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# Introduction

* 1. As an Australian Financial Services Licensee we have a legal obligation under Section 912 A of the Corporations Act to provide our services ”efficiently, honestly and fairly”. In addition we are committed to acting as a good corporate citizen with a focus on treating all of our clients in a similar fashion to the way that we would like to be treated.
	2. As part of this commitment we have implemented this Supporting Vulnerable Clients Policy and Procedure. It is also noted that we have an obligation under:
* The General Insurance Code of Practice (The GI Code) ([[General Insurance Code of Practice 2020](http://www.msmlm.com/msm-mission-control/general-insurance-code-of-practice-2020/)](file:///C%3A%5CDocuments%5CMSM%20Operational%20Resources%5CMSM%20Operational%20Resources%5CMSM%20FSRA%20RESOURCES%5CGeneral%20Insurance%20Code%20of%20Practice%202014.pdf)) to have a Supporting Vulnerable Clients Policy and Procedure in place when we are acting as agent for an insurer, for example when we are acting under a binder or have been provided with claims settling authority. Please note, insurers that have binding authority agreements with us may impose additional requirements for compliance with the vulnerable customers policy they have in place to comply with the General Insurance Code of Practice. Those procedures must be applied as required under the agreement with the insurer.
* The Insurance Broker Code of Practice ([Insurance Brokers Code of Practice 2022](http://www.msmlm.com/msm-mission-control/insurance-brokers-code-of-practice-2022/)) (The IB Code) where we are members of NIBA. The NIBA Code does not apply to the services we perform for the insurer under binder whilst acting as an agent of the insurer (for example issuing contracts of insurance on behalf of the insurer or handling claims on behalf of the insurer).
	1. For the purposes of this Policy, any reference to “Clients” includes clients of ours as well as any other individual entitled to support under the Codes (for example a potential customer, third party beneficiary or an individual an insurer is seeking to recover money from) and whose ability or circumstances requires us to take extra care in the way we provide our services to ensure they are not disadvantaged in any way.
	2. It should also be noted that we have also implemented policies and procedures around Financial Hardship which are often relevant when dealing with Vulnerable Clients. This information is included in our Financial Policy and Procedures ([Financial Policy and Procedures](http://www.msmlm.com/msm-mission-control/financial-policy-and-procedures/)) and also detailed in our Financial Hardship Policy Statement ([Financial Hardship Policy Statement](https://www.msmlm.com/msm-mission-control/financial-hardship-policy-statement/))
	3. Within this Policy and Procedure “Representatives” means:
* Our direct employees;
* Any contractors, authorised representatives or distributors that we have arrangements with to provide financial services on our behalf;
* Any service providers who we appoint under a claims settling authority to manage claims on our behalf, and
* Any collections agents that we appoint to collect monies from third parties.

# updates

* 1. These Policy and Procedures are updated on a regular basis and are subject to review as part of our annual Business Planning process.. Any material changes to these Policy and Procedures will be advised by management either via Email or at our regular Staff meetings.
	2. This document and associated forms etc. are accessible in soft copy via our computer network. We do not store these documents in hard copy. All information can be immediately accessed on the computer network and will be guaranteed to be up to date at all times.
	3. When you see an opportunity to improve a procedure kindly make the suggestion known to your manager/supervisor as we all have a responsibility to improve our standards, individually and as a Company.

# POLICY OBJECTIVE

* 1. We are committed to exercising greater care when dealing with vulnerable clients to provide them with support. This purpose of this policy is to help our Representatives:
* Understand and recognise vulnerable clients;
* Have awareness of vulnerable client groups.
* Understand the support options available to vulnerable clients and the extent to which we can provide support;
* Take account of a client’s particular needs or vulnerabilities;
* Engage a client or potential client with sensitivity, dignity respect & compassion; and
* Seek further internal or external support for the client where required.

# GENERAL INSURANCE CODE OF PRACTICE

* 1. This Policy supports the General Insurance Code of Practice ([[General Insurance Code of Practice 2020](http://www.msmlm.com/msm-mission-control/general-insurance-code-of-practice-2020/)](file:///C%3A%5CDocuments%5CMSM%20Operational%20Resources%5CMSM%20Operational%20Resources%5CMSM%20FSRA%20RESOURCES%5CGeneral%20Insurance%20Code%20of%20Practice%202014.pdf)) which requires insurers that subscribe to The Code and businesses that interact with their clients or act on their behalf in providing Financial Services to have internal policies and training appropriate to their roles to help them:
* Understand if a client may be vulnerable;
* Decide about how best, and to what extent, they can support a vulnerable client;
* Take account of a client’s particular needs or vulnerability; and
* Engage with a vulnerable client with sensitivity, dignity, respect and compassion.
	1. This may include arranging additional support such as referring the client to people or services with specialist training and experience.

