SPORT INTEGRITY AUSTRALIA

Respectful complaint processes in sport

and how to manage unreasonable conduct



ACKNOWLEDGEMENT OF COUNTRY

In the spirit of reconciliation we acknowledge the Traditional Custodians of Country throughout Australia and their connections to land, sea and community. We pay our respect to their Elders past, present and future and extend that respect to all Aboriginal and Torres Strait Islander peoples.



Artwork by Chern'ee Sutton

We recognise the outstanding contribution Aboriginal and Torres Strait Islander peoples make to sport in Australia and celebrate the power of sport to promote reconciliation and reduce inequality.

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Introduction

When people make complaints in sport, it's important to be fair, objective and empathetic. Some people who complain are justifiably disappointed or angry – they may have suffered harm, been treated unfairly or impacted by an improper decision, through no fault of their own.

Most people who raise concerns engage reasonably and in good faith. However, dealing with distressed, angry and upset people is a normal part of complaint-handling. Sometimes a person's behaviour may become unreasonable, which can have major impact on an organisation's staff, services, time and resources. It can also impact the complaints process itself, and the complainant's wellbeing.

This guide provides practical advice for people in sport who manage complaints. It will help you recognise signs of unreasonable conduct by a person involved in a complaints process and give you strategies, tools and real-life scripts to manage these situations.

Drawing on expertise of the NSW Ombudsman, Sport Integrity Australia and the Australian Sports Commission have worked together to consider how this behaviour can be managed through a sporting lens.

What is unreasonable conduct?

It is behaviour by people involved in a complaints process that, because of its nature or frequency, raises substantial health, safety, resource or equity issues for those involved and hinders or prevents an appropriate resolution.

Examples of unreasonable conduct can include:

- Becoming abusive, threatening or violent
- Contacting a sport repeatedly and excessively
- Providing false information or refusing to cooperate with proper process
- Demanding outcomes that are impossible or not practicable.

This can happen on the phone, online, face-to-face or in writing.

DID YOU KNOW?

Unreasonable conduct is rare and occurs in about **3-5%** of complaints cases, but managing these matters can take up to **25-30%** of an organisation's complaint-handling resources.

– Reported by the NSW Ombudsman

This guide aims to help sports manage unreasonable conduct so that everyone has equitable access to complaint management systems – and all voices can be heard. It's important to manage time and resources in a way that ensures all individuals can access timely and appropriate support.

Managing unreasonable complainant conduct has benefits for organisations, staff, sport and complainants. This includes:

- **Fairness:** a consistent approach improves efficiency and gives all participants fair and equal access to your organisation's time and resources.
- **Wellbeing:** the right training, supervision and support helps protect the wellbeing of all involved and minimises staff stress.
- **Efficient outcomes:** complaints processes that are drawn out by unreasonable conduct can be harder to resolve. These are less likely to end well and can damage relationships within sport.

Important: *We acknowledge that unreasonable conduct may be carried out by any individual involved in a complaints process. This may include, but is not limited to, a Complainant, Affected Party, Respondent, Witness, or Support Person. For the purpose of this guide, the term 'complainant' is used generally to describe any of these individuals.*

Supporting people through the process

Effective complaint management relies on fair, proportionate and trauma-informed processes from the start. The most important thing to remember when dealing with unreasonable conduct is to approach each interaction with empathy and consider what might be causing the person's behaviour. The behaviour could be a response to stress, distress or past experiences. Take time to listen, work with them to understand and identify next steps, and offer support where possible.

While this guide tries to provide various strategies for complaint management, each case should be treated individually and sensitively.

Serious harm in sport

As a complaint handler, you may be the first person someone speaks to if they have experienced serious harm in sport, such as sexual, physical or emotional abuse. If you receive allegations like these, you should:

- prioritise the person's immediate safety and wellbeing
- offer the option of involving a trusted support person through the complaints process
- with the complainant's consent, advise your National Sporting Organisation (NSO) and seek guidance from your NSO wellbeing manager (if available)
- ensure appropriate support is made available, including referrals to specialist services
- report to law enforcement or other authorities, where applicable. Sport Integrity Australia is also available to assist.

Providing additional support

When speaking to a person experiencing distress, it can be helpful to connect them with professional support services, or use them yourself, such as:

- Lifeline – 13 11 14
- MensLine Australia – 1300 789 978
- Kids Helpline – 1800 551 800
- Beyond Blue – 1300 224 636
- 13Yarn – 13 92 76

Find more mental health and wellbeing resources on the Sport Integrity Australia website.

Managing complainant expectations early

Managing a complainant's expectations early can minimise disappointment, anger and frustration later.

It's important not to make commitments you can't keep, but as early as possible you should let people know:

- the roles and responsibilities of your organisation and staff as it relates to their matter
- the complaints processes and procedures that will be followed
- how their matter will be dealt with (in general terms)
- likely timeframes
- possible outcomes you or your sport might be able to achieve
- their responsibilities – including acting honestly, cooperatively and with respect
- alternative options or escalation pathways if the matter is deemed beyond your organisation's powers/jurisdiction.

Knowing the role of staff and your sport

All staff who deal directly with members of the sport must know their organisation's policy and procedures for managing complaints.

If your sport has a Complaints Manager or National Integrity Manager (NIM), they will be able to provide advice on your organisation's complaints handling process.

Where unreasonable conduct is involved, a manager or NIM is the most appropriate person to deal with the complainant to ensure their concerns are managed in a trauma-informed way and in line with the applicable policy and best practice. You may wish to refer to provisions in your complaints handling policy when communicating with complainants – this includes provisions around deliberately withholding information and confidentiality requirements.

