

Insurance Brokers Code of Practice

Identifying and Supporting
Vulnerable Clients



About this guide

This guide is for organisations that agree to be bound by the Insurance Brokers Code of Practice (the Code). This includes members of the National Insurance Brokers Association (NIBA) as well as organisations that have voluntarily subscribed to the Code.

The Code includes new obligations to have policies and training in place to help staff identify and support vulnerable clients. Unlike the Code, the information contained in this guide is not intended to be binding but to provide Subscribers with further guidance on how to implement the new Code obligations and support clients who may be experiencing vulnerability.

As the Code is intended to be a 'living document' this guide will be updated to reflect changes to the Code, community expectations or industry best practices. NIBA will make every effort to ensure subscribers receive updated copies of this guide as they are published however NIBA encourages subscribers to confirm they have the latest version by visiting www.niba.com.au/code.

If Subscribers have questions about the Code or any of the suggestions raised in this guide, they may contact NIBA at info@niba.com.au for assistance.

What makes a client vulnerable?

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**.

There are a wide variety of reasons why a person may be experiencing vulnerability including:

- low literacy, numeracy, technological or financial capability skills;
- physical disability;
- severe or long-term illness (including mental illness);
- low income and/or high levels of debt;
- change in circumstances e.g., job loss, divorce etc
- experiencing family or domestic violence;
- culturally and linguistically diverse background;
- age; or
- remote location.

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.

It is important to note that while a client may fall into one or more of the categories listed above, this does not mean that the client is necessarily experiencing vulnerability. Subscribers should ensure that they are cognisant of their own internal biases when identifying and supporting vulnerable clients.

Identifying vulnerable clients

Identifying vulnerable clients should be an intrinsic part of the getting to know your client process. There are a number of tools client facing staff can use to help them identify vulnerable clients. The CARE and BRUCE protocols are two such tools.

The CARE Protocol

Comprehend: Is the client able to follow the conversation and understand what is being said?

Assess: Is the customer able to weigh up the information being presented to them?

Retain: Is the customer able to retain and remember information, and recall this at a later point?

Evaluate: Is the customer able to properly express, explain or communicate their decisions?

The BRUCE Protocol

Behaviour & Talk – are there any clues in the customer's speech and behaviour?

Remembering – are there any signs that the customer has difficulty with recall?

Understanding – are there any signs that the customer is having difficulty understanding the information you are giving them?

Communication – is the customer able to communicate what they think, their decision and any questions?

Evaluation – is the customer finding it difficult to weigh up all of the information?

When engaging with clients, brokers should ask themselves these questions to help assess whether the client is or may be experiencing vulnerability.

Brokers should also pay close attention to passing comments made by their clients. For example, has the client mentioned they been having difficulties coping lately or alluding to dealing with personal issues? While these comments and observations alone may not necessarily mean that a client is experiencing vulnerability, they may help to provide a clearer picture of the clients' situation.

Identifying vulnerable clients can be more difficult when you are unable to speak with them directly i.e., via a website portal or email. In these circumstances, the following may be indicators that a client is experiencing vulnerability;

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?

Where Subscribers utilise a web portal for the end-to-end provision of advice, they may wish to include simple questions to help identify vulnerable clients as part of their getting to know the client process.

Vulnerable client policies

The Code requires Subscribers to have policies in place to help identify and support vulnerable clients. Vulnerable client policies help Subscribers and their staff;

- understand and recognise vulnerabilities;
- understand support options available to vulnerable clients and to what extent staff can provide support;
- take account of a client's or potential client's particular needs or vulnerability; and
- engage a client or potential client with sensitivity, dignity, respect, and compassion.

What should be included in a vulnerable client policy?

Subscribers should develop and implement a vulnerable client policy that addresses the following areas;

Recording and escalating information

- Who should staff report to if they identify or a client tells them that they are experiencing vulnerability?
- Will there be a single employee or team responsible for handling vulnerable clients?
- How is this information to be recorded?
- How will information relating to a client's vulnerability be used?
- What measures are in place to protect information relating to the client's vulnerability?
- Will clients have to provide supporting documentation or is self-identification sufficient?

Supporting vulnerable clients

- What additional safeguards and accommodations are in place to support vulnerable clients?
- Minimising the need for repeat disclosure
- Referring clients to specialist support services

Training & support for staff

- What training and resources are available to staff to help them to identify, support and engage with vulnerable clients?
- What support is available to staff who support and engage with vulnerable clients?

Recording & escalating information

Information regarding a client's vulnerability should be recorded securely. Recording this information as well as maintaining accurate notes helps reduce the need for clients to repeatedly disclose information relating to their vulnerability.

Brokers should also keep a record of behaviours that may suggest a client is vulnerable, even if the broker is not able to determine vulnerability at the time. While in isolation such behaviours may not be enough to determine if a client is experiencing vulnerability, over time a pattern may emerge.