# What makes a client vulnerable

* 1. Vulnerable clients are clients who, as a result of socio-demographic characteristics, behavioural characteristics, personal situation or market environment are **especially susceptible to loss or harm.** A person may be vulnerable due to a range of factors, including:
* age;
* disability;
* mental health conditions;
* physical health conditions;
* family and domestic violence;
* language and/or literacy barriers;
* cultural background;
* Aboriginal or Torres Strait Islander status;
* remote location;
* financial distress; or
* other personal or financial circumstances causing significant detriment.
	1. It is important to note that while a customer may fall into one or more of the categories listed above, this does not mean that the customer is necessarily experiencing vulnerability. Each staff member will need to assess their customer’s situation and vulnerabilities on a case-by-case basis and ensure that every customer is treated with respect, dignity and empathy.

# identifying vulnerable clients

* 1. While vulnerable clients are typically identified as specific groups of people, anyone can experience vulnerability at any stage in their life. Vulnerability can be permanent, long-term, temporary or even linked to a specific event such as a natural disaster or insurable event.
	2. The support we provide to vulnerable clients may vary depending on their particular situation and the service they have sought from Us. We should make best efforts to identify any vulnerability during interactions with existing and prospective clients. Where possible, you should not request a client to provide evidence or information to demonstrate that they are experiencing vulnerability.
	3. Identifying vulnerable clients should be an intrinsic part of the getting to know your client process. When engaging with clients, we require all Representatives to use the CARE and BRUCE protocols to help them assess whether the client is or may be experiencing vulnerability

# The CARE Protocol

* **Comprehend**: Is the client able to follow the conversation and understand what is being said?
* **Assess:** Is the client able to weigh up the information being presented to them?
* **Retain:** Is the client able to retain and remember information, and recall this at a later point?
* **Evaluate:** Is the client able to properly express, explain or communicate their decisions?

# The BRUCE Protocol

* **Behaviour & Talk** Are there any clues in the client’s speech and behaviour?
* **Remembering** Are there any signs that the client has difficulty with recall?
* **Understanding** Are there any signs that the client is having difficulty understanding the information you are giving them?
* **Communication** Is the client able to communicate what they think, their decision and any questions?
* **Evaluation** Is the client finding it difficult to weigh up all of the information?
	1. We should encourage clients to communicate and let them know if they are experiencing conditions, concerns or events which are causing them greater vulnerability, as we may not otherwise be able to identify their vulnerability or be aware of their circumstances.
	2. We may have multiple conversations with clients where indicators of vulnerability may be identified, such as comments made by a client in relation to mental health struggles, grief related to the loss of a loved one or overwhelming debt. During these discussions, additional assistance or support should be offered but not forced.
	3. Identifying vulnerable clients can be more difficult when we are unable to speak with them directly i.e., via a website portal or email. In these circumstances, we should be aware that the following may be indicators that a client is experiencing vulnerability. For example:
* Delayed response: Does the client take a long time to respond to communications?
* Repetition: Do you frequently repeat advice you have previously provided?
* Frequent late payments: Does the client regularly miss payment deadlines?

# Recording and escalating

* 1. It is important that if a client self-identifies as experiencing vulnerability, they are made aware of how the information they share about their situation will be handled and how any personal or sensitive information will be recorded, used and stored. Representatives should, where appropriate, use the below TEXAS framework to assist in communicating with clients.
* **T**hank them.
* **E**xplain how their information will be used.
* e**X**plicit consent - **A**sk the individual for their permission to use their information in this way. Ask three key questions that will help you better understand the client’s situation.
* **S**ignpost to internal or external help (where appropriate)
	1. If due to a situation involving the client, or the client’s vulnerability, it is not possible to follow the above framework, please speak with your practice principal, manager, business development manager, regional manager or the compliance team on how to support the client in understanding how information about their vulnerable situation may be used.
	2. We will maintain accurate notes in relation to a client’s vulnerability and retain this information securely and confidentially, in accordance with our Privacy Policy and Procedure.

