your complaint with your consent.

### 1 Who can resolve complaints against the operator?

If you have a complaint against the operator, you may choose any one of the following procedures to assist you in resolving your complaint:

- 1.1 Use our internal complaint/dispute resolution scheme, which is outlined in this document.
- 1.2 Seek advice from Consumer Affairs Victoria ("CAV"). The contact details of CAV are as follows:

City office:	121 Exhibition Street, Melbourne VIC 3000
Postal address:	GPO Box 123, Melbourne VIC 3001
Helpline telephone no:	1300 558 181
Website:	<a href="http://www.consumer.vic.gov.au">http://www.consumer.vic.gov.au</a>

- 1.3 Seek assistance from the Victorian Civil and Administrative Tribunal ("VCAT"). The contact details of VCAT are as follows:

Street address:	308 La Trobe Street, Melbourne VIC 3000
Postal address:	GPO Box 5408, Melbourne VIC 3001
Telephone no:	1300 018 228
Website:	<a href="http://www.vcat.vic.gov.au">http://www.vcat.vic.gov.au</a>

- 1.4 Apply for conciliation through VicAssist Retirement Villages, the retirement villages conciliation service. The contact details are as follows:

Telephone:	1300 528 994
Website:	<a href="https://www.vic.gov.au/retirement-village-dispute-help">https://www.vic.gov.au/retirement-village-dispute-help</a>

- 1.5 Seek independent legal advice or use another external service or dispute resolution body.

### 2 Who can resolve complaints about or disputes with other residents?

If you have a complaint about or a dispute with another resident, you may choose any one of the following procedures to assist you in resolving the complaint or dispute:

- 2.1 Speak with the other resident and attempt to directly resolve the complaint or dispute.
- 2.2 Use our internal complaint/dispute resolution scheme which is outlined in this document.

2.3 Seek assistance from CAV. The contact details of CAV are as follows:

Street address: 121 Exhibition Street, Melbourne VIC3000  
Postal address: GPO Box 123, Melbourne VIC 3001  
Helpline telephone no: 1300 558 181

2.4 Apply for conciliation through VicAssist Retirement Villages, the retirement villages conciliation service. The contact details are as follows:

Telephone: 1300 528 994  
Website: <https://www.vic.gov.au/retirement-village-dispute-help>

2.5 Seek independent legal advice or use another external service or dispute resolution body.

Please note that if you choose to use our internal complaint/dispute resolution scheme, the operator cannot take any action to resolve the complaint or dispute if all the relevant parties do not consent to the operator's involvement or if this would duplicate or be inconsistent with or override any other law or the provisions of the residence or management contract entered into by the complainant.

## PART 2 – OUR INTERNAL COMPLAINT/DISPUTE RESOLUTION SCHEME

### 1 Who to contact

Village	Primary Contact Information	Alternative Contact Information
Ave Maria	<b>Name:</b> Jaswinder Gill, Precinct Manager	<b>Name:</b> Sharyn McIlwain, Residential Aged Care Regional Manager
	<b>Telephone:</b> (03) 5831 3000 <b>Email:</b> avemaria.complaints@mercy.com.au <b>Postal Address:</b> 25 Graham St, Shepparton VIC 3630	
Colac	<b>Name:</b> Nav Kaur, Precinct Manager	<b>Name:</b> Damien Malone, Residential Aged Care Regional Manager
	<b>Telephone:</b> (03) 5233 5600 <b>Email:</b> colac.complaints@mercy.com.au <b>Postal Address:</b> 83-99 Queen St, Colac VIC 3250	
Golden Rise	<b>Name:</b> Nardi Croaker, Village Manager	<b>Name:</b> Leanne Winning, Precinct Manager
	<b>Telephone:</b> (03) 5440 8200 <b>Email:</b> bethlehem.complaints@mercy.com.au <b>Postal Address:</b> 2 Taylor Street, Golden Square, VIC 3555	
Parkville	<b>Name:</b> Rajshree Bastianpillai, Precinct Manager	<b>Name:</b> Damien Malone, Residential Aged Care Regional Manager
	<b>Telephone:</b> (03) 9385 9446 <b>Email:</b> parkville.complaints@mercy.com.au <b>Postal Address:</b> 62 Cade Way, Parkville VIC 3052	
Rice Village	<b>Name:</b> Sally Doodt, Village Manager	<b>Name:</b> Narelle Grech Precinct Manager
	<b>Telephone:</b> (03) 5247 2200 <b>Email:</b> ricevillage.complaints@mercy.com.au <b>Postal Address:</b> 2-26 Marshalltown Road, Geelong VIC 3216	
St Margarets	<b>Name:</b> Robert Gvojic, Precinct Manager	<b>Name:</b> Sharyn McIlwain, Residential Aged Care Regional Manager
	<b>Telephone:</b> (03) 8414 6000 <b>Email:</b> keonpark.complaints@mercy.com.au <b>Postal Address:</b> St Margaret's Community Retirement Village, Bridgeton Street, Reservoir VIC 3073	
Wesley Grange	<b>Name:</b> Roxanne Cadiante, Precinct Manager	<b>Name:</b> Tania Bugat, Residential Aged Care Regional Manager
	<b>Telephone:</b> (03) 9291 8000 <b>Email:</b> fernhill.complaints@mercy.com.au <b>Postal Address:</b> 23 Trentham St, Sandringham VIC 3191	

