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Consumer vulnerability — Requirements and guidelines for the design and delivery of inclusive service

Consommateurs en situation de vulnérabilité — Exigences et lignes directrices pour la conception et la fourniture de services inclusifs

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Contents

Foreword

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The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular, the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

Attention is drawn to the possibility that some of the elements of this document may be the subject of patent rights. ISO shall not be held responsible for identifying any or all such patent rights. Details of any patent rights identified during the development of the document will be in the Introduction and/or on the ISO list of patent declarations received (see www.iso.org/patents).

Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation of the voluntary nature of standards, the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the World Trade Organization (WTO) principles in the Technical Barriers to Trade (TBT), see www.iso.org/iso/foreword.html.

This document was prepared by Project Committee ISO/PC 311, *Vulnerable consumers*.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

Introduction

0.1   What is consumer vulnerability?

Vulnerability can affect anyone at any time. All consumers are different, with a wide range of needs, personal characteristics, health, abilities, and skills. These factors, plus the impact of life events and external conditions, such as organizational behaviour, can place consumers in a vulnerable situation, increasing the risk of them experiencing harm when dealing with organizations. Table 1 contains further information about these risk factors.

Consumer vulnerability can be permanent, temporary or sporadic, long or short term. A consumer's needs and abilities can change over time, particularly if the consumer is faced with an unexpected change of circumstance or a particularly urgent or complex situation.

0.2 Impact of vulnerability on individuals

It is important to recognize that an organization's systems, policies and processes can reduce or exacerbate consumer vulnerability and the risk of harm occurring. The presence of one or more vulnerability risk factors does not automatically mean that an individual is vulnerable. However, the presence of one or more of these factors, combined with organizational poor practice, can contribute to consumer vulnerability and lead to harm.

Consumers in vulnerable situations can find it difficult to:

—   obtain, assimilate or retain information;

—   access or choose suitable services;

—   switch providers or tariffs;

—   make decisions in their best interests;

—   understand their rights;

—   pursue complaints and obtain redress;

—   pay for services.

Therefore, consumers in vulnerable situations are at a greater risk of experiencing negative outcomes when interacting with organizations. For example, financial loss, being unable to access services, receiving services unsuitable for needs, stress, inconvenience, exploitation or other harm.

Organizations that understand consumer vulnerability, and provide an inclusive and flexible approach, are better able to meet a diverse range of consumer needs, making it easier for consumers to access services and information, make good decisions and achieve positive outcomes.

0.3   Organizational benefits of adopting an inclusive service approach

This document specifies requirements and gives guidance for organizations on how to provide an inclusive service at all stages of service delivery, helping them to identify and support consumers in vulnerable situations. It is recognized that organizations will need to develop a tailored approach to the development and implementation of an inclusive service (see Annex A), dependent on the nature of their business and level of existing provision.

Adopting an inclusive service approach offers many potential benefits for organizations:

—   increased customer base, by making services accessible to a greater number of individuals;

—   improved service provision for all customers irrespective of their vulnerability status;

—   improvement in the quality of consumer interactions, thereby minimizing the risk of harm;

— reduced likelihood of problems and complaints, as a result of operating effectively and getting things right first time, leading to a reduced cost of complaints handling;

— improved customer satisfaction, building consumer trust and enhancing the organization's reputation;

— ability to demonstrate ethical behaviour and social responsibility;

— strengthened staff loyalty and engagement by ensuring that they feel valued, supported and confident in handling difficult situations;

— help to achieve compliance with legal obligations related to fairness and equality, by following good practice in the fair treatment of consumers in vulnerable situations.

Consumer vulnerability — Requirements and guidelines for the design and delivery of inclusive service

1 Scope

This document specifies requirements and guidelines for organizations on how to design and deliver fair, flexible and inclusive services that will increase positive outcomes for consumers in vulnerable situations and minimize the risk of consumer harm. It covers organizational culture and strategy, inclusive design and how to identify and respond to consumer vulnerability.

It is applicable to any organization that provides services, including service-related products, to consumers, regardless of location or size.

NOTE 1   The term "services" refers to any service provided to consumers online or offline. Service sectors can include, for example, healthcare, leisure and entertainment, retail, energy, communication, financial services, travel and tourism, digital services, professions and trades.

NOTE 2   Service providers can include private or public organizations, charities, government agencies, local authorities of any size.

NOTE 3   It can be fair and reasonable, in some cases, for an inclusive service provider to limit access for individuals outside of the organization's target audience, where the main objective is to protect consumers and prevent harm. For example, preventing children from accessing online gambling sites.

2 Normative references

There are no normative references in this document.

3 Terms and definitions

For the purposes of this document, the following terms and definitions apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

— ISO Online browsing platform: available at https://www.iso.org/obp

— IEC Electropedia: available at https://www.electropedia.org/

3.1
accessible
product, service, environment or facility that is usable by the greatest number of people with a diverse range of capabilities

3.2
artificial intelligence
engineered system with capability to acquire, process and apply knowledge and skills

[SOURCE: ISO/IEC TR 24028:2020, 3.4[15] — modified, deleted Note 1 to entry and changed "capability of an engineered system" to "engineered system with capability".]

3.3
consumer
individual member of the general public who is the end user of services or service-related products

Note 1 to entry: For the purposes of this document, use of the term "consumer" includes a range of potential and existing service users, e.g.

— those thinking about using or purchasing a service;

— those who have purchased a one-off service;

— those in a short- or long-term service contract;

— end users of a service paying directly for the service;

— end users of a service not paying for the service.

Note 2 to entry: The end user might not be the customer who purchased the service (e.g. persons having a meal at a restaurant that is paid for either by one person in this group or by a different person).

[SOURCE: ISO/IEC Guide 76:2020, 3.5[16] — modified, deleted "(e.g. a smart speaker)".]

3.4
consumer harm
consumer detriment
instance of a *consumer* (3.3) suffering or experiencing negative outcomes, as a result of their dealings with an organization

Note 1 to entry: Harm is often caused by organizations unintentionally.

Note 2 to entry: Harm can be caused by an organization treating a consumer unfairly, providing poor service, giving unsuitable advice, using inaccessible or inflexible systems and/or making it difficult to access complaints handling systems.

Note 3 to entry: Harm includes, for example, financial loss, physical harm, loss of dignity, inconvenience, stress, being denied a service available to others and/or paying for a service that is unsuitable or does not meet individual needs.

3.5
consumer vulnerability
state in which an individual can be placed at risk of harm during their interaction with a service provider due to the presence of personal, situational and market environment factors

[SOURCE: ISO/IEC Guide 76:2020, 3.14[16] — modified, changed "his/her" for "their", changed "detriment" to "harm".]

3.6
essential service
service that is vital to consumer health and wellbeing, where the risk of harm is particularly high if *consumers* (3.3) are unable to access it

Note 1 to entry: Essential services can vary depending on geographical area, current circumstances and the needs of the community. For example, during the COVID-19 pandemic, access to online grocery deliveries became an essential service for many people who were confined to their homes.

Note 2 to entry: Essential services can include, for example, energy, water, healthcare and communications.

3.7
frontline staff
staff responsible for interacting with *consumers* (3.3) in person or remotely via telephone, email, internet or any other form of interaction in the nature of conversation or discussion

Note 1 to entry: Frontline staff can include, for example, customer service advisors, sales advisors, tradespeople.

Note 2 to entry: Frontline staff can be permanent or temporary employees or contracted third parties.

3.8
inclusive service
design of a service, service-related product or service environment that enables access and use by as many individuals as possible, regardless of their personal circumstances

Note 1 to entry: It can be fair and reasonable, in some cases, for an inclusive service provider to limit access for individuals outside of the organization's target audience, where the main objective is to protect consumers and prevent harm. For example, preventing children from accessing online gambling sites.

3.9
risk factor
characteristic or circumstance which can contribute to, or cause, *consumer vulnerability* (3.5)

3.10
service-related product
intangible product, linked to service provision, delivered by a service organization

Note 1 to entry: Examples of service-related products include mortgages and insurance policies, energy tariffs, telephone, mobile or internet plans.

3.11
touchpoint
place at which *consumers* (3.3) contact or interact with an organization to exchange information, access services or make transactions

Note 1 to entry: Touchpoints can include, for example, service environments such as branches, shops, hotels, or methods of communication such as telephone, email, websites or apps.

3.12
vulnerable situation
temporary, sporadic or permanent circumstance which places a *consumer* (3.3) at risk of harm or disadvantage, if an organization does not act with appropriate levels of care

4 Organizational commitment, principles and strategy

4.1 Commitment

The organization shall demonstrate a clear commitment to improving outcomes for consumers in vulnerable situations and minimizing the risk of consumer harm by following the principles detailed in 4.2. This commitment shall be led by top management and embedded across the organization through ongoing engagement and communication with staff.

4.2 Principles

The organization's top management shall demonstrate a clear commitment to the following principles at all stages of service design and delivery.

a) **Accountability** – Embed a culture of accountability by taking responsibility for organizational actions and resulting consumer outcomes.

b) **Empathy** – Treat consumers in vulnerable situations with kindness and without judgement or assumption.

c) **Empowerment** – Provide consumers with the tools they need to make informed decisions about services. Provide staff with the tools they need to support consumers in decision making and to facilitate quick and effective resolution of problems.

d) **Fairness** – Treat all consumers fairly, and do not discriminate against or seek to mislead or exploit any particular group(s) of consumers.

e) **Flexibility** – Adopt a flexible approach to service provision, which can be adapted to suit the specific needs and abilities of an individual in a vulnerable situation.

f) **Inclusivity** – Design and deliver services so that they are accessible to, and usable by, a diverse range of individuals, including those who are vulnerable.

g) **Innovation** – Be creative in using new technology and processes to identify and support consumers in vulnerable situations. Recognize and adapt to emerging marketplace issues and new concepts in consumer protection, while ensuring that use of new technology and processes does not risk unintended exclusion of some consumers.

h) **Privacy** – Treat personal information respectfully and confidentially.

i) **Transparency** – Be clear and open about the intent to provide an inclusive service, the nature of support available for consumers in vulnerable situations, details of policies, terms and conditions and potential risks.

The organization's top management shall ensure that these principles are clearly communicated to staff at all levels within the organization to ensure that consumers in vulnerable situations are identified and supported.

4.3 Strategy

4.3.1 Outcomes focused

The organization shall be outcomes-focused with the aim of achieving positive outcomes for consumers in vulnerable situations.

NOTE   For example, positive outcomes for consumers in vulnerable situations would be receiving fair and flexible treatment, being supported through difficulties, benefitting from risks being minimized and harm being prevented.

The organization shall ensure that:

a) consumers in vulnerable situations can be confident that they will receive fair treatment from the organization and experience outcomes as good as those for other consumers;

b) services are designed inclusively to meet the requirements of consumers with a wide range of needs and abilities and do not create or increase the risk of harm;

c) consumers are able to obtain, understand and make informed decisions based upon information and support provided by the organization;

d) where consumers receive information, advice or support, this is suitable for their needs and takes account of their personal circumstances related to vulnerability;

e) consumers do not face unreasonable barriers to accessing services, communicating with the organization, switching products or price plans, submitting complaints and obtaining satisfactory redress;

f) services do not unfairly disadvantage or penalize those in vulnerable situations, making their life more difficult (e.g. through higher prices, financial penalties or inability to switch products or plans).

4.3.2 Responsibility

The organization shall designate (a) specific member(s) of staff with overall responsibility for:

— advocacy and coordination of consumer vulnerability strategy across the organization;

— implementation of policies, processes and procedures related to inclusive service;

— identification and allocation of resources required for effective inclusive service;

— collection of data to better understand vulnerability risk factors in the existing customer base, and those which could affect the target market, based on wider external research and datasets (see 5.3);

— staff awareness and training;

— performance monitoring and evaluation;

— reporting back to top management on significant complaints, systemic issues or trends identified, with recommendations for improvement where appropriate.

The organization shall make all members of staff aware of the person(s) responsible, the role that they perform and how to contact them.

4.3.3 Proactive approach

The organization shall proactively seek to understand, anticipate and meet the needs of consumers in vulnerable situations (see 5.3) so that it can design and deliver inclusive services that prevent or minimize harm, rather than responding retrospectively to consumers' problems after they have occurred.

The organization shall do this by:

— collecting and responding to data and insight about its customers;

— seeking and acting upon feedback from customers and staff;

— engaging effectively with relevant stakeholders.

NOTE   Relevant stakeholders can include, for example, consumers with lived experience of vulnerability, consumer organizations, professional associations, regulators and other organizations demonstrating a commitment to delivering inclusive services.

4.3.4 Policies

The organization shall develop policies that explain the processes and procedures it will use to meet its principles and goals. As a minimum, the policies should cover the following.

a) **Consumer vulnerability** – how it plans to design and deliver an inclusive service, including whether a specialist internal vulnerability team is needed with rationale provided for decisions made.

   NOTE   Annex A contains a checklist and step-by-step guidance for organizations on how to implement this document, including how to conduct a gap analysis and create an action plan.

b) **Data protection** – how it will maintain privacy and security of personal information (see 6.4).

c) **Third-party representatives** – how frontline staff deal with third-party representatives (see 6.5).

d) **Interruptions to essential services** – where an organization considers its service to be essential (see 3.6), how it deals with consumers in vulnerable situations affected by planned or unplanned interruptions (see 6.6).

Processes and procedures should be flexible and easily adaptable so that they can respond to unforeseen social or market changes that could impact consumers.

5   Inclusive design

5.1   General

As anyone can be vulnerable at any time, inclusive design is vital to help organizations plan for vulnerability and to ensure that services, service-related products, processes and procedures reduce barriers and problems, rather than create them. The organization shall design an inclusive service that:

a)   is accessible to, and usable by, the greatest number of consumers possible;

b)   involves consumers in service design and draws on research undertaken with specific groups of consumers about their needs and experiences (see 5.3);

c)   protects consumers in vulnerable situations by providing tools that allow individuals to control their own access to services (e.g. gambling, credit) that have the potential to cause harm;

   NOTE   Tools include, for example, daily spend limits, the ability to block certain websites or prevent payments to specific organizations.

d)   does not unfairly penalize consumers in vulnerable situations (e.g. by imposing financial penalties, higher costs or restricting ability to switch);

e)   minimizes the risks of the organization's actions, or omissions, creating or exacerbating harm to consumers in vulnerable situations;

f)   assesses the potential positive and negative impacts of a service on consumers in vulnerable situations by understanding how vulnerability affects individuals (see 5.3) and listening to feedback (see Clause 9).

