

Dealing with difficult people

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Given the rich tapestry that is mankind it is likely that you will encounter difficult people. Your mettle can be sorely tested when you meet them in the workplace. In recent times I have had the benefit of “training” in how to deal with difficult people: the first, based on the NSW Ombudsman 2009 manual ‘managing unreasonable complainant conduct’ and the second, ‘dealing with dysfunctional people’ training facilitated by Klem Hedenig of EASA. Both provided a framework for dealing with difficult people in the workplace, but the first focused on those that come into our workplace infrequently, such as complainants, and the other on those we see every day, our colleagues. Both contain survival tips and tools that are readily applicable to the situation of difficult clients or difficult colleagues.

In 2009 the NSW Ombudsman released the manual ‘managing unreasonable complainant conduct.’ This handbook was based on the experience of frontline staff and now is a widely used manual, particularly in government agencies that deal with public complaints. Whilst the focus of the manual is as a guide for organisations, it is intended for use by staff. Many of the principles can be applied to assist individuals dealing with difficult clients, or dealing with difficult colleagues. The manual has an important focus on a workplace culture - what behaviour will (and will not) be accepted. Whilst I encourage

everyone to read this manual and consider how your workplace deals with difficult people I will focus on extracting the tools for self-management that can be applied to the work of lawyers.

The EASA training and development ‘dealing with dysfunctional people’ facilitated by Klem Hedenig was a full day training aimed at equipping individuals with survival strategies.

Across the two approaches there are three areas that this article will address:

1. Behaviour: Focus on the behaviour, not the person, and set limits.
2. Response: Control, plan and even practice your response including the physical symptoms of stress
3. Ask for help: Not all things can be managed alone.

Behaviour

EASA provided analysis of behaviours that can manifest as pathological (meaning dysfunctional) personality traits. These behaviours were grouped as follows:

- Antisocial behaviour
- Avoidant behaviour
- Borderline behaviour
- Dependant behaviour
- Narcissistic behaviour

- Obsessive behaviour
- Passive Aggressive behaviour

There are other ways of characterising behaviours that are difficult and the key is focusing on the behaviour rather than the person. This can inform how you respond. Importantly, personalities fall on a spectrum, but it is when behaviour is unreasonable you need to take care. While understanding the behaviour may assist in dealing with the behaviour, it is generally not recommended to engage in too much worry about why, apart from confirming that it is not your fault. The Ombudsman’s manual provides an analysis of some of the reasons complainants behave unreasonably which are applicable to many people such as:

Emotional or psychological:

anger and frustration (for example, as a result of unmet expectations); unreasonably refusing to accept an unfavourable outcome; seeking vindication, retribution or revenge; holding an exaggerated sense of entitlement; needing to blame others.

Attitudinal: dissatisfaction with a person; an agency; the government, or ‘life’ in general.

Aspirational: seeking ‘justice’ or a ‘moral outcome’ in general terms; focusing rigidly on ‘a matter of principle’.

Recreational: an all-consuming hobby, deriving pleasure from the activities associated with the complaint process, social contact.

But this exploration of the motives will never really uncover any helpful explanation. The Ombudsman's manual explains that "Complainants might also have ulterior motives, for example a complaint or series of complaints might be initiated to harass, intimidate, embarrass, annoy etc. or the complainant might be using the complaint system as an information gathering process for some other purpose.

When behaviour is outside the bounds of normal, it will sometimes be difficult to determine. Many factors impact on what is reasonable in the circumstances. Some instances are more clear-cut: if it feels threatening, stressful or otherwise wrong, then it is. If a client or colleague engages in overt anger, aggression, violence and assault – this should never be tolerated.

There is much to be said about how to avoid bad behaviour in the first place, such as managing expectations and setting clear ground rules. But at the end of the day, if a colleague or client is behaving unreasonably, the focus should shift to your response.

Dysfunctional people don't feel they have emotional or psychological problems, and they see no reason to change their behaviour to conform to societal standards with which they do not agree.

Response

Your response includes what you say, how you feel, and strategies to protect yourself.

What to say

Between the two guides there are differing views about how to respond. In some instances an assertive communication style may be called for, but the Ombudsman's manual provides some practical tips about responding in a non-confronting, non-resisting manner.