Managers and NIMs may also have authority to change or restrict access of a complainant to staff or services if required. More information can be found later in this guide (see page 38).

Tips for communicating with complainants and avoiding conflict

DO

- Always **show respect** and **remain calm**
- Allow venting, **within reason**
- Acknowledge **emotions** (without saying "I know how you feel")
- Show **empathy**
- Acknowledge their **point of view** (that doesn't mean agreeing)
- Accept **differences of opinion**
- Find something to **agree** with, if possible
- Listen actively and **paraphrase what they say** (show you are listening)
- Anticipate counterarguments and **address them upfront**
- Use 'I' and 'we' messages – 'I' messages **take responsibility**, 'we' messages **promote cooperation**
- Clarify whenever unsure and **check understanding**
- Set limits and **communicate these boundaries**
- **Manage expectations** – be clear on what you can and can't do
- Allow space and **time to think**
- **Admit mistakes** and apologise if appropriate
- Seek **resolution**, where appropriate

Remember, to achieve an outcome from your communication:

- be clear about your objective and the processes you've followed
- explore options – there's not always a single 'right' solution
- find constructive and mutually agreeable solutions that help put an end to ongoing disputes.

The best outcome for all parties is a situation that everyone understands, even if they don't all necessarily agree with it.

DON'T

- Don't **argue**, **defend** or **deny**
- Don't **give excuses** (explanations are different)
- Don't be **aggressive** or **confrontational** in your words or body language
- Don't be **overly formal** or bureaucratic
- Don't be **too informal** e.g. humour can be misinterpreted
- Don't respond to **fighting words**
- Don't suggest the person needs **therapy or counselling**
- Don't suggest the person is **being unreasonable**
  Instead, focus on how the person's behaviour is affecting you.
- Don't **invade personal space**
- Don't **focus on their emotions**, focus on the issue
- Don't **pre-judge** or **show bias** against a person based on their behaviour
- Don't restrict or end your engagement with a person without first trying to understand **why the conduct may be occurring** and **offering support**

Recognising signs of behaviour early

It is important to treat every complaint individually and ensure people are given the opportunity to be heard. But there may be signs that could help you manage the complaint more effectively from the start. Recognising some of these signs could help prevent or minimise unreasonable conduct.



The person's complaint history

- Repeated interactions and complaints about the same issue which has already had an appropriate decision.
- Contacting multiple different organisations/officials about the same matter.
- Numerous requests to access information that they are not entitled to because of privacy or legal considerations.
- Unfounded allegations of incompetence or misconduct.
- Linking major personal losses to pursuing the issue.
- Past behaviour involving violence, threats or abuse.



The outcome they're seeking

- Unrealistic demands for time, resources.
- Seeking extremely disproportionate outcomes/sanctions.
- Declaring they want revenge or retribution.
- Pursuing a "matter of principle" when the issue is clearly personal.

Writing style

- Dramatic language and excessive formatting (ALL CAPS, bold, colours).
- Overuse of technical jargon and mimicking official reporting styles.
- Copying in large numbers of people/organisations.
- Excessive repetition of the issue/s.
- Overly long or irrelevant documentation.

How they interact with your organisation

- Rudeness, anger, aggression, frustration, intimidation.
- Manipulation, flattery, or veiled threats.
- Excessive calls, emails, or meeting requests.
- Blaming others, refusing advice.
- Providing false information.

How they react to a complaint decision

- Refusing to accept decisions.
- Reframing the issue repeatedly and demanding repeated reviews.
- Focusing on minor technicalities to challenge outcomes.
- Alleging bias or corruption simply because the outcome was unfavourable.

What to do when you recognise early signs of unreasonable conduct

Don't react too quickly	Avoid judging harshly straight away. The early sign may not become a problem, the person may just be having a bad day.
Check your own processes	Ensure you have followed all complaints handling processes fairly to this point so you can have confidence in your decision making and next steps. If there has been an error, recognise it, apologise and restart.
Check your own communication	Think about how you've interacted with the person and what you could change to get a better response.
Stop and think	Take time to pause and think through appropriate strategies.
Seek guidance	Speak with a colleague or supervisor to develop an action plan on how you will respond if the person's conduct escalates.
Assess risks	Consider if the person's conduct poses an unreasonable level of risk to the health or safety of you or others. This will usually guide how you respond.
Set limits	If the person's behaviour concerns you, communicate your boundaries to them.
Stay positive	Try to limit the impact on you and how you feel about work.

Important: *When a person in distress reports serious concerns about something that has happened to them in sport, you must not label them as displaying unreasonable conduct. Focus on why that person is in distress and what steps you can take to support them.*

5 types of unreasonable conduct by complainants

Recognising the type of unreasonable conduct will also help you respond more effectively. Behaviours become unreasonable when they have a disproportionate impact on staff, services, time or resources.

	What it looks like	How to approach it
1 **Unreasonable persistence:** Continuous, unrelenting behaviour.	• Not accepting a complaint is closed. • Reframing an old complaint or continuing to argue.	**Say no, firmly but politely.** Don't be defensive or overly apologetic but be clear that no amount of pressure will change the outcome.
2 **Unreasonable demands:** Unrealistic and impractical demands.	• Raising issues beyond the sport's scope of responsibility. • Insisting on speaking with the 'boss'. • Directing how to handle the complaint e.g. asking for more time to be spent than is warranted.	**Set and enforce limits.** Inform the complainant clearly if and why a demand will not be met. Explain why they need to stop making the demand and offer them a choice, if possible.