5.2   Touchpoints

Inclusive design shall be considered at all stages of service delivery and at all touchpoints (as defined in 3.10) where a consumer interacts with the organization.

NOTE   The touchpoints depend on the nature and size of the organization. Examples of key touchpoints include:

a)   consumer contact channels (see 5.4);

b)   consumer information (see 5.5);

c)   sales and contracts (see 5.6);

d)   payments and billing (see 5.7);

e)   cancellation;

f)   complaints and disputes (see 5.8);

g)   service environment.

5.3   Understanding consumer vulnerability

5.3.1   Consumer insight methodology

Understanding the views and experiences of consumers in vulnerable situations is central to effective inclusive design, helping to inform and improve the quality of service provision and minimize the risk of consumers in vulnerable situations experiencing harm.

To gain valuable insight into consumer needs and experiences, the organization shall take proactive steps to:

— understand the nature and scale of vulnerability characteristics present in their potential and existing customer base;

— understand the impact of vulnerability and how this can affect consumer experience, needs and outcomes.

Proactive steps can include:

a) research and mapping tools (see 5.3.2);

b) building stakeholder partnerships (see 5.3.3);

c) engagement with consumers who have lived experience of vulnerability (see 5.3.4);

d) monitoring and evaluating customer satisfaction, feedback and complaints [see 9.1 a)].

5.3.2 Research and mapping

The organization should conduct research and mapping to gain insight into the characteristics of its potential and existing customer base.

NOTE   For example, mapping can highlight demographics and social indicators that might be useful in planning inclusive service provision, such as population numbers, age profiles, languages spoken, number of people with internet access or mobile phones, or living in urban or rural communities. It can also identify those who might be at risk due to external factors, such as natural disasters.

5.3.3 Stakeholder partnerships

Building successful partnerships with trusted stakeholders provides valuable insight that can help the organization to:

— direct consumers in vulnerable situations to sources of specialist information, advice and support;

— inform content of vulnerability training programme (see 6.2.3);

— design inclusive services based on real experiences that meet real needs;

— better identify risks of harm and potential solutions.

The organization should engage with specialist organizations that represent vulnerable groups to help understand risk factors and how certain vulnerabilities potentially affect consumer behaviour, needs and experiences.

NOTE   Specialist organizations can include those that represent people who are disabled, experiencing abuse or living with dementia, terminal illness or debt.

5.3.4 Consumer engagement

The organization shall engage with consumers who have lived experience of vulnerability so that their opinions and experiences can be taken into account at all stages of service design and delivery. This should include conversations, testing and trials with individuals, or groups that represent individuals, to:

— understand actual consumer experience and difficulties faced;

— explore the impact of service provision on consumers, including any unplanned or unintended impacts on specific groups of consumers;

— help prioritize and develop effective approaches to meet the anticipated needs of consumers.

NOTE   User testing can be particularly valuable in the design of bills, invoices, contracts, terms and conditions, websites and contact centres.

5.4   Consumer contact channels

5.4.1   Choice

Different contact channels will suit different people at different times. The organization shall offer a range of free, easy-to-access contact channels so that consumers can choose their preferred method of communication for enquiries and complaints. The organization should ask individuals about their preferences for communication and record their preferred format(s) for future communications.

NOTE   Examples of contact channels can include telephone, letter, email, webchat, social media and face-to-face.

5.4.2   Ease of use

The organization shall make communications easier for consumers in vulnerable situations by adopting an inclusive design approach to ensure that all contact channels are accessible to, and usable by, the greatest number of consumers possible.

5.4.3   Awareness

The organization shall make consumers aware of the various contact channels available at all relevant touchpoints highlighting:

a)   who to contact for what (e.g. enquiries, complaints, further disputes);

b)   hours and days of operation, including afterhours emergency contact details, where applicable;

c)   any costs associated with telephone calls, particularly where charges are above the standard rate;

d)   any additional assistance available for communications and how to access it.

5.4.4   Telephone services

All telephone services shall be accessible to, and usable by, the greatest number of consumers possible. Features which can improve accessibility of telephone services include:

a)   making it simple to reach the right help, with the least number of choices or steps possible;

b)   offering clear exit routes for individuals to leave automated systems at any time and speak to a real person;

c)   ensuring that automated voice systems 'speak' slowly and clearly to ensure that all consumers can understand and act upon the information provided;

d)   ensuring text services and voice systems allow enough time for delayed or slow response;

e)   offering additional assistance for those who might experience difficulty in using standard systems.

NOTE 1   Examples of additional assistance include voice-activated telephony systems, interactive telephone or 0 button selection menus, hearing loops or alternative language options.

NOTE 2   Attention is drawn to ISO 18295 (all parts)[10] for good practice on contact centre management.

5.4.5 Online services

The organization's website shall be accessible to, and usable by, the greatest number of consumers possible by making use of appropriate fonts, formats, colours, navigation tools and assistive technology. Features which can improve accessibility of online services include:

a) for people with a visual impairment – text as an alternative to images for translation into audible or legible words by screen reading devices; large format text, images and appropriate colour contrast;

b) for people with learning difficulties or cognitive impairments – simpler language, alternative text formats and clear page layouts;

c) for people with manual dexterity impairments – an option to navigate sites with a keyboard rather than a mouse.

NOTE 1   Attention is drawn to ISO/IEC 40500[14] and EN 301549[18] which provide detailed guidance on website accessibility.

NOTE 2   Further information about online accessibility can be found in ISO 9241-171[3] and EN 301549[18] on software accessibility, ISO 9241-129[1] on software individualization and ISO 9241-143[2] on forms.

5.5 Consumer information

5.5.1 General

All information provided to consumers, whether verbal, printed or online, shall be:

a) **clear** – use of plain, simple language, which is easy to understand and avoids unnecessary technical language;

b) **accurate** – factual, truthful and without the potential to mislead in any way;

   NOTE   Misleading information can include giving false or deceptive messages, leaving out important facts or not keeping information up-to-date.

c) **relevant** – appropriate to the individual's circumstances;

d) **timely** – provided to the consumer when it is most useful to inform decision making.

5.5.2 Presentation of key information

Key information is necessary for the consumer to fully understand the terms of service they are agreeing to before making decisions, signing up for services or completing purchases.

NOTE   Key information can include terms and conditions, prices, interest rates, additional fees or charges, payment deadlines, cancellation rights, how to cancel a contract, and details of how to make a complaint or access dispute resolution.

When communicating key information to consumers, organizations shall:

a) clearly highlight key information and terms of service so that they stand out to the reader, using simple language and short sentences that are easy to understand;

b) make it clear that information can be provided in alternative formats and explain the options available, providing these where a consumer need is identified, and on request;

   NOTE   Examples of alternative formats include braille, large print, audio or a different language.

c) make verbal information available in printed text format, where possible, to help individuals who have difficulty assimilating, understanding or retaining non-text information;

d) use a simple, comparable, visual means of representation for detailed or complex information;

NOTE   For example, infographics or tables to summarize, or enable easy comparison of tariffs, prices and service benefits.

e) take reasonable steps to ensure that consumers have received and understood the information provided;

f) notify consumers of significant changes to information previously provided.

