de Nationale ombudsman

The story behind the complaint

How to deal effectively with difficult complaint behaviour

December 2013

People are entitled to be treated properly by the government. And let's be honest: they usually are. But not always. So it is good for a person who feels disadvantaged or unfairly treated to be able to turn to an independent body for protection. This body is the National Ombudsman.

The National Ombudsman helps to restore confidence in government. He does so by sharing his knowledge with government agencies, initiating investigations and lending a helping hand to people who encounter unnecessary bureaucracy. An investigation by the National Ombudsman may conclude with a report. These reports are in the public domain and are published on the website **www.nationaleombudsman.nl.**

The story behind the complaint

How to deal effectively with difficult complaint behaviour

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Preface

'Oh it's that old bore again!' 'It's always the same with this guy, gets angry as soon as I suggest anything.' It's difficult to communicate in situations like this. Every complaint handler faces it occasionally: it's just very difficult to talk to some complainants.

Fortunately, it is possible to change things in communications with complainants. The National Ombudsman has produced a guide for staff working in public-sector organisations who are involved in dealing with complaints from the public. Some extra knowledge of the story behind the complaint and practical tips can help when dealing with people who display difficult complaint behaviour, such as repeatedly submitting complaints or displaying dominant or aggressive behaviour. It is worth investing in contact with complainants. A complaint handler who develops his own skills and is able to build a workable relationship with complainants can create a basis that allows contact to proceed more effectively. The goal is not to change the complainant, but a different response on the part of the person handling the complaint can change the way the communication goes. Of course trust plays an important role in this.

And if it proves simply impossible to establish a workable relationship, the contact will need to be restricted or terminated properly. A conscious approach, involving certain steps and reflection along the way, gives more chance of success and is certainly more efficient than a situation where a complainant repeatedly bombards a public-sector organisation with complaints, and the organisation is unable to respond effectively. This takes a lot of time and energy that can be put to better use!

This guide explains why some complainants are sometimes so difficult, describes various types of behaviour and gives some tips as to how a complaint handler can best respond in order to maintain workable relations. It also provides an insight into the role of the complaint handler in the communication process, as well as tips and techniques that can be put directly to use in practice.

But remember, most people who complain about a public-sector organisation are 'ordinary' people who have a problem with that organisation. Generally speaking, complaint handlers manage to build a good relationship with these people in the complaints process, and communicate in a manner based on mutual respect. Irrespective of how the problem is resolved, the contact between complainant and handler generally proceeds to the satisfaction of all.

But if the contact does not proceed well, a situation arises that is unpleasant for both parties and does not help resolve matters effectively. Effective handling of complaints, based on mutual understanding and respect, and de-escalation where possible, is one of the pillars on which the relationship between the Dutch public administration and its citizens is built. It is important that the public sector set a good example, do everything in its power to respond as well as possible to people who have complaints, and deal with them in an appropriate manner. This guide represents an important step in the development of expertise on this matter.

The National Ombudsman of the Netherlands,

dr. A.F.M. Brenninkmeijer

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1 Problems in contact between complainant and complaint handler: an introduction

Disrupted communication

Generally speaking, contact between members of the public with a complaint and public-sector organisations goes reasonably well. However, communication proves difficult with a relatively small group of people. They include people who repeatedly submit complaints, people who display dominant or aggressive behaviour, and people who try to manipulate others. This can cause frustration for the person handling the complaint, or the complainant may be frustrated by the person dealing with their complaint. It is a matter of perception. Sympathy and respect for another person's perception of the situation plays an important role in communication. If this is lacking, communication can be disrupted. In such a situation, the person dealing with the complaint will be more likely to regard certain behaviour on the part of the other as difficult. Again, this has to do with perception, and also with past experience and personality. Therefore, there is also a personal element associated with the complaint handler. This kind of situation is unpleasant for both parties, and does not enhance the process of complaint handling.

Emergency assistance for difficult behaviour

Staff working in the legal sector, the healthcare sector and in commercial companies will sometimes encounter people who display difficult complaint behaviour. There is a great demand for knowledge and methods for dealing effectively with such complainants. Effective means not only that the complaint is dealt with more quickly or more clearly identified, it also involves satisfactory communication. This means that not only must the complaint be 'heard', the complaint handler must also actively listen to the complainant, and the complainant should feel that his point has been heard and he is being taken seriously. This guide focuses above all on these aspects of the process, providing an insight into the story behind the complaint and presenting interview techniques to improve the way complaint handlers respond to difficult behaviour on the part of complainants.

What exactly is difficult?

This guide refers to 'difficult complaint behaviour' rather than difficult complainants. There is a reason for this. The people concerned are not difficult in any objectively measurable sense. They display behaviour that is difficult for others, such as the complaint handler.

We are thus concerned with the behaviour of complainants, with the emphasis on complaint handlers' subjective experience of this behaviour. The definition is as follows:

Difficult complaint behaviour is behaviour which an individual, i.e. the complaint handler, subjectively experiences as difficult. As a result, communication does not proceed satisfactorily and both parties are left with a feeling of powerlessness.

Alex Brenninkmeijer, National Ombudsman: 'People themselves are not difficult'

Some complainants who display difficult behaviour are portrayed as 'troublemakers'. The National Ombudsman does not believe it is right to label people in this way, because this does not do justice to the real matter in hand. Some people display complaint behaviour that is ***experienced as difficult****. While the behaviour is certainly difficult, the crucial point is how the behaviour is perceived. And perceptions differ. One complaint handler will be more likely to find certain behaviour difficult than another. There is therefore a personal element associated with the person dealing with the complaint. When handling behaviour that is perceived as difficult, it is important to consider both the background of the complainants' behaviour and one's own behaviour.*

What exactly does the complainant want?

In studies of complainants and persistent complainers conducted by the National Ombudsman's office, it is often said of persistent complainers that 'in their own perception they are forever and unjustly being given the blame, and are repeatedly confronted with this fact'.[1]

This quote indicates that a persistent complainer may feel that he has been treated unfairly; he has the idea that he can prove himself right by *repeatedly* complaining. The complainant's perception concerns not only the substance of the complaint itself, but also – and more particularly – how fairly and justly he believes he has been treated. Good communication between complainant and complaint handler, giving the complainant the feeling that he is being taken seriously, therefore plays a key role.

A complaint handler prefers not to end up in a situation where communication becomes ineffective, but that risk is certainly present with some complaint behaviour. It is therefore useful to know more about the nature and motives of complainants. This guide provides a detailed summary of different ways of complaining, the motives of complainants and the advantages and disadvantages of displaying certain types of behaviour.

Poor communication: a matter of interaction

The fact that a complaint handler finds certain behaviour difficult is often a barrier to good communication, and to creating a situation in which the complainant feels his complaint has been heard and taken seriously. A complaint handler will experience a complainant as difficult if he complains often, and takes up a disproportionate amount of the organisation's time. In this situation, one can imagine the complaint handler might become frustrated, and might take out this frustration on the complainant. The complainant will often then respond by submitting a new complaint, leading again to a feeling of irritation, frustration and powerlessness on both sides.

[1] Wil Jacobs (1995).

Complaint handlers often indicate that they have problems with dominant complainers, complainants who are not consistent in their behaviour, and complainants who are manipulative. It can be frustrating if, after putting a lot of work into a case, a complaint handler then faces a complaint against himself. 'Things are never right for some complainants' is likely to be his response. Seen from the point of view of the rescue triangle, the complaint handler then changes from 'rescuer' to aggressor or victim. This can lead to a downward spiral in communication.

If a complaint handler has the feeling that someone is simply griping and wasting his time, he may consciously or unconsciously send out signals that prompt the complainant to continue complaining. This is a vicious circle that can lead to conflict. Two conflicts, in fact: between the complainant and the public-sector organisation, and between the complainant and the complaint handler.

The subjective nature of what is perceived as difficult therefore also means that different people will find different things difficult. This depends on the complaint handler's own qualities, her personality, conflict styles, self-image, past problems (resolved or unresolved), emotions and many other factors. One complaint handler may feel uncomfortable and powerless when a complainant begins to shout, refuses to listen or becomes dominant. Another might find it difficult to deal with a complainant who tries to manipulate.

Understanding psychological processes

That is why the first step in dealing with difficult complaint behaviour is to consider one's own qualities and pitfalls. It may for example be difficult for complaint handlers to control the emotions provoked by the complainant. A complainant might at some unconscious level resemble the handler's father who rarely approved of what he did. It can then be difficult to control one's countertransference response.

This guide provides an insight into how communication can be disrupted, how it is possible to prevent or recognise this, and how communication can be restored. It also looks at conflict styles and aspects of personality, on the basis of the idea that a better understanding of the background to and manifestation of difficult complaint behaviour makes it easier to deal with it properly. The practical tips concerning attitude and response and the interview techniques can easily be applied in contacts with complainants who are difficult to handle.

