

Assisting and protecting vulnerable consumers

Audit of telco approaches to compliance with Telecommunications Consumer Protections Code rules

JULY 2021

Canberra

Red Building
Benjamin Offices
Chan Street
Belconnen ACT

PO Box 78
Belconnen ACT 2616

T +61 2 6219 5555
F +61 2 6219 5353

Melbourne

Level 32
Melbourne Central Tower
360 Elizabeth Street
Melbourne VIC

PO Box 13112
Law Courts
Melbourne VIC 8010

T +61 3 9963 6800
F +61 3 9963 6899

Sydney

Level 5
The Bay Centre
65 Pirrama Road
Pyrmont NSW

PO Box Q500
Queen Victoria Building
NSW 1230

T +61 2 9334 7700
F +61 2 9334 7799

Copyright notice

<https://creativecommons.org/licenses/by/4.0/>

With the exception of coats of arms, logos, emblems, images, other third-party material or devices protected by a trademark, this content is made available under the terms of the Creative Commons Attribution 4.0 International (CC BY 4.0) licence.

We request attribution as © Commonwealth of Australia (Australian Communications and Media Authority) 2021.

All other rights are reserved.

The Australian Communications and Media Authority has undertaken reasonable enquiries to identify material owned by third parties and secure permission for its reproduction. Permission may need to be obtained from third parties to re-use their material.

Written enquiries may be sent to:

Manager, Editorial Services
PO Box 13112
Law Courts
Melbourne VIC 8010
Email: info@acma.gov.au

Contents

Introduction	1
Summary of findings	2
Notes	3
Issues and findings	4
Identifying vulnerable consumers	4
Training staff	5
Frequency and training completion rates	7
Monitoring and oversight	8
Policies and procedures	10
Next steps	11
Appendix A: Extract of relevant TCP Code provisions	12
Appendix B: Extract from ACCC guide	14

Introduction

In November 2020, the Australian Communications and Media Authority (the ACMA) commenced an audit into telco approaches to compliance with the Telecommunications Consumer Protections Code (the [TCP Code](#)). TCP Code rules require telcos to tailor their dealings with vulnerable consumers, including by ensuring that their sales representatives sell their products in a responsible manner and interact appropriately with vulnerable consumers.¹

The TCP Code starts with a broad commitment that telcos will assist and protect vulnerable consumers by appropriate policies and practices.² Building on this commitment, the Code requires telcos to take specific action:

- > **Dealing with the disadvantaged and vulnerable (clause 3.4):** Telcos must have regard to best practice in dealing with disadvantaged and vulnerable consumers as set out in the ACCC's Compliance Guide *Don't take advantage of disadvantage: a compliance guide for businesses dealing with disadvantaged or vulnerable consumers* (the **ACCC guide**).³ Telcos must also adopt best practice as set out in the ACCC guide in their collection activities.
- > **Systems, processes and training (clause 3.3):** Telcos must have and must regularly review systems and processes to support their TCP Code obligations and ensure staff are adequately trained in their role and the use of those systems and processes.
- > **Responsible selling (clause 4.5.1):** Telcos must ensure their sales representatives adopt a responsible approach to selling that assists consumers to make informed purchasing decisions. To achieve this outcome, telcos must:
 - > ensure sales representatives are **appropriately trained** to promote and sell in a fair, transparent, responsible, and accurate manner
 - > **monitor periodically** to see how sales representatives interact with consumers and take steps to address deficiencies in sales conduct
 - > ensure sales representatives are appropriately trained and have tools and aids to **assist consumers to understand** the telco products they are purchasing.
- > **Identifying and meeting consumer needs (clause 4.5.2):** If a consumer identifies a particular need, telcos must advise if they have a product or service offering to suit the consumer's identified need and provide information to allow the consumer to assess the suitability of the product or service to meet that need.

While clause 3.4 specifically focuses on vulnerable consumers, the needs of these consumers must obviously also be considered by telcos as they respond to the broader obligations in clauses 3.3 and 4.5.

Monitoring compliance with these TCP Code rules is one of the [ACMA's compliance priorities](#) for 2020–21, a focus area we will continue in 2021–22.

