

Aim and purpose

This Guide provides advice on how to deal with concerns that clients may have with the service they are receiving.

If a client is unhappy, advisers should:

- Listen to the client and acknowledge their concerns;
- Communicate clearly with the client about those concerns;
- Explain and, if possible, resolve the issues raised; and
- Reflect and apply the lessons learnt from the experience.

In so doing advisers and their organisations:

- will be able to take control of the situation and be more likely to resolve matters internally without the OISC becoming involved;
- prevent issues escalating; and
- will be able to improve their service to their clients.

Contents:

1. Listening to, and communicating with the client
2. Resolution
3. Reflection and Improvement

Listening to, and communicating with the client

Communication is central to client satisfaction. This requires that advisers think carefully about what, and how, they communicate with their clients.

It is important that advisers manage client expectations from the start. This is achieved by explaining clearly any possible difficulties in achieving what the client wants and the costs and fees they may have to pay. In addition, advisers need to explain the application process, the associated expected timeframe and the possibility of delays in the processing of their application. Advisers must also explain their complaints procedure. This information must be confirmed in the written client care letter once formal instructions have been taken.

Expressions of concern can arise even when information is clearly given both orally and in writing. A client may raise their concerns in many ways – in writing, over the phone or face-to-face. Advisers need to be alert to any indication from their client of dissatisfaction, such as through their body language, how they speak, what they say or the tone of their written communication. Clients do not have to use the actual word “complaint” for them to be signalling that they are unhappy.

Advisers need to recognise that some clients may have difficulty formalising their concerns because of their lack of confidence or inability to express themselves adequately or their fear that to do so may harm their application.

The way advisers communicate to clients is important as it will help in the effective resolution of the client’s concerns. Advisers should aim to:

- Ensure that their body language and tone of voice reflects that they are listening to the client and taking their concerns seriously;
- Remain calm and courteous both orally and in writing to the client irrespective of the client’s behaviour;
- use terminology that the client will understand and avoid the use of legal jargon wherever possible; and
- Be mindful and respectful of cultural differences.

Resolution

Advisers must actively seek to resolve the client's issue. In doing so it is important that advisers act professionally and remember that they must not:

- be defensive;
- adopt a one-size-fits all approach to resolution; and
- make assumptions that the client is only interested in getting their money back.

It is important that advisers understand why the client raised their concerns and what they want as an outcome. Advisers should ask if the difficulty was due to one or more of the following:

- The nature of the service provided;
- The quality of the service provided; and/or
- The organisation's processes and policies

Once these have been answered, and if the concern is justified, advisers and their organisations can consider what might be a suitable means of concluding the matter. For example, if the matter is only a small administrative mistake that did not adversely impact on the client's application, then an apology may be sufficient. If, however, the adviser's actions or omissions have resulted in serious difficulty for the client, an apology may not be sufficient and a refund of all or part of the money paid by the client may be required as well as agreement to do further work for them free of charge.

Even if the client's concern is not found to be justified, it is still important to recognise why they felt unhappy and to discuss this with the client explaining to them why their concern was not justified in the circumstances.

Reflection and Improvement

For many clients, part of their motivation for expressing dissatisfaction is their desire that others do not experience the same problems. Advisers and their organisations should reflect on the matter and in so doing should seek to identify if the issue highlighted any wider concerns in the way they practice. If so, then action should be taken to improve the way the organisation works in order to prevent similar concerns being raised.

If a client has alerted an organisation to an area of business that has resulted in improvements being made, it is useful to tell them what the organisation has done as a result.

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