	What it looks like	How to approach it
3 **Unreasonable lack of cooperation:** Lack of ability or willingness to cooperate with staff or the complaints process.	• Dishonestly presenting information. • Presenting an unnecessarily large quantity of material. • Failing to provide key documents. • Constantly re-defining a complaint.	**Set conditions.** Explain that these must be met before you can act on their issue e.g. summarise and organise lengthy documents before you agree to read them.
4 **Unreasonable arguments:** Disputes or claims that are incomprehensible, false, inflammatory or trivial.	• Exaggerating issues. • Holding irrational and obsessive beliefs and refusing to consider counter-arguments.	**Decline or discontinue your involvement with the matter.** Politely refuse or stop assisting the complainant as soon as it's apparent that the matter is groundless or the request is unreasonable.
5 **Unreasonable behaviour:** Conduct that compromises the health, safety and security of staff, other participants or the complainant themselves.	• Threatening violence or self-harm. • Abusing staff. • Being rude or aggressive.	**Set limits and conditions.** Establish clear boundaries, including placing limits on interactions or services.

Unreasonable persistence



What is it?

Continuous, unrelenting behaviour that has a disproportionate and unreasonable impact on staff, services, time or resources.

It looks like

- Not accepting reasonable explanations, including final decisions that have been comprehensively considered and dealt with.
- Persistently demanding a review without presenting a case for one.
- Pursuing and exhausting all review options and refusing to accept that no further action will be taken.
- Reframing a complaint in an effort to have it reconsidered.
- Repeated phone calls, visits, letters, emails despite being asked not to.
- Contacting different people in and outside your organisation to get a different outcome or more sympathetic response (known as 'forum shopping'). This does not include people exploring their genuine appeal rights.

The approach

Say no, firmly but politely. Don't be defensive or overly apologetic but be clear that no amount of pressure will change the outcome.

What to do if the complainant:

Interrupts or doesn't allow you to speak

- **Try echoing.** Repeat or paraphrase their views back to them, to interpret what they've said and be empathetic.
- **Silence (for moderately persistent people).** Say nothing. Allow the person to tell their story and 'let off steam'. When they stop, state firmly that you wish to speak or guide where the discussion goes next and don't back down when they try to interrupt.

  If they keep talking, try repeating their name or a key word they've said e.g. *"I know you're upset [name], but I need you to let me speak for a moment."*
- **Repetition (for very persistent people).** Repeat a word or short phrase until the person hears and acknowledges you.

  If they continue, respond each time with phrases like *"it's clear you're frustrated. Let me explain what has happened/what we can do."*
- **The 'stop' approach (for people known to be extremely persistent).** Interrupt the person at the start and assert control. You can say things like *"I only have [X minutes] for this conversation. In this time, I need you to answer [list questions] and then we can further discuss the problem you're having."*

  After this time, end the call/conversation. If necessary, reschedule the call and remind them of the information you need to progress their issue.

Bombards your organisation with unwarranted contact

Firmly ask the person to stop and tell them that they will be contacted when necessary. Limit phone calls to short intervals or ask them to book an appointment if they want to meet with you. Where possible, send consolidated responses to their multiple letters/emails to slow down continuous communication.

Contacts different people in your organisation to try get a different outcome

Ask at the start if they've already spoken to someone about their issue. Check this in your case management system. If someone is already dealing with the matter, refer it to that person to ensure consistency. Make sure staff

across the organisation understand this process so only one person is managing the complaint, where possible.

Contacts external people/organisations to try get a different outcome

Ask at the start if they've already raised their issue with another organisation. It's also useful to get a copy of any final correspondence from them to help you better understand the issue and determine if you need to take any additional action.

Refuses to accept a final decision after reviews have been exhausted

Maintain a 'no means no' stance after a review. Continue to refer them back to the final review decision and advise that any additional concerns will need to be in writing.

Demands a review without case for one or reframes their issue to try and get it taken up again

Advise that their issue will not be revisited unless circumstances have substantially changed or there is new information/evidence. Keep accurate records about your interactions to reduce the likelihood of their matter being revisited again.

Escalates issues when things do not go their way, such as complaining about how their matter was handled or someone's skills

Decline complaints that are not supported by clear evidence (e.g. copies of official documents, photos or videos) or where there is no practical purpose for pursuing them. Tell them firmly that complaints about you, your colleagues or organisation won't change the outcome of their original complaint except if there's been a clear error, which they'll need to explain in writing.

Persists in wanting to know where to go next

Do not refer the person to another organisation simply to appease them or 'get rid of them'. Referrals should only be made if the other organisation is likely to be able to help. Be honest and upfront if you are not aware of anywhere else for them to raise their issue.

Case study

Identifying the behaviour

A Complaints Manager at a State Sporting Organisation was dealing with a member who was dissatisfied with a Club's complaint management process and outcome about an officiating decision during a recent local league game. The Complaints Manager advised the member in writing that they had made enquiries and were satisfied the Club had managed the matter appropriately and their outcome decision was sound. They advised that no further review avenues were available. The member continued to contact the organisation several times a week by email and phone, repeatedly raising the same issues and requesting the decision be reconsidered.

The Complaints Manager recognised the ongoing contact as **unreasonable persistence**, as the matter had been fully assessed and finalised.

Managing the behaviour

The Complaints Manager applied appropriate strategies by clearly:

- Offering wellbeing support to the member.
- Speaking to the Club.
- Re-stating the outcome of the complaints process.
- Explaining why the decision would not change.
- Outlining that further correspondence on the same issues would not alter the organisation's position.
- Advising the member that future contact would only be acknowledged if new and relevant information was provided.

