

Unreasonable conduct by a complainant

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About this document

Queensland Public Trustee recognises and supports a person's right to make a complaint. We want to know if someone is unhappy with our service, or if there's something we have or have not done that could be improved.

We have processes in place to make sure all complainants are treated with fairness and respect, and we expect that any person who makes a complaint to us will also behave reasonably and appropriately. This fact sheet explains when an action or behaviour might be considered unreasonable conduct by a complainant and outlines our process for managing this.

Your responsibilities as a complainant

As a complainant, you are expected to cooperate with us so that we can work productively with you to resolve your complaint. You have a responsibility to treat the people handling your complaint with courtesy and respect, and to provide all relevant information about the issue honestly and to the best of your ability.

Queensland Public Trustee will not tolerate conduct that is abusive, threatening, unreasonable, harassing, or makes inappropriate demands on our time, resources or staff.

What is unreasonable conduct?

Unreasonable conduct by a complainant is any behaviour which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for the people involved in the complaint process. This includes Queensland Public Trustee staff members, other customers or the person making the complaint.

Below are some examples of actions or behaviours which, depending on the circumstances, could be considered unreasonable conduct by a complainant.

- **Unreasonable persistence** – such as refusing to accept a final decision even after a matter has been fully considered and advice has been provided that no further action will be taken by Queensland Public Trustee. This also includes making excessive contact via phone, in person, online or in writing, or lodging a new complaint about the same issue while it is still being dealt with or after a final decision has been made.
- **Unreasonable demands** – such as demanding a different outcome without showing the original decision was wrong, raising trivial issues or insisting on outcomes that are not practicable. This includes demanding a complaint is handled in a way that is not in accordance with Queensland Public Trustee policy.
- **Unreasonable lack of cooperation** – such as providing excessive or irrelevant information, or withholding information because it may result in a different decision being made. It also includes

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deliberately providing information that is wrong or incomplete.

- **Unreasonable arguments** – such as exaggerating issues, making unrealistic or baseless claims, alleging there is a conspiracy or corruption without justifiable evidence, or illogically interpreting facts or laws.
- **Unreasonable behaviour** – such as using abusive language, being aggressive, abusive or violent, lying or making threats, including threats of self-harm or harm to others.

The potential consequences of unreasonable conduct

If we identify conduct that is unreasonable, we will implement strategies to help us to manage the unreasonable conduct so that the complaint can be resolved productively.

We will clearly explain the conduct expected of you as a complainant and may ask you to agree to cooperate respectfully and not to act unreasonably.

If the safety and wellbeing of a staff member or other person is of immediate concern, we may temporarily stop contact with you while we put strategies in place to help us to manage the situation. An example of this could be if you are shouting or swearing during a phone call, we may end the call. If staff feel threatened or intimidated, they may leave a room and a report may be made to the police.

Other strategies we may use to help us to manage unreasonable conduct of a complainant include, but are not limited to:

- imposing limits on how you may interact with us, including the times you can contact us, how you may contact us (e.g. in writing only or only through a representative), how often you may contact us, or who you may contact.
- refusing to progress a complaint until certain conditions are met, such as requesting you provide a clear idea of the issue to be addressed or share information or supporting evidence.

In some cases, if the unreasonable conduct continues and we are not able to manage the conduct through various other strategies, Queensland Public Trustee may consider stopping contact with you about your complaint. If we do this, we will still try to address your complaint (unless the issues raised are frivolous or vexatious) but we may not enter into further communication with you about the complaint except to provide you with advice of any final decision made.

Further information about how QPT identifies and responds to unreasonable conduct can be found in Appendix 2 of the Customer Complaints Management Procedure published on the QPT website.

Contact

For further information, please contact: Governance@pt.qld.gov.au

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