This guide should hopefully improve relations between complainant and complaint handler, or at least ensure contact remains workable, or within certain boundaries. The key thing is to remain in discussion ***with*** and, if this is not possible, take measures ***concerning*** a complainant. Only then can complaints be handled with mutual understanding and respect: one of the pillars on which the relationship between the Dutch government and its citizens is based. It is therefore important that public authorities provide a good example, and do everything it can to receive complaints and deal with them correctly.

If things nevertheless go wrong

If, despite every effort, it is not possible to ensure contact between the complainant and the organisation receiving the complaint proceeds satisfactorily, one may decide not to respond to any further letters or enquiries. This is only an option in the most extreme circumstances; if, for example, the manners of complaining places such a large and disproportionate burden on the organisation that it can no longer deal with it. Often, this will involve a situation that cannot be changed, or positions that can no longer be reconciled. The National Ombudsman has issued guidance for such situations indicating how public-sector organisations should respond in such cases. The core of the response is that, if the ombudsman has already issued a ruling or opinion and there is nothing new to report, the ombudsman will write a letter or telephone to inform the complainant that the organisation will not respond any further in the matter.

Approach and reasons for this guide

The National Ombudsman is issuing this guide to help complaint handlers deal with people who display complaint behaviour that is experienced as difficult. It was drafted on the basis of a literature review, interviews with complainants and complaint handlers, and a desk study. The guide should, among other things, help individual complaint handlers recognise difficult complaint behaviour at an early stage.

Bear in mind that the National Ombudsman receives many complaints every year – more than 15,000 in 2012. Communication with most complainants goes perfectly well. People who complain to the National Ombudsman have a problem with a public-sector organisation. These are not generally 'typical' complainants displaying 'typical' complaint behaviour. Almost everyone whose complaint is eventually heard and whose problem is resolved is happy with the outcome.[2]

Guide for the reader

Chapter 2 looks in detail at people's motives for complaining. The role of complaints in the relationship between public and government and complainants' motives for displaying certain behaviour are considered. A huge body of literature exists on the complaint behaviour of, for example, consumers in marketing studies, but this guide contains only a brief summary of a number of sources.

Chapter 3 looks specifically at complainants who display difficult complaint behaviour, and ends with a typology of difficult behaviour. Attention then turns to the complaint handler, whose attitude, responses and underlying psychological processes are the subject of chapter 4. Chapter 5 gives a host of practical tips on response and interview techniques. These are further elaborated on in chapter 6, with reference to the various types of behaviour that complaint handlers generally find most difficult. The final chapter contains guidance for public-sector organisations on how to terminate contact with complainants in the most extreme cases.

[2] Bos (2007)

2 What does the complainant actually want?

Complaining is a form of communication. It is all part of a healthy relationship between public and government. A complainant clearly has a message to get across. This chapter considers people's motives for complaining, and the consequences of complaint behaviour. In short: what drives complainants?

2.1 Relationship between public and government: complaining is all part of it

The relationship between public and government is a special one. In many situations, people are dependent on and rely on the government. The power to take decisions lies with the government. Sometimes people doubt whether the government is handling their rights correctly, or giving them correct information. People can compensate for these feelings of uncertainty by prompting a debate on confidence in the government. They want to see and judge for themselves whether the government is fair. They are, as it were, testing the government with their own behaviour to see if it is reliable and worthy of their trust.

There are two parties and two perspectives in the relationship between public and government. Lawfulness is the main concern from a legal perspective, the perspective often chosen by public authorities. However, people often see things in terms of their sense of justice: is what is happening fair? This difference plays a role in the relationship between public-sector organisation and citizen. The concern with lawfulness is typical of a view based on the world as a system, as in the organisation of government. A concern for fairness is based on the way that ordinary people see the world. We certainly cannot take it for granted that these two worlds will always understand and connect with each other when they come into direct contact.

However, in contact with complainants, public-sector organisations can focus on the relationship and on people's sense of fair treatment in a number of ways. This is the 'proper conduct' to which the ombudsman refers: listening to what is being communicated from the other person's perspective and, as a public body, showing whether it influences matters. This is not only a normative statement about how things should be done, it is also effective. If complainants feel that their complaint has been heard and taken seriously, and that the procedure is fair and proper, they will be more likely to accept a decision or position that is at odds with what they expect. Research has shown that people are more likely to accept a decision and follow instructions if they believe a public-sector organisation has treated them justly and fairly.[3]

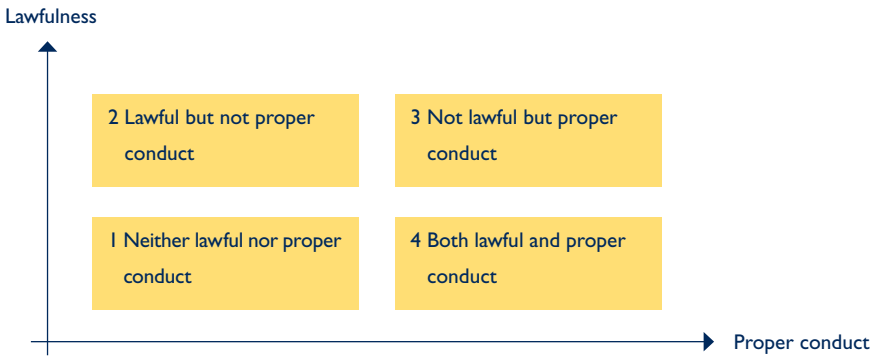
2.2 The ombudsquadrant: not just lawful, also proper conduct

The National Ombudsman brings together these two perspectives of lawfulness and proper conduct. He assesses whether the actions and behaviour of public authorities are lawful and constitute proper conduct. He does this on the basis of the 'ombudsquadrant' (see figure 1). This has proved to be a useful categorisation in daily practice. He ties together the two

[3] Lind & Tyler, 1988

dimensions of administrative action: lawfulness and proper conduct. As we have said, it is not only important to people that a decision or action is lawful in the strict sense. It is just as important that they are treated with fairness and respect – properly in other words. Both unlawful and improper conduct can lead to floods of complaints.

Figure 1: The ombudsquadrant



In most cases, organisations manage to maintain good relations with the public by consistently having regard for proper conduct, as well as lawfulness: they treat people with respect, handle information carefully, respond in a timely manner (personally in some cases), give clear and comprehensible reasons for decisions, act proportionately etc.

Sometimes, however, a public-sector organisation places too much emphasis on the formal aspect of its conduct: lawfulness, based on the 'a rule is a rule' attitude. When the balance is lost and no thought is given to proper conduct, this can sometimes come across as coercive, or even confrontational. This is precisely what the relationship aspect is about: people want to be taken seriously and treated equally and with respect. If not, this can lead to negative and sometimes even extreme responses from members of the public, and often to a complaint.

2.3 The complaint factor: psychological background to complaining

Dissatisfaction is an important reason for submitting a complaint, but it is not the only one. People sometimes complain to elicit attention or sympathy from others. Personality traits also play a role in complaint behaviour.

Definition of complaining

From a psychological perspective, complaints are defined as: 'expressions of dissatisfaction, whether subjectively experienced or not, for the purpose of venting emotions or achieving intrapsychic goals, interpersonal goals, or both'.[4] Complaining can therefore come from an interpersonal need or goal, but it can also be designed to bring about a certain effect in the outside world. In his definition, Kowalski indicates that complaints do not always arise

[4] Kowalski (1996)

from negative feelings or a negative attitude towards something or someone, and that people do not always complain out of dissatisfaction.

Complaining threshold

There are dissatisfied people who can never bring themselves to complain. And there are satisfied people who complain constantly. We can distinguish between people's limit for experiencing dissatisfaction (dissatisfaction threshold) and for expressing dissatisfaction (the complaining threshold).[5] This shows that satisfaction about a situation does not necessarily always mean that people do *not* complain, or vice versa. If, for example, a person is satisfied with their relationship (their dissatisfaction threshold is high), but has the feeling that expressing dissatisfaction might help achieve a desired outcome (in which case the complaining threshold is low), there is a good chance she will complain about her relationship.

Kowalski describes a number of factors that exert either a positive or negative influence on a person's subjective experience of dissatisfaction and his actual complaining:

- **Negative feelings.** People who frequently experience negative feelings are more susceptible to little frustrations in daily life. A focus on negative events can lead them to experience more dissatisfaction.
- **Flexible attitude.** People differ in terms of their confidence and ability to adapt to different situations. People with a flexible attitude are keen to assist others and are easily able to adapt. They can be expected to complain less than people who are less flexible. People who are inflexible are more likely to feel that events are at odds with their ideals or ideas, and are more likely to experience dissatisfaction.
- **Control.** Complaining can serve as a kind of control mechanism. The 'locus of control' is people's perception of having control over the events in their life. There are people who experience their life as something that they can control with their own actions, and who feel that they have control over what happens around them. These people have what is known as an 'internal locus of control'. They are less quick to complain because they have a feeling that they have control over the things around them and are themselves responsible for events in their life. They accept responsibility for their mistakes and for their successes. But there are also people who have an 'external locus of control'. They think that events in their life are caused by others, or fate, or luck. Things just happen to them, as it were. They have the idea that they have little or no control over events and will often be inclined to blame situations or mistakes on others or the things around them. People who seek the reasons behind events outside themselves will therefore be more likely to complain than people who blame themselves for mistakes.

[5] Kowalski (1996)

People who are dissatisfied therefore complain more readily than others. They have a low complaining threshold. There are, however, other factors that have an impact on complaint behaviour.

- **Extroversion.** Extrovert people are more assertive and expressive in their social interactions than introvert people. Extrovert people are more likely to express their dissatisfaction. However, it should be noted that expressive people set great store by social acceptance and will in fact be less likely to complain if they believe this will jeopardise their social ties.
- **Self-presentation.** People who complain a lot are generally regarded in a more negative light than people who almost never complain. People who are more sensitive to what people think about them will be less inclined to complain than people who are less concerned with what others think of them.
- **Age.** Studies have shown that older people are more likely to complain than younger people, particularly when it comes to health problems. However, the studies show conflicting results. Marketing research has for example shown that it is mainly younger people who express complaints as consumers if they are dissatisfied with a product. Kowalski describes how it might be a matter of life experience that causes younger people to express their dissatisfaction about different matters and in different ways. Perceptions of the utility of complaining can also differ. It could perhaps be that young people are more concerned about the social implications of complaining, and are therefore less likely to complain.

Little faith

One striking feature of people who complain to the public authorities is that they generally have little faith in government. Research has shown that they rate their confidence in government as low as 3.8 on a scale of 1 to 10.[6] Some people complain to a whole range of organisations. In many cases, this is not only an expression of dissatisfaction with public-sector organisations; it can also be a reflection of past frustrations. They have lost faith in government and express this by complaining to numerous organisations. It is not only a matter of lack of faith in the organisation concerned, but also in the people around them. An unpleasant experience in life can prompt people to express frustration to third parties and to become obsessed with a particular case.

2.4 Underlying motives: why people complain

Complainants' general motives have been examined by a number of researchers over the years. What are the benefits and disadvantages of complaining? Opinions can differ very widely on this issue. One important factor is that complaining appeals to a basic psychological need. All the more reason, therefore, for complaint handlers to deal with them with due care and caution.

[6] Euwema et al. (2007)

Everyone has basic physical needs, like food, water and shelter. We also have basic psychological needs, like the need to belong, have control, and maintain or enhance our feeling of self-worth. People who display difficult complaint behaviour may express their need to belong by attending lots of public meetings to voice their complaints in person, expressing views of which they have informed the organisation in question many times by letter, email or telephone. They sometimes do so with great devotion, regularly expressing the notion that they are doing society a service; they believe that raising their own objections will benefit others in society.

Another motive for complaining is the desire, prompted by a sense of powerlessness, to effect change. If people find it difficult to accept something that has happened and move on, a natural response may be to hang onto it. Complaining about the circumstances in which something happened means that they do not have to accept it and move on. This appeals to their need for control. Complaining can also give them the feeling that they are doing something about their problems, standing up for themselves and fulfilling their need to maintain or enhance their sense of self-worth.

Basic psychological needs lend substance to the complainant's interests. Besides psychological interests, such as self-confidence and being taken seriously, these may include other interests directly associated with the matter in hand, or the procedure in question. The figure below lists these three types of interest, which sometimes impact on each other. These interests represent potential concerns, desires and needs. Translated into a complainant's situation, complaining can satisfy these needs, as complaining is seen as lending them substance.

Complaint handlers should bear in mind a complainant's potential substantive, psychological and procedural interest. Respect for or violation of interests in one column can have a direct impact on those in another. For example, violating substantive interests can lead to a perceived infringement of psychological and procedural interests.

Some literature explores why people do not complain. Hansen et al. (2010) describe several dominant factors revealed by research to explain why dissatisfied customers do not complain. Briefly, these are: judgment based on cost-benefit analysis, attribution processes (see section 4.3.2); powerlessness; and personality traits.

Figure 2: Classification of interests (Pel, 2008)

Material/substantive interests	Psychological interests	Procedural interests
Financial	Basic needs	Desires and needs concerning how a process proceeds and how it is implemented.
Goods	Relational needs	
Sources of value	Preventing loss of face	
Resources	Power/enmity/inflicting pain	
Examples	**Examples**	**Examples**
Work	Privacy	Fair procedure
Home	Self-respect	Making oneself heard
Source of income	Belonging	Being heard
Proceeding with what you want to do	Protecting relationship	Influence
Compensation for damage	Autonomy	Participation
Drawing out procedures for better financial outcome	Self-confidence	Neutrality of third party
	Being taken seriously	
	Recognition and sympathy	
	Dominating others	
	Drawing out procedures to inconvenience others	

2.5 Positive and negative effects of complaining

Complaining is therefore associated with people's basic psychological needs. The next question is whether complaining is effective. Apart from the fact that it meets a need, we will now consider what it can achieve. There is a possibility that the complainant does not realise how his behaviour comes across with others. This can be explained by the fact that people who complain often feel no sense of guilt about their complaint behaviour;[7] they apparently regard it as perfectly normal. If complaining has positive effects, this can be another motive to complain, and perhaps to complain more often.

One negative effect for the complainant and those around them can be conflict in relationships. This can cause the complainant to develop a negative self-image. Also, friends and family can become infected with the complaint behaviour, experience negative feelings and sometimes start complaining themselves.

But research has also shown that there is a positive side to complaining.[8] People complain not only because they are unhappy. Complaining can be an effective way of achieving interpersonal goals.[9] Complaining can for example elicit a response from others, such as approval or sympathy. People might complain about their health, for instance, because this draws attention and sympathy from others. It might also allow them to avoid situations

[7] Kowalski (2003)
[8] Held & Bohart (2002)
[9] Kowalski & Erickson (1997)

about which they are unhappy. Think, for example, of colleagues who complain that they feel ill in order not to have to perform certain duties.

Secondly, complaining can act as a release for complainants, allowing them to express frustrations and negative feelings. Research has shown that complainants experience better psychological health after expressing their dissatisfaction, provided they do not have the feeling that those around them regard them as chronic complainants.[10]

Sometimes people complain to elicit indirect information about the thoughts and feelings of others in certain situations, as they seek support for their own ideas. This is known as 'social comparison'.

Another personal benefit of complaining is 'impression management'. Complaining allows complainants to give a certain impression of themselves, and thus influence other people's image of them.[11] Many people set great store by the opinion of others. Everyone tries, through his behaviour, to influence what others think of him, whether consciously or unconsciously. In order to avoid undesirable impressions, for example, people might complain about others, or only supply information that is to their benefit, omitting anything that works to their disadvantage, in order to provide an excuse for their behaviour. It is a matter of creating an image for themselves as they wish others to see them. They may present themselves differently to different people or organisations.

Often, complaining (in personal relationships) is intended to point out another person's behaviour to them. Then the complaint may be couched as a question – 'Why do you always come home so late?' – suggesting that a response is required. People might complain to reprimand others for their behaviour. Complaining is then a manipulative tool used to force another person to display the desired behaviour.

Finally, complaining can be a way of seeking material benefit.[12] People who complain to commercial organisations about poor service or products may receive discounts, new products or vouchers.

[10] Kowalski (2002)
[11] Leary, 1995
[12] Kowalski, 2002

3 When complaining becomes difficult complaint behaviour: a typology

This chapter looks in further detail at the typology of difficult complaint behaviour. It is based on a literature review, interviews and a desk study. The aim of the typology is not to label complainants, but to aid recognition of certain types of behaviour so that it can be dealt with more effectively.

Six types of difficult complaint behaviour

A description of different types of difficult complaint behaviour is given below, along with a description of features by which they can be identified. There is some overlap between different types of behaviour. For example, a person who repeatedly complains might also act in a manipulative or dominant way. This means that both must be considered in deciding how to approach the situation.

3.1 Persistent complaining

People who complain repeatedly can be recognised almost immediately by their frequent letters or telephone calls. They persist in their complaining, even if they do not get what they want. People who frequently raise objections demand a disproportionate amount of time and attention from an organisation. They often complain to many organisations. Some complainants see it as a kind of job, or even a hobby. One complainant stated: '*I have the feeling that I am serving a higher purpose by complaining about certain issues. I raise the alarm about things going on in society. It feels like a job to me*'.

The National Ombudsman's study of difficult complaint behaviour clearly showed that persistent complaining is commonplace among people who look for problems (whether they realise it or not), or who have had difficulties in life.[13] For many of these people, complaints are often associated with a dramatic circumstance or event in their life.

There are three types of persistent complainers: the administrative type, the indignant type and the neurotic type. See the box for more information.

Three types of persistent complainers

Wil Jacobs (1995) distinguishes three types of persistent complainers: the administrative type, the indignant type and the neurotic type. The administrative type is a person who has their affairs nicely in order and knows what they are talking or writing about. They keep comprehensive records with copies and files. They send a lot of letters, generally writing well, and at least accurately, and follows up in detail. Administrative types often use legal jargon and make it clear that they would appreciate an early acknowledgement of receipt.

