



Managing Unreasonable Complaints

Overview

This Policy aims to explain what unreasonable complainant behaviour is and how we will identify and manage unreasonable complaints or complainant behaviour fairly, efficiently and effectively so that we:

- Protect the health, safety and wellbeing of our team members
- Are transparent when making decisions and providing responses
- Meet our contractual and legal obligations.

Purpose

This policy outlines what unreasonable complainant behaviour is and how we will identify and manage unreasonable complaints or complainant behaviour.

Scope

This policy applies to all employees and customers of St George Community Housing and its subsidiaries (we, our and us).

Guiding Principles

We will:

- Make sure that complaints and correspondence are managed fairly and that we are transparent when making decisions and providing responses.
- Protect the health and safety of our team members
- Apply the principles and strategies outlined in the NSW Ombudsman's Practice manual for Managing Unreasonable Complainant Conduct.
- Meet our legal obligations.

Unreasonable complainant behaviour

Unreasonable behaviour by a complainant is any behaviour by a person which, because its nature or frequency, raises substantial health, safety, resource or equity issues for those involved in the complaint process¹. This may include:

- Repeated and unnecessary telephone calls or visits to our offices
- Ongoing contact regarding matters that have been responded to
- Frequent written correspondence providing large amounts of irrelevant information
- Dishonest behaviour and/or communication
- Threatening harm to SGCH staff or customers
- Intentionally providing misleading information or deliberately withholding information that is relevant to their complaint
- Making inappropriate demands on our time and resources
- Making unsubstantiated accusations or defamatory comments about our team

¹ This definition is derived from the [NSW Ombudsman Manual: Managing Unreasonable Conduct by a Complainant: Part 1](#)



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- Requesting services or outcomes they are not entitled to and / or outcomes that are not possible, reasonable, realistic or appropriate in the circumstances
 - Ongoing representations to external agencies for matters that have been previously investigated and finalised
 - Refusing to accept our decisions and recommendations
 - Continuing to demand further action even after they have exhausted all available review options

Roles and responsibilities

Group CEO (or their delegate) or Executive Director – Customers, Service

The Group CEO (or their delegate) or the Executive Director – Customers, Services is responsible for:

- Deciding whether to change or restrict a person’s access to our services as outlined in this policy
- Making sure decisions are recorded and reviewed
- Reviewing breaches of service restrictions and deciding whether to change a service restriction or restrict access further.

Heads of

Our Heads of are responsible for helping their teams to apply this policy, identifying when behaviour becomes unreasonable and supporting their team members who are affected by unreasonable complainants.

All employees

Our team is authorised and encouraged to use the strategies and scripts outlined in the NSW Ombudsman’s Manual *Managing Unreasonable Conduct by a Complainant*

Our team must report any incidents involving unreasonable complainant behaviour that they experience or witness, including any breaches or recommendation for a service restriction, to their Lead, Head of, or Executive Director or Group CEO. If the incident or complainant behaviour impacts the health safety or wellbeing of someone in our team, it must also be reported as a Work Health and Safety incident and appropriate action taken.

Our response to unreasonable complainants

We may decide to change the way we provide services to an unreasonable complainant or limit access to our services. This could include changing:

- What they can raise with us – for example, we might restrict what they can talk to us about and what issues we will respond to, including not responding to matters that have already been addressed.
- When they can have contact – for example, we might limit contact to a time, day, or length of time, or limit the frequency of their contact with us.
- Where they can make contact – for example, we might limit the locations where the person can meet face-to-face with our team members.
- How they can make contact – for example, we might limit the type of contact that the person can have with us such as limiting face-to-face meetings, telephone and written communications, prohibiting access to our premises, or making contact only through a representative.



- Who they can make contact with – for example, we might nominate a staff member as the contact point for all matters

If we decide to restrict access, we will advise the person in writing and keep records relating to our decisions.

Any decision to change or restrict access to our services will include the time limit for restriction. We will advise approval for contact outside of the restriction in the event of an emergency or for repairs that are considered an emergency or urgent.

We may also take other legal action to protect our team such as seeking a specific performance order from the NSW Civil and Administrative Tribunal or an Apprehended Violence Order.

We will only terminate our services after we have issued a warning letter and/or when we deem that the behaviour is a significant risk and it seems unlikely that the person will change their behaviour. If the complainant is an SGCH customer, we might seek termination of the tenancy in line with our End of Tenancy Policy.

Appeals

Complainants are allowed one request for a review of the decision to change or restrict access to our services. Refer to our Appeals, Feedback and Complaint Policy for more information.

If a complainant is still unhappy after a review, we will appoint an independent third party to review our decision to make sure that we have acted fairly, reasonably and consistently, and have observed the principles of good administrative practice including procedural fairness. We will consider the recommendation made by the third party as an independent reviewer, as well as our obligations to our team and other customers.

Reviewing service restrictions

If we decide to restrict services, we will review the situation to make sure the arrangement is working. A review will be done:

- When the time limit for the restriction is about to lapse or every six months during the restriction period (whichever comes first)
- On request by a team member
- Following any further incidents of unreasonable behaviour by the complainant.

Following a review, we will tell the complainant the outcome of the review in writing and notify all relevant team members about the outcome of the review including if the restriction has been withdrawn or extended. Decisions made by us relating to service restrictions will be appropriately recorded.

Training and assistance for our team

We will provide ongoing training about unreasonable complainants to our frontline teams to help them to recognise and better deal with unreasonable complainants and difficult/complex conversations and emails.

We will also help team members who are impacted by unreasonable complainants. This may include debriefing, formal assistance through our Employee Assistance Program or assistance with legal remedies.



Relevant laws, regulations, or standards

[Work Health and Safety Act 2011 \(NSW\)](#)

Policy information

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Responsible team/position	Executive Director, Customers - Services