5.6   Sales and contracts

5.6.1   Sales

Where an organization provides sales advice to consumers, regardless of how and where it is delivered, it shall develop a policy that details good practice when selling to consumers in vulnerable situations, to ensure fair treatment and increase positive outcomes.

NOTE 1   For example, sales advice can be provided in person, at an organization's premises, in a consumer's home, over the telephone, via web chat or an automated self-service platform.

NOTE 2   The policy detailing good practice when selling to consumers in vulnerable situations can be included as part of the consumer vulnerability policy [see 4.3.4] or as part of a separate policy on sales.

NOTE 3   Attention is drawn to any relevant consumer protection legislation which covers issues such as cooling-off periods and cancellation rights.

Good practice when selling to consumers in vulnerable situations should include:

a) regular review of sales systems and processes, and sales advisors' behaviour, to minimize the risk of consumers in vulnerable situations being exploited;

NOTE   For example, sales systems based on commission and incentives have the potential to encourage exploitation of vulnerability. Sales visits that take place inside a consumer's home create an imbalance of power, which can exacerbate vulnerability and lead to consumers feeling pressured to sign agreements on the spot.

b) taking all reasonable steps to ensure that sales advisors understand what conduct is expected of them, and how to treat consumers in vulnerable situations throughout the sales process;

NOTE 1   For example, this could be achieved by providing a written code of conduct and appropriate training.

NOTE 2   Sales conduct relating to consumers in vulnerable situations can be incorporated into an existing code of conduct that can cover broader issues.

c) having effective methods in place for identifying the relevant sales advisor in case of query or complaint on a specific transaction;

d) performing assessments to ensure that services, or service-related products, recommended or provided, are appropriate to the individual's circumstances and suitable for their needs;

e) facilitating co-operation with third-party representatives (see 6.5) who have a legal mandate to represent the consumer (such as carers, advocates and support workers);

f) taking all reasonable steps to ensure that consumers in vulnerable situations are making informed decisions about entering into a contract, which includes understanding and remembering key information, evaluating consequences, being capable of communicating final decisions and taking responsibility for contracts;

NOTE   For example, appropriate checks and balances, including questions to ask, can be built into the sales advisor's code of conduct or into the online process.

g) defining what steps are to be taken if the sales advisor has any doubts about the ability of the consumer to understand information or make informed decisions about the sale.

NOTE   For example, this could include the sales advisor checking back on the customer after advice has been given but before the contract is finalized, seeking advice from specialist staff within the organization, or asking the customer if there is an authorized third party able to assist.

h) conducting regular audits of sales practices to ensure compliance with the sales code of conduct, investigating fairly and responding appropriately to breaches of the code.

NOTE   Audits can include mystery shopping, review of sales documentation and analysis of complaints or other consumer feedback such as online reviews.

5.6.2 Contract terms

The terms and conditions of any service contract shall not unfairly disadvantage consumers in vulnerable situations through:

a) higher rates or charges that consumers cannot avoid paying due to their personal circumstances;

b) bundled packages or minimum purchase quantities that require consumers to purchase services that they do not need;

c) long duration lock-in periods in contracts, exit penalties or other barriers to switching that prevent consumers from benefiting from lower priced deals offered by the organization or its competitors;

d) rigid procedures which fail to take account of consumers' personal circumstances or exclude access to the most cost-effective products.

5.7 Payments and billing

5.7.1 Choice and flexibility of payments

The organization shall develop a range of flexible payment options to suit consumers in different circumstances. The organization shall be transparent about the terms of these payment options and potential long-term implications for the consumer.

This is to ensure that consumers are able to make informed choices about payments and are not penalized or disadvantaged by their inability to understand the payment terms, access certain payment methods or make payments in a particular way.

NOTE 1   Different circumstances include, for example, not having a regular monthly income, a bank account, a debit card or access to the internet. Some consumers in vulnerable situations have irregular income or only have access to cash.

NOTE 2   Flexible payment arrangements include, for example, the ability to make variable payments or pay in instalments.

NOTE 3   The terms of payment options include, for example, number of instalments, interest rates, additional fees and charges, period of repayment and total costs.

5.7.2 Acting responsibly to non-payment

Non-payment of bills can be a sign of vulnerability. Where an organization becomes aware that a consumer is experiencing difficulties with payment, staff shall communicate with the individual to make efforts to understand the circumstances of non-payment and should offer a range of flexible response options (see Table 4) ensuring that non-payment does not unreasonably increase the individual's level of debt.

NOTE   Frontline staff could refer individuals who are finding it difficult to manage payments to a specialist team within the organization, or a trusted external organization, who can provide specialist advice, such as financial counselling or debt advice (see 8.2.5).

The organization shall continue to supply essential services (see 3.6) to consumers in vulnerable situations until it has completed an investigation into any outstanding issues or disputes concerning non-payment.

If debt collection is subcontracted, the organization shall ensure that any debt collection agency used follows the requirements of this document and does not mislead consumers or unreasonably add to the debt.

If a debt is to be sold, the organization shall ensure that the recipient organization undertakes to comply with the requirements of this document.

5.7.3 Billing

Where organizations bill consumers for services, the billing document shall be clearly set out to provide consumers with the information they need to:

— pay bills;

— contact the organization;

— make an enquiry or complaint.

NOTE   For guidance on network services billing, see ISO 14452[9].

5.8 Complaints and disputes

The organization shall:

— ensure that its complaints handling system is highly visible and easily accessible to consumers;

— ensure that processes to handle complaints and disputes are designed inclusively and take into account the needs of consumers in vulnerable situations (see Clause 8);

— train and empower frontline staff to resolve consumer complaints at an early stage to prevent the risk of harm increasing (see 6.2.2);

— provide guidance on timescales to be expected when dealing with complaints and disputes;

— provide details of escalation options if the matter cannot be resolved by the organization;

— continually monitor and evaluate complaints and disputes to ensure improvement of service provision for consumers in vulnerable situations (see Clause 9).

NOTE   For guidance on complaints handling and dispute resolution, see ISO 10002[6] and ISO 10003[7].

6 Resources to support service delivery

6.1 General

The organization shall ensure that it has sufficient resources in place to deliver an inclusive service. Depending on the size of the organization and nature of service provision, this should include:

a) **frontline staff** (see 6.2) – to include training (see 6.2.3);

b) **internal specialist vulnerability team** – to provide help and support to frontline staff and consumers;

c) **IT systems** – to include consumer-facing online systems (see 6.3) and internal data management systems (see 6.4);

d) **premises, equipment, materials and publications** – to be used by staff and consumers.

6.2 Frontline staff

6.2.1 Resources

The organization shall provide frontline staff with the necessary resources to perform their role. This should include, but is not limited to:

— access to specialist advice within the organization;

— access to further information, such as a vulnerability handbook or other supporting literature;

— specialist training on vulnerability issues (see 6.2.3);

— effective IT systems.