[13] Jacobs 1995

Indignant types *are generally less diplomatic in their communication, and have a low opinion of the government and civil servants in particular. They are therefore quick to take offence, as every new negative experience confirms what they already thought they knew about the government: that it is bureaucratic, slow, careless and uninterested. They are highly critical of tardy replies to letters and factual inaccuracies. This type of persistent complainer often adopts a sarcastic tone.*

Neurotic types *appear worried or anxious. They often send letters by registered post because they are afraid that they will not arrive otherwise. Certain matters can become an obsession that dominates their thoughts. They will often be inclined to repeat or check actions repeatedly (obsessive-compulsive neurosis).*

People who repeatedly complain can come across as obsessive and coercive. Complainants who display obsessive behaviour often want everything to be done their way, and are compulsively concerned with the matter. Their obsession can mean that they often find it difficult to accept the unexpected, or to comprehend any view of the world that differs from their own, which makes it difficult to get through to them. They are not easily able to accept advice or decisions. They also find it difficult to reach a compromise and may come across as authoritarian. Another feature is their constant concern for order and perfection in the complaint process, often at the expense of smooth progress, frankness and efficiency. For example, these complainants are continually concerned with details, rules and order, and tends to lose sight of the purpose of the exercise. This indicates that they are likely to be highly dedicated to their work during the complaints procedure, at the expense of their social life and other activities. They may also be very inflexible on matters of morality and ethical standards, and find it difficult to work with others if things are not done their way.

3.2 Emotional complaining

Emotional complaining may be prompted by emotional events in a complainant's past, or their family's past, as in the case of second-generation war victims. Emotional complainers are unable to let go of certain emotional events and are obsessively concerned with the matter. This behaviour can lead to highly-charged telephone conversations and letters, cynicism and anger. All stages of the process of coming to terms with an emotional event may be manifested in the complaint behaviour, including denial, anger, bargaining, depression and eventually (hopefully) acceptance. The complaint behaviour may be part of a current grieving process, or an incomplete grieving process from the past, which comes from an unwillingness or inability to accept the loss of a deceased friend or relative or a certain situation.

3.3 Dominant complaining

Dominant complainers come across as authoritarian, and can be very forceful and domineering. This type of complainant wants the complaint handler to do something in a way and at a time that suits him, preferably as quickly as possible. He wants to have a certain control

over the situation, and can be mistrustful and pedantic. Complainants who display dominant complaint behaviour are convinced that they are right. They only want to hear one judgment, and believe they know better in all circumstances. They are not generally willing to accept criticism, and may be stubborn and persistent. This type of complainant thinks that their view of the matter is the one that counts. This behaviour prompts a lot of resistance and frustration because the complainant does not always listen to what the other person is saying and is also inflexible. As a result, it may be impossible for the two parties to make contact and understand each other after a while, which only further disrupts communication.

3.4 Manipulative complaining

Manipulative behaviour is designed to influence and control situations. It is used strategically and changes according to how successful it is. This type of complainant sometimes withholds or provides information with the aim of playing one party off against another. The complainant will also sometimes find another way into an organisation in order to make his point heard. Manipulative behaviour can also involve playing on the emotions and thoughts of the complaint handler, often by pressing a sensitive 'button'.

3.5 Verbally aggressive complaining

Verbal aggression generally takes the form of cursing and insults. Tensions can run high as a result of the complainant's – and also the complaint handler's – frustration and irritation. Shouting in anger, swearing, issuing threats and personal insults: these are all features of verbal aggression. Verbally aggressive complainants often express their frustrations about society and the government. They want to achieve something that is not in fact possible. Verbally aggressive, defiant people can be further categorised into three types.[14] Type A tries to induce the other person to make an exception in his case. Type B tries to get her way by criticising policy and type C tries to daunt the other person with a personal attack or insult.

3.6 Paranoid complaining

This category often involves people with disorders such as schizophrenia and psychosis. They are a special category, because they have a tendency to lose contact with reality (at least in some respects) for some period of time. Paranoid ideas and statements often feature in this behaviour. This type of complaint behaviour is sometimes difficult to bring up and many find it difficult to deal with. It can cause complaint handlers to become confused. The confusion is compounded if complainants appear to have rational and reasonable arguments, but there is also an undercurrent of delusion fed by intense emotion.

[14] Koning, Meurs & Roest (2002)

An example from a letter of complaint:[15] *'The surveillance aircraft just flew over for the 62nd time. I just heard that it will take at least another two weeks before the decision is made. They are going to prosecute … ME … because they say I am stalking the police. Astonishing practices for the Netherlands!! I MOST URGENTLY REQUEST YOU TO EXPEDITE MATTERS. This cannot and must not continue'.*

The person who wrote this letter felt like he was being followed and that everyone was out to get him. Sometimes paranoid complainants will suspect that others are trying to exploit, damage or betray them. They look for hidden threats behind remarks or events, are quick to interpret what others say as criticism, and may respond with extreme anger or a counterattack.

[15] From a complainant with complaint behaviour experienced as difficult.

4 Understanding the role and position of the complaint handler

We have considered what drives complainants and which are the various categories of difficult behaviour. It is now time to turn our attention to the complaint handler. How can he quickly recognise and anticipate difficult complaint behaviour? How can complaint behaviour spill over into conflict? These are the key questions considered in this chapter. We shall also look at a number of theories about communication.

4.1 Early identification of difficult complaint behaviour is important

It is important that complaint handlers recognise difficult complaint behaviour so that they can think of a strategy before communication is disrupted or a conflict arises. In correspondence for example, it may be possible to recognise difficult complaint behaviour by the tone and use of language,. This might include underlining, exclamation marks, sentences written in capitals, highlighting in bold, extremely detailed accounts, very unclear wording, excessive demands and the sheer number of complaints. It is possible to recognise difficult complaint behaviour in an interview by the other person's tone, attempts at manipulation and mistrustful statements. Mistrust of complaint handlers, people in general, the government and society is an incidentally common feature in complainants who turn to the National Ombudsman.

4.2 Awareness of your own role

The complaint handler plays a role in the interaction with the complainant. The handler too is a person with traits that may influence the relationship with the complainant, such as their personality, emotions, interests and needs, self-image and expectations. It is important that to be aware of own qualities, pitfalls and weaknesses when dealing with people who display difficult complaint behaviour.

Complaint handlers may have an idea or a feeling about the person sitting opposite them right from the beginning. This can entail the risk that they respond on the basis of a hunch, become irritated or less flexible, which can disrupt communication at an early stage.

4.3 Interaction between complainant and complaint handler

A number of psychological theories that can offer more insight into potential processes that occur between a complainant and a complaint handler are considered below. They can help the complaint handler understand why communication sometimes fails and what he himself can do to respond differently.

4.3.1 Countertransference

The key factors potentially affecting the working relationship between complainant and complaint handler are the complaint handler's own feelings in response to a certain interaction. This is known as 'countertransference' in psychological jargon. The definition

is: any feelings and emotional responses elicited in the complaint handler when a complainant behaves in a certain way. But countertransference can also involve emotions evoked as a result of the complaint handler's past experiences.

If, for example, a complainant transfers a certain feeling to the complaint handler, the latter's own feelings – emotions – will be affected. He may then become impatient or irritated. However, the complainant's behaviour can also conjure up emotions in the complaint handler that are rooted in his own past (and sometimes unresolved) experiences. This is something that the complainant can do nothing about. This makes it much more difficult to build a good relationship based on trust.

Countertransference is a normal and unavoidable phenomenon. Professional complaint handlers must learn to manage it. The following chapter, which presents tips and interview techniques, includes a section on transactional analysis, one of the ways of keeping countertransference under control.

4.3.2 Assessing behaviour and avoiding prejudice

It is quite possible that some complainants will be too readily labelled 'difficult'. How does this happen? People are naturally inclined to form an opinion of others.[16] From an evolutionary point of view, it is useful to understand and interpret another person's unique characteristics, because this makes their behaviour more predictable and makes it easier to assess how best to deal with them. An inference based on the behaviour of another person or character traits is known as 'attribution'. Certain actions and behaviours are ascribed to certain characteristics of a person or social background. In principle, this is helpful when forming an initial impression of a person, but it can also get in the way. Sometimes these inferences lead to mistaken perceptions of the behaviour of others, particularly when complaint handlers respond unconsciously on the basis of their own sensitivity. Complaint handlers must therefore guard against making inferences about the causes of their client's difficult behaviour.

Research has also shown that people often lend too much weight to personality and not enough to a person's background or their present situation. For example, if a complainant displays difficult complaint behaviour at a meeting, the other person will be more inclined to interpret them as 'always difficult', overlooking the fact that the behaviour might be the result of a difficult situation. Inferences about behaviour can cloud judgment, and affect future contacts. A negative judgment can disrupt the relationship. Complainants may ascribe all their negative experiences to others, and conclude that the complaint handler is the cause of all their current problems.

It is useful for complaint handlers to be aware of this mechanism. They can try to persuade complainants to slowly but surely shift their attribution, using techniques such as reformulation, concretisation, probing questions and gentle 'reality testing'. Positive labelling, an important type of 'reality testing', is examined in detail in the next chapter.

