

# Treating Customers Fairly Policy

## Treating Customers Fairly

Simple Claims Assistance is regulated by the Financial Conduct Authority.

Treating Customers Fairly (TCF) is about making sure our products and services perform in the way the customers expects.

The requirement to treat our customers fairly is an existing obligation and is firmly rooted in the in the FCAs Principles for Business (PRIN) Claims Management Conduct of Business General Principles (CMCOB) which are:

### General principles

1. A firm must act honestly, fairly and professionally in accordance with the best interests of its customer (the client's best interests rule).
2. A firm must establish and implement clear, effective and appropriate policies and procedures to identify and protect vulnerable customers.
3. A firm must not engage in high pressure selling in relation to regulated claims.
4. A firm must not carry out a cold call in person.
5. A firm must not make or pursue a claim on behalf of a customer, or advise a customer to make or pursue a claim, if the firm knows or has reasonable grounds to suspect that the claim:
  - (1) does not have a good arguable base; or
  - (2) is fraudulent; or
  - (3) is frivolous or vexatious.
6. A firm must publish on its website (if it operates a website) the standard terms and conditions of the contracts it enters into with customers.
7. A firm must not take any payment from a customer until the customer has signed an agreement with the firm, which provides for such a payment to be made.
8. A firm must not charge a fee to a customer in relation to a financial services or product claim before the provision of a claims management service to the customer other than seeking out, referrals and identification of claims.
9. A firm must not charge a fee to a customer in relation to a claim in respect of a payment protection contract prior to the later of:
  - (a) the customer withdrawing or deciding not to pursue the claim; and
  - (b) the settlement of the claim.
10. A firm must not charge a fee to a customer in relation to a claim in respect of a payment protection contract if there was no such contract between the customer and the person whom it was alleged was the counterparty to the contract.

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We consider all of the principles relevant when taking a holistic view of what fair treatment means and understanding the breadth of the TCF initiative and its significance to our organisation, especially General Principle 1.

## 1. How we operate TCF as a culture framework

Leadership - Fair treatment of customers is central to the behavior and values of all our managers and staff, they communicate messages about the fair treatment of customers effectively and apply appropriate controls through call monitoring and internal closed file audits to ensure that the fair treatment of customers is delivered by staff.

Strategy- Simple Claims Assistance has a firm, clear vision which supports the fair treatment of customers. This is reflected within the formulation and implementation of strategic decisions.

Decision Making - Simple Claims Assistance considers decision making at all levels and ensures it reflects the fair treatment of its customers. We use staff, customer, referrer and external feedback where appropriate to monitor the assurance that the interests of customers are properly balanced.

Controls - Simple Claims Assistance has firm controls including call monitoring and management information.

Recruitment, Training and Competence - Simple Claims Assistance incorporates TCF in the recruitment and selection process by requesting previous good customer services skills of all potential candidates and they must exhibit and illustrate these prior to successful recruitment. Effective training of TCF begins with the induction process and continues by the managers using performance management to develop staff, identifying and acting on poor performance and rewarding good performance.

Senior management are responsible for embedding and monitoring that TCF is effective in the culture of the organisation, but all staff are responsible for treating customers fairly.

## 2. TCF and Data protection

As stated in Simple Claims Assistance Data Protection Policy, Simple Claims Assistance ensures that Data Protection Legislation including the General Data Protection Regulation (GDPR) is also adhered to in order to ensure that customers are treated fairly.

Article 5 of the GDPR requires that personal data shall be:

- (a) Processed lawfully, fairly and in a transparent manner in relation to individuals;
- (b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes; further processing for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes shall not be considered to be incompatible with the initial purposes;
- (c) Adequate, relevant and limited to what is necessary in relation to the purposes for which it processed;
- (d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that any personal data that are inaccurate, having regard to the purposes for which it was processed, is erased or rectified without delay;

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(e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;

(f) Processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

An individual can make a request – free of charge – to obtain a copy either of specific information or of all the information we hold about them.

Most DSARs result from dissatisfaction with a claims management service provided by Simple Claims Assistance. We are obliged to meet all DSARs within 30 days, but must also remember the requirement to Treat Customers Fairly, which means we should seek to identify and respond to the individual's underlying needs.

I, have read the Treating Customers Fairly Policy dated [29/04/19]

I understand and agree to abide by it. I acknowledge that the terms of this policy form part of the agreement through which I am working with or spending time with Simple Claims Assistance. I understand that the Firm has the right to monitor all files and activity on computer systems. I understand that failure by me to comply with this Policy could lead to the termination of my working relationship with Simple Claims Assistance through the appropriate procedure.

Signed:

Name:

Date:

Authorised by:

Signed:

Name:

Date: