

Unreasonable Customer Behaviour

SCOPE:

Corporate - This procedure is applicable to staff that are responsible for handling and registering complaints from customers.

OBJECTIVES:

This procedure will describe when the behaviour of customers in making a complaint is unreasonable and how it is to be dealt with.

Everyone has the right to complain, and as such, every opportunity must be afforded to an individual to make a valid complaint.

PROCEDURE DETAILS:

i) Definitions

'complaint':	As defined in Council Policy 2.16: Complaints Management.
'Complaints Officer'	Any staff member within a Service Unit with a responsibility to handle complaints.
'Feedback Officer':	Customer Experience staff member with responsibilities to receive and handle a complaint.

PROCEDURE STEPS:

1. Defining 'unreasonable behaviour'
2. Handling unreasonable behaviour
3. Limiting service or terminating service to complainants who engage in unreasonable behaviour
4. Recording terminations of service or restrictions on complainants

1. Defining 'unreasonable behaviour'

1.1. Complainant conduct is classified as unreasonable when the customer:

- a) acts habitually or obsessively;

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- b) cannot be satisfied despite the best efforts of the Service Unit/s responding to the complaint;
- c) makes unreasonable demands, including where:
 - i. resources are substantially and unreasonably diverted away from the City's other functions or unfairly allocated compared to other customers;
 - ii. the City is not the relevant or appropriate body to hear the complaint;
- d) engages in rude, aggressive, harassing, or threatening behaviour.

NOTE: According to the WA Ombudsman: "For conduct to be unreasonable, it must clearly go beyond the usual situational stress commonly experienced by complainants when they bring a grievance to an agency." As such, for conduct to be considered unreasonable, it must be considered in light of any special relationship between the complainant and the subject of the complaint that may impact their capacity to make a complaint. This includes a consideration of the personal circumstances of the complainant and their capability to effectively communicate a complaint, which may be inhibited by any vulnerabilities or cultural differences.

2. Handling unreasonable behaviour

- 2.1.** If a customer engages in unreasonable behaviour in the course of communication about a complaint, the Complaints Officer must attempt to deescalate unreasonable behaviour and calm down any abusive behaviour by the complainant. The Complaints Officer should also inform the customer of expected standards of courtesy while at the same time acting fairly, respectfully, and objectively.
- 2.2.** If the Complaints Officer is at any time made to feel distressed or threatened during an interaction with a customer, they should not continue interacting with the complainant.
- 2.3.** If a complaint does not contain a valid issue to be addressed or is otherwise unreasonable or vexatious, then it must be dealt with according to PRXXXX Unreasonable or Vexatious Complaints.

3. Limiting service to customers who engage in unreasonable behaviour

- 3.1.** If the customer persists in unreasonable behaviour and fails to respond to efforts by a Complaints Officer to service the complaint, then they will follow the ordinary escalation process to a Feedback Officer.
- 3.2.** The Feedback Officer, if necessary, may escalate the complaint to the Complaints Officer in Corporate Governance.

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3.3. The Corporate Governance Complaints Officer may then recommend to the General Manager Corporate Services to limit service to the complainant. The General Manager Corporate Services will make the final decision on limiting service.

3.4. Service may be limited according to the nature of the unreasonable behaviour of the complainant. If the complainant has behaved unreasonably in person or over the phone, then the General Manager Corporate Services may decide to restrict their ability to make a complaint to non-personal mediums such as email, post, or online forms.

3.5. Complainants who have had their service limited will be advised of avenues to have this decision reviewed which include the WA Ombudsman.

4. Recording limitations of service or restrictions on complainants

4.1 Any termination of service or restrictions placed on an individual's ability to make a complaint must be recorded in the City's complaints management system.

BACKGROUND:

PROCEDURE REF NO:	PR1210
OWNER UNIT:	Corporate Planning and Performance
ORIGINATOR (TITLE):	Project Support Officer
PROCEDURE APPROVED BY:	Chief Executive Officer
DATE CREATED:	15 March 2022
REVIEW FREQUENCY:	Biannually
RELATED DOCUMENTS:	Council Policy 2.16: Complaints Management PR0558: Service Complaints PR1209: Unreasonable or Vexatious Complaints Ombudsman Western Australia – GUIDELINES Dealing with Unreasonable Complainant Behaviour
ADDITIONAL COMMENTS:	