

# KOOYOORA

## Managing the equitable use of Kooyoora's resources and unreasonable demands

### Purpose

Kooyoora is independent and handles complaints, screening, training and provides redress management. Our mission is **to build community-wide trust by enabling organisations to protect their people and provide safe, just responses.**

As Kooyoora has limited resources, it is imperative that its resources be allocated equitably to the competing demands for its services. The equitable use of Kooyoora's resources is also important for establishing boundaries for the protection of the mental health and well-being of people in contact with Kooyoora and, also importantly, our team.

This policy has been implemented with wellbeing, safety and resource allocation in mind.

### Procedure

1. Kooyoora recognises that people coming into contact with our services may be experiencing high levels of stress, distress and trauma; this through past experience and frustrations associated with our complaints, screening and redress processes. We know this impacts communication and we will engage in a range of strategies to respond acceptably.
2. Kooyoora utilises the Victorian Ombudsman's four stage process for dealing with behaviours of concern; prevent, respond, manage and limit.
3. Prevent: The Kooyoora team aims to provide a service that meets the needs of people and prevents the escalation of behaviours.
4. Respond: The Kooyoora team aims to respond to people's individual needs and considers presentations and communication through a lens of stress, distress, trauma and other factors that may include mental and physical disabilities when relevant.
5. Manage: If prevention and response strategies have not meet the person's needs and/or the behaviours continue then the matter will be referred to the Executive Director. Where health and safety is at risk, this must happen immediately.
6. If, after the matter is referred, the Executive Director is of the opinion that the complainant or respondent to a complaint is engaging in Unreasonable Behaviour, the Executive Director will adopt an suitable strategy that may include one or more of the following:
  - a) Inform the person that their conduct has been identified as Unreasonable Behaviour and is in breach of this policy. Particulars of the Unreasonable Behaviour will be provided to that person;
  - b) Inform the person as to how Kooyoora intends to manage the situation. Management of the situation may include:

- i. A warning not to engage in any further Unreasonable Behaviour;
  - ii. Restrictions to responses such as from who and when responses will be made;
  - iii. Setting other limits or conditions.
7. If any Unreasonable Behaviour is reported to the Executive Director, the Executive Director will inform the Board Directors of the report as soon as practicable.
8. Limit: In some cases the Executive Director, with Board approval, will impose limits that may include the denial of access or limited access for a period of time. Any limitations will only be imposed after a careful risk assessment and will be proportional to the impact of the Unreasonable Behaviour
9. In extreme cases, the person may be reported to relevant authorities.

## Unreasonable Behaviour

The *Managing Unreasonable Conduct by Complainants Practice Manual*<sup>1</sup>, states that behaviour becomes unreasonable when, because of its nature or frequency, it raises health, safety, resource or equity issues for the parties to the complaint (Complainant, Respondent, Kooyoora employee, Kooyoora or other people using Kooyoora). The behaviour (“Unreasonable Behaviour”) includes the following categories:

1. Unreasonable persistence
2. Unreasonable demands
3. Unreasonable lack of cooperation
4. Unreasonable arguments

Examples include, but are not limited to:

1. Frequent and/or voluminous correspondence or other communications;
2. Correspondence or other communications that have been raised previously and addressed by Kooyoora;
3. Correspondence or other communications that make unreasonable demands on Kooyoora; and
4. Correspondence or other communications that are threatening, intimidating, abusive or otherwise disrespectful to Kooyoora’s employees

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<sup>1</sup> Victorian Ombudsman, 2018