6.2.2 Empowerment

Consumers in vulnerable situations can find it difficult to have multiple contacts with an organization and require speedy and effective resolution of enquiries and complaints to minimize the risk of harm.

The organization shall give frontline staff appropriate levels of authority to make decisions and offer support (see Clause 8) to resolve consumer enquiries, problems and complaints themselves, at first contact where possible, to avoid passing individuals to multiple advisers, teams and departments.

The organization should minimize time pressure for frontline staff so that they can take the time that is necessary to identify and support consumers in vulnerable situations, particularly those facing complex challenges.

6.2.3 Training in consumer vulnerability

6.2.3.1 Key areas of training

The organization shall provide all frontline staff, and those that manage them, with training on issues related to consumer vulnerability. This training should cover, but not be limited to:

a) organizational strategy, policies and procedures related to consumer vulnerability (see 4.3.4);

b) understanding common risk factors for vulnerability (see 7.2) and how these can impact individuals;

NOTE   For example, training might include how dementia, mental health issues, abuse, bereavement or poverty might affect an individual's behaviour, ability to communicate or to make decisions.

c) how to recognize signs of existing, new or emerging vulnerability (see Clause 7);

d) how to collect and record information about a consumer's vulnerability so that other staff are aware at the next point of contact (see 7.5);

e) soft skills, such as how to start conversations about vulnerability, and how to encourage individuals to share information about difficulties they are experiencing, which are relevant to their interaction with the service provider, without being insensitive or intrusive (see 7.4);

f) what steps to take if they consider a customer to be at risk of severe and/or imminent harm;

NOTE   For example, an individual could be at risk of severe and/or imminent harm if they disclose that a crime is taking place, they are experiencing abuse, have suffered a serious injury or have suicidal thoughts.

g) potential challenges that might be faced by consumers and the range of support the organization can offer to consumers with specific needs (see Clause 8);

h) where to direct consumers for specialist advice, information and support on specific issues related to consumer vulnerability (see 8.2.5);

NOTE   For example, specialist advice might include bereavement counselling or debt resolution.

i)   the process for complaints or disputes;

j)   requirements of applicable national or regional legislation related to:

— consumer vulnerability, equality and fair treatment;

— privacy and data protection;

— dealing with third-party representatives.

Frontline staff should complete refresher training as and when required. Other members of staff should receive vulnerability training if it is considered useful and relevant to their role.

NOTE   Training can utilize real case studies or complaints received by the organization, so that frontline staff can learn from these.

6.2.3.2   Training records

The organization shall keep records of which members of staff have completed training on which dates, so that any gaps in knowledge can be identified and addressed.

6.2.3.3   Training programme review

The organization shall review the training programme to ensure the information and resources are useful, relevant and up to date at a minimum annually, and also whenever:

— new information related to consumer vulnerability becomes available;

— the organization launches new services or service-related products;

— organizational processes are changed, or new ones developed; or

— there are changes to the relevant regulations.

6.3   Consumer-facing online systems

Where artificial intelligence (AI, as defined in 3.1) is utilized in consumer-facing online systems to influence consumer choice, analyse consumer behaviour and make decisions about service provision, the organization shall:

a)   ensure inclusive design of AI systems to prevent bias and discrimination and maximize benefits for consumers in vulnerable situations (e.g. to improve access to information or identify vulnerability);

b)   regularly assess AI systems and processes for their actual and potential impact to cause harm, particularly to consumers in vulnerable situations;

c)   take corrective action in a timely manner if there is evidence that AI systems and processes create bias or discrimination, or cause harm to consumers in vulnerable situations.

NOTE   AI is often used in consumer-facing services such as online banking, e-commerce, generation of quotes, payment of bills that store personal information and make decisions about suitability and risk.

6.4 Management of consumer vulnerability data

6.4.1 General

When collecting, recording, managing and sharing data about consumer vulnerability the organization shall:

— utilize a consumer-centric approach to understand the cause of the vulnerability and the effect that it has on the consumer, while collecting the minimum of information required;

NOTE   For example, the advisor can record information about a consumer's health condition, but also how the condition impacts the individual and what difficulties they are experiencing as a result.

— focus only on relevant information that helps them to provide the individual with better support and tailored response options (see 8.2.3);

— specify consumer privacy as a key element of data management and give consumers control over how their personal information is used (see 6.4.3);

— specify data protection as a key element of data management and keep consumers' personal information safe and secure (see 6.4.3).

NOTE 1   Attention is drawn to applicable data protection legislation that deals with issues such as consent, privacy, data management and data sharing, which can vary by sector, region, country or jurisdiction. It is the user's responsibility to determine how applicable legislative requirements relate to this document.

NOTE 2   Attention is drawn to ISO/IEC 27701[12] and ISO/IEC 29100[13] that provide guidance on good practice in privacy information management.

6.4.2 Data policy

The organization shall establish a policy on how it will collect and manage personal information related to a consumer's vulnerability. (See 7.5 for further information about creating and maintaining customer records.)

The data policy shall also cover, but not be limited to:

— what personal information and types of data can be recorded, giving a clear purpose for doing so;

— how a consumer can request access to, correction of and/or deletion of their personal data;

— where the data will be stored and who will be able to access the data;

— who the data may be shared with and for what purposes;

— identification of privacy risks and ways to minimize or prevent risk of harm to consumers;

— how long written records will be kept for;

— how and when data will be disposed of;

— how data protections and safeguards will be communicated to consumers.

The data policy shall be available to all staff and consumers on request.

6.4.3 Privacy and security

Where consumers' personal information is recorded, the organization shall safeguard privacy, security and integrity of data by ensuring that:

— frontline staff understand that personal and sensitive information is to be treated with the highest levels of security and confidentiality;

NOTE   If personal information about vulnerability is compromised, individuals can become heavily targeted by scams and fraud attempts.

— frontline staff understand the consequences, to both the individual and the organization, of personal information being shared inappropriately, both within the organization and to third parties;

NOTE   Security of personal information is particularly important in cases of abuse. For example, where a victim/survivor of abuse notifies a service provider of their new address, and the perpetrator of abuse attempts to access this information through enquiries on a joint account. Or where an unauthorized third party fraudulently poses as the account holder or close family member in an attempt to gain control of funds.

— access to personal information is restricted, applying the principle of "least privilege", so that each member of staff can only access data that is absolutely necessary to perform their duties in providing a fair, flexible service to consumers in vulnerable situations.

NOTE 1   Least privilege is the principle that at any user, program or process has only minimum privileges necessary to perform its function. For example, a user account created for pulling records from a database does not need administrative rights, while a programmer whose main function is updating lines of legacy code does not need access to financial records. Following the principle of least privilege is considered best practice in information security.

NOTE 2   Access to customer records can be restricted by appropriate use of passwords and user accounts.

— IT systems, software and hardware have been assessed for privacy risks and are kept up to date and secure against external threats;

— plans are in place to respond to security incidents such as data breaches.

6.4.4   Knowledge and consent

At the time of collecting, recording or sharing personal information, frontline staff shall clearly explain the following to the consumer:

— why it is important to collect this information;

— how the information will be shared or used, with whom and why;

— any positive or negative consequences of sharing information;

NOTE   For example, negatively affecting access to hardship assistance or impacting credit history.

