

# Internal Dispute Resolution Process

## SECTION 1 – PURPOSE OF THIS POLICY

The purpose of this policy is to provide a framework in which Aveo Group will handle disputes either between Aveo Group and a resident or between two or more residents residing in one of Aveo Group’s retirement communities.

This policy should be read in conjunction with Aveo Group’s Complaint Handling Process.

## SECTION 2 – OBJECTIVES OF THIS POLICY

The objectives of this policy are to:

1. ensure disputes are managed in a way which is fair, transparent and effective and is also consistent with best practice standards;
2. seek to resolve disputes in a way to ensure resident satisfaction with Aveo Group, including confidence in Aveo Group’s dispute handling procedures as outlined in this policy;
3. provide support to Community Managers in responding to and resolving disputes; and
4. ensure Aveo complies with the Retirement Living Code of Conduct, Aveo’s values and all laws in respect of the handling of disputes.

## SECTION 3 – SCOPE OF THIS POLICY

This policy relates to disputes in Aveo Group’s retirement communities between either Aveo Group and a resident or between residents themselves, other than the following disputes:

1. disputes between a resident and an external party which is unrelated to Aveo Group or another resident;
2. disputes in respect of Aveo Group’s provision of care or other matters which are within the ambit of the Aged Care Act 1997 (Cth). Common examples include disputes in respect of residential aged care in a residential aged care facility or complaints in respect of care delivered under a home care package;
3. formal disputes which are subject to proceedings before a Tribunal or Court.

Nothing in this policy is intended to circumvent or derogate any legal rights a resident or Aveo Group may have. Please refer to Section 8 – Other information for details regarding where a resident may obtain further information.

## SECTION 4 – A SUMMARY OF THE DISPUTE HANDLING AND RESOLUTION PROCESS AND THE ROLE OF RELEVANT AVEO GROUP MANAGEMENT

### Dispute resolution process

The steps below outline Aveo Group’s dispute handling and resolution process.

<p><b>Step 1 – Confirming the existence of a dispute</b></p>	<p>On becoming aware of a dispute that is not otherwise being dealt with in accordance with Aveo Group’s Complaint Handling Process, the Community Manager will write to each of the parties who are the subject of the dispute.</p> <p>The Community Manager’s letter will include an outline in reasonable detail, of the subject matter of the dispute, any investigation Aveo Group intends to undertake to obtain further information and the steps Aveo Group intends to take to seek to resolve the dispute.</p>
<p><b>Step 2 – Investigating a dispute</b></p>	<p>Where necessary, Aveo Group may undertake an internal investigation of the matters in dispute. This will include reviewing Aveo Group’s records, interviewing Aveo Group staff and meeting with residents to seek to identify the matters in dispute.</p> <p>The objectives of an investigation will include an identification of how the dispute arose, each affected parties’ position in respect of the matters in dispute and how each of the parties consider the dispute can be resolved.</p>

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<p><b>Step 3 – Mediation and other information dispute resolution procedures</b></p>	<p>For disputes between residents, Aveo will meet with each of the residents to give them an opportunity to discuss the dispute. Aveo will recommend that disputing residents submit to either an informal or formal mediation process.</p> <p><b>Disputes between residents</b></p> <p>The purpose of any mediation process will be to allow each resident to be heard and advance their side of the dispute. A formal mediation may occur in front of an impartial mediator without the presence of Aveo Group management.</p> <p>Whether residents wish to participate in mediation is voluntary for each of the residents, subject to any formal dispute resolution procedures under the applicable retirement villages legislation.</p> <p><b>Disputes between a resident and Aveo Group</b></p> <p>At first instance, Aveo Group will suggest the Community Manager and the resident meet in person at a mutually agreed day and time at the retirement community to seek to discuss and resolve the dispute. Depending on the subject matter of the dispute, additional Aveo Group management may attend, either with the Community Manager or in substitution of the Community Manager.</p>
<p><b>Step 4 – Seeking to resolve the dispute</b></p>	<p>After the Community Manager undertakes an internal investigation and the parties have either met or undertaken mediation (where applicable), Aveo Group will take steps to formally resolve the dispute. Such steps may include:</p> <ol style="list-style-type: none"> <li>1. writing to the parties, confirming the dispute is concluded or the date by which the parties have agreed the dispute will end, including any terms upon which the dispute was finalised; or</li> <li>2. confirming any other relevant lawful action to be taken in respect of the dispute.</li> </ol>

## Relevant Aveo Group staff

Below is a summary of the role of Aveo Group staff in Aveo Group’s complaint handling policies and procedures.

