Policy: Unreasonable Complainant Conduct		
Policy number: 3.6.2 Version: 1	Date approved: August 2026	
Authorised by: CEO		
Date developed or last reviewed: June 2026	Reviewed by: Policy and Compliance Committee Executive	Date of next review: August 2027

Policy Context:	
National Regulatory System for Community Housing (National Regulatory Code)	Performance Outcomes One - Tenant and Housing Service Two - Housing Assets Four - Governance Five - Probity Six - Management
Guidelines and reference documents	NSW Ombudsman Managing unreasonable conduct by a complainant manual (2021).

1. Purpose

Homes North is committed to managing complaints in a way that is fair, accessible and responsive. This policy outlines how Homes North will identify and manage unreasonable complainant conduct (UCC) to ensure that complaints are handled efficiently, safely and in accordance with procedural fairness and privacy obligations.

2. Scope

This policy applies to all employees involved in receiving, responding to or managing complaints made by tenants, clients, applicants, stakeholders or members of the public where the complaint or behaviour of the complainant is assessed as unreasonable.

This policy applies in conjunction with the Homes North Complaint Management Policy and associated procedures.

3. Policy Statement

Homes North acknowledges the right of all individuals to raise complaints about its services, decisions or employees.

Homes North will treat all complainants with respect and will take reasonable steps to respond to complaints in a timely and fair manner.

Where a complainant's conduct is unreasonable and raises health, safety, resource or administrative concerns, Homes North may take proportionate action to manage that conduct.

Management of unreasonable complainant conduct will be applied in a fair, impartial and consistent manner.
Decisions will be based on relevant information, clearly documented, and made in accordance with procedural fairness, privacy and confidentiality obligations.

4. Definition of Unreasonable Complainant Conduct

Unreasonable complainant conduct is behaviour by a current or former complainant which, because of its nature or frequency, raises substantial health, safety, resource or equity issues for Homes North, its employees, or other stakeholders.

- **Unreasonable persistence** – continuing to raise the same issues after a complaint has been finalised.
- **Unreasonable demands** – insisting on outcomes that are unrealistic, disproportionate or outside Homes North's authority.
- **Unreasonable lack of cooperation** – refusing to provide necessary information or engaging in behaviours that prevent the complaint from being assessed.
- **Unreasonable arguments** – presenting issues in a manner that is harassing, repetitive or not supported by evidence.
- **Unreasonable behaviour** – including aggression, threats, offensive language or conduct that creates risk to employees or others.

- **Unreasonable repeated and excessive contact** – Making multiple phone calls, emails, letters, or other contacts each day about the same issue, particularly where the organisation has acknowledged the matter, advised of expected timeframes, or already provided a response.

5. Identifying Unreasonable Complainant Conduct

A complainant will not be considered by Homes North employees to be engaging in unreasonable conduct solely because they are persistent, express dissatisfaction or distress, or make multiple complaints. The conduct must be assessed in context and must have a significant impact on Homes North's ability to manage the complaint effectively or create an unacceptable risk to employees or others.

6. Principles for Managing Unreasonable Complainant Conduct

When managing unreasonable complainant conduct, Homes North will:

- act impartially and base decisions on relevant information;
- ensure procedural fairness;
- maintain clear and respectful communication;
- protect employee health and safety;
- apply responses that are proportionate to the conduct identified; and
- manage information in accordance with privacy obligations, including sharing information on a need-to-know basis and de-identifying information where appropriate.

7. Managing Unreasonable Complainant Conduct

Where unreasonable complainant conduct is identified, Homes North may implement one or more proportionate management strategies as below:

- **Communication management** – limiting contact to a nominated employee or team, limiting frequency or duration of contact, or requiring communication to occur in writing or through a specified channel.

- **Process management** – declining to consider further complaints about a matter that has been finalised, declining to respond to repeated correspondence, or setting clear boundaries regarding the scope of matters to be considered.
- **Behavioural management** – issuing warnings regarding unacceptable conduct, or limiting or ending interactions where behaviour is aggressive, threatening or abusive.
- **Finalisation of engagement** – advising the complainant that Homes North will cease responding to further contact about a matter where it has been reasonably addressed.

8. Procedural Fairness

Before implementing significant restrictions, Homes North will, where appropriate, inform the complainant of the concerns regarding their conduct, explain the proposed actions and reasons for those actions, and provide an opportunity for the complainant to respond.

Decisions may be reconsidered where new and relevant information is provided.

9. Privacy and Confidentiality

Homes North will manage all information relating to unreasonable complainant conduct in accordance with its privacy and confidentiality obligations.
Information will be collected, used and disclosed only for the purpose of managing complaints and associated conduct.
Information will be shared on a need-to-know basis and de-identified where appropriate.
Information about actions taken in response to a complainant's conduct will not be disclosed to third parties unless authorised or required.

10. Review of Decisions

Complainants may request a review of decisions relating to the management of their conduct via the Homes North Appeals process. Where practicable, reviews will be conducted by an appropriate senior employee not previously involved in the matter.
External review options, including the NSW Civil and Administrative Tribunal, may also be available.

11. Responsibilities

Role	Responsibility
All Employees	Responsible for identifying and documenting unreasonable complainant conduct impacting themselves and/or others, taking action to remain safe and escalating to their Team Leader or Manager for review.
Senior Managers	Responsible for initiating, approving and overseeing actions taken to manage unreasonable complainant conduct.
Operations Support Team	Responsible for providing advice on strategies to manage unreasonable complainant conduct and implementing when requested.
Compliance and Risk Analyst	Responsible for: • Providing advice on strategies to manage unreasonable complainant conduct and implementing when requested. • Documenting decisions regarding protocols to manage unreasonable complainant conduct. • Reviewing decisions to implement communication protocols when independent from the original decision. • Monitoring incidents of unreasonable complainant conduct and identifying opportunities for process improvement to minimise incidents where possible.
People and Culture Manager	Responsible for: • Reviewing incidents relating to unreasonable complainant conduct impacting staff safety. • Reporting on trends to the Executive and Board. • Assisting with communication restriction protocols and advising on strategies to reduce exposure where required as per the Antisocial Behaviour Management Policy.

Role	Responsibility
Chief Operating Officer **Chief Executive Officer**	• Supporting employees and ensuring this policy is applied consistently and fairly. • Reviewing appeals regarding decisions regarding communication restrictions applied to complainants.

12. Monitoring and Review

This policy will be reviewed in accordance with Homes North's policy review schedule or earlier if required due to legislative or operational changes.

Documents related to this policy	
Related policies	• Complaint Management • Appeals • Privacy • Code of Conduct • Antisocial Behaviour Management Policy • Work Health and Safety • Dispute
Forms or other organisational documents	• Complaint Handling Procedure • Unreasonable Complainant Conduct Procedure • How we handle complaints at Homes North factsheet