

RETIREMENT VILLAGE ADVOCACY KIT

Section 1: Making a complaint to Consumer Affairs Victoria

If you think that your retirement manager or operator has done something wrong, you should lodge a complaint with Consumer Affairs Victoria (CAV). Here are a few tips on how to make a complaint:

1. Common concerns

We regularly receive complaints from retirement village residents. Some common concerns include:

- ❖ lack of access to free and effective dispute resolution
- ❖ long and complex contracts that are difficult to understand
- ❖ difficulties calculating fees and charges
- ❖ poor management practices and lack of accountability

Evidence is key

CAV is more likely to assist if the operator is identified, and if you offer to provide relevant documents

2. Confidentiality issues

If you are complaining on behalf of someone else make sure they consent to you making a complaint to CAV. You should check whether the person:

- ❖ consents to you identifying them in the complaint
- ❖ consents to you providing relevant documents to CAV
- ❖ has signed any confidentiality agreements that may restrict your ability to provide information to CAV

Written complaints

Written complaints are more effective than telephone complaints. Make sure you keep a copy of correspondence.

3. Lodging your complaint

You should complete the CAV's [Residential Accommodation Complaint Form](#), which you can lodge in person, by fax or by post (see right for details) or by calling 1800 55 81 81. You will be asked to provide a range of information, including:

- ❖ your contact details
- ❖ details about the retirement village operator
- ❖ the amount of money involved
- ❖ details of your concerns and the remedies you are seeking
- ❖ whether you have supporting documents

Post your complaint to:
Consumer Affairs Victoria,
GPO Box 4567, Melbourne
VIC 3001

Fax to: (03) 8684 6295

Deliver in person to:
113 Exhibition St, Melbourne

4. What happens next?

After you lodge your complaint, an officer from CAV will contact you.

CAV will encourage both parties to reach a voluntary resolution, but does not have the power to make either party accept a particular outcome. If you just want to raise your concerns with CAV about your retirement village (rather than conciliate with the provider), you should make this clear to the CAV officer.

Section 2: Contacting your local MP

There are many changes that need to occur to improve retirement village regulation for residents, but this won't happen unless decision makers, in particular Members of Parliament (MPs), are motivated to make this change. This requires a local approach to explain how the issue directly impacts their constituents.

If you are not sure who your local MP is (and how to contact them), you can search via the parliamentary website here: <http://www.parliament.vic.gov.au/members/>

The Victorian Electoral Commission can tell you which electorates you are living or working in via this link <http://www.vec.vic.gov.au/>.

Retirement villages are regulated by the Victorian Government so you will be contacting your State MP.

How to contact your MP

Start off by giving the MP's electorate office a call. MPs receive huge numbers of email every day, so calling can cut through. You will probably speak to a staff member – this is fine as it is the Electorate Officers who arrange meetings and set the MP's diary.

Before calling, find out some information about your MP. Check their website, social media or media releases to see what motivates them. Are they in government or opposition? Do they have a ministry or a particular interest? Your research may determine how you make your pitch.

If you would prefer, you can also send a letter to your MP to request a meeting. There is a **template letter** in Section 4 of this Advocacy Kit.

Calling your MP

Introduce yourself and where you are calling from. You should make it clear that you live in a retirement village in the MP's electorate. Clearly explain the reason for your call, and that you would like to have a meeting with the MP to explain your concerns.

Consider outlining your experience living in a retirement village, such as how long you have lived there, the issues you have experienced, and the effect it is having on your community. You may wish to take along a retirement village advocate (such as someone from RRVV, HAAG, COTA or CALC) to build your credibility with the MP's office.

Don't talk too much – keep it short and business focused. Give the staffer enough information to convince them that they should get you an appointment. Offer to send through more information by email if that would help. Staffers are also busy and deal with a lot of calls on a huge variety of issues. They really appreciate clarity and brevity.

Following the call, be sure to email or write to the office to confirm the details of the call. Asking for the best email address to contact the Electorate Officer during the call will mean that your email won't get lost.

Be patient and flexible about meeting times, MPs are busy and receive lots of requests for meetings.

Meeting your MP

Consider, "What am I asking for?" - This is vital, because you are meeting your MP to create positive change for you and your community. There should be two basic elements to your meeting:

1. **The Local:** How does the issue affect the MP's electorate? Consider bringing along another resident or a community advocate to the meeting to tell their story. If you do this, ensure that your guest is aware of the context of the meeting, and keep them on track.

2. **The Change:** How can retirement villages be improved through regulatory and legislative change? We suggest asking the MP to support a Government review of retirement village regulation. MPs can do a number of other things to promote change, including writing to the relevant Minister, making a public statement or asking a question in Parliament.

After the Meeting

Make sure you follow-up after the meeting by thanking the MP via email, or even better via social media (particularly Twitter). The MP may then “re-tweet” you to further publicise the issue. Maintain your relationship with the MP by keeping in touch about new cases or evidence that comes up.