<p><b>Community Manager</b></p>	<p>Unless otherwise specified in this policy, the Community Manager is the primary contact between the resident and Aveo Group in respect of the handling of a dispute with Aveo Group.</p>
<p><b>Group Community Manager</b></p>	<p>For sensitive and other appropriate matters, the Group Community Manager may undertake any steps on behalf of the Community Manager, including meeting with a resident to discuss the dispute or seeking to resolve the dispute.</p>

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## SECTION 5 – CONFIRMING THE EXISTENCE OF A DISPUTE

Disputes subject to this policy generally arise in one of three ways, being:

1. Aveo Group becoming aware of a dispute between Aveo Group and a resident following receipt of a complaint lodged in accordance with Aveo Group's separate Complaint Handling Process;
2. Aveo Group becoming aware of a dispute between two or more residents, either following receipt of a complaint lodged in accordance with Aveo Group's Complaint Handling Process or observing relevant matters in managing a retirement community; and
3. Aveo Group notifying a resident of a dispute Aveo Group has with a resident arising from the resident's residence contract with Aveo Group or other statutory obligations a resident may have to Aveo Group.

Depending on how a dispute arises, Aveo Group will respond to a dispute in differing ways.

### Disputes between Aveo Group and a resident arising from a complaint

Where a dispute arises between Aveo Group and a resident following a resident complaint, then the process set out in the Complaint Handling Process will generally apply to the handling of the dispute as supplemented by this policy, where relevant.

### Disputes between two or more residents

Where a dispute arises between two or more residents in a retirement community, upon being notified or otherwise becoming aware of a dispute, the Community Manager will write to the parties in dispute acknowledging the dispute and specifying what steps Aveo Group is taking to seek to resolve the dispute. For example, by confirming the existence of an investigation and the timeframe in which Aveo Group expects to conclude it.

Unless an exception in this policy applies, if a dispute arises between two or more residents following complaints received by Aveo Group, the Community Manager will confirm with each resident:

1. the existence of the complaints received and the allegations contained in them. Where relevant, this will include the number of complaints and the date on which they were received; and
2. the subject matter of the issues raised by each of the residents in dispute. This will not include providing each residents with copies of each of the complaints in question.

In the interests of providing natural justice to all parties to a dispute, Aveo Group provides as much detail it can in respect of complaints received against a resident. This enables the resident to appropriately respond to the subject matters in dispute.

In some circumstances, Aveo Group may receive anonymous complaints or be requested by various residents not to disclose their identity as a complainant. In these circumstances, Aveo Group will investigate a complaint but may be constrained from fully addressing the matters in dispute with the relevant residents in the circumstances. This is because in the interests of natural justice, Aveo Group must provide each party to a dispute with sufficient detail of a complaint made against the resident to allow them to respond.

### Disputes between Aveo Group and a resident

From time to time, a dispute may arise between Aveo Group and a resident in respect of matters raised by Aveo Group. These disputes generally involve a breach or potential breach of a resident's residence contract or their statutory obligations.

On such a dispute arising, the Community Manager will ask the resident to meet with the Community Manager to confirm Aveo Group's understanding of the matters in dispute and the steps Aveo Group considers must be done to remedy the issues in dispute.

### The role of resident representatives

Given the character of its business, Aveo Group recognises that commonly third parties may represent residents who are a party to a dispute. Common examples of such third parties include a resident's children, spouse, other family member or friend.

