



PROCEDURE

UNREASONABLE COMPLAINANT CONDUCT

July 2019

AUTHORITY	NAME & TITLE
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MANAGER	Sue Ledingham, Unit Manager Community Engagement
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CHIEF EXECUTIVE OFFICER	Gary Murphy, Chief Executive Officer

History of Revisions:

Version	Date	Reason	TRIM Doc. #
1.0	September 2016	Creation of the Unreasonable Complainant Conduct	D12818845
2	7 September 2017	Final version	D12818837
3	July 2019	Procedure removed from Policy and separated into new document.	

Review date: May 2021

Procedures for Managing Unreasonable Complainant Conduct

Where it becomes necessary to limit, withdraw, change or restrict a complainant's access to Council services the following steps will be taken:

Council staff will:

1. Submit a summary of the customer's behaviour and documented evidence to support the claim (this may include chronology of calls, incident reports, etc) to their supervisor or manager who will decide if the behaviour is sufficiently serious to warrant:
 - a. referral to Council's Internal Ombudsman for assessment.
 - b. referral to Coordinator Customer Feedback to provide direction on managing the complaint.
2. Submit the attached Unreasonable Complainant Conduct summary form with supporting documentation.

Internal Ombudsman will:

1. Decide on the appropriate course of action as per NSW Ombudsman guidelines including, but not limited to:
 - a. Complainant given a written caution outlining their unreasonable behaviour and possible restrictions. These may include restricted communication with Council staff, required documentation prior to continuation of investigation, limited access to Council services, etc.
 - b. If behaviour persists, the customer will be advised in writing of the relevant restriction(s) and date for review.

The CEO will:

1. Provide a warning letter to complainant.
 - a. If complainant's conduct poses a substantial threat to the health and safety of Councillors or Council officers, the CEO will provide the complainant with a written warning about their conduct in the first instance.
2. Provide a notification letter to complainant advising that restrictions have been imposed if behaviour persists.

Process Chart

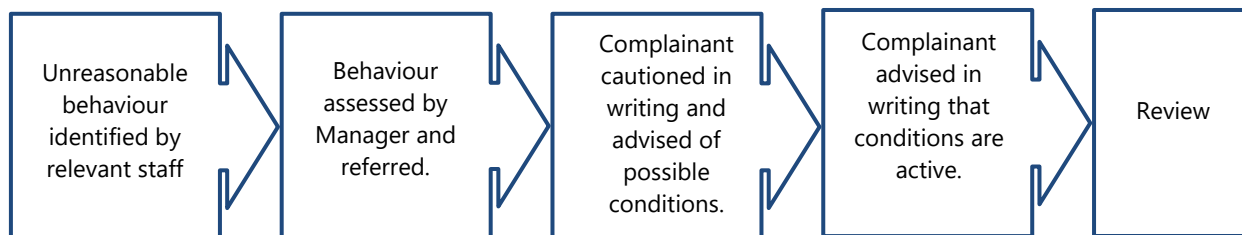


Figure 1: UCC process chart

General

1. Where a caution is to be given to a complainant, the CEO's office will issue a written caution outlining the complainant's behaviour and advising of possible restrictions, conditions or penalties.
2. The complainant must be advised that the complainant has a right of appeal to the CEO that must be exercised within a reasonable time but no later than 14 days.
3. If a complainant's conduct continues after they have been given a warning letter the CEO may decide to send a notification letter immediately restricting the complainant's access to Council services and premises.
4. In cases of aggression, violence, assault or other unlawful/unacceptable conduct, the CEO has the discretion to send a notification letter immediately restricting the complainant's access to Council services and premises.
5. Details of complainants and the restrictions imposed on them will be kept in a register by the Coordinator Customer Feedback or other designated officer who will notify relevant business units of the restrictions and ensure all documentation is stored in Council's electronic document management system.
6. The Internal Ombudsman will review restrictions, conditions or penalties after the designated time frame (or from time to time as appropriate) and make recommendations to the CEO.