The Complaints Manager also informed the member of relevant competition rules and policies and provided a clear timeframe for any final communication.

Following this structured response and consistent enforcement of boundaries, the level of contact reduced. The member ceased repeated correspondence, and the organisation was able to conclude the matter while ensuring the complaint had been handled fairly, transparently and proportionately.

What to say

The following scripts can be used to help guide your conversations with complainants.

The complainant's statement or behaviour	Possible responses
You're not listening to me	• *[Name], I have been listening to you now and if you allow me to speak ...* • *I can see you're concerned and I'd like to help you, but first I need to ask you a few questions ...*
I have more proof/ information	• *If/when I need more information, I'll let you know. Until then, please stop ...*
Contacting different people in the organisation	• *Have you been in contact with anyone else in the office about this issue?* • *It seems [Name] is dealing with your issue. Because they are more familiar with the details of your issue, I need to refer you back to them.*
I want this reviewed by someone else	• *Simply disagreeing with our decision isn't a reason for us to provide a review/get another officer involved with your issue/complaint. You'll have to make a case for one by ... [explain].* • *I suggest that you take time to re-read the decision that we sent you and carefully consider if we have made an error or if you simply disagree with the decision. Disagreeing with our decision isn't a reason for us to provide a review.*
You've made the wrong decision, I want this reviewed again.	• *I appreciate that this issue is very important to you, but the matter has been reviewed and we won't be taking any further action on it.*

More script ideas can be found in the NSW Ombudsman's Managing unreasonable conduct by a complainant manual at www.ombo.nsw.gov.au.

Unreasonable demands



What is it?

Unrealistic and impractical demands that have a disproportionate and unreasonable impact on staff, services, time or resources.

It looks like

- Raising issues beyond an organisation's responsibility.
- Asking for a remedy that is impractical or disproportionate.
- Insisting more time be spent on a complaint than is warranted.
- Insisting on speaking with the head of the organisation.
- Directing the sport on how to handle the complaint.

The approach

Set and enforce limits. Inform the complainant clearly if and why a demand will not be met. Explain why they need to stop making the demand and offer them a choice, if possible.

Some people will resort to emotional manipulation or offensive statements to coerce or bully you into meeting their demands. Avoid showing empathy in these instances as it can reinforce behaviours.

What to do if the complainant:

Demands how their matter should be handled e.g. insisting on an immediate response

Inform the person that you/your organisation is responsible for deciding how their complaint will be handled. Tell them clearly and honestly from the outset how it will be dealt with and what is and is not possible.

Insists that you/your organisation respond to every point raised, including minor issues

Clarify the central issues of the complaint with the person early on and make it clear the issues you/your organisation intend to address. If numerous issues are raised, particularly of minor importance, tell them that not all will be responded to.

Insists on talking to a senior manager personally because they disagree with a decision

Tell the person that the advice/decision you have given will not change by speaking to management because they have already confirmed the decision. You should adopt a policy outlining the circumstances where a person may be referred to a more senior manager. This will depend on internal factors like the authority delegated to staff at different levels to make decisions to resolve complaints.

Wants regular and/or lengthy phone calls or face-to-face contact when it is not warranted

Early in the complaints process manage expectations around the time you can allocate. If necessary, set an agreed day/time when they can call you or you will call them. When you do speak with them, be clear in your mind about the objective of the interaction and keep them focused on the central issue/task at hand. Keep records of interactions so you can identify when a person's demands are becoming excessive or unreasonable.

Contacts you through unofficial channels or at inappropriate times to discuss their matter

Politely refuse to respond to work-related matters from anyone contacting you at inappropriate hours and instead, invite them to book an appointment or call you at an agreed time. If they contact you through unofficial channels, such as your personal email or social media accounts, do not respond. You should forward a copy of the contact to a senior manager and discuss options for blocking their account if needed.

Demands answers to questions that have already been responded to comprehensively

End unproductive discussions/arguments about issues you have already comprehensively responded to. Refer the person back to earlier correspondence and invite them to contact you again after they have reconsidered it – but only if they have specific and outstanding questions or issues. Be mindful when dealing with people who may have literacy or other language difficulties and make sure you explain the contents of any written correspondence sent to them.

Demands information you are not permitted to disclose/provide e.g. copies of sensitive documents, names and personal contact details of staff

Maintain a 'no means no' stance, no matter how much a person tries to convince you otherwise. Provide clear reasons why this type of information will not be disclosed.

Changes their issues or desired outcome while their matter is being dealt with

Clarify the central issues of concern with the person early on and make it clear from the outset that will be the focus of your organisation's investigation, unless there are new and substantial issues or information which change the case or desired outcome. Ask the person to wait until they receive their final resolution letter before raising their dissatisfaction.

Note: *Be careful not to disregard new issues that are substantially different from the original matter and warrant further action.*

Insists on outcomes that are unattainable or inappropriate or that they are not 'entitled to'

Clarify the limitations of your organisation for dealing with concerns raised and tell the person clearly and transparently if something is not possible/not going to happen. Manage expectations early by letting them know what can or can't be done, how you intend to deal with their matter and how likely the outcome they're seeking is.

CASE STUDY

Identifying the behaviour

A National Integrity Manager (NIM) at a National Sporting Organisation (NSO) received a complaint from a member alleging procedural unfairness in the handling of a selection dispute at the state level. Over several weeks, the member sent multiple emails demanding immediate disciplinary action against staff who handled the initial dispute, access to confidential documents, and demanded to urgently speak to the CEO. The tone escalated, with repeated demands and accusations of bias whenever the NIM attempted to explain procedural limits.