Depending on the size of the business, the number of clients and resources already in place, Subscribers may opt to have a single staff member or team responsible for handling vulnerable clients or allow the original broker to continue to engage with the client. In either case, this information should be clearly noted in the organisation's vulnerable client policy.

It is important that if a client self-identifies as experiencing vulnerability, they are made aware of how their information will be recorded, used and stored. The **TEXAS framework** can be a useful tool for brokers to help communicate this information when responding to a client who has informed them that they are experiencing vulnerability.

Thank them.

Explain how their information will be used.

Explicit consent Ask 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.

Signpost to internal or external help (where appropriate).

It is important to note that this framework may not be appropriate in all scenarios. Subscribers should ensure that their staff have a number of tools in their toolkits to help them identify, support, and respond to vulnerable clients.

Where possible, clients should not have to provide supporting documentation to prove that they are experiencing vulnerability. In many cases, supporting documentation may be difficult to obtain or in the case of family and domestic violence obtaining this documentation may place the client at risk of further harm.

Supporting vulnerable clients

Additional safeguards and accommodations

The types of accommodations Subscribers are able to provide will depend on a number of factors including;

- the size of the business,
- existing support mechanisms already in place,
- the location of the business, and
- available staff resources etc.

The Code **does not** prescribe specific support mechanisms Subscribers must have in place. However, there are a number of simple accommodations that Subscribers can introduce to better support vulnerable clients, for example;

- allowing extra time to explain advice and answer client questions
- providing complex advice over several shorter meetings instead of one lengthy one
- meeting clients at their premises or via teleconference
- communicating via the National Relay Service
- ensuring company websites and other client-facing materials meet accessibility requirements
- provide access to translation and interpretation services.
- allow for an authorised third party (such as a friend or family member) to attend meetings with the client.

Referring clients to specialist support services

There may be occasions where the client requires a level of support that a broker is simply unable to provide. In these circumstances, it is important brokers are aware of appropriate specialist support services to which clients can be referred for assistance.

National Relay Service

A government service that supports people who are deaf or who have difficulties hearing or speaking on the telephone. This service has specially trained staff who can change voice to text or text to voice and AUSLAN to English or English to AUSLAN. Clients in need of this service must register.

Voice relay number: 1300 555 727 (TTY 133 677)

SMS relay number: 0423 677 767

Translating and Interpreting Service

A government service that supports communications with clients from culturally and linguistically diverse backgrounds. It offers 160 different languages and is available for immediate and pre-booked phone or on-site conversations.

Phone: 131 450

Website: www.tisnational.gov.au

Beyond Blue

Phone, web, and email support for people experiencing anxiety or depression.

Phone: 1300 224 636 (24-hour)

Website: www.beyondblue.org.au

MensLine

National telephone and online support, information, and referral service for men with family and relationship concerns.

Phone: 1300 78 99 78 (24-hour)

Lifeline

National charity providing all Australians experiencing a personal crisis with access to 24-hour crisis support and suicide prevention services.

Phone: 13 11 14 (24-hour)

1800 RESPECT

National family violence and sexual assault counselling line.

Phone: 1800 737 732 (24-hour)

Website: www.1800respect.org.au (24-hour online counselling)

National Debt Helpline

Free financial counselling including those experiencing complex issues such as family and violence, economic abuse and natural disasters.

Phone: 1800 007 007 (9.30am to 4.30pm, Monday to Friday)

Mob Strong Debt Helpline

A free legal advice service about money matters for Aboriginal and Torres Strait Islander peoples anywhere in Australia

Phone: 1800 808 488 (9.30am to 4.30pm, Monday to Friday)

Training & support for staff

Subscribers must ensure that all staff receive ongoing training so that they;

- are aware of the organisation's policies and procedures when engaging with vulnerable clients;
- can identify if a client may be experiencing vulnerability; and
- engage appropriately and sensitively with vulnerable clients.

This training should be relevant to the employees' role in engaging with vulnerable clients.

It is important for Subscribers to recognise that staff members who engage with vulnerable clients may also require additional support. Subscribers should ensure that they have a framework for monitoring and supporting staff who routinely handle vulnerable clients.

Signs a staff member may require support;

- Invasive thoughts of a client's situation
- Fear
- Anxiety
- Irritability
- Frustration
- Unable to leave work at work
- Lower self-esteem

To support staff who engage with vulnerable clients Subscribers may wish to;

- Require regular scheduled check-ins between staff and their supervisor;
- Provide access to Employee Assistance Programs, or increasing the level of support provided under such programs;
- Additional leave; or
- Referrals to outside support services.

National Insurance Brokers Association (NIBA)

NIBA sets out to develop and promote high standards of professional practice for insurance brokers in Australia.

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