We consider it is important to shine a light on how telcos sell to and interact with vulnerable consumers. This is because vulnerable consumers may be more easily targeted by poor or unscrupulous sales conduct, including being upsold telco products

¹ In this report, when we refer to 'vulnerable consumers' we are referring to 'disadvantaged and vulnerable consumers' as per the TCP Code.

² See Introductory Statement to the TCP Code.

³ Australian Competition and Consumer Commission, [Don't take advantage of disadvantage: a compliance guide for businesses dealing with disadvantaged or vulnerable consumers](#) [PDF 148.59 KB], ACCC website, March 2011, accessed 18 May 2021.

they do not need. This can result in unnecessary financial distress and/or potential disconnection of services that are essential to participation in modern life.

Our audit involved reviewing information collected from 9 telcos about:

- > how they identify vulnerable consumers
- > the actions they take to appropriately train and monitor their sales representatives in responsibly selling to vulnerable consumers
- > whether they have identified any emerging or systemic deficiencies in the conduct of their sales representatives and, if so, what steps (if any) have been taken to address these issues
- > the oversight arrangements and level of senior management engagement in ensuring sales representatives are interacting appropriately with vulnerable consumers.

We did not include in the scope of this audit whether telcos adopted best practice as set out in the ACCC guide in their collection activities.

The telcos involved in the audit ranged from the largest telcos (Singtel Optus Pty Ltd, Telstra Corporation Limited, TPG Telecom Limited and TPG Internet Pty Ltd) to mid-sized telcos (iiNet Limited, Southern Phone Company Ltd) and smaller telcos (Tangerine Telecom Pty Ltd, Escapenet Pty Ltd, Veetel Pty Limited).

An extract of the relevant TCP Code rules is at **Appendix A**.

An extract of a relevant part of the ACCC guide is at **Appendix B**.

Summary of findings

The ACMA audit found that:

- > most of the telcos took a broad and inclusive approach to considering who is potentially a vulnerable consumer
- > all telcos indicated they had regard to the ACCC guide, with 5 of the 9 telcos adopting the criteria of a vulnerable consumer in the ACCC guide
- > 5 telcos identified additional situations that may indicate vulnerability
- > 2 telcos adopted a too narrow approach to identifying disadvantage or vulnerability – for example, by exclusively focusing on a consumer's financial capacity
- > the quality and sophistication of training material varied, and training offered by 2 of the 9 telcos did not have a specific focus on vulnerable consumers
- > 3 telcos were not able to confirm that staff were appropriately trained in TCP Code requirements as large proportions of their sales staff went for over 12 months without relevant training
- > all telcos advised that they periodically monitor the conduct of their sales representatives to see how they interact with consumers – however, not all monitoring activities considered how sales staff deal with vulnerable consumers
- > the majority of telcos provided little information about specific governance arrangements to ensure their sales representatives are interacting with vulnerable consumers appropriately – it appears that senior management may only become involved once significant non-compliance is identified.

Notes

The information in this report was obtained using the ACMA's compulsory information-gathering powers under *the Telecommunications Act 1997*.

Part 7A of the *ACMA Act 2005* constrains the ACMA's ability to publicly disclose information collected under notice without the consent of the telco that supplied the information. The information provided by telcos has therefore been aggregated and anonymised in this report.

Issues and findings

Our findings are based on an assessment of information collected from 9 telcos covering the period from 1 October 2019 to 30 September 2020.

Identifying vulnerable consumers

The TCP Code does not define vulnerable consumers. This is appropriate given the varied circumstances in which a person may find themselves subject to disadvantage or vulnerability when participating in telco markets. The terms should be understood and applied broadly and without confining definitions or preconceptions.

The ACCC guide provides a list of circumstances that could indicate disadvantage or vulnerability, including if consumers have a low income, are very young or old, have a physical or learning disability, are homeless, come from a remote area, or have an Indigenous background.

Appropriately, in the context of consumers participating in telco markets, the list in the ACCC guide is indicative rather than an exhaustive list of the situations that may lead to disadvantage or vulnerability. Telcos should not adopt a narrow approach that may prevent them identifying consumers with disadvantage or vulnerability.

Given the varied situations where disadvantage and vulnerability may arise, it is possible that different telcos may interpret and apply their obligations differently. This may result in different levels of protection for consumers, depending on their telco.