The NIM identified that, while the underlying complaint could be assessed, **the member's conduct had become unreasonable due to excessive contact and demands beyond the organisation's authority.**

Managing the behaviour

The NIM clearly explained what aspects of the complaint could be progressed, the applicable process and timeframes and what requests could not be met. They also advised the member that communication would be limited to one weekly update sent from their integrity mailbox (and not the CEO), and that abusive language would not be responded to.

When the member continued to send multiple emails, the NIM:

- reiterated the boundaries
- redirected the complainant to focus on the core integrity issue
- advised that any new information must be relevant to that matter.

The NIM also suggested support options, including independent advocacy services, to help the member present their concerns more constructively.

Following these steps, the volume and intensity of contact reduced. The complaint proceeded within scope, and the member acknowledged understanding the communication limits. This allowed the NIM to manage the matter fairly and efficiently while maintaining appropriate professional boundaries.

What to say

The following scripts can be used to help guide your conversations with complainants.

The complainant's statement or behaviour	Possible responses
Call me back immediately	• *I appreciate that you want this dealt with right away. But I'm sure that you can also understand that we do have a process to follow when dealing with concerns such as this. Let me explain how this will progress …*
You haven't answered every issue I raised	• *The central issues you raised with us were … and these will be the focus of our response to you/our investigation.* • *We're satisfied that we've dealt with the central issues of your matter adequately.*
I want to speak with the manager	• *Unfortunately, the manager isn't available to speak with you, but I'm happy to discuss this and try to find a solution …*
I told you not to contact them.	• *You have given us your side of the story. We have also given [the other party] the opportunity to provide their side of the story.*
I have a right to see/ access those documents	• *We consider requests for information on a case-by-case basis, so you'll need to put your request in writing and clearly explain why this information should be disclosed to you. We'll provide you with a response shortly after that.*

More script ideas can be found in the NSW Ombudsman's Managing unreasonable conduct by a complainant manual at www.ombo.nsw.gov.au.

Unreasonable lack of cooperation



What is it?

When a complainant is unwilling or unable to cooperate with staff or the complaints process, resulting in a disproportionate and unreasonable use of services, time or resources.

It looks like

- Poor or confused definition of a complaint.
- Unnecessary presentation of a large quantity of material.
- Failing to provide key documents, constantly re-defining a complaint.
- Dishonestly presenting the facts.

The approach

Set conditions. This involves requiring the person to do something before you act on their issue or provide a service. For example, you might ask them to organise and summarise long, disorganised documents they've provided before you agree to read them.

What to do if the complainant:

Sends a constant stream of long, disorganised information without clearly explaining concerns.

Where a person has the ability, ask them to organise and summarise the information as a condition of accepting their matter. Ask them to stop sending information and advise them that if you/your organisation needs further information, you will notify them immediately.

Provides limited detail about their issue or drip-feeds information

Inform the person verbally and/or in writing that you can't take their matter forward until all relevant information has been presented. Identify a timeframe for the person to provide all requested information.

Provides irrelevant information with inappropriate content

Make a copy of the communication and keep it on file. Return it to the sender and advise that it will not be considered until inappropriate content is removed. Inform the person that only the central issues they've raised will be dealt with and restate what those issues are so that they are clear and, preferably, there is agreement.

Refuses to follow instructions

Provide advice/instructions and stick to it. You may need to re-explain your responsibilities and theirs in pursuing the issue, while also acknowledging any reasons why the person may be resistant to the advice e.g. they have previously relied on advice that was to their detriment.

Argues frequently/intensely for a particular solution in the face of valid contrary arguments

Clearly state that a particular outcome is not possible. Avoid arguments or trying to reason with anyone who is unwilling to consider reasonable points of view. Advise them of their review options, and if they have already exercised those options then firmly tell them that the issue will not be reconsidered unless exceptional circumstances exist.

Displays unhelpful behaviour – withholds information, is dishonest, acts illegally, is unethical, misleading or otherwise misquotes others

You should end your/your organisation's involvement with the person if it's found they have purposely and significantly misled you, or have been untruthful about their matter. Specifically identify the problematic behaviour and ask them to stop if they want their matter pursued further.

Restate the ground rules for your interaction and advise that you need them to comply. Record meeting topics and outcomes and then write to the person outlining these. If necessary, refer the behaviour to the relevant authority e.g. the police if it involves unlawful conduct. There may also be provisions in your complaints policies about these types of behaviours, such as withholding information, as they may be a breach of your sport's rules.

CASE STUDY

Identifying the behaviour

The president of a large sporting club received a complaint from the parent of a junior athlete alleging that the selection process for a representative team was biased and unfair. The alleged conduct was initially assessed as a potential breach of the Club's selection policies, however supporting documentation and evidence was needed before the matter could progress through a formal process.

The president contacted the parent (Complainant) and requested relevant and reasonable information, including the selection decision being challenged, key dates and correspondence between the parent and the coach or selectors.

The parent repeatedly refused to provide the information and sent long emails about reiterating their dissatisfaction with the selection process – while continuing to withhold the information requested. When the president called the parent, they were accused of protecting selectors and acting in bad faith.

The president determined the parent's conduct as an **unreasonable lack of cooperation.**

Managing the behaviour

The president remained focused on managing the behaviour rather than dismissing the complaint prematurely.

The president wrote to the parent and clearly explained the specific details required and set a reasonable timeframe for response. They reassured them that the complaint would be considered fairly, but their cooperation was needed or it may be finalised without further action.

