

## Unreasonable Complainants Policy

### Purpose

This policy outlines what an unreasonable complaint is and how Bridge Housing responds to and manages these complaints by our customers.

### Scope

This policy applies to all Bridge Housing staff including volunteers and board members, contractors and consultants, tenants and household members.

### What is an unreasonable complainant?

Bridge Housing manages all service delivery complaints in line with our [Compliments, Complaints and Appeals Policy](#).

Most complainants act reasonably when making a complaint even though they may be experiencing distress, frustration and anger.

There are three types of complainant behaviour that may hamper our ability to investigate a complaint effectively. These include:

#### 1. *Aggressive or abuse behaviour*

This is when a complainant acts in a way that is unacceptable in any circumstance because it compromises the health, safety and security of staff, other tenants or the complainant themselves. This includes being aggressive or abusive, threatening harm or violence.

Examples of this behaviour include (but are not limited to):

- physical violence or harassment
- intimidation or threatening behaviour towards staff members by any means
- deliberate physical damage
- derogatory or discriminatory remarks about staff members or the organisation
- personal abuse
- making inflammatory or unsubstantiated allegations.

In these instances, Bridge Housing may also consider action against the tenancy in the NSW Civil and Administrative Tribunal.

#### 2. *Unreasonable persistence and demands*

This is continued, incessant and unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on our organisation, staff, services, time and/or resources.

Examples of this behaviour include (but are not limited to):

- repeatedly raising the same issue without presenting new evidence
- reframing a complaint in an effort to get it taken up again
- refusing to accept a decision that has followed the complaints process
- refusing to accept explanations relating to what Bridge Housing can and cannot do
- insisting on outcomes that are not possible or appropriate in the circumstances.

### 3. *Unreasonable lack of cooperation*

This is when a complainant is unwilling or unable to cooperate with Bridge Housing's staff and existing process for responding to complaints or presents evidence that is not logical, is trivial or defamatory that results in a disproportionate or unreasonable use of resources.

Examples of this behaviour include (but are not limited to):

- refusing to follow or accept our decisions without a clear reason
- refusing to provide relevant information
- sending a constant stream of information that is disorganised or does not clearly relate to the complaint
- presenting arguments that are not supported by evidence, fail to follow a logical sequence or are defamatory.

### **How do we respond to unreasonable behaviour from complainants?**

Where the Bridge Housing Executive identifies an unreasonable complainant, we may take steps to adjust our service delivery to them. This may include:

- Who they have contact with – for example, we may nominate one person they talk to
- What they can raise with us – for example, we may restrict what they can talk to us about and the issues we will respond to
- When they can have contact with us – for example, we may limit contact to a time, day, length of time or limit the frequency of contact
- Where they can make contact with us – for example, we may limit the locations where we will conduct face-to-face interviews
- How they can make contact with us – for example we may limit the type of contact a person can have with us, including limiting face-to-face interactions, phone and written communications, prohibiting access to our offices, making contact only through a representative, or terminating our services altogether.

When deciding how to deal with unreasonable complainants, we will consider the person's circumstances to make sure that any restrictions we apply are appropriate. If we decide to restrict access, we will first send the person correspondence warning of our opinion that they are breaching this policy and offering them the opportunity to adjust their behaviour.

If the behaviour continues we will advise the person of our decision to deem them an unreasonable complainant and how we intend to manage their behaviour.

### **Reviewing service delivery adjustments**

Where we deem a person an unreasonable complainant and adjust our service delivery accordingly, we will review the situation to make sure the arrangement is working. A review will be conducted every 6 months, or following any further incidents of unreasonable conduct.

The complainant will be invited to participate in the review process unless Bridge Housing believes this invitation will lead to further unreasonable conduct from the complainant. The review will be conducted in line with the current restrictions, for example if contact is restricted to writing only, the person can only respond in writing.

The review will consider:

- Whether the complainant has had any contact with Bridge Housing during the restricted period
- The complainants conduct during the restricted period
- Any information/arguments put forward by the complainant for review
- Any other information that may be relevant in the circumstances.

Bridge Housing will inform the person of the outcome of the review in writing, including any new or changed restrictions and the next review date.

### Related documents

- [Compliments, complaints and appeals policy](#)
- [NSW Ombudsman Managing Unreasonable Complainant Conduct Practice Manual](#)
- NSW Work Health and Safety Act 2011