

# Retirement Living Code of Conduct **Overview**

1 September 2022

## Overview

The Retirement Living Code of Conduct aims to set and maintain high standards relating to the marketing, selling and operation of Retirement Communities, including complaints and dispute management procedures for operators and residents.

This Code uses the term “Retirement Communities” to capture a breadth of seniors housing types, most notably retirement villages, but can also be adopted by other forms of communities that combine seniors housing with support services designed to meet the specific needs of older people.

The Code has been developed and endorsed by peak bodies responsible for representing the owners and operators of Retirement Communities; the Property Council of Australia and Aged & Community Care Providers Association (ACCPA). Both organisations are responsible for promoting the Code to its member operators.

The Code is administered by an Administrator and a Code Review Panel, who will jointly oversee complaints and determines any sanctions as required.

## Why has a Code been developed?

The Retirement Living Code of Conduct has been developed to provide retirement community owners and operators with an agreed set of standards that they should meet to ensure retirement community residents have an excellent experience.

The Code ensures operators are accountable to their residents for the standards they have agreed to uphold, operate with integrity and can implement best business practices across their community operations.

The Code has been developed after extensive stakeholder consultation, including a public consultation period which received more than 250 pieces of feedback on a draft version of the Code.

## What standards does the Code cover?

The Retirement Living Code of Conduct sets standards relating to all aspects of a resident’s experience in their retirement community. It is divided into four sections of standards:

- General provisions – internally monitoring their adherence to the Code, and communicating it to residents
- Moving into the community – including honest sales, clear contracts and effective orientation
- Living in the community – managing staff and facilities effectively, and inviting resident feedback on operations
- Leaving the community – communicating clearly with residents (and their families or estates) about the re-sale process

## What are the benefits to Code signatories?

Retirement community operators that sign up to the Retirement Living Code of Conduct will be listed on an independent website as a signatory, enabling current and prospective residents to easily identify them when making their decision to move to a community.

Signatories can also use the Retirement Living Code of Conduct brand mark in their marketing materials and within their communities, as recognition of their commitment to the Code’s standards.

## Who is responsible for administering the Code?

The Code is administered by a dedicated Code Administrator and a Code Review Panel.

The Administrator will:

- Manage the implementation, promotion and effectiveness of the Code;

- Manage the administration process of signatories;
- Manage the Code Register and the Code website and administration portal;
- Manage the Complaints Register;
- Manage the Breach Register;
- Monitor Code compliance, undertake compliance audits, and investigate alleged breaches of the Code;
- Report on Code-related matters and complaints;
- Determine when breaches of the Code have occurred;
- Apply appropriate sanctions;
- Refer matters to the Code Review Panel according to its Terms of Reference;
- Record complaints and refer them to external independent dispute resolution if required;
- Make recommendations to the Code Review Panel as to changes to the Code.

The Code Review Panel undertakes independent oversight, monitoring and review of the Code, its content and matters referred to it by the Code Administrator. The Panel operates according to the Panel Terms of Reference. It is an independent body, comprising at least three members.

The Panel will:

- Review amendments to the Code proposed by the Code Administrator;
- Ensure that the Code is regularly reviewed according to the Panel Terms of Reference;
- Hear appeals against sanctions imposed by the Code Administrator;
- Regularly review the Complaints Register;
- Annually review the Code Register, and monitor signatory compliance;
- Oversee the Code Administrator's functions in managing Code Compliance and reporting.

### **When is the Code being introduced?**

The Retirement Living Code of Conduct was formally launched on 13 December 2018 and became fully operational on 1 January 2020.

Operators are encouraged to check their business practices to ensure they are adhering to the Code's standards and implementing best practice behaviours so they may sign up to the Code.

### **How can an operator sign up to the Code?**

Retirement community operators can sign up to the Code by clicking [here](#).

Member organisations of either the Property Council of Australia or ACCPA can subscribe to the Code at a discounted price. The application fees are \$200 per village, plus \$2.50 per ILU; and \$100 initial application (not including GST). The subscription is renewed annually on the calendar anniversary.

Non-members will be charged \$500 per village per year; \$6.25 per unit; and \$250 initial application (not including GST). The subscription is renewed annually on the calendar anniversary.

What happens after an operator signs up to the Code?

Retirement community operators that have signed up to the Code will be expected to adhere to the Code's standards. Residents will have the ability to make a complaint if they believe their community is not upholding standards contained within the Code.

**For more information, please contact:**

The Code Administrator

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