Flow chart

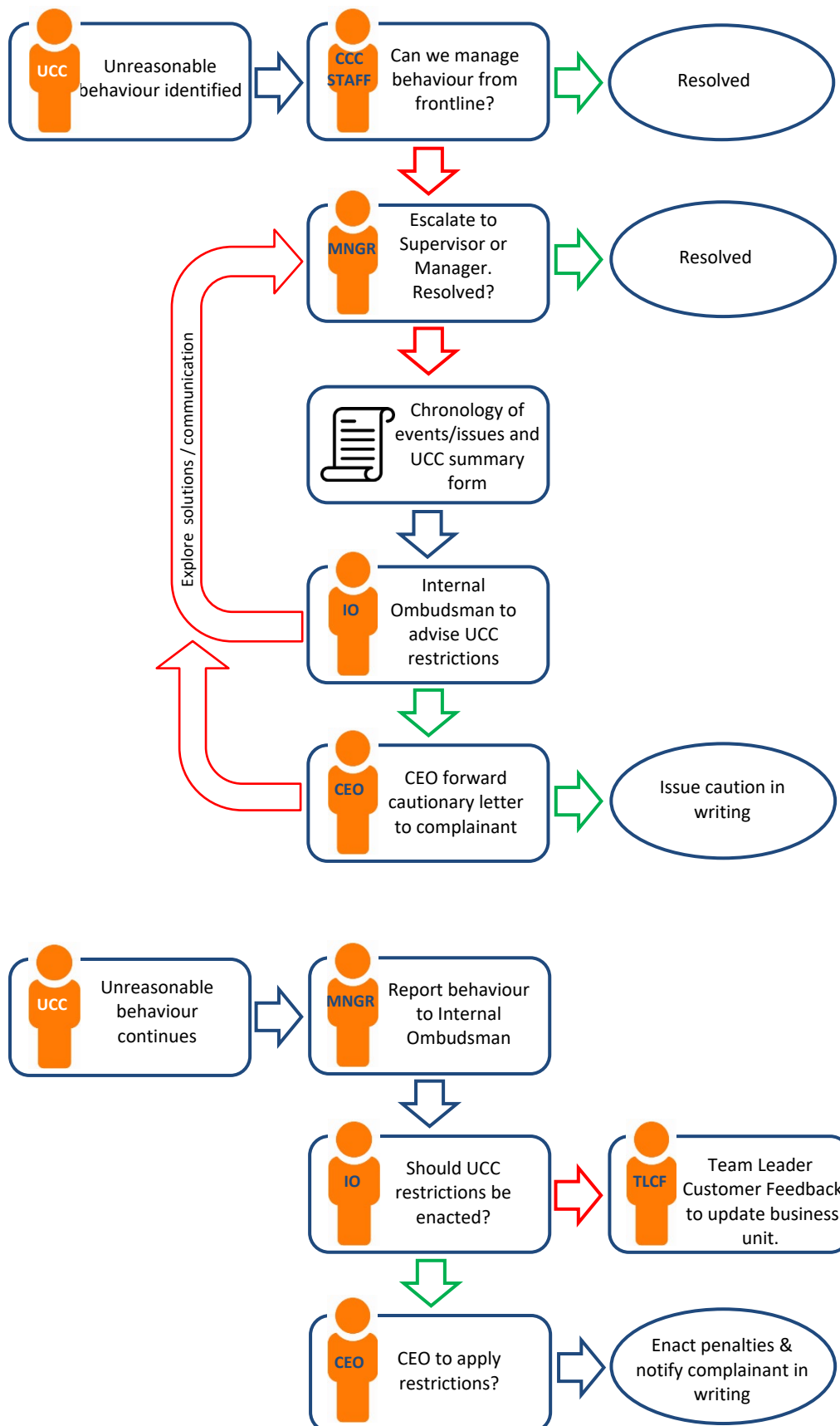


Figure 2: UCC process flowchart

Related Documents

- Central Coast Council Code of Conduct (March 2019)
- Policy for Unreasonable Complainant Conduct
- Policy for Complaints and Feedback Management
- Ombudsman NSW Complaint Management Framework (June 2015)
- Ombudsman NSW Managing Unreasonable Complainant Conduct Manual (2012)
- Ombudsman NSW Unreasonable Complainant Conduct Model Policy (2013).

-END-

Unreasonable Complainant Conduct summary form

This form is to be used to document and record unreasonable conduct

Date	
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Customer Name	
Customer Address	
Customer Email	
Customer Phone	

Behaviour		Unreasonable persistence
		Unreasonable demands
		Unreasonable lack of cooperation
		Unreasonable arguments
		Unreasonable behaviours
Summary		

Chronological report of behaviour provided:	<input type="checkbox"/> YES	<input type="checkbox"/> NO
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Recommended actions	
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Internal Ombudsman comments / approval	
CEO comments / approval	

Date	Actions