Introduction

• Unreasonable conduct by complainants is not a recent phenomenon.
• Dealing with people who are upset, difficult or challenging, is an integral part of the complaint handler’s role.
• Challenging conduct that escalates to unacceptable conduct is called ‘unreasonable complainant conduct’.
Health and safety of staff

Unreasonable complainant conduct

Distribution of resources

Limited resources

Categories of UCC

**Unreasonable persistence**
- Say ‘no’

**Unreasonable demands**
- Set limits

**Unreasonable lack of cooperation**
- Set conditions

**Unreasonable arguments**
- Decline or discontinue

**Unreasonable behaviour**
- Risk management
Possible causes or motivations

- Attitudinal
- Aspirational (including a matter or principle, vindication, retribution and revenge)
- Emotional or psychological (including querulance)
- Irrational
- Recreational

Some words of caution

- Not all people who engage in UCC have personality or psychiatric problems, or intend to be a nuisance
- Complaint handling staff are unlikely to have the professional qualifications to identify such types
Querulance

- From the Latin for ‘plaintiff murmuring’ or ‘queri’
  - to complain

- Unusually Persistent Complainants
  Lester G, Wilson B, Griffin L, Mullen PE
  British Journal of Psychiatry
  p 184, pp 352-356

- Disproportionate behaviour
- Emotionally charged
- Rejection of responsibility
- Quest for vindication, retribution, revenge
- Over-optimistic expectations
Querulance

- Strong belief of great importance
- Incorrect or unfounded premise
- Absolute conviction impervious to reason
- Loss of focus
- Written communication idiosyncratic

Written communication

-WITH RESPECT TO EVERYONE - PLEASE UNDERSTAND THIS VERY WELL

- I refer to the matters above and to your inadequate response…
- I repeat ALL ISSUES, as people **should not** be put through (1) the wringer nor

- (2) have to keep resubmitting and **escalating**

- **If you** were doing the right thing by the public at large in the first place. – **How many times** do people have to keep resubmitting their **valuable time, energy and end less frustration** …to end up in your unhelpful office is a horrible compounding injustice! – Therefore regarding your comments on “out of date and irrelevant” and what clearly “appears” to be your lopsided defence – you’re certainly not showing yourself as a proactive public defender…
What may occur as a conflict escalates?

Dr Friedrich Glasl – 9 level model

**Win-Win**

1. ‘Hardening’: rational arguments
2. ‘Debates and polemics’: emotional arguments
3. ‘Actions not words’: unilateral actions

**Win-Lose**

4. ‘Images and coalitions’: negative perceptions about judgement
5. ‘Loss of face’: negative perceptions about morality
6. ‘Strategies of threat’: threats of sanctions
What may occur as a conflict escalates?

**Lose-Lose**

7. ‘Limited destructive blows’: application of sanctions  
8. ‘Fragmentation of the enemy’: targeting members and supporters  
9. ‘Together into the abyss’: self-preservation instinct overridden

**Detrimental impacts of UCC**

- Work health and safety  
- Resource implications  
- Equity implications impacting on other users of service  
- Personal impact on the complainant
Strategies to respond to UCC

- Declining complaints
- Explaining evidentiary requirements
- Managing expectations of the complainant
- Managing expectations of the complaint handler
- Admitting errors and apologising

UCC online and in social media

- Threats or defamatory comments
- Stalking by a cyber-bully
- Vexatious website
- Personal details posted
- Identity theft
- Vexatious or malicious online poll
- Victim of a spam campaign
- Vulgar, abusive language
- False and vexatious allegations
Take a proactive approach

- Develop and adopt policies for responding
- Use tools and alerts for monitoring discussions
- Develop and adopt a social media policy for staff
- Develop and implement rules for complainants on use of social media
- Treat UCC online in the same way as UCC generally

UCC online and in social media

1. Monitor
2. Evaluate
UCC online and in social media

3. Respond

- Who should respond?
- Public responses
- Private responses
- Both public and private responses
- Legal response

4. Follow up / through

5. Support effected staff
A note of caution

“Social media is not going to go away and organisations must give up ambitions to try and ‘control’ the conversation – ultimately they can only hope to influence it”*

*2010 Society of Consumer Affairs Professionals Symposium: Social media and how to manage it in customer relations environment

Conclusions

• Guidance to assist organisations to manage the conduct can be downloaded from our website
  – The Managing UCC Practice Manual
  – The Managing UCC Model Policy
  – Responding to antisocial use of social media and the internet factsheet