[16] Heider (Gray, 2006)

4.3.3 Use of social learning theory

Sometimes a complaint handler perpetuates a complainant's adverse behaviour by unconsciously rewarding it. This can be explained by social learning theory. If a person succeeds in attracting a great deal of attention by complaining in a certain way, they will experience it as a useful strategy which they will continue to use. Behaviour that is ignored does not usually persist. Complaint handlers with an understanding of 'social learning' can use this principle by rewarding desirable behaviour and ignoring adverse behaviour. They can therefore play a role in discouraging difficult complaint behaviour. The advantage is that it is possible to do something about the behaviour: it is possible to break the spiral by becoming aware of how one is rewarding the behaviour.

4.3.4 Recognising conflict and conflict styles

When a complaint handler faces difficult complaint behaviour, it is important that he is aware that a conflict may arise. If, besides the substance of the complaint, the matter also involves personal or affective elements, there is a greater chance that a conflict will arise. A conflict is subjective and always occurs within a relationship of some kind. Conflicts never come about because of the substance of a matter or incompatible interests alone. There is always an element of miscommunication, lack of respect or appreciation, lack of time and patience, or insecurity due to a lack of control over the proceedings.[17]

A conflict can be defined as follows:
A process that begins when an individual or group experiences another individual or group doing something or failing to do something, that has or will have negative implications for their own interests, views or ethical standards.

A conflict is a dynamic process that will either escalate or be contained depending on the interaction between the parties to the conflict and dependent interventions by third parties. The process begins with the complainant or the complaint handler becoming aware that their own interests, views, opinions or ethical standards appear to be incompatible with those of the other. This need not necessarily lead to conflict, but it can be followed by a process of action and reaction, and other people may be drawn in. The way they deal with the conflict can determine the further development of the situation, leading to certain outcomes.

There are several stages of escalation in a conflict. As the conflict escalates, the complainant and complaint handler become more recalcitrant, causing their perceptions to diverge even further. The two parties may display various kinds of behaviour during the stages of escalation in a conflict.[18] This behaviour develops in three phases, and the transition from one phase to the next involves crossing a threshold, whereby the parties to the conflict are aware that something is changing. At the lowest stage of escalation the relationship between the parties is uncomfortable, but good communication can usually help resolve the matter. In the second phase, a contest emerges, in which both sides develop negative ideas about the other and use various 'weapons'. Coalitions may be entered into with others

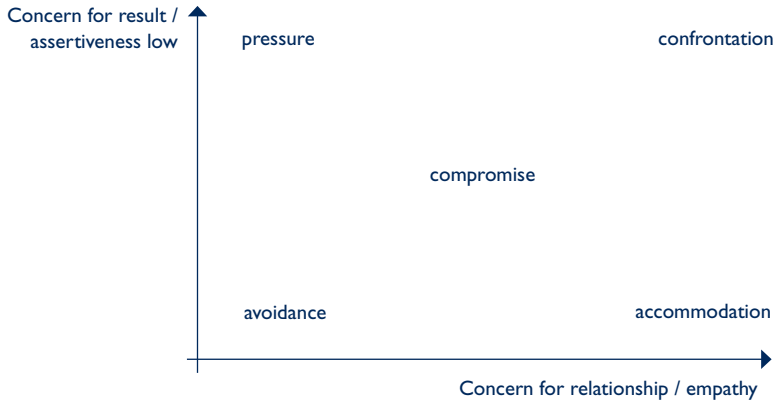
[17] Machteld Pel (2008)
[18] Glasl's escalation ladder (2001)

to strengthen one's own position. At this phase of escalation it is a matter of victory over the other party. At the highest stage of escalation, negative emotions dominate the intellect. The chief aim is to destroy the other party, even if it will not only have negative consequences for them. The complaint handler has a key role to play here. A professional, can take steps to de-escalate the conflict. However, this is difficult. Once the highest stage of escalation has been reached, it is often virtually impossible to re-establish contact and return to a lower phase. The help of third parties is often needed to resume communication.

There are different styles of conflict engagement: cooperative and competitive. The former is geared towards collaboration and is based on the importance of good relations with the counterpart. The latter is more oriented towards one's own interests and less towards the relationship. Everyone has their own conflict style that suits their personality. A person's conflict style also depends on the degree to which they are driven by a need for autonomy and independence, or a need to belong. Coercive, avoidant, compromising and accommodating are all examples of conflict styles (see Figure 3). They can influence or enhance communication between the complainant and complaint handler, negatively if, for example, the conflict styles of the complainant and complaint handler are incompatible.

Fear of incompetence can be reflected in a tendency to withdraw or hide, not take responsibility and not stand up for one's own interests, or in completely the opposite reaction: expressing dominance and/or a need to constantly prove oneself. Schematically, this dimension would range from assertiveness, standing up for yourself to self-effacement. During their lives people develop standards under the influence of the people around them, and others serve as a frame of reference for assessing one's own thoughts. In their relationships with others people also learn how to deal with conflict, and develop their own conflict style(s).

Figure 3: Conflict styles



It is not only important for professional complaint handlers to know their conflict style; they must also be able to draw practical conclusions in terms of their own behaviour. The next chapter provides a guide.

5 General tips and interview techniques for dealing with difficult complaint behaviour

This chapter presents in further detail a number of general tips and techniques for dealing with difficult complaint behaviour.

Consider the story behind the complaint

We already raised this point in chapter 2. Whether complainants give a positive assessment of how their complaint was dealt with depends to a large degree on whether they feel they were taken seriously, received help quickly or encountered a skilled complaint handler.[19] Whether their complaint was upheld actually has little bearing on complainant satisfaction. All the more reason, therefore, for complaint handlers to invest in good communication with the complainant.

Complaint handlers facing complainants who display difficult complaint behaviour are advised to consider the story behind the complaint and how the complainant is communicating. Considering 'what does this manner of communication imply?' and 'what is the complainant trying to get across with this message?' can help us to understand the complaint behaviour better, allowing us to respond more adequately. If complaint handlers carry out the correct interventions at the right time, or use certain interview techniques, they can go a long way towards satisfying the complainant's deeply felt need to be taken seriously.

Below are a number of tips and techniques that can help complaint handlers deal effectively with difficult behaviour. They are divided into groups of three. The first concerns organisational matters. The second group concerns the attitude and behaviour of the complaint handler. The third is about responding to signals given out by the complainant. These include general interview techniques that can help ensure good communication.

5.1 In the work setting

Give one person the task of liaising with the complainant

People who display difficult complaint behaviour sometimes complain to several different people in an organisation, and this can lead to miscommunication. Not all complaint handlers put the message across in the same way, for example. Sometimes, not everyone is aware of what has already been agreed upon with the complainant. It is therefore wise to appoint a single person to liaise on the case and to document this in the appropriate places, so that everyone can refer the complainant to this person.

[19] Herweijer & Winter (2007)

Comply fully and clearly with all arrangements

Be extra careful to comply with all arrangements when the complainant is someone who displays difficult complaint behaviour. This is always important for the sake of trust, but applies all the more so here. As far as possible, arrange things in consultation with the complainant. If this is not possible, it is important to be clear about which rules of conduct apply to the complainant. All arrangements should be confirmed by letter or email. Admit any mistakes made, saying something like: *'We were incorrect' or 'It was our error'.*

Ensure that conversations are structured

Prepare thoroughly for conversations with the complainant, and ensure you are calm. It is possible to impart structure by dealing with subjects in a particular order. Asking more probing questions about important matters, paraphrasing or summarising, or ignoring certain matters allows you to steer the conversation in the desired direction (see also the tips in the section on interview techniques). If a complainant uses a particular term frequently, it can be useful to ascertain exactly what it means to him.

Customise your response

Dealing with complainants remains a matter of customisation. Every situation requires its own approach. Accept that it will not always be possible to deal effectively with certain complaint behaviour. Some people are never satisfied or will always regard complaining as an important aspect of their life, and so keep on doing it. It is then a good idea to state clearly that the complaint procedure cannot meet the person's expectations and record the fact that you have done so. Sometimes a conversation will have to be terminated with an announcement to that effect.

Customisation applies equally to the form communication takes. Sometimes it is better to speak to someone on the phone rather than sending them a letter or email. Notifying someone or explaining something in person is often more effective than written correspondence.

5.2 A mirror for the complaint handler

Managing countertransference

A complainant's behaviour can elicit feelings and responses in the complaint handler that are associated not with the situation, but with past experiences. This phenomenon, known as countertransference, was discussed in chapter 3. Transactional analysis is a useful tool for dealing with countertransference feelings and with the people who provoke them.

In transactional analysis, personality is seen as a collection of traits that are expressed as desires, habits, prejudices, emotions, rational decisions etc. Some of these traits are present from birth, while others develop under the influence of parents and other educators. People also develop personality traits by looking around them and using the information they absorb. These traits are expressed in the way people act towards others.

