

## Unreasonable Complainant Conduct Procedure

Version	Approved by	Approval date	Effective date	Next full review
---------	-------------	---------------	----------------	------------------

1.1 Direccomplainant conduct

consistently and appropriately when responding to unreasonable  
 t conduct

	; <input checked="" type="checkbox"/> clarify roles and responsibilities in managing unreasonable complainant conduct.	
Scope	<p>The procedures set out in this document may be applied together with the University's complaint management procedures to any case when a complainant displays unreasonable conduct.</p> <p>Where there are inconsistencies, the provisions in the relevant University Complaint Management Procedure will prevail.</p> <p>Unreasonable complainant conduct by UNSW staff or affiliates may be inconsistent with the UNSW <a href="#">Code of Conduct</a>, terms of employment or conferral of academic titles, and/or staff enterprise agreements. Where required, unreasonable complainant conduct will be managed in accordance with the relevant staff agreements, Codes, Policies and Procedures.</p>	
Are Local Documents on this subject permitted?	Yes, however Local Documents must be consistent with this University-wide Document	No
<b>Procedure Processes and Actions</b>		

UNSW recognises that people make complaints about their experiences may do so for a good reason. There will be occasions where they may be annoyed, upset or angry. Experiencing this behaviour may be uncomfortable, difficult or confronting. A range of complaint handling techniques are available which may be effectively applied to manage most circumstances.

This Procedure should be applied in rare instances where a complainant's conduct exceeds what most people would consider reasonable in the circumstances.

### 1. Unreasonable complainant conduct

Unreasonable conduct means any behaviour by a current or former complainant which, because of its nature or frequency, has unacceptable consequences for the University, its staff, the subject of the complaint, other people, or in certain circumstances, the complainant themselves.

'Unacceptable consequences' means adverse health, safety or resource implications for UNSW.

Descriptions of some of the types of unreasonable conduct covered by this Procedure are set out in Appendix A.

### 2. Managing unreasonable complainant conduct

This Procedure sets out the steps for managing unreasonable or offensive complainant conduct by changing or restricting the way the University interacts with the

- Where they can make contact, and
- How they can make contact, such as the manner of face to face engagement.

Strategies may vary from case to case according to the circumstances and response to the case and more than one strategy may apply at any time.

The type of change and/or level of restrictions that are applied, may also be adjusted according to the Complainant's response. In exceptional cases, the University may terminate access to all its services or prohibit access to University premises.

Unacceptable conduct, such as threats, abuse or actual physical harm directed at staff, may be referred to UNSW Security or the NSW Police, where appropriate.

Key steps for managing unreasonable complainant conduct are set out below. An overview of the key steps is set out in Appendix B.

### 2.1. Assess the situation and decide

A local area manager, in consultation with relevant staff, may change or restrict University interaction with a complainant. As part of this process, a local area manager should consider:

- x the circumstances giving rise to the unreasonable complainant conduct
- x the impact or likely impact of the complainant's conduct on UNSW, staff, time, resources, etc.
- x the complainant's responsiveness to the staff member's warnings or requests to stop the unreasonable behaviour
- x other actions staff have taken to manage the complainant's conduct, if any; and
- x options for managing the situation.

### 2.2. Formally warn the Complainant

When a complainant's conduct poses a risk to the health and safety of staff or other people, the University may provide a formal written warning to the complainant in the first instance.

A formal written warning may not be practical if it is likely to provoke a negative response or aggravate

a the rts and (a) 2 (b) 3 518 11 16 (c) 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

2.5. Monitor and review

The

#### 4.2. Consideration of the appeal

The review of the decision should be undertaken by another manager at the same level or more  
sed1eahic14TJ EMCahavd [(C)2. btg3 (y 1 en2) (y 1ubjv.9)-e16 (-l)3.1 (d1ed6 (or)-6.9o .2 (btg3 (y 1 2.( ))TJ)]3)B