After receiving no meaningful response, the president finalised the complaint based on the information available. The parent was advised in writing that there was insufficient information to progress the complaint. The final correspondence clearly explained the reasons for the decision and outlined options for review or escalation.

What to say

The following scripts can be used to help guide your conversations with complainants.

The complainant's statement or behaviour	Possible responses
See the attached, it speaks for itself	• *To deal with your matter properly, we need you to summarise the information that you've sent and explain how it relates to your central issues of concern. As it stands, we're having difficulty understanding how they are related.*
I've told you everything/ given you all the documents that you asked for (when they clearly haven't)	• *It's essential that you send us documentation/information that relates to your matter. Otherwise, we won't be able to deal with it appropriately.*
You're wrong/I disagree	• *I acknowledge that you view things differently. However, with the information I have, I've formed the view that ...* • *I understand that you're dissatisfied with what I've told you. I've tried to explain to you how we came to this conclusion and can't spend any more time explaining it to you. If you wish, you can put your concerns in writing.*

More script ideas can be found in the NSW Ombudsman's Managing unreasonable conduct by a complainant manual at www.ombo.nsw.gov.au.

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Unreasonable arguments



What is it?

Arguments that are incomprehensible, false, inflammatory or trivial resulting in a disproportionate and unreasonable impact on staff, services, time or resources.

It looks like

- Exaggerating issues.
- Holding irrational beliefs.
- Being obsessed with irrelevancies or trivialities.
- Refusing to consider counter-arguments.
- Being guided by conspiracy theories.

The approach

Decline or discontinue your involvement with the matter. Politely refuse or stop assisting the complainant as soon as it's apparent that the matter is groundless or the request is unreasonable. If unreasonable arguments are mixed with reasonable arguments, the strategy should be to refuse to deal with the unreasonable portion.

Important: *Unreasonable arguments are sometimes associated with mental illness. While extra sensitivity is needed, conduct by a person with a mental illness can generally be dealt with in the same way as anyone else.*

For advice, see the NSW Ombudsman's guidance on disability and mental illness at www.ombo.nsw.gov.au.

What to do if the complainant:

Insists on the importance of an issue that is clearly unimportant/trivial

Don't take up or continue with issues with no practical purpose in pursuing. Explain that issues must be supported by evidence. Tell the person firmly but respectfully that the organisation decides on the importance of an issue, and not them. Advise that further correspondence about the issue is likely to be read and filed without acknowledgement, unless it meets the threshold above.

Note: *Be careful not to disregard new issues that are substantially different from the original issue and may warrant further action.*

Invents allegations from unsupported information or sees cause and effect links where there are clearly none

Avoid being drawn into hypothesising, catastrophising, conspiracy theories, unproductive arguments or personal attacks. Make firm, brief and final statements to end continued arguments and reiterate that clear evidence to support any claims or allegations is needed for an issue to be considered. After a matter is closed, don't respond to further communication unless substantial new issues, evidence or information is raised warranting further action.

Raises bizarre or incomprehensible issues

It's important to listen carefully and respond respectfully in these circumstances. The person needs to be able to provide evidence or factual information to progress their matter, so you should question what evidence they have, reflect back their responses without agreeing and respond with empathy. If you think your organisation can assist them, explain what can and can't be done to help them – without fuelling their arguments. If it's unlikely you can take up the issue, prompt the person to see if they can come up with a solution of their own e.g. ask *"is there any other way you may be able to achieve this/make sure this doesn't happen again…?".*

Makes false or unsubstantiated accusations of biased, unethical, illegal, inconsistent, or partial decision-making

Advise them that you/your organisation can only consider clear and verifiable evidence when making decisions on a claim or issue. Tell them firmly that complaints about you or your colleagues will not lead to a change in the decision unless there are clear and substantial grounds for it. Avoid talking about what other people or organisations may have done and don't revisit matters from the past – talk only about the present task and issue at hand.

CASE STUDY

Identifying the behaviour

A National Integrity Manager (NIM) at a National Sporting Organisation (NSO) received a complaint from a semi-professional athlete, who argued that a disciplinary sanction for on-field conduct was excessive and unfair. The NIM reviewed the matter and confirmed that the rules were correctly applied, that procedural fairness was afforded, and the two-week penalty fell within the established range. The NIM advised the athlete in writing that no further action would be taken.

The athlete continued to contact various members of the NSO, repeatedly raising the same arguments and disputing the NIM's interpretation of the rules. They argued that the decision was bias and the NSO had 'made up' the process and sanctions guide to target them, despite the NIM referring to official policies and guidance. The athlete did not present any evidence to support their claims and continued to rebut any explanations from the sport.

The NIM **recognised the behaviour as unreasonable arguments**, as the issues had been addressed and further engagement was no longer constructive or productive.

Managing the behaviour

The NIM wrote to the athlete acknowledging his dissatisfaction but clearly stating that the decision was final. They advised the athlete that the NSO would not continue to debate the same matters unless new, relevant information was provided.

The athlete's conduct continued. The NIM issued a further notice explaining that ongoing correspondence about issues that had already been addressed was unreasonable, and that future contact about the same points would not be responded to.

In the end, the NSO limited its engagement with the athlete and documented all interactions. The matter was closed on the basis that it had been fully considered and reasonably explained, ensuring the response was fair, proportionate and defensible.

What to say

The following scripts can be used to help guide your conversations with complainants.