A person can act in one of roughly five ways in their contacts with others. Psychologists call these 'ego-states'. They can be recognised in the way a person speaks, how they behave, what positions they adopt etc. How people respond to each other depends on the situation. Ego-states are not always the same. Let us look at a practical example. An angry complainant slams the phone down. The complaint handler's first response may be: '*There's always something with these troublemakers. They're not even polite enough to suppress their anger and speak to me in a decent manner.*' Other complaint handlers may respond from a different ego-state: *'How awful that the complainant feels that way'*. If we look at contact between people in this way, we can see that the way someone responds and words a remark can also elicit a response from their counterpart. A remark like *'Why exactly are you calling again?'* sounds quite different from *'Could you tell me the reason why you are calling?'* Open questions phrased in a neutral way are less likely to provoke a certain response.

Complaint handlers do well, when faced with a problematic response on the part of a complainant, to consider whether they have not in fact provoked it themselves by the way they spoke. This happens more often than we think. Anyone who takes a critical look at the way they respond is already halfway to solving the problem. It is like listening to a second voice inside yourself when communication gets disrupted. It also helps to remark to the other person that apparently a certain term or phrase has not come across as intended, and asking why this is so can explain a lot.

Awareness of your own responses and limits

A complaint handler needs to know herself and her responses well. This prepares her to respond to difficult situations. Everyone has their own limits of tolerance when it comes to the behaviour of complainants. For one person the limit is when a complainant begins to curse during a telephone conversation, the other when a complainant tries to force matters. It is good to set limits; one does not have to accept everything. It is however important to discuss these limits, perhaps with the help of a co-worker. Consider things like: 'Do I end the conversation too quickly when things get difficult?', 'Am I too quick to stop responding to written complaints?', 'What is my conflict style?', 'What ego-state am I in when responding to angry or manipulative complainers?'.

Accept the complainant's behaviour

A complainant deserves to be accepted as a person, with human emotions and frustrations. Try to accept the complainant's behaviour and sympathise. This is often difficult, and requires various qualities in terms of interviewing skills and one's attitude to the complainant. Try to show an interest in their situation. What does she expect to be the outcome of the complaint? Complaint handlers need not, however, accept just any behaviour on the part of the complainant. A good motto is: 'Complainants can be themselves, but they cannot always do what they want'.

Do not take the complainant's behaviour personally

A complaint handler who takes complaint behaviour personally will be more inclined to feel his professional honour has been violated. It can therefore be important to put one's own ego to one side and not take things personally. Generally the motive for the behaviour does not target the complaint handler personally, and is merely the usual way for a complainant to respond in a situation where he feels he has not been noticed or heard. Consider the background to the complainant's behaviour. It might simply reflect frustration and anger. Or it may be a learnt attitude (see the section on social learning) that has proved effective in putting other people off balance and influencing them. The difficult behaviour may be a matter of deliberate manipulation, but it can also be a personality trait of which the person is unaware. He or she will probably act towards others in this way, too.

5.3 Responding to the complainant

Avoid endless discussion

Discussion of details can go on forever and get out of hand. 'Transmitting', as we might call it, is useless if the other person is not emotionally receptive to certain arguments, which will tend to be rational. Complainants cannot be receptive to them if they resist and respond on an emotional level. Remember that a complainant is not primarily concerned with the complaint itself, but with seeking attention in a particular way. Keep your responses measured and steer the conversation in the right direction. If emotions demand attention, you will have to give them that attention in order to return to the substance of the matter in hand. Structure the conversation by emphasising certain points and interests that are regarded as important. Ask further questions and reiterate the points. Ensure that you recognise and acknowledge the complainant's problems.

Use the complainant's resistance to gain more insight

People often feel more resistant when facing restrictions that they regard as unfair. In cases like this, it is important to discover what precisely the complainant regards as unfair or objectionable. The box on this page lists several ways of dealing with resistance.

First, it is important to mention and accept the perceived resistance and try to establish the reason for it. Asking more probing questions about complainants' objections, expectations and wishes and paraphrasing their answers can help. Rephrase accusations couched in negative terms in a positive way, as a concern or interest. Mention the different types of interest, using phrases such as *'It is important to you that…', 'As far as you are concerned it is a matter of…'* etc. This will give complainants the opportunity to say where the resistance comes from and it will also give them a clearer picture of what is thought is going well, and where there is room for improvement.

Tips for responding to resistance

Bring it into the open

Indicate that you have sensed some resistance. By doing so, you give the complainant the opportunity to say where it comes from. 'I've noticed that I'm becoming irritated.' Make the complainant aware of his behaviour: 'I have the idea that you are fixated on one particular point, am I correct? Can you say why that is?'

Sympathise

Sympathise with the fact that the complainant feels resistant. This will make him feel that he has been heard and noticed, and might reduce the resistance.

Probe

Ask about the complainant's objections, what he expects and what he would like. Clarify points that are not yet clear, and explore them further.

Avoid

Do not enter into a debate with the complainant. If necessary, agree to return to certain points later.

Learn from resistance

When complainants express feelings of resistance, it often becomes clear what they feel is going well and what could be improved on. Learn from this information.

Listen actively

Hearing what someone says is not the same thing as listening. Listening involves ascertaining what the complainant is saying and *means to say*. Listening also means reading between the lines. Not thinking for the complainant, but thinking *with* her. Active listening also encourages the complainant to tell her story as clearly as possible. Active listening can also involve hearing what is not said. By summarising what has been heard, the complaint handler can ask the complainant if he has understood correctly. Active listening can also be made clear through non-verbal communication, questions and paraphrasing (see also interview techniques below).

Provide emotional reflection

Emotional reflection is more important when emotions are involved. If you respond to an emotional story as if it were simply a sober account of the facts, this will create distance. A brief response to what the complainant is saying is often sufficient. If a complainant is relating a traumatic experience, respond on the basis of your own feelings.

5.4 Using interview techniques

Ask open questions

Open questions invite the other person to relate his story and provide more information than closed questions, which are more likely to elicit 'yes' and 'no' answers and do not invite people to expand.

Give the person room and use silences

Give complainants the opportunity to relate their story without interrupting. It can help to wait for two seconds before beginning to speak. Silence also has an important function, allowing complainants to evaluate what has just been said, to think about how to respond, to give further information or correct themselves.

Balance verbal and non-verbal communication

Non-verbal communication is the way someone says something, or the way they look as they say it. For example, if someone is leafing through a file, does not allow the complainant to finish what he is saying, or speaks in an irritated tone, it is a sure sign that she is not interested. Make it clear by what you say and how you say it that you are interested.

Summarise what has been said

Occasionally paraphrase what the other person has just said, in a non-directive manner. In other words: without expressing any judgment or opinion. Ask '*Have I understood this correctly?*', for example. This question will prompt the other person to confirm or correct your summary, reinforcing the feeling that they are being listened to. Summarising also helps bring order to the conversation. Give feedback on what has been said and check whether it is correct. It is important to summarise not only the content of what is said, but also, and above all, the complainant's interests, intentions and emotions.

Question and be specific

If some facts are still unclear, it is important to keep asking questions. Do not try to fill in the gaps yourself; probe further whenever the other person is non-committal or certain things are not clear. '*What do you mean by…?', 'What should I understand by that?', 'Can you give some examples?*' This forces the person to describe the situation carefully. Asking further questions when inconsistencies arise in the account is also useful. Gently point out to the complainant the inconsistencies in her account and ask for clarification, using the first person (*'I don't fully understand right now, because I seem to be hearing two conflicting things'*). Mention specifically what the complainant said before, without expressing any opinion.

Apply good feedback rules

Giving feedback involves constructively reflecting the behaviour of the other person, giving them support and enabling them to function better. Feedback needs to be worded carefully, since it concerns the attitude or the behaviour of the other person. It is often prompted by a remark that is perceived as negative. When used well, feedback can be a powerful tool. It is most effective when the person at whom it is directed is receptive to it. Unfortunately, however, this is not always the case with people who display difficult complaint behaviour. It is at any rate advisable for feedback to be given in such a way that the complaint handler and complainant can talk about it, and that it is not just one-way traffic from the complaint handler. See the box for the rules of good feedback.

The art of giving feedback

Start by announcing that you are going to give feedback

Say something like 'I would like to talk to you about how the conversation is going'.

Take the time

Give feedback at a point where there is time to talk about it. It is good if the complainant can think about the feedback and has time to respond.

Point out and discuss the effect of the behaviour

Discuss the impact of the behaviour on the situation and indicate what behaviour would be more appropriate. Calmly and clearly explain how you perceive the situation, how it make you feel and what you want. The complainant will then be less likely to feel under attack. You might for example say 'I feel uncomfortable when you shout at me. If you were to speak more calmly we could have a constructive discussion. I want to listen to you, but I find it difficult when you shout'. Be specific about the observed behaviour but do not interpret. Do not be guided by any feelings of antipathy or prejudice.

Give 'after-care'

Note how the complainant responds to the feedback. If it is unclear how the message has come across, ask. 'How does it make you feel to hear this?' By asking further questions, you can find out what impact the feedback has had. Listen carefully if the complainant disagrees with the feedback.