# vulnerable client support

* 1. We will employ a range of measures to support and accommodate vulnerable clients where possible. These will vary from situation to situation but may include:
* Being flexible with allowing extra time to explain advice and answer questions;
* Arranging meetings in person or via teleconference;
* Allowing for an authorised third party (such as a consumer representative, interpreter, friend or family member) to attend meetings with the client.
	1. The below table provides a list of possible actions we may take:

| Vulnerability Type | Possible Actions to Consider |
| --- | --- |
| Clients with mental illness. | * Avoid confrontation.
* Confirm if they would prefer to have a support person, independent person or family member that could help on the call.
* Keep information simple and factual.
* Ask them what would help them.
* Consider if it would be more appropriate to reschedule the call.
* Provide information for external resources who can provide support.
* Escalate the call if required to senior management.
 |
| Personal Circumstances (traumatic event (flood – loss of property), bereavement, isolation) | * Keep information simple and factual.
* Ask the client to repeat the information you have provided (where appropriate) and advise you will provide it in a follow up email for them to read.
* Provide information for external resources who can provide support
 |
| Personal Circumstances (financial difficulties)  | * Notify the insurer on the client’s behalf as soon as practicable after becoming aware that the client is experiencing financial hardship.
* Act on any insurer’s instructions to put any action to recover an amount from the client on hold pending the outcome of the application for financial hardship support.
* Provide information for external resources who can provide support.
 |
| Family or Domestic Violence– this can be particularly important if:• The Clients and the perpetrator are joint policy holders• The perpetrator has caused the claim – for example, damaging property under the policy | * Being mindful of the environment the client is currently speaking from.
* Clearly articulate any process taking place either within broking or claims.
* Determine the best way to remain in contact with the client throughout the process.
* Recording clearly on systems any specific flags or communication requirements should any face-to-face visit occur.
* Seek further support from your senior manager.
* Provide information for external resources if appropriate.
* If you believe the client is in immediate danger call 000.
 |
| Other vulnerability | * Contact your senior manager.
 |

# Support Services and Resources

* 1. The following list provides possible external resources we can refer to when presented with a vulnerable client. Referrals to organisations such as Lifeline need to be handled with sensitivity, and should not occur prematurely, or simply because the client feels that we, or the insurer are not meeting their service expectations.

| Service | Available | Contact |
| --- | --- | --- |
| 1800 RESPECT | National 24-hour Domestic & Family violence and Sexual Assault Line | 1800 737 7321800respect.org.au |
| Beyond Blue | 24/7 support to people experiencing anxiety or depression | 1300 224 636beyondblue.org.au |
| GriefLine | 24/7 support to people experiencing grief | 1300 845 745 |
| Lifeline | 24/7 counselling & referral service for people in a crisis situation | 13 11 14lifeline.org.au |
| MENSLINE | 24/7 support, information and referral service for men with family and relations issues | 1300 789 978mensline.org.au |
| Mob Strong Debt Helpline | Free and confidential financial counselling to assist indigenous Australians. | 1800 808 488 |
| National Association of Community Legal Centres | An independent not-for-profit community organisation that provides legal and related services to the public, focusing on the disadvantaged and people with special needs | (02) 9264 9595naclc.org.au |
| National Debt Hotline | Free and confidential financial counselling to assist people in financial difficulty | 1800 007 007ndh.org.au |
| National Relay Service | A phone service for people who are deaf or have a hearing or speech impairment | 1300 555 727SMS 0423 677 767 |
| Relationships Australia | A leading provider of relationship support services for individuals, families and communities. It aims to support all people in Australia to achieve positive and respectful relationships. | 1300 364 277relationships.org.au |
| Translating andInterpreting Service (TIS) | An interpreting service providing services to non-English speaking Australian citizens and permanent residents. | 131 450www.tisnational.gov.au |

# Training and support

* 1. We understand the importance of continued training and support for Representatives servicing clients experiencing vulnerability. It is important any Representatives can reasonably identify whether a client is experiencing vulnerability and manage the relationship and service provided to the client.
	2. To ensure we deal with vulnerable clients do so in a respectful and empathetic manner, we provide the following:
* Annual training on supporting vulnerable clients and internal dispute resolution;
* Annual review of the Supporting Vulnerable Clients policy.
	1. The above will ensure that all relevant Representatives have ongoing training such that they:
* Identify vulnerable clients;
* Are aware of our policies and procedures when they are engaging with vulnerable clients;
* Deal appropriately and sensitively with vulnerable clients; and
* Apply this Supporting Vulnerable Clients Policy and Procedure relevant to their role.