In circumstances where a third party wishes to represent a resident in a dispute, Aveo Group management must take reasonable steps to satisfy themselves that the third party is entitled to act on the resident's behalf. This is to ensure Aveo Group complies with its Privacy Policy and its legal obligations in respect of the provision of personal information which may be necessary to disclose as part of handling a dispute. Reasonable steps may include:

1. requesting the third party to provide a certified copy of a valid power of attorney or enduring power of attorney appointing them to act on behalf of the resident;
2. if a power of attorney or enduring power of attorney is subject to a particular circumstance arising in respect of the principal (the resident), reasonable evidence that

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circumstance has occurred. This may include, for example, where an enduring power of attorney commences when a resident loses capacity, evidence from a medical practitioner that the resident has lost capacity; or

3. a certified copy of any administrative or guardianship orders issued by a Tribunal or Court appointing that third party to act on behalf of the resident.

Until such time as this evidence is supplied by the resident or their third party representative, Aveo Group cannot deal with the proposed third party on the resident's behalf.

## SECTION 6 – HANDLING DISPUTES

### Natural justice principles

Aveo Group will ensure parties to a dispute are afforded natural justice by:

1. supplying parties to a dispute with as much detail as possible of allegations made against them and allowing parties to respond to allegations raised;
2. encouraging residents to obtain independent advice and allowing residents to specify on reasonable terms how they would prefer the dispute to be handled. For example, by meeting with Aveo Group management or through mediation;
3. allowing parties sufficient time in which to respond to matters raised in a dispute, including sufficient timeframes to enable independent advice to be obtained; and
4. allowing parties to a dispute to be accompanied by a support person to meetings in respect of the dispute, should they wish to do so.

Natural justice principles are integral to Aveo Group's administration of the dispute handling process and will be used in relevant decision making in respect of relevant matters involving a dispute.

### Internal investigations

Aveo Group will undertake an investigation of the matters relevant to the dispute. The scope, character and urgency of the investigation will be commensurate with the subject matter of the dispute. The objectives of Aveo Group's investigations will be to ensure the facts and issues relevant to the dispute are quickly identified. This may include reviewing Aveo Group's records and interviewing staff, contractors and residents.

Periodically and otherwise promptly on request, Aveo Group will provide parties to the dispute with an update of Aveo Group's investigations pending any formal response from Aveo Group in required timeframes.

### Mediation and other information dispute resolution procedures

Where deemed appropriate to do so, and in particular in respect of disputes between two or more residents, Aveo Group will suggest residents participate in formal mediation before a mediator who is independent to Aveo Group. The costs of a mediation may be paid for by Aveo Group if Aveo Group is satisfied it is appropriate to do so or payment of these costs is consistent with Aveo Group's legal obligations.