More tips

Below are the most common mistakes made when approaching an MP (according to a 2006 survey of Australian MPs):

- ❖ wasting time getting to the point or on insignificant issues
- ❖ making ambit claims and general or vague requests
- ❖ being poorly briefed and prepared (including lack of understanding of the MP's personal views and speeches)
- ❖ failing to have an 'electorate focus', that is, failing to apply your argument to community views and interests
- ❖ failing to follow up in a timely manner

There are three key lessons to be learned from others' mistakes:

1. **be clear** about the purpose for your contact and what you are requesting – keep it succinct.
2. **be prepared** – know the context and who you are talking to
3. **follow up promptly** – this is a measure of how serious you are, and it helps to build relationships

Section 3: Working with the Media

Contacting the Media

The media is a fantastic way to increase awareness of the problems with retirement villages in Victoria. There are a couple of ways to ensure that your story gets picked up.

- 1. Start Local:** It is far easier to get a local media outlet, such as a Leader newspaper or regional ABC radio to use your story, as they are always looking for local content. You can contact a journalist directly, by phone or email, or ask to speak to the news desk.
- 2. Make it personal:** Do you or members of a community you live in have a personal story to tell? Or do you have some telling statistics about problems with the sector?
- 3. Off the record:** When contacting the media to outline the story and issue, be clear if you are speaking off the record. This means that anything you say during these initial discussions cannot be attributed to you.
- 4. The change you want:** Ensure that you this opportunity to outline the type of legislative or regulatory change you would like to see as well. How could things be different? You can get help for this part from RRVV or CALC. Remember - it is vital to be factually correct.

Do it yourself

There are other ways to promote change and build the profile of the issues facing your community.

- 1. Letter to the editor:** As a person with credibility and expertise, you are the perfect person to write to a newspaper to explain your experience with a retirement village, and call for a review. Your letter is more likely to be published if it is in response to an article or opinion piece, so monitor the media as much as possible.
- 2. Talkback radio:** This is often a reactive form of media activity – by responding to a radio presenter, guest, or current news issue – but other opportunities may arise, particularly on regional radio stations when open talk-back segments occur.
- 3. Social Media:** Social media is a powerful tool to speak directly to decision makers, such as your local MP, and your community, but you do need to take care. A few things to keep in mind:
 - Once you publish something on social media it is in the public space – even if you later delete a post or tweet, it may have been captured already.
 - Using a person or organisation’s handle (e.g. **@JohnSmithMP**) in a tweet or *Facebook* post is the best way to speak to someone on *Twitter*. These posts are public.
 - On *Twitter*, private messages on twitter require both you and the person to follow each other. This is not the case on *Facebook*.
 - Hash-tags, created by using a pound-sign (#) before a word or phrase, can build your audience as they allow other users to search based on the hash-tag used. Commonly used hash-tags can “trend” in real time, further building an audience (**#jesuischarlie** is a recent example). Remember not to use spaces between words if using a phrase.

Need help? Contact the Consumer Action Law Centre media team: media@consumeraction.org.au

Section 4: Template letter to MP

[insert date]

[insert your name and address]

[Insert name and correct title]

Member for [insert electorate]

[Insert electorate address]

Dear [insert MP's name]

1. **Request a meeting:** You should start the letter by asking to meet with your MP. If you are having difficulty arranging a meeting, offer to bring along a retirement village advocate from an organisation such as RRVV, HAAG, COTA or CALC.
2. **Introduce yourself:** Outline who you are and a brief summary of why you are writing. Make it clear from which village or other retirement village you are writing and that you are a member of their electorate. It can also be helpful to briefly set out your relevant connections in the community, such as whether you have lived and worked in the electorate for a long time, your involvement with a local church, Rotary organisation or sporting club.
3. **Why you are writing:** You should make it clear why you are writing to the MP. For example, *'I am writing to express my concerns about the regulation of a retirement village in Victoria.'* You should set out the particular concerns you have in your own words. For example:
 - *'I am concerned that my retirement village contract is overly complex, which has left me uncertain of my rights and how to enforce them'*
 - *'Resolving disputes with my retirement village manager is very difficult - Consumer Affairs Victoria can only conciliate, and there are long waiting periods for hearings at VCAT'*
 - *'Older Victorians living in retirement villages are physically and financially vulnerable, and need simpler contracts with fair fee structures'*

You should refer to your own personal experiences with the issue and highlight how this issue affects the broader community.

4. **What you want:** It should be clear what you want the MP to do. For example, *'I am seeking a commitment that you will support an urgently needed broad based review of the retirement village sector during this term of Government.'*
5. **Provide your contact details:** For example, *'I can be contacted on [insert phone number] or at [insert email address].'*

Yours sincerely,

[Insert signature]

[Insert name]