

Dr Grant Lester: Managing Unreasonable Complainant Behaviour



The complaints of difficult people take up a disproportionate amount of time and resources for employers. They also impact emotionally on those trying to manage their complaints. For that reason Heaney & Partners brought Dr Grant Lester, Consultant Forensic Psychiatrist, over from Melbourne to present to the delegates at the 50th Celebratory BOINZ Conference in May.

Dr Lester has undertaken research on unusually persistent complainers and in 2004 his paper was published in the British Journal of Psychiatry. It came about because complaints organisations and the courts were plagued by a small group of unusually persistent people who consumed enormous amounts of resources. His research addressed the nature of this group of complainers and whether its members resembled those described in the old medical literature as querulous.

Complainants occupy a spectrum with only 5% being "abnormal". A normal complainant is aggrieved and seeking legitimate redress. At all terms they maintain proportionality and perspective and focus on the issue. They are able to negotiate and accept a reasonable settlement.

In contrast the persistent complainant uses the language of a victim with or without the loss of specificity i.e. they might

pursue a complaint "for the public good". They have overly optimistic expectations of compensation or major changes to institutional structures. They are difficult to negotiate with because they reject all offers holding out for what they see as a just settlement. Though persistent, demanding and occasionally threatening they will ultimately settle but will continue to complain of injustice.

Within the 5% is a small group whose complaints arise from pre-existing schizophrenia. They are aggrieved by persecution and loss. Their complaints arise totally, or in part, from the delusions and hallucinations associated with their illness. Their claims are often bizarre and in flux. It is often impossible to define, let alone resolve the claim.

Finally there is the querulant or morbid complainant who develops over time and loses focus and proportionality. The peak age is between 40 and 60 years old and men outnumber women 4 to 1. Their communications are voluminous, over emphasised, pseudo legalistic, disjointed and often contain threats. They relentlessly pursue justice. If they are offered "total" reparation they will extend their complaint. They say they are seeking reparation and retribution but they actually seek vindication.

Studies of the development of the querulant indicate a personality mix of obsessional, narcissistic and paranoid. They are unable to accept mortality, loss of power and non accomplishment and may have experienced negative life events such as a marriage break up, career set backs or physical or psychological injury or illness.

The querulous pursue their claims for longer, supply more written material, telephone more often and for longer,

intrude more frequently without an appointment and ultimately are still complaining when the case is closed or transferred. They differ from the normal complainer because they are motivated by desires for vindication and retribution, in the curious and dramatic forms in which they present their complaints; in how they behave while pursuing their claims – particularly with regard to threats - and how high a price they pay personally and socially for that pursuit.

So how do you manage these difficult complainers? Dr Lester said there are twelve things for you to remember. They are:

1. You will struggle.
2. Recognise the 5 V's (victimised, voluminous and vague communications, variable demands, seeks vindication).
3. Maintain focus (for yourself and them).
4. Do not escalate.
5. Do not over service.
6. Contain i.e. record, discuss and respond.
7. Record fact, not opinion.
8. Maintain your safety and the safety of others.
9. Do not personalise the encounter.
10. Do not review (send the complaint higher up) just because they are unhappy.
11. Manage all threats and aggression; and
12. You will struggle. Do not be dismayed. It is not your fault.

By Frana Divich (summarising Dr Grant Lester's key note address at the 50th Celebratory BOINZ Conference)

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