6 Different types of complaint behaviour: dos and don'ts

In the previous chapter we presented a number of general tips and interview techniques. This chapter links some of these tips and techniques specifically to the six types of difficult complaint behaviour identified in chapter 2, allowing you to see at a glance what strategy is most effective for each type of behaviour. The more general tips on good interview techniques are not repeated here, though they of course remain equally applicable.

The various types of complaint behaviour may overlap. A person who displays persistent complaining behaviour may also be manipulative, for example. This means that a combination of approaches will sometimes be necessary.

6.1 Dealing with persistent complaining

Apprise yourself thoroughly of the facts

Remember that a persistent complainer will not only describe his complaint thoroughly and in detail, he will also be very aware of the applicable regulations. This means you will have to prepare extra thoroughly before taking up the matter. The repeated complaints are often a symptom of a disturbed relationship with a public-sector organisation. Try to see behind the complaints and establish what essentially is bothering the complainant.

Impart structure to the conversation and set clear boundaries

Structure is important for people who cannot relinquish certain ideas or issues. This means you will need to be extra organised and extra structured. Clear and explicit working arrangements are very important. Who can the complainant contact? What means of communication are you going to use? What complaints have been raised in the past that are no longer the focus of any attention? Make it very clear what you can and cannot do for the complainant. Thorough preparation as described in the previous point is good, but it is also important to keep a distance. Imparting structure and setting boundaries can help.

Avoid spelling mistakes

Give your letters an extra spelling check, to prevent endless discussion and avoid giving the complainant a new reason to complain.

Deliver exactly what you have promised

Many persistent complainers often notice details and in some situations they are highly focused on pointing out mistakes. This gives them another reason to complain and can lead to difficult telephone conversations and correspondence. If you promise to contact the complainant, you must do so at the agreed time.

Consider the complainant's situation

This type of complainant takes his 'job' very seriously, and he may have the feeling that he is serving some higher purpose by complaining. During communication, give some time to the complainant's situation and try to sympathise.

Consciously involve the complainant in the process

Give persistent complainers the feeling that they are being involved. Inform them of progress and do not exclude them. Many persistent complainers are mistrustful; they often doubt the neutrality of government bodies. Shutting them out only exacerbates this feeling. Discuss what will happen in the process and make it clear they will be informed of any new developments. If certain things take longer than expected, let the complainant know. Keep control of the situation; this can give the complainant a sense of calm, but above all stops him taking control. A troubled complainant will call often to ask whether there is any news, or to remind you of something. In such situations, the advice is to respond in a brief and friendly manner, and to accept the reminder rather than rejecting it and responding with irritation. The complainant might also be more inclined to become irritated if the complaint handler has forgotten something. An apology and a new arrangement will never do any harm in a situation like this.

Give deliberate positive reinforcement

If a persistent complainer indicates that he agrees or shows confidence, it is good to positively reinforce this behaviour. You need not refer to it precisely. You might, for example, say *'I'm glad we agree on this'*. A positive response or compliment can act as a reward, encouraging more of the same behaviour. Persistent complainers are often very engaged citizens; you might mention this, too.

6.2 Dealing with emotional complaining

Impart structure to the conversation and set clear boundaries

Some people can overwhelm their counterpart in a conversation with detailed accounts and emotions. This can distract a complaint handler from the matter in hand. It is therefore important to structure the conversation, recognise the emotion and set boundaries. Sympathise and give complainants the feeling that they are being taken seriously. You might for example say *'This must have been very traumatic for you. I should like to come back to what you said before about…'*.

Indicate how long you are willing to spend on the conversation if a complainant has a tendency to elaborate extensively: *'I would like to discuss the matter with you. I have 20 minutes before my next appointment. That should be enough time'*. Or: *'Now I should like to tell you something'*. You should also clearly indicate the purpose of the conversation.

Raise underlying problems for discussion

With emotional complainers it is particularly important to consider what lies behind the complaint. It is often possible to infer from a letter or telephone conversation what emotional factors are at play. Does the complainant raise matters from the past (in a cynical tone or otherwise), does he become emotional about certain matters, or does he persist in talking about a matter that you judge to be emotionally charged for him? Try to get to the heart of the matter: what are the complainant's interests and what do they expect of the organisation? It is important to listen carefully; asking probing questions and paraphrasing what has been said can help to get to the core of things.

Do not interpret a complainant's feelings, merely highlight them

In emotional cases it is particularly important to be cautious about interpreting complainants' emotions and frustrations. Though the intentions may be good, the effect can be that the complainant feels misunderstood, or that words have been put into their mouth. This is illustrated by a letter sent to the National Ombudsman in response to what the complainant felt was an incorrect interpretation: *'Firstly, I notice that in your letter you often make assumptions and you are afraid that you will not be able to take away our anger or what you refer to as bitterness'.* In such cases it is better to take the complainant's words literally, and perhaps to ask what precisely those words mean to her. For example: *'You say you are agitated about a matter of great injustice; what do you regard as justice?'*

Carefully consider what form of contact is best

If emotional matters are dominating a case and it is not clear what the complainant wants or expects, sometimes it is better to meet in person or speak on the phone rather than sending a letter. You should more or less record what is to happen during this contact. Be clear when managing the complainant's expectations, and if necessary put down in writing what the purpose of the conversation is, so that you can return to it later. People who are emotional are not always able to follow what is happening, or to remember at a later stage what the purpose of the conversation was.

Practice conversations such as this with colleagues so that you all develop the necessary skills. This will help prevent misunderstandings and misinterpretation, and colleagues can give each other feedback.

Another option is to ask a more senior or specific person in the organisation to talk in person to the complainant or send a handwritten letter. This can have a positive effect on some complainants, particularly those who display emotional complaint behaviour, but also on other types of complainants.

Reveal something about yourself

People who display emotional complaint behaviour are sensitive to recognition and, above all, identification. This need can be satisfied by revealing something about yourself. It does not have to be anything personal. The main thing is not to give a 'robotic' response that comes across as unnatural. Complainants want to have the feeling that they are dealing with a real flesh-and-blood person. A good example of this was a letter from a complaint handler that referred to a book that bore some resemblance to the complainant's situation.

Give the emotion some attention

Ignoring emotional complaint behaviour is often counterproductive. It is better first to pay some attention to the emotion, to make room to steer the conversation in another direction and change the subject.

6.3 Dealing with dominant complaining

Impart structure to the conversation

Dominant complainers often want to take the initiative into their own hands. Discuss beforehand how long the conversation will last and what matters are to be discussed. This allows you to keep control of the conversation. Express your viewpoints clearly and do not enter into a debate about them. Use the first person and give specific answers. If this does not help, keep repeating what you have said. Or invite the other to reflect on what you have said: *'I have told you a number of times that we are unfortunately unable to do anything for you, so we are just repeating ourselves here. What are your expectations of me?'*

Keep your head

Be clear about saying 'no' and don't beat about the bush. Respond with empathy but stand your ground. Indicate your boundaries and repeat what you said before. For example: *'I can hear that you have a lot of difficulty with this point. This must be very troubling for you. But unfortunately I cannot change the situation'.*

The same applies if the complainant asks *'Don't you think so?'* in order to seek confirmation and place you in a certain position. The best response is to interpret what has been said. *'You ask what I think, you are seeking support but I am afraid I cannot give it to you'*, or *'I can tell it's important to you to know that you are not alone in this, and I can understand that. However, I cannot do what you want me to do'.*

If the complainant believes he knows better than you, respond briefly and turn to another matter.

If the complainant is not listening properly, persist

A complainant who adopts a dominant attitude will often not listen to the other person. Persist with your input and raise the problem. You might, for example, say: *'I notice that we both often seem to talk at the same time. I should like first to listen to you and then for you to listen to me. I suggest you tell me your side of the story, then I will see whether I have understood it properly, and then I will respond and explain the possibilities while you listen to me'.*

Repetition is another way of sticking to the matter in hand. Another possibility is to draw the complainant's attention by, for example, saying: *'What I just told you was important, so I would like to ask you to summarise how you understood it'.* Use open questions to find out whether the complainant has really understood.

Arrive at a solution together with the complainant

People who display dominant complaint behaviour often respond to almost every suggestion automatically with *'Yes, but…'*. They believe that no one is capable of making an acceptable suggestion. Complainants who refuse help tend to exaggerate their problems. They believe that their problems deserve more attention than those of others. The purpose of their response is not to obtain a solution, but something else, perhaps attention or support. It is therefore not effective to keep proposing new solutions or to go on the defensive. There is a real risk that this will eventually lead to the complaint handler taking on the role of accuser, because the complainant is not listening. This renders the efforts of the complaint handler useless. It is better to make the complainant aware of what they are doing and encourage them to reflect on it. In that case, it is better to listen to the complainant's problem, paraphrase it and ask what solution she would like to see. Keep asking about this and be as precise as possible about the solution. Find out what would make the complainant happy. You should also point out that you cannot solve anything if the complainant refuses every solution that is suggested.