We found that most telcos take a broad and inclusive approach to considering who is potentially a vulnerable consumer. Moreover, it is evident that most telcos recognise a wide range of different vulnerabilities that their customer base may face.

While all 9 telcos indicated that they have regard to the ACCC guide, we found that the approaches taken in identifying a vulnerable consumer varied, and that not all telcos adopted the approach to identifying a vulnerable consumer set out in the ACCC guide. For example:

- > Five of the 9 advised they adopt the criteria of a vulnerable consumer used in the ACCC guide.
- > In addition to the circumstances set out in the ACCC guide, some telcos identified additional situations that may indicate vulnerability, including:
 - > being the victim of domestic and/or family violence
 - > experiencing hardship due to the COVID-19 pandemic
 - > being the victim of a natural disaster.
- > One telco advised that it looks at consumer vulnerability along 4 dimensions:
 - > economic – limited financial means and access, where financial commitments, payments and planning are difficult
 - > disability – physical, cognitive, sensory or other impairment that limits usability of and access to resources
 - > digitally excluded – limited or no access to digital environments due to skill, location, access type or language barriers
 - > safety and security – compromised personal safety circumstances where security needs are heightened.

- > Other, narrower approaches to identifying vulnerable consumers included:
 - > if a consumer shows signs of failing to understand the product or fee structure associated with a service, or cannot afford to pay for the service they are requesting (one telco)
 - > someone who, due to their personal circumstances, is especially susceptible to detriment, particularly when a business is not acting with appropriate levels of care (one telco).

It is also clear from the responses that most telcos recognise the situations that can potentially lead to vulnerability may be temporary, long term or permanent, and that both personal and environmental factors may contribute.



Our observations

Our current view is that telcos should consider consumer vulnerability in terms of the circumstances that create risks of harm, detriment or disadvantage in consumers' interactions with the telco market. We are consulting on this approach as part of our consumer vulnerability – ACMA expectations for the telco industry (statement of expectations) project.

Training staff

Under the TCP Code, telcos are required to:

- > ensure staff are adequately trained in TCP Code obligations related to their roles, and in the use of systems and processes that support these obligations (clause 3.3.3)
- > ensure their sales representatives and staff who interact with consumers are able to interact with vulnerable consumers appropriately (clause 3.4.2).

There are also specific requirements on telcos to ensure that their sales representatives are appropriately trained:

- > to promote and sell telco products in a fair, transparent, responsible and accurate manner (clause 4.5.1(a))
- > so they can be aware of how to understand a consumer's needs and be able to provide advice to the consumer on suitable telco offers (see clause 4.5.2.(a)).

Telcos also need to ensure their sales representatives have tools and aids to assist consumers to understand the products they are purchasing (clause 4.5.1(f)).

Our review of the training material provided by the telcos indicated that the training typically included:

- > information on how the telco identifies a vulnerable consumer
- > the options the telco has available to potentially support vulnerable consumers (such as financial hardship arrangements)
- > requirements around responsible approaches to selling contained in the TCP Code and Australian Consumer Law.

We also found that the quality and sophistication of the training material varied. Some examples of the more sophisticated training included:

- > techniques to listen for prompts or trigger words from consumers, and strategies to identify whether consumers need extra help – for example, how consumers follow and understand the discussion taking place, how well they express themselves and whether they are retaining information given to them (5 telcos)
- > how to understand consumer needs, select suitable products, and ask relevant and open-ended questions to identify products that will meet the needs of the consumer (5 telcos).

Our review of the training material concluded that some training would be improved if it provided more practical guidance to sales representatives in identifying vulnerable consumers and their needs. That is, training about how to watch for and recognise vulnerable consumers and use appropriate questioning and listening techniques to help identify their needs.

We also found that training offered by 2 telcos did not have a specific focus on vulnerable consumers. This training did include how to speak to customers in plain English and how to sell products in a fair manner but did not appear to adequately cover how to understand a consumer's needs.

One telco advised that its training is designed to identify the needs of all consumers, and that through this process (and others), the needs of vulnerable consumers will be identified and met. The telco submitted that this helps ensure an equivalent service is provided to all consumers, including those who may be disadvantaged or vulnerable.

Generic training is likely to be inadequate to prepare sales representatives and other staff to interact with vulnerable consumers. A generic approach seeking to ensure equivalent service to all consumers fails to grasp the specific needs of vulnerable consumers. Sales representatives and other staff must be trained in both identifying consumer needs and interacting appropriately to assist consumers with specific needs.