Examples include:

Find something to agree with, without necessarily agreeing with the complainant's point of view:

'I agree that \$2,000 is a lot of money [for legal fees]';

'I agree that not hearing back from me would be very annoying'

Acknowledge the complainants feelings and actions:

'I can hear that you are very upset about this'.

'I can see that you've gone to a lot of trouble to get all this material together'

Be careful about saying 'I understand'. Saying 'I understand' about the information conveyed by the complainant is ok. Saying 'I understand' about the complainant's situation or experience is probably not ok.

Listen with interest. Engage. Repeat the complainant's key words back to them. If face-to-face, make eye contact.

Clarify. Get more information. Do not interpret and do not assume.

Check understanding:

'As I understand it, the situation is ... Is this correct?'

'From what you tell me it seems ... Is this the case?'

Do not argue or debate. Acknowledge the complainant's position or understanding and state that your or your agency's position or understanding is different.

'I can see that you believe ... We have come to a different conclusion'.

'I do understand that your position is ... Our position is a little different'.

Be careful about justifying or denying. Only do this if it is necessary to clarify the agency's position or action. Do not do this simply in defence of the agency or yourself.

Apologise if there has been a mistake, omission or delay and tell the complainant how the situation will be rectified.

Set limits when rudeness, anger and aggression transgress your personal boundaries.

How you feel

The Ombudsman's manual instructs you to remain calm, no matter how the complainant behaves.

Whilst it is easy to say "remain calm" our responses to stressful situations are autonomic (meaning from that automatic part of the brain the fight or flight trigger). EASA encourages looking at relaxation techniques. The most straightforward of these is the practice of abdominal breathing. You should practise engaging this breathing technique so that you can consciously deploy it at times of stress.

Things to remember¹

- Shallow, upper chest breathing is part of the typical stress response.
- The stress response can be switched off by consciously breathing with the diaphragm.
- Abdominal breathing plugs into the autonomic nervous system and encourages it to relax, bringing about a range of health benefits.

Manage personal risks:

You also need to find ways of coping that protect your own mental well-being. EASA looked at the issue of personal risk management and suggested the following:

- Separating your work from your personal life. Whilst it may be pleasant and social to enjoy a drink with your colleagues you need to maintain your own circle of friends.
- Putting the behaviour into perspective to your life.
- Labelling the behaviour and seeing it for what it is.
- Dealing with behaviour, not letting things build up.
- Focusing on the “best you can get”: don’t expect a person to change.
- If needed communicate assertively.

Other protective strategies include:

- Don’t reveal personal information.
- Document difficult contacts, write in objective terms.
- Get advice from appropriate sources.
- Be aware of your organisation’s policies and procedures – use them.

- Don’t threaten any action you do not intend following through.

Dealing with challenging behaviour is difficult and stressful. Whilst a normal life will include a level of stress and this can contribute to productivity you need to avoid high levels of stress which can lead to decreased productivity and burnout.

‘No single technique will relieve all your stress, but paying attention to [physical emotional/ relational and spiritual] areas of self-care may build up your *hardiness* (your ability to handle more stress with less distress) and your *resilience* (your ability to “bounce back” after particularly stressful or traumatic events.)’²

Ask for help

Some situations should not be managed alone. If help is sought early this can often prevent small problems escalating to insurmountable and damaging situations. For difficult clients or colleagues consider discussing your concerns with your manager, or HR. You may seek help by discussing with your social

networks such as friends and family. Frequently this will not be appropriate if there are issues of confidentiality or privilege to consider. It is advisable in certain situations to seek help from your GP or other health professional. Some GPs have expertise in this area. Help may also be obtained by contacting EASA. This is a free and confidential service to members of the Law Society.

Also consider attending training sessions such as the one discussed in this article. Whilst you may not be facing dysfunctional people now, it can be useful to consider how best to respond to the challenge should it confront you later. ●

Endnotes

1. http://www.betterhealth.vic.gov.au/bhcv2/bhcarticles.nsf/pages/Breathing_to_reduce_stress (visited 7 Dec 2012 4:06pm)
2. Effective Self-Care Headington Institute



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If you are experiencing workplace, personal or emotional issues which are affecting your work or personal life, please call LawCare via the Employee Assistance Program on 1800 193 123 to make an appointment.