

## 4.2. Recording and reporting incidents

### 4.2.1. Recording incidents of unreasonable conduct

Managing unreasonable conduct will only be effective if you keep accurate and contemporaneous records of such interactions. Good record keeping will ensure that all incidents of unreasonable conduct – as well as any trends – are identified and dealt with. It can also help to ensure transparency and accountability in any actions taken or decisions made to modify or restrict a person's contact as a result of unreasonable conduct.

Records should accurately reflect what has happened and should include the following details:

- the name of the person whose conduct was unreasonable
- the name of the person making the record
- the location of the interaction and details of who was present
- the start and finish time and date of the interaction
- a summary of the nature of the unreasonable conduct, and where applicable any questions asked, advice given, and verbatim records of any threats or abusive words
- any other relevant details.

These records should never include statements of opinion about the mental health of the person involved or speculation about what their motivation may be. The records should only include statements of fact about what was said, what has been written and/or what was observed about the conduct of the person in question.

Correspondence (letters or email) containing inappropriate or offensive content should be added to the relevant case file (paper and/or electronic) and reported to the relevant security officer or senior manager. Depending on the circumstances, such correspondence could be returned to the author with advice that the content will not be dealt with until the inappropriate or offensive content is removed, and that any further correspondence containing similar content will be read and filed without acknowledgement.

If possible – and if it will not lead to conflict with the person concerned – it may be appropriate to try to get the person to sign and attest to the accuracy of your records. This could be, for example, after a face-to-face interview where an agreement was reached with the person about future conduct.

### 4.2.2. Reporting incidents of unreasonable conduct

Ensuring that staff report all incidents of unreasonable conduct to appropriate managers and supervisors is also important to effectively manage such situations – both individually and across the board. Reporting ensures that incidents are dealt with appropriately and in a timely manner to minimise any actual or potential risks for your staff, third parties and the person concerned.

Reporting can be verbal or in writing, and staff should consult your organisation's relevant protocols on this issue.

See *Unreasonable Conduct by a Complainant: A model policy and procedure for organisations* – available at [www.ombo.nsw.gov.au](http://www.ombo.nsw.gov.au).

### 4.2.3. Monitoring further incidents

Once a person's contact with the organisation and its staff has been modified or restricted, all staff are responsible for observing and monitoring their conduct during further contact between the person concerned and the organisation. This includes noting any attempts by that person to circumvent the restrictions that have been imposed on their access. Any unauthorised behaviour should be acted on by immediately enforcing the restriction and notifying the appropriate senior officer. They will decide on the appropriate course of action – which may include placing further restrictions on the person's access or withdrawing access all together, provided your organisation has the discretion to do so.