You may give notice of a village dispute to the primary contact person.

You may give notice to the alternative contact person if:

- the dispute involves the primary contact person; or
- the primary contact person is not available, or is not empowered to deal with the dispute.

## 2 How to make your comment or complaint

2.1 You may make your comment or complaint:

- 2.1.1 Verbally, by describing the dispute to the contact person (in-person or over the phone); or
- 2.1.2 In writing, by giving a document describing the dispute, in person, to the contact person between the hours of 9.30am and 4.30pm from Monday to Friday; or
- 2.1.3 by placing or posting your written comment, suggestion or complaint in the operator's mailbox available in the Village at any time; or
- 2.1.4 by sending a document describing the dispute, by electronic communication in accordance with the Electronic Transactions (Victoria) Act 2000 to the contact person

2.2 You may lodge your complaint in writing, if you so wish, by completing a complaint/dispute notification form (a copy of which is attached to this document). The form may be handed to the person to whom you are making the complaint. You do not have to use this form as it is provided for your assistance only.

## 3 Recording your complaint

If you notify the operator of your complaint, upon receipt of your complaint, the operator will:

- 3.1 acknowledge receipt of your complaint in writing by providing you a written record of your dispute; and
- 3.2 record in the complaints register maintained by the Village (if known):
  - 3.2.1 the date of your complaint;
  - 3.2.2 your name, address and contact details (including contact details of your representative, if any);
  - 3.2.3 whether notice of the dispute was given orally or in writing
  - 3.2.4 details as to the nature of your complaint or dispute
  - 3.2.5 copies of any correspondence or other documentation given to the primary contact person or alternative contact person by you;
  - 3.2.6 details of the resolution sought by you, if this information is known.

## 4 Complaints against the operator

If your complaint is against the operator:

- 4.1 The operator will provide you with a written record of your dispute which includes the information set out in 3.2, as soon as practicable after receipt of your complaint.

- 4.2 The operator will with your consent, investigate your complaint by interviewing any relevant staff, and reviewing any documents you have provided.
- 4.3 The operator will, within 14 days of receiving your complaint, advise you in person and/or in writing of the outcome of the investigation by the operator, and any action which the operator proposes to take so as to the address the subject of your complaint and, if appropriate, the date by which the operator will advise you further.
- 4.4 When the operator, primary contact person or alternative contact person considers the dispute is resolved or cannot be resolved, you will be notified as soon as practicable.
- 4.5 If resolved, the notification to you from the operator will include, the date it was resolved and the details of the resolution.
- 4.6 If unable to be resolved, the notification to you from the operator will include, the reasons resolution has not been possible and inform you that you can seek advice in the following ways:
  - 4.6.1 Contact Consumer Affairs Victoria for assistance
  - 4.6.2 Apply for conciliation through VicAssist Retirement Villages, the retirement villages conciliation scheme
  - 4.6.3 Seek independent legal advice

## 5 Complaints against or dispute with another resident

If your complaint or dispute is about another resident at the Village:

- 5.1 The operator will provide you with a written record of your dispute which includes the information set out in 3.2, as soon as practicable after receipt of your complaint.
- 5.2 The operator will, with your consent, advise the other resident in writing of your complaint and request that the resident provide the operator with a response to your complaint within 14 days of the request by the operator.
- 5.3 If the other resident agrees to provide a response, and once that response has been received by the operator, the operator will, again with that resident's consent, notify you of the resident's response. With your consent, the operator may further investigate the dispute by interviewing staff or other residents.
- 5.4 The operator may facilitate a meeting between you and the other resident to attempt to resolve the dispute, if you both agree to attend the meeting.
- 5.5 The operator will advise you in person and in writing of the outcome of the investigation by the operator, including the outcome of any meeting between you and the other resident.
- 5.6 When the operator, primary contact person or alternative contact person considers the dispute is resolved or cannot be resolved, you will be notified as soon as practicable.
- 5.7 If resolved, the notification to you from the operator will include, the date it was resolved and the details of the resolution.
- 5.8 If unable to be resolved, the notification to you from the operator will include, the reasons resolution has not been possible and inform you that you can seek advice in the following ways:

- 5.8.1 Contact Consumer Affairs Victoria for assistance
- 5.8.2 Apply for conciliation through VicAssist Retirement Villages, the retirement villages conciliation scheme
- 5.8.3 Seek independent legal advice

**6** Can you be represented by another person?

You may be represented throughout the complaint/dispute resolution process by another person.

## PART 3 – THE OPERATOR’S OBLIGATIONS

The Retirement Villages Act 1986 (Vic) and the Retirement Villages Regulations 2026 (Vic), require the operator to record and report on complaints and disputes.

### 1 Records

- 1.1 If your complaint or dispute is resolved within 72 hours (excluding weekends and public holidays), the operator is not obliged to keep detailed ongoing records. However, the operator must still keep a record of your complaint, the date the complaint was made, the names of the parties to the dispute, the nature of the problem and the outcome or action taken.
- 1.2 If your complaint or dispute is not resolved within 72 hours (not including weekends and public holidays), the operator must:
  - 1.2.1 create a file (physical or electronic) to record the complaint or dispute and maintain such file;
  - 1.2.2 record the following in the file (if known):
    - (a) the reasons why the dispute / complaint is considered to not be resolved
    - (b) the actions that will be taken (if any);
  - 1.2.3 keep in the file, a dated copy of the operator’s written advice to you summarising the operator’s understanding of the matters to be resolved, the steps the operator intends to take to resolve your complaint or dispute and the date by which the operator will advise you further;
  - 1.2.4 keep in the file, notes of every action the operator takes or intends to take in relation to the complaint or dispute;
  - 1.2.5 keep in the file, copies of all letters or other documents the operator receives or sends in relation to the complaint or dispute; and
  - 1.2.6 keep in the file, copies of the operator’s written advice to you once the complaint or dispute has been resolved (and how it has been resolved), or the operator’s advice that the dispute cannot be resolved (which must include the operator’s reasons for this decision and information on external resolution bodies – CAV, VicAssist Conciliation Scheme, independent legal advice – who may provide you with further assistance).
- 1.3 The operator is required to retain the file for 7 years.
- 1.4 You may inspect the file by prior arrangements with the operator unless there are special circumstances which would make this unreasonable.

### 2 Report to the Annual General Meeting of Residents

- 2.1 The operator is required to report to the annual general meeting of the residents of the Village on the following matters:

- 2.1.1 the nature of any dispute or complaint that the operator has been notified of in the past year and the action taken to resolve the complaint or dispute;
  - 2.1.2 the number and types of complaints or disputes handled by the operator in the past year;
  - 2.1.3 action taken to resolve the complaints or disputes and the outcomes; and
  - 2.1.4 any changes made or proposed to be made to address any issues identified as requiring a broader response.
- 2.2 The operator is required to maintain the confidentiality of the parties concerned. For that reason, the report will be general in nature, it will not identify the parties concerned and it will not provide any specifics about the complaint, dispute or the outcome achieved. A copy of the report is provided to CAV within 14 days after the meeting.

## WRITTEN COMPLAINT / DISPUTE FORM

You may, if you wish, make your complaint / dispute in writing. You do not have to use this form as it is provided for your assistance only.

**1** Your details

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone no.: \_\_\_\_\_

**3** Complaints about the operator of the Village

If your complaint is about the operator of the Village, set out the nature of your complaint here:

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**4** Complaints about or dispute with another resident

If your complaint or is about another resident, or if your dispute is with another resident, complete this section:

Details of other resident: Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone no.: \_\_\_\_\_

Nature of the dispute:

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**5** What is the outcome you seek?

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Date of this notification: \_\_\_\_\_

Your signature: \_\_\_\_\_

Date received by the operator: \_\_\_\_\_

FLOW CHART OF COMPLAINT/DISPUTE HANDLING BY THE OPERATOR