Respond in a commanding but friendly way

A complainant who acts in a dominant and unfriendly way – in an arrogant or peremptory manner, for example – will often elicit a defensive response. However, it is better if the complaint handler responds in a commanding but friendly way: kind, persuasive, communicative, sociable and genial. You can do this by asking open questions and regaining the initiative. It is important to remain friendly, even if it may be counter to your feelings at that moment. This gives the complainant the opportunity to give her account of things, which will come as a relief. Resisting only makes things worse. You might, for example, say: *'I have listened carefully to what you have to say. It's very good that you are doing all these things. I should just like to return to the matter of…'*

6.4 Dealing with manipulative complaining

When dealing with manipulative complaint behaviour, virtually the same things apply as with dominant complainers. There are however a number of specific things to bear in mind with this type of complainant:

Do not be tempted into negotiating

People who display manipulative behaviour want to influence the situation. Do not negotiate and do not cross your own boundaries to satisfy a manipulator; stick to your own position. In extreme cases, you can say that you have noticed that your views on the matter diverge and that they have not come any closer to being reconciled.

Remain neutral, even in a confrontation

This type of complainant often withholds information, or provides certain information in order to play different parties off against each other. Do not issue any value judgment on this, but say something like *'I don't fully understand, could you explain?'*. Confront the complainant with your observations in a friendly and empathetic way. Do not portray the complainant as a liar or manipulator. Draw him into the matter, and ask *'Am I correct in thinking that you….?'*, for example.

Gather information beforehand

Gathering information beforehand and reading the case notes carefully allows you to obtain a more complete picture. This makes it easier to pick up on any apparent inconsistencies or errors. Assume that the person in question is not out to get to you personally, but above all wants to achieve his own goals. Also assume that the complainant often does so simply out of his own feeling of powerlessness.

6.5 Dealing with verbally aggressive complaining

Do not get into a 'fight'

People who become very angry generally try to provoke a response. Do not show that you are intimidated. Often a person will calm down if you just let them get it out of their system, have their say while you listen to them. Remember that staying calm yourself often has a calming effect. Kind words can often defuse a situation. Summarise what has happened by describing the angry complainant's emotions and intentions. This will demonstrate that you have understood them.

Keep control of the conversation

Stick to the matter in hand and resume control of the conversation once the angry complainant has got it out of his system. Present your views confidently, without judging the other person. Describe the effect of their angry words. *'I find it difficult to listen to you like this'* or *'I would like to help you, but I can't like this'*.

Do not accept violence

If someone goes too far, be assertive: *'I do not want you to talk to me like that. I want to talk, but it's not possible like this'*. Clearly indicate your boundaries and present the aggressive complainant with a choice: *'Either we do it this way, or we terminate the conversation now and continue when you think you can respect these rules'*.

If the verbally aggressive behaviour does not cease, you can say that you will only communicate in writing from now on, and explain why (see also chapter 7). It is also advisable to establish a protocol for the organisation detailing how to deal with physical violence.

6.6 Dealing with paranoid complaining

Give prior notice of contact

Send the complainant a letter warning of your intention to contact her, stating when you plan to do so (date and time). This will give the complainant time to prepare.

Be extra clear and honest

This type of complainant may be confused and have difficulty concentrating. People with psychosis are often unsure of themselves. They frequently find it difficult to understand another person's feelings. They often draw the wrong conclusion on the basis of what they have seen and heard. It is therefore important that you put your message across as clearly and concisely as possible. If necessary, recap on what has been said during a conversation. Ensure what you say is coherent. Be as clear and honest as possible, and stick to the core of the matter.

Write in clear, simple language

Use short, simple sentences to prevent confusion. Be clear about what you can and cannot do for the complainant. Avoid difficult words and long sentences. As one complainant aptly put it: '*It's the letter of the correspondence people respond to, not the spirit'*.

Do not respond to paranoid or confusing behaviour

Responding to paranoid behaviour can reinforce it. Do not enter into a discussion, but listen to the complaint up to a certain point. You might respond to the emotion, as it is fear or a feeling of insecurity that often lies behind the behind the behaviour. You might, for example, say *'I am hearing that you need to feel more secure, am I correct?*'.

Stick to what the complainant actually says

Do not interpret the complainant's words and feelings, as this can lead to extra confusion or irritation. Stick to what the complainant actually says, including in letters. Repeat what he has said or written in so many words, without adding your own interpretation, however well-intentioned.

Use resistance

Feeling resistance can be useful and instructive. Stop and consider your own feelings of powerlessness or irritation, for example. They may indicate that something is not right, perhaps because the complainant has lost touch with reality.

Notify psychiatric alert system

It can be useful for public-sector organisations to report people who are evidently psychiatric patients (e.g. with a delusional disorder) to
the psychiatric alert system that exists in many towns and cities. This generally involves regular meetings between various bodies, including the police, the criminal justice authorities, the municipal health service and housing associations. They can decide whether the complainant would benefit from psychiatric help.

7 Guidance for terminating contact with a complainant

What to do if communication is about to fail

If the communication is about to reach stalemate and is taking a disproportionate amount of time and energy, you can seek mediation. A mediation meeting can help. A neutral, specially trained third party can help both parties to resolve the dispute in collaboration, rather than confrontation. It is good to prepare well, including an analysis of what phase of conflict has been reached. A number of guides have been written to assist with this.[20]

If it is not possible to come to a good working arrangement, the organisation in question may unilaterally impose certain rules of conduct. This will have to be recorded in a notification, specifying what undesirable behaviour that has led to the decision. The organisation may stipulate a particular form of communication for future contacts, such as only written communication.

Sometimes, contact with the complainant will have to be terminated completely. The National Ombudsman receives many questions from public-sector organisations and complaint handlers about how to do this correctly. The following guidance applies in such situations.

Always maintain contact, unless…

The National Ombudsman believes that, in principle, the authorities should always respond to letters or complaints from members of the public. However, there are cases where they are not obliged to respond to the substance of a complaint. One example is if the person in question is in default and does not seek contact with an organisation in the correct manner. Members of the public also have responsibilities in their communications with the authorities. They may not, for example, send letters to public officials personally at their home address, or send anonymous or threatening letters. Nor are public-sector organisations obliged to respond to letters on a matter on which a persistent difference of opinion exists if those letters bring nothing new to light, or to notifications and requests for information or specification that has already been supplied, or to reminders that have crossed in the post with their response. The National Ombudsman believes that public-sector organisations are justified in not responding to such communications.

Excessive correspondence is also a good reason

There is another situation in which the National Ombudsman finds it acceptable for a public-sector organisation to limit its communication with a member of the public. This is when correspondence from a particular person demands a disproportionate amount of effort on the part of the organisation. It will have to inform the person in question in writing, stating why it is terminating the contact (both personal and written).

[20] Brenninkmeijer (2007) and Allewijn (2007)

It is not easy to say precisely when the amount of effort required becomes disproportionate, and it will depend on the case in question. Generally speaking, however, the National Ombudsman assumes that a disproportionate effort is required if the person in question contacts an organisation on multiple occasions, demanding efforts that deviate excessively from what would normally be required of a public service.

In such cases, the National Ombudsman applies the following principles:

- A public authority may unilaterally impose a certain course of action regarding communications with a member of the public if the amount of correspondence the person in question sends takes substantially more time than may reasonably be expected of a public service.
- When unilaterally stipulating a certain course of action the legal rights of the person concerned may not be restricted; nor may any restrictions be imposed in terms of opportunities to make his views known in writing to a public authority. The individual interests of the person must continue to be safeguarded. This means that he or she may continue to send letters, but that the organisation need not respond to them. The organisation must however review any new correspondence to ascertain whether it pertains to the same matter, or a new case.
- Complainants must be informed in writing of this course of action, so that they know what to expect.

Restrictions may also be placed on telephone contact with a complainant, for example by designating a single person to act as liaison. In the event that a complainant repeatedly uses foul language, issues threats or acts in another inappropriate manner, the organisation may decide **to end or suspend communication**. Again, the person concerned must be informed.

Final remarks

One of the most important tasks of the National Ombudsman is to hold up a mirror to the authorities when necessary. That mirror is needed to ensure that communication with members of the public, companies and organisations proceeds as smoothly as possible. The authorities must consider a citizen's situation, see them as a person, and communicate with them appropriately. This is often difficult for public-sector organisations, but it is not impossible. Sometimes, members of the public have reason to complain. Often, their complaints are handled well. But in some exceptional cases a person's complaint behaviour can be experienced as 'difficult'. Nevertheless, it is not right simply to dismiss this person as a problem, let alone as a troublemaker. It is perfectly possible to build an effective working relationship based on effective communication, despite the fact that certain behaviour is perceived as difficult. If this does not prove possible, the situation should be effectively contained and things should not be allowed to go so far as to result in conflict.

It is important for complaint handlers to learn how to deal with difficult complaint behaviour, not only for the sake of that individual member of the public, but also to prevent themselves from becoming powerless and from acting in an ineffective way that only causes more aggravation. This begins with awareness of one's own sensitivities and weaknesses. Complaint handlers, too, can therefore benefit from a glance in the mirror. There is a practical need for skills to help deal with complaint behaviour that is experienced as difficult. We hope that this guide goes some way towards meeting that need.

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