Most of the training delivered by telcos dealt with consumers who may be experiencing financial hardship, an indicator of vulnerability. The training typically covered the options the telco had available to assist customers in financial hardship (such as spend controls and payment plans).



Our observations

This audit indicated varied approaches taken among the telcos. The scope and sophistication of training, as well as the effectiveness of its delivery, is likely to have a direct relationship on how consumers are treated and supported when contacting a telco. We expect that, as a minimum, telco staff should be trained:

1. to identify consumers who might be vulnerable and, where appropriate, assist consumers to self-identify as vulnerable
2. to identify the needs of vulnerable consumers
3. in the options the telco has available to support vulnerable consumers
4. in how to communicate these options to consumers to facilitate vulnerable consumers accessing the extra assistance they may need
5. to make relevant enquiries to help vulnerable consumers express their needs and select the product most suited to those needs.

Moreover, we expect that training is specifically tailored to consider vulnerable consumers. More generic approaches, which do not include a specific focus on the requirements of and capabilities needed to effectively interact with vulnerable consumers, are unlikely to meet the requirements of the TCP Code and may expose vulnerable consumers to greater potential risk.

In future assessments of compliance with the training obligations in the TCP Code, we will be carefully scrutinising any generic approaches.

Frequency and training completion rates

All telcos advised that their sales representatives are required to complete induction training. Four telcos advised this was undertaken annually to help ensure that sales representatives' knowledge about dealing with vulnerable consumers and regulatory requirements remains up to date.

We asked telcos to tell us the proportion of their sales representatives who had undertaken training in how to sell their telco products in a responsible manner to vulnerable consumers in the 12 months to 30 September 2020.

Based on information provided by 7 telcos, we found that the proportion of sales representatives who had received this training ranged from 57% to 100%:

- > 3 telcos advised that 100% of their staff had completed the training, with one of these telcos advising that sales representatives were prohibited from accessing their customer relationship management system and selling products to consumers unless the relevant training was completed
- > one telco advised the proportion of their sales representatives who had completed relevant training ranged from 96% to 98%
- > one telco advised that 82% of its sales representatives had been trained and another telco advised that 78% of sales representatives had been trained. Both telcos indicated that system improvements are being made to automatically enrol sales representatives in a mandatory annual online training module
- > one telco advised that 57% of its sales representatives had completed training.

Two telcos did not provide specific information regarding the proportion of sales representatives who had completed training in selling to vulnerable consumers. These telcos indicated that they consider all sales representatives are trained appropriately, and that this includes training regarding vulnerable consumers.



Our observations

Most telcos indicate a strong focus on regular training of sales staff. However, in some telcos, large proportions of sales staff can go over 12 months without relevant training. This casts serious doubts about whether sales representatives and other staff can be regarded as appropriately trained in TCP Code requirements.

We do not consider that having only a low proportion of sales staff trained in how to sell telco products in a responsible manner can achieve the requirement in the TCP Code that staff are appropriately trained. We expect that internal systems are established to ensure that all sales representatives and other staff are appropriately trained and that those systems attend to staff turnover and the need to maintain training over time.

Given the importance of training when dealing with vulnerable consumers, we will not hesitate to investigate and take action against telcos who fail to comply with their training obligations under the TCP Code.

Monitoring and oversight

Under the TCP Code, telcos are required to periodically monitor the conduct of their sales representatives to see how they interact with consumers and take steps to address emerging or systemic deficiencies in the sales conduct (clause 4.5.1(d)).

All telcos advised that they periodically monitor the conduct of their sales representatives to see how they interact with consumers. The measures identified included:

- > daily review of a sample of calls to check that their sales representatives are interacting appropriately with consumers and meeting responsible selling requirements (4 telcos)
- > weekly monitoring and reporting on insights regarding sales representatives' phone and message platform interactions with consumers, with a specific focus on whether sales representatives are correctly identifying vulnerable consumers (one telco)
- > conducting mystery shopping programs (3 telcos)
- > running regular compliance audits of sales, looking at issues including whether the sales representative identified the consumer's needs and whether they offered an appropriate solution (8 telcos)
- > using a net promoter score (or scorecard system) