

Our Approach to Managing Challenging Behaviour

Acknowledgement of Country

The Legal Practice Board acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

Introduction

We are committed to providing an accessible and responsive services. While the majority of people communicate with us in a courteous manner, a small number of individuals can sometimes be angry, frustrated or distressed or act in other ways that may be challenging.

We recognise that people who demonstrate challenging behaviour often have a legitimate grievance and we will continue to deal with complaints on their merits. Our officers will treat people who contact us with courtesy, and we expect this courtesy to be returned.

Our Approach to Dealing with Challenging Behaviour

Our staff can encounter a spectrum of challenging behaviour, from slightly confronting to clearly unreasonable, and our responses will be graduated as follows:

1. PREVENT where possible. We aim to prevent challenging behaviour by practising good complaint handling and communication skills.

2. RESPOND to challenging behaviour. We recognise that people who contact us may feel upset, distressed or angry. Our officers will respond to angry or emotional behaviour in the first instance by attempting to defuse the situation. We will give people reasonable time to express themselves, and listen and acknowledge what they are saying, and how they feel.

3. MANAGE behaviour that is or becomes unreasonable. Behaviour becomes unreasonable when, because of its nature or frequency, it raises health, safety, resource or equity issues for the Board, our officers, or other people who use our services. Examples of behaviour or language that may be considered unreasonable include:

- Threats to harm officers or other people
- Verbal abuse
- Offensive language or behaviour
- Racist and sexist language
- Harassment of staff
- Violence

Behaviour can also become unreasonable if it consumes a disproportionate amount of staff resources through unreasonable requests or communication. Examples of requests that may be considered unreasonable include:

- Asking for an immediate response or priority attention when it is not warranted
- Seeking a response to every point, no matter how minor
- Insisting on speaking with certain members of staff

Examples of communication that may be considered unreasonable include:

- Constantly contacting us for updates while we are in the process of looking at a matter
- Contacting different officers seeking a different answer to a query

- Reframing an old enquiry / matter / complaint to look like there are new issues
- Refusing to accept a decision after we have provided reasons for our decision and having been given a reasonable opportunity to discuss the reasons
- Questioning the skills or competence of staff

If a person's behaviour becomes unreasonable, officers will apply appropriate and proportionate strategies for managing the behaviour. For example:

- If an officer experiences threats or verbal abuse, they will name the behaviour and ask the person to stop
- If an officer is bombarded with unwarranted calls or emails, they can ask the person to stop the behaviour, and set time limits for discussions, or limits to the types of emails they will respond to
- If a person demands an immediate response or priority that is not warranted or makes demands about how a matter should be handled, an officer can explain that they will not meet the demand and why. We deal with many matters and need to decide when and how they are handled

4. LIMIT access. As a last resort we can consider limiting access to our services if other strategies have not worked and the person continues to engage in unreasonable behaviour. Depending on the type of behaviour, we may consider limiting:

- Who the person can contact (e.g. limiting contact to a named officer)
- What issues we will respond to (e.g. not responding to issues that have already been the subject of an assessment and explanation, unless the person raises new issues that warrant attention)
- When a person can have contact
- Where the person can contact us (e.g. limiting locations for face-to-face meetings to secure areas)
- How the person can contact us (e.g. confining contact to writing where the person has been verbally abusive)

How you can appeal a decision to limit your access

If you have had your access limited you may seek an internal review of the decision by emailing us at info@lpbwa.com.

You also have the right to complain to external oversight agencies [Ombudsman](#) or if you believe you have been discriminated against, the [Equal Opportunity Commission](#).