The complainant's statement or behaviour	Possible responses
So, you think my issue/complaint isn't important enough?	• *It's not about your issue being unimportant. It's about whether our organisation is able to achieve a meaningful outcome or provide assistance in this particular situation. From our perspective, we can't/it isn't.* • *All complaints are carefully assessed according to our policies and procedures. Sometimes we receive complaints we can't/don't have the powers to take up.*
The club/coach/ officials are biased/corrupt	• *[Organisation/person] has made a professional judgement and we have seen documentation explaining the reasons for their decision.* • *I understand you're annoyed/skeptical/angry about … The evidence we've gathered suggests the conduct is not unreasonable/may be unreasonable and warrant action on our part.* • *Simply because you disagree with our decision doesn't necessarily mean that we've been biased towards you. Do you have evidence to support your allegation?*
This club/coach/ official thinks they can get away with anything	• *They are required to abide by the law/policy/ procedure that is relevant to them. They have had to explain their actions to us. I consider that they have reasonably explained their conduct/ decision.* • *We haven't found evidence that they are acting unreasonably in doing this.*

More script ideas can be found in the NSW Ombudsman's *Managing unreasonable conduct by a complainant manual* at www.ombo.nsw.gov.au.

Unreasonable behaviours



What is it?

Behaviour that compromises the health, safety and security of staff, other participants or the complainant themselves.

It looks like

- Threatening violence.
- Abusing investigation staff.
- Being rude or aggressive.
- Threatening self-harm.

The approach

Set limits and conditions. This involves requiring the complainant to do something before you act on their issue and establishing clear boundaries, including placing limits on your interactions or providing services. When setting limits, you should:

- identify the behaviour you consider to be unreasonable
- ask the person to change that behaviour
- state the consequences if the behaviour continues (identify the limits)
- offer the person a choice, if possible
- enforce the limits, if necessary.

What to do if the complainant:

Uses foul language and swearing

Try to calm the situation and politely ask they stop using inappropriate language. Warn them that you will end communication if it continues. Talk to your manager about how to deal with future communication. If you invite them to call back at a later stage, provide clear instructions about who they can contact, when and how (method of communication).

Note: *Whether or not this behaviour is unreasonable will depend on the circumstances of the case.*

Acts up in the presence of others to create a scene

Try to calm the situation and as soon as possible, take the person to another room or remove others from the immediate area. Don't discuss their matter or any sensitive issues in front of others. If you go into a room, ask a colleague to accompany you. If no one is available, leave the door open and sit near an exit so you can alert others and leave quickly if things escalate. If the person doesn't calm down, let them know that security may be contacted.

Makes confronting comments or low-level threats in written communication

Make a copy of the communication and keep it on file. Reply to the sender and advise that it will not be considered until the inappropriate content is removed. Notify your manager immediately of any actual or suggested threats so that a decision can be made about the appropriate course of action. Consider restricting the person's access to your direct email and, if necessary, only allow contact to be made through your organisation's general email contact.

Goes online and vilifies, defames, harasses, intimidates or threatens

You should not respond to personal or negative online comments. Make a copy and speak to your communications/media team who can decide on the appropriate course of action, including removal of the content under their social media policy, or possible legal action depending on the nature of the content. Warn the person that this type of conduct will not be tolerated and action may be taken to restrict their contact with the organisation.

Audio or video recording interviews or telephone conversations without prior consent

If this occurs, clearly and firmly let them know you do not consent. If you suspect the recording continues after this, inform them that they are required by law to warn and obtain consent from all parties when recording a discussion and may also be violating confidentiality and privacy laws by doing so. Depending on your organisation's policy, you may also be authorised in these circumstances to end a call immediately. It may then be appropriate to consider changes to how the person can contact the organisation in future e.g. in writing only.

Note: *You will need to seek direction on the laws in your jurisdiction and your organisation's policy to determine the most appropriate approach for dealing with these situations.*

Refuses to leave the premises or move when asked

Politely ask the person to leave and then move towards the exit. If the person follows you, walk them out to ensure that they have left the premises. If they refuse to leave, consider contacting security or the police. Make a detailed record of the incident. Speak to your manager about whether the person's access to your organisation's premises should be restricted.

Makes aggressive, abusive, harassing or otherwise confronting phone calls

Try to calm the situation and state that you consider their language/aggressive behaviour as unacceptable and ask them to stop. If it continues, warn the person that your organisation's policy is that you must end the call – and do so if needed.

Makes targeted threats towards the case officer, obvious or implied, during phone calls

Make the threat overt by naming it. Repeat the person's statements as close to verbatim as possible so they either take ownership of their threats/comments or retract them. Take comprehensive notes of everything that is being said. Ask them to stop and tell them the consequences of making such a threat e.g. that the police must be notified. Attempt to redirect the conversation onto the person's substantive issues of concern

and if the threats continue, end the phone call. Immediately inform your manager of the call and seek advice about any further action. You should also let your reception staff know in case they try to call back.

Displays aggressive, abusive, harassing or otherwise confronting behaviour face-to-face

You do not have to tolerate aggressive behaviour and should immediately end the interaction if you feel threatened or distressed. Avoid getting into a physical altercation with the person. If you believe you are in danger, leave to a safe area.

In all other circumstances:

- Continually assess the possibility of the situation becoming violent – is the person's conduct improving or getting worse?
- Ask a colleague for support.
- Keep a safe distance and preferably ask the person to sit down.
- Create space if there are any signs of physical aggression – get something like a desk between you and the person.
- Provide alternatives to the aggression by making it clear to the person that aggression will not achieve their goal and that your discussion will end if it continues.
- Maintain non-confrontational verbal and non-verbal communication, avoiding any 'jargon' and/or language that is going to confuse the person and increase their frustration.

If a complainant's behaviour puts you or others in immediate and serious danger, **call the police on 000**.

If someone makes threats of self harm, you can guide them towards wellbeing support that is available on page 4 of this guide.

CASE STUDY

Identifying the behaviour

A volunteer coach complained to a State Sporting Organisation (SSO), alleging to have been unfairly excluded from club coaching duties following a code of conduct matter. The SSO assessed the complaint and determined the club had followed its established process and that the decision was consistent with relevant policies. The SSO advised the coach of the outcome in writing. After receiving the response, the coach's behaviour escalated. The coach began sending frequent emails to multiple staff members, using accusatory and emotionally-charged and threatening language. The coach demanded immediate reconsideration of the decision. The coach also contacted senior staff directly, despite being advised of the appropriate complaint channel. The coach's behaviour became disruptive, placing an unreasonable demand on staff time and impacting their wellbeing.

The SSO identified the coach's conduct as **unreasonable behaviour.**

Managing the behaviour

The CEO of the SSO wrote to the coach, acknowledging the coach's frustration but setting clear boundaries about appropriate communication. The correspondence explained what behaviour is not acceptable and the potential consequences if it continued. This included taking action under the sport's code of conduct. The correspondence provided a single point of contact for future correspondence, reiterated that the complaint had been finalised and clearly stated that the sport would no longer engage with the coach on this particular topic. The CEO advised the coach they were welcome to raise any new concerns through the regular channels.

The coach responded by saying they would no longer engage with the CEO or SSO and threatened to go to the media and Minister. As a precaution, the CEO briefed the National Sporting Organisation and Sport Integrity Australia in case the coach made that contact. The CEO also prepared a brief for the board which included a timeline of the matter.

What to say

The following scripts can be used to help guide your conversations with complainants.

The complainant's statement or behaviour	Possible responses
Using foul language or swearing	• *I can hear/see that you're upset/angry. However, I'm uncomfortable with you swearing. Please stop swearing.* • *I'll have to end this conversation if you don't stop using swear words.*
Aggressive behaviour face-to-face, including around others	• *It's quite difficult for us to focus on the issues that we need to when you are [state their conduct]. I'm happy to continue with the conversation so long as you stop …* • *I will have to ask you to leave now. If you have any outstanding concerns, you can put them in writing.* • *There's a lot of background noise here, perhaps we should go into another room and talk more privately? If the person agrees, take them to the room and ask a support person to join you if needed.*
Inappropriate online behaviour or comments directed at the sport	• *We can't stop you from posting something online. However, you should be aware that if we are alerted to any online content that either defames, harasses, intimidates or threatens anyone in this organisation or the organisation as a whole, then we may take legal action through the police and/or the courts.* • *I should warn you that we take such conduct seriously and will take legal action if necessary.* • *We treat inappropriate online behaviour the same way we do inappropriate behaviour generally. If it requires legal action, then we'll do that.*

More script ideas can be found in the NSW *Ombudsman's Managing unreasonable conduct by a complainant manual* at www.ombo.nsw.gov.au.

When to change or restrict a complainant's access to your sport

There will be times when the strategies outlined in this guide don't work to manage unreasonable conduct. When this happens, you may need to change or restrict contact with the person involved. This can include restricting their access to your premises, services and events.

Any decision like this should be done in good faith, and should include a review period for determining whether the change should remain in place.

For more information, including how to make alternative service arrangements for complainants, see the NSW Ombudsman's *Managing unreasonable conduct by a complainant manual* at www.ombo.nsw.gov.au.

More resources

You can find more resources about managing unreasonable conduct by complainants on the NSW Ombudsman's website (www.ombo.nsw.gov.au).

- Effectively managing complainants and their expectations from the outset
- Cultural communication styles
- Dealing with anger through effective communication
- Recording and reporting incidents
- Management roles and responsibilities
- Using legal mechanisms to restrict access
- Managing stress

10 steps for responding to anger and threats

Step 1: RECOGNISE RISK	
What to do	If anger is directed at you and you feel in danger, leave. Only consider restarting the conversation with clear boundaries if the person's behaviour improves.
What to say	"I will not continue if you are directing anger at me or making threats."
Step 2: REPEAT	
What to do	Make sure threats are clear. Ask the person to clarify/ repeat them.
What to say	"You have just said [this] to me … is that what you meant? Are you threatening me?"
Step 3: REACT	
What to do	Continue to show respect. It is okay to ask for respect in return and to react to any anger or threats by advising you may need to discontinue the interaction. Do not over-react or make threats in return.
What to say	"The way you're speaking to me is not acceptable, so we're going to need to take a break and decide if this conversation can continue."
Step 4: RESPOND	
What to do	Communicate clearly and consistently what the consequences will be if the behaviour continues.
What to say	"I need you to stop shouting at me or I will have to end this conversation."

Step 5: REDIRECT	
What to do	Ask questions about the complaint to try to move them from an 'emotional' state and back to the issue.
What to say	"Let's go back to the issue itself, can you tell me more about …"
Step 6: REFOCUS	
What to do	If you do bring the person's emotions under control, refocus attention on their issue. A question about the facts can change a person's focus from feelings to thinking about the substance of their issue.
What to say	"You've mentioned [a fact from the case], what other details can you provide?"
Step 7: RAISE CONCERNS	
What to do	If you feel threatened, leave the room and call for assistance.
Step 8: RETREAT	
What to do	If all else fails and you feel any risk of danger, retreat to a safe location.
Step 9: RECORD	
What to do	Record all threats 'verbatim' and keep with the relevant file.
Step 10: REPORT	
What to do	Report the matter to a manager so you can review responses and identify strategies to manage future interactions with the person.