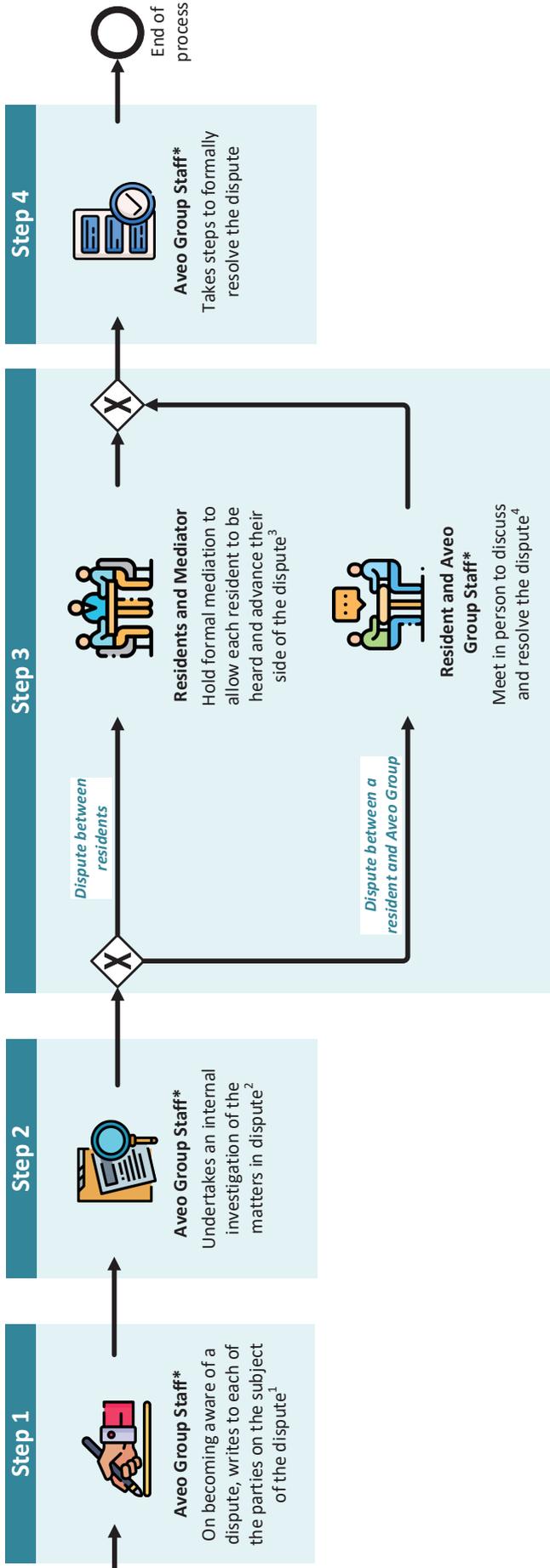
Any mediation may occur without the presence of Aveo Group management, such as the Community Manager. Aveo Group may attend a mediation on the request of a party and if mutually agreed by all parties the subject of the proposed mediation. If Aveo Group management attends a mediation, it will do so on an impartial basis for the purposes of assisting to resolve the dispute.

### Support people

Aveo Group will not object to a support person accompanying a resident to any meeting held between the resident and Aveo Group. If a support person wishes to attend, Aveo Group requests the resident provide their name and relationship to the resident. The purpose of this request is so that Aveo Group can identify whether the representative is a lawfully appointed or an informal representative.

If a support person is not a resident's lawfully appointed attorney, administrator of guardian, the resident consents to Aveo Group disclosing any of the resident's personal information to the support person which is relevant to the dispute in any meeting held between Aveo Group and the resident to which the support person accompanies the resident.

***Prepared and issued on 31 December 2019 – To be reviewed by 31 December 2021***



Annotations		
<p>* The below Aveo Group staff has the following roles in the complaints handling process:</p> <ul style="list-style-type: none"> <li>- <b>Community Manager</b> – Unless otherwise specified, is the primary contact between the resident and Aveo Group in respect of the handling of a dispute with Aveo Group</li> <li>- <b>Group Community Manager</b> – For sensitive and other appropriate matters, may undertake any steps on behalf of the Community Manager, including meeting with a resident to discuss the dispute or seeking to resolve the dispute</li> </ul> <p>[1] The letter will include the subject matter of the dispute, any investigation Aveo Group intends to undertake to obtain further information, and the steps Aveo Group intends to take to seek to resolve the dispute.</p>	<p>[2] The investigation may include reviewing Aveo Group’s records, interview staff and meeting with residents to seek to identify the matter in dispute. It will include an identification of how the dispute arose, each affected parties’ position in respect of the matters in dispute and how each of the parties consider the dispute can be resolved.</p> <p>[3] Residents’ participation to mediation is voluntary, subject to any formal dispute resolution procedures under the applicable retirement villages legislation.</p> <p>[4] Depending on the subject matter of the dispute, additional Aveo Group management may attend, either with the Community Manager or in substitution of the Community Manager</p>	<p>[3] Steps to formally resolve the dispute may include:</p> <ul style="list-style-type: none"> <li>- Writing to the parties, confirming the dispute is concluded or the date by which the parties have agreed the dispute will end, including any terms upon which the dispute was finalised; OR</li> <li>- Confirming any other relevant lawful action to be taken in respect of the dispute</li> </ul>