— how to withdraw consent;

— how to get a copy of personal records and request changes to information if it is incorrect or needs to be removed.

At the time of collecting or sharing personal information, frontline staff shall ensure they have obtained consent from the individual or their appointed representative (see 6.5), unless otherwise permitted by law or if there is an urgent need to collect and share information (see 6.4.6).

6.4.5   Internal data sharing

The organization should use internal data sharing to enhance the quality of interactions between the organization and the consumer, and to improve positive outcomes for consumers in vulnerable situations.

NOTE   Internal data sharing can reduce the number of interactions necessary for consumers, help to meet consumer needs and increase speed and effectiveness of resolving problems.

6.4.6 External data sharing

Data should be shared externally only for the purpose of providing consumers in vulnerable situations with specialist information, advice or support. External data sharing can be particularly important for organizations providing essential services or responding to consumer crises.

The organization should obtain consent (see 6.4.4) before sharing data with external organizations. However, where frontline staff consider an individual's safety or wellbeing to be at severe and/or imminent risk of harm, the organization may contact, and share information with, the emergency services, or other appropriate services and individuals, in efforts to prevent that harm.

NOTE   For example, an individual could be at risk of severe and/or imminent harm if they disclose that a crime is taking place, they are experiencing abuse, have suffered a serious injury or have suicidal thoughts.

6.5 Dealing with third-party representatives

The organization might be asked to deal with third-party representatives who have been appointed, formally or informally, to act on behalf of a consumer in a vulnerable situation.

NOTE 1   Third party representatives can include partners, family members, carers, social workers, health professionals, financial counsellors and community legal representatives.

The organization shall have a policy that offers guidance to frontline staff on how to deal with third-party representatives. This should include, but not be limited to, the following:

a) how to understand and confirm the relevant and applicable laws;

b) how to deal with representatives claiming to hold a formal third-party mandate until the legitimacy of a claim has been validated;

c) how much information and assistance it is possible to give to family, friends or carers who are trying to help an individual in a vulnerable situation, but have no formal mandate in place (for example, not all information is sensitive or confidential);

d) how to contact specialist staff or organizations that can give expert advice on legality of third-party mandates;

e) how to deal with consumers who are using an interpreter or translator;

f) how to recognize and protect consumers in vulnerable situations who are potentially at risk of harm as a result of fraud or financial abuse by third parties not acting in their best interests;

   NOTE   Third parties committing fraud or financial abuse could be a partner, family member, friend, carer, professional service or legally appointed representative.

g) how to remove the rights of a third-party representative, for example in the event of separation, domestic violence or financial abuse.

Frontline staff shall, upon request, share detail of this policy with consumers in vulnerable situations and their representatives. The organization shall ensure that there is a clear pathway for third-party representatives to contact and communicate with them.

NOTE 2   Attention is drawn to applicable national or regional laws or regulations that relate to formal third-party mandates, privacy and data protection.

6.6 Interruptions to service

6.6.1 Interruption due to external events

Service provision can be interrupted by external events, such as natural disasters, weather events (flood, drought, lightning) and pandemics. Such interruptions can be short-lived or prolonged in duration and can create new consumer vulnerabilities as well as exacerbate existing vulnerabilities.

The organization should have a written plan that details how consumers in vulnerable situations will be supported in the event of severe or prolonged interruption to service caused by external events. The plan should be developed taking into consideration the potential risks and consumer harms that could be created, or exacerbated, as a result of the external event (e.g. impact on health, housing, mobility, employment and income).

To keep consumers informed, and to maintain confidence and trust, the organization should develop a plan for its communication with consumers in the event of an incident, that includes the following:

a) information about changes to the operation, including new hours, facility closures, customer service availability, delivery and collection services, and ordering options (e.g. free shipping, extended periods for returns, waiving cancellation fees);

b) anticipated timeline for when changes to the organization's operations will be evaluated;

c) how the organization is complying with any government-imposed limits;

d) what the organization has learned from the crisis, as well as how these learnings can improve the way the organization will operate after the crisis ends (e.g. more services available virtually).

NOTE   Attention is drawn to ISO 22395[11] for guidance on supporting vulnerable persons in an emergency.

6.6.2 Interruption to essential services

When implementing this document, an organization should consider whether any of the services it provides to consumer are essential (as defined in 3.6), and whether a break in service provision could cause harm to consumers in vulnerable situations.

NOTE   For example, an electrical power cut could have serious effects for those relying on medical equipment at home.

Organizations providing essential services shall have a process in place (defined in 4.3.4) on how to support consumers in vulnerable situations affected by planned and unplanned interruptions to service. If an organization is aware of an interruption they should:

a) contact consumers identified as vulnerable to make them aware of the problem, including the likely period that the essential service will be unavailable;

b) offer alternative arrangements to ensure that the consumer is not unduly disadvantaged during the period that the essential service is temporarily unavailable;

NOTE   For example, the organization could provide access to clean water, an electricity generator, alternative heating or cooking facilities.

c) keep the consumer updated and informed until the essential service is fully restored.

7   Identifying consumer vulnerability

7.1   General

Vulnerability is not always obvious. Many people do not think of themselves as vulnerable. They might be unwilling to share personal information or might not think it is relevant.

Frontline staff shall be trained (see 6.2.3) to recognize consumers with vulnerabilities that potentially affect their ability to interact with the organization and make them susceptible to harm by:

— understanding risk factors of vulnerability (7.2);

— recognizing signs of vulnerability (7.3);

— encouraging individuals to disclose information about the challenges they face in their dealings with the organization (7.4).

7.2 Risk factors

The organization shall develop guidance for frontline staff to help them to identify the presence of any risk factors (as defined in 3.9) which could cause, or contribute to, vulnerability, increasing an individual's susceptibility to harm in their interaction with the organization. The organization should use Table 1 in the development of this guidance. When using the risk factors approach, frontline staff should note that:

a) characteristics of vulnerability are likely to be complex and overlapping;

b) the presence of one or more risk factors does not automatically mean that a person is vulnerable;

c) a combination of multiple risk factors can increase the risk of harm;

d) vulnerability risk factors can be short or long term and change over time depending on context or personal circumstances;

e) the behaviour of organizations can reduce, create or exacerbate vulnerability.

Table 1 — Vulnerability risk factors

CATEGORY	RISK FACTOR	EXAMPLES
Personal characteristics	Age	Youth can be associated with inexperience, the incidence of cognitive impairment increases with age
	Gender	Unable to access credit, discriminatory pricing
	Culture	Differences in religion, beliefs and behaviour
	Geographical location	Living in a rural or isolated area
	Personality	High levels of credulity, impulsiveness
Health and abilities	Physical health	Injury, chronic, severe or terminal illness
	Physical impairment	Reduced mobility, loss of mobility
	Sensory impairment	Limitations to sight or hearing
	Mental health	Depression, anxiety, bipolar, schizophrenia, suicidal thoughts
	Cognitive impairment	Dementia, brain injury
	Developmental condition	Autism, ADHD, learning difficulty (e.g. dyslexia)
	Addiction	Alcohol, drugs or gambling
Access and skills	Language	Not fluent in official, popular or standard language(s) of country of residence
	Literacy	Low level of literacy
	Numeracy	Low level of numeracy
	Digital access or technical skills	No access to mobile phone, internet or computer, lack of knowledge or confidence in using technology

Table 1 *(continued)*

CATEGORY	RISK FACTOR	EXAMPLES
Life events	Income shock	Retirement, loss of job
	Financial	Financial difficulty, financial capability, and financial resilience, low or erratic income, poverty, debt
	Homelessness	Lack of permanent address for service provision and billing
	Abuse	Victim/survivor of family, domestic, financial or elder abuse
	Caring responsibilities	Increased demands on time, emotional strain
	Fraud	Victim of fraud
	Bereavement	Loss of a loved one
	Relationship breakdown	Separation or divorce
	Change of living situation	Moving home, refugee, entering or leaving hospital or care, social isolation
	Parenting	Pregnancy, new baby, parental responsibilities, single parent
External conditions	Economic	Prices, inflation, recession
	Health and environment	Natural disaster, weather event (flood, drought, lightning), pandemic
	Market conditions	Imbalance of power between an individual and an organization, inability to switch, complexity of market, services and products
	Organizational behaviour	Poor customer service or complaints management, poorly designed processes, products or services, poor practice in advertising, mis-selling, poor data management leading to data breaches or fraud

7.3 Signs of vulnerability

7.3.1 General

An individual might say or do things which could indicate that they are experiencing difficulties and need assistance. It is therefore important that frontline staff are trained to look out for these signs and know what to do if they recognize them.

7.3.2 Frontline staff observation

The organization shall develop training and guidance for frontline staff on how to recognize behavioural or verbal signs that identify an individual as potentially experiencing difficulties related to:

— **memory** – is the individual experiencing problems with remembering or recalling information?

— **understanding** – does the individual understand the information they are being given by staff?

— **communicating** – is the individual able to express thoughts, questions and decisions?

— **payment** – is the individual able to make required payments?

— **evaluating** – can the individual compare options and make decisions in their best interest?

NOTE   Table 2 gives examples of behavioural or verbal signs that potentially indicate vulnerability.

Table 2 — Using signals to identify vulnerability

	EXAMPLE BEHAVIOUR OR SPEECH	POTENTIALLY INDICATES
A	Does not respond to emails, phone calls or letters repeatedly	— Lack of confidence with social interactions — Sudden change in personal circumstances (e.g. illness) — Low income/debt – no internet, phone or email — Difficulty reading due to visual impairment or not understanding language it is written in — Impacted by an external event — Language or literacy issues
B	Does not show up to appointment, despite reminders	— Sudden change in personal circumstances (e.g. illness) — Physical access — Memory problems (e.g. dementia)
C	Appears confused or is having trouble understanding the purchase/service/situation Appears to have difficulty remembering personal information or previous events	— Reduced ability to process complex information due to illness or mental health issues, memory problems — Language or literacy issues
D	Payments stop suddenly or bills are not paid	— Low income/debt/job loss — Potential victim of fraud — Impacted by an external event
E	Outgoing payments/spending suddenly increase	— Individual is a potential victim of fraud or financial abuse
F	Duplicate payments or overpayments	— Confusion or reduced ability to process complex information due to illness or mental health issues, memory problems
G	Multiple changes to products or tariffs	— Difficulty understanding or comparing information — Financial difficulties
H	Individual is unaware of activity on their account, seems distressed, or is seen to be taking instructions from a third-party	— Potential victim of fraud — Potential victim of family, domestic or financial abuse,
I	"I hate all these press buttons" "Can't I talk to a real person?"	— Difficulties with physical access (dexterity or hearing) — Difficulties accessing information — Language or literacy issues
J	"This bill doesn't make any sense" "I can't understand this letter you've sent"	— Difficulty processing information due to cognitive impairment, learning disability — Language, literacy or numeracy issues

7.3.3 Automated flags

The organization should employ technology to help frontline staff improve quality of service provision to consumers in vulnerable situations by using automated flags to:

a) enable early identification of consumer activity which indicates potential vulnerability and risk of harm and suggest that contact with the individual is initiated;

   NOTE   For example, consumer activity such as missed payments, duplicate payments, a sudden change in spending habits or frequent switching of tariffs.

b) summarise key facts from a consumer's records on screen when they contact the organization;

c) remind frontline staff when communications, follow up actions or reviews are due.

The effectiveness of these flags in improving quality of service provision is dependent on customer records (see 7.5) being kept up to date so that only current consumer vulnerability is flagged.

7.4 Encouraging sharing of vulnerability information

7.4.1 General

The organization should encourage and support consumers to share information about any vulnerability, which could place them at risk of harm during their interactions with the organization, so that appropriate response options (8.2.3) can be offered.

NOTE 1   A consumer might want to share that:

— they are experiencing difficulties;

— they don't understand something;

— they are worried about something;

— something in their life has changed;

— the organization has done something wrong;

— they want to the organization to do, change or stop doing something.

To encourage and support consumers to share information the organization should ensure that:

— frontline staff receive relevant training (see 7.4.2);

— online and paper forms support disclosure and make it easy for consumers to share information, if they want to (see 7.4.3).

7.4.2 Frontline staff

Frontline staff should be trained (see 6.2.3) in the best way to start conversations about vulnerability, how to support sharing of relevant information and how best to respond.

When supporting individuals to share information about vulnerability, frontline staff should:

a) recognize that some consumers in vulnerable situations will not think of themselves as vulnerable or be immediately aware of the difficulties they are having;

b) recognize and appreciate consumer concerns about the sharing of vulnerability information;

c) ask open, non-intrusive questions, in a sensitive and tactful manner;

d) not make judgements or assumptions;

e) explain the benefits of sharing personal information about vulnerability and the support available;

f) offer reassurance about any fears or worries that consumers have about disclosure (e.g. perceived negative consequences);

g) not ask for full details, or evidence, of the vulnerability to be provided;

h) provide information about the safeguards and limits in place to keep this information safe and secure;

i) abide by the principles in 6.4.1.

NOTE   The benefits of sharing information about vulnerability can include, for example, being able to access additional help and support, receiving a service tailored to meet needs, improving service design and delivery for others in similar situations.

7.4.3   Online and paper forms

Organizations shall provide the mechanisms and opportunities across their different communication channels for consumers to share relevant information about vulnerability.

NOTE   For example, online and paper forms, plus systems such as webchat, can support sharing of information related to vulnerability by:

— providing reminders about the benefits of sharing information;

— providing reassurance about how information will be used;

— asking the right questions;

— providing open text boxes to request further details.

7.5   Recording information about vulnerability

7.5.1   General

To enable organizations to provide an inclusive service, and take appropriate action to minimize the risk of harm to consumers in vulnerable situations, it might be necessary for them to collect, record and share information about a consumer's personal circumstances.

When recording information about consumer vulnerability the organization shall abide by the principles in 6.4.1.

Where customer records of vulnerability are kept, all data shall be managed in accordance with 6.4.

Organizations should design customer records systems with comparable data fields so that they can compile anonymized datasets that will assist in monitoring and evaluating trends to inform continual improvement, as detailed in Clause 9.

NOTE   For example, capturing key information in datasets can provide an overall picture of customer vulnerabilities, difficulties experienced, response options used and outcomes achieved.

7.5.2   Creating customer records

Where personal information is collected, frontline staff shall record:

a)   the minimum of information relevant to service provision;

b)   the situation in the consumer's own words;

c)   the facts, and not assumptions.

The type of information recorded might include:

— the individual's circumstances, experiences and difficulties, in relation to their interaction with the organization, to save the individual from repeating sensitive information more than once;

— a summary of how the vulnerability impacts the individual and what they need from the organization to support their needs;

— any circumstances that pose a severe and/or imminent risk of harm to the individual's safety or wellbeing, and specific requests related to that situation;

NOTE   For example, an individual might disclose that they are experiencing abuse and request that personal details, such as an address, are not shared with the other joint account holder.

— any specific actions taken, or support offered or provided, to date;

— recommended future actions to support the individual and minimize the risk of future harm.

NOTE   For example, preferred method of communications or payments, details of follow up actions that need to be taken and the dates of any check backs or reviews.

7.5.3   Referring to customer records

When speaking to an individual who might be vulnerable, frontline staff shall refer to existing customer records to ensure that they are aware of previous notes that detail:

a)   the individual's needs;

b)   any difficulties that have been experienced;

c)   any specific actions taken, or support offered or provided, to date.

7.5.4   Updating customer records

Where personal information is collected, frontline staff shall update records at each contact with the individual and record:

a)   any significant change to the individual's circumstances that could affect their needs, level of risk or additional support required;

b)   details of any specific actions taken, or support offered or provided, to date.

8   Responding to consumer vulnerability

8.1   General

The organization shall provide frontline staff with necessary resources and support to enable them to:

a)   think creatively and innovatively about potential response options;

b)   be flexible in their response and tailor options to meet individual needs;

c)   improve outcomes and minimize harm for the individual, now and in the future;

d)   improve outcomes and minimize harm for others using the service.

8.2   Taking action to improve outcomes for individuals

8.2.1   Understanding risks and needs

The organization shall develop guidance for frontline staff on how to better understand the difficulties being faced by the individual and the potential consequences, effects and harm that could occur as a result of the vulnerability, so that they can respond appropriately to mitigate risks and meet needs. The organization should use Table 3 in the development of this guidance.

Table 3 — Understanding individual needs

AREA	WHAT TO CONSIDER
Impact	— How does the vulnerable situation affect the individual's life? — What does it prevent them from doing or make it harder to do? — What is the severity of the condition and consequences?
Duration	— How long has the condition or situation been going on and is likely to last? — How long is support/flexibility of service likely to be required?
Experience	— What has happened to the consumer? — What difficulties have they faced?
Assistance	— What care, help, support or treatment is the individual receiving for their condition or situation? — How does the individual prefer to make decisions?

NOTE   To better understand the difficulties faced by the individual, and the support needed, frontline staff can ask questions, such as:

— "So, when did this first start to happen?"

— "Can you tell me if this has happened before?"

— "Do you have any difficulties in accessing the service?"

— "How does your situation make it difficult to afford our services/pay bills and meet living costs?"

— "How does your situation affect your ability to communicate with us?"

— "How does your situation affect your ability to process/understand information?"

— "Do you have any specific requirements?"

— "How can we help you with that?"

— "How can we make that easier for you?"

8.2.2   Understanding the individual's relationship with the organization

Before considering response options for an individual who is experiencing difficulties in their interaction with the organization, frontline staff shall review the current service provision.

A review may include looking at customer records, account history or suitability of service, products or tariffs being provided to the individual.

8.2.3   Response options

The organization shall provide frontline staff with guidance regarding the range of response options that are available to consumers in vulnerable situations who are experiencing difficulties.

The organization should use Table 4 to identify the most suitable response options, relevant to the service that they provide, which aim to:

— minimize or prevent harm, now and in future;

— improve the quality of their experience and the final outcome.

NOTE   More than one response option can be relevant for each individual.

The organization should take information provided by a consumer about vulnerability on face value without requiring evidence. However, where an organization is considering response options, such as debt waivers, further information might be required.

Table 4 — Response options for individuals

DIFFICULTY	POSSIBLE ACTIONS TO HELP AND SUPPORT INDIVIDUALS
Access	— Review access requirements and offer response options that meet those needs — Determine any barriers to access which has been created inadvertently by the organization's service environment, service design, policies or procedures — Review suitability of product, service or tariff — Offer more suitable product, service or tariff
Memory and recall	— Repeat information — Ask how best the organization can help the consumer to retain the information — Ask if the consumer would like the information in writing — Ask if the individual has someone who assists them (partner, family or carer)
Understanding information	— Check to see that information has been understood by asking the individual to summarize key points — Ask what the consumer didn't understand — Offer to provide printed information in an alternative format (e.g. large print, braille) — Repeat, simplify or summarize information that was given — Direct consumer to specialist information, advice or support – internally or externally — Offer to explain key information verbally — Offer more time to consider information
Communication	— Make customer aware of other methods of contact (e.g. phone, email, letter) if they appear uncomfortable using one method — Offer alternative formats of communicating information to the individual and be willing to accept communication in different formats from the individual — Assign one member of staff, where possible, to deal with the individual's case — Avoid passing individuals around lots of different departments and staff — Offer access to specialist support, such as a translator or an interpreter — Allow extra time for processing information and decision making/reflection (including pausing the process, to help customers overcome the effect of any temporary difficulty)

Table 4 *(continued)*

DIFFICULTY	POSSIBLE ACTIONS TO HELP AND SUPPORT INDIVIDUALS
Making payments	— Offer a payment break or temporarily reduce payments — Freeze interest, remove penalties or charges — Waive debt — Create a more realistic repayment plan (temporary or permanent) — Explain cancellation rights and how to cancel a service — Explain availability of any financial assistance (e.g. grants or hardship funds) — Ensure essential services continue to be delivered while payment issues are resolved — Review suitability of service or tariff — Offer more suitable service or tariff
Challenging personal circumstances	— Refer the individual to an organization that can provide specialist help or advice — Consider a temporary break from payments and/or communications — Explain cancellation rights and how to cancel a service — Ask the individual what the organization can do to help — Make a note of the individual's circumstances and preferences on their customer records, so that other staff are aware of any relevant risks and support required

8.2.4   Shared decision making

Frontline staff shall work with the consumer, or formally appointed third-party representative (see 6.5), to decide on the most suitable response option(s) ensuring:

— proposed actions are feasible, meet individual needs and will not lead to further harm;

— the individual affected by the organization's actions is fully involved in discussion of options and supported to make decisions in their best interest;

— the individual understands the proposed actions to be taken and is able to ask questions and express preferences.

8.2.5   Directing to specialist information, advice and support

Where specialist information, advice and support would be beneficial for an individual identified as vulnerable, frontline staff should refer them to one, or both, of the following:

— a specialist person or team within the organization, where available;

  NOTE   For example, an internal vulnerability team.

— a trusted external organization.

  NOTE   For example, a charity providing help on specific issues.

8.3   Taking action to improve outcomes for others

Frontline staff shall be proactive in identifying how problems experienced by individuals are potential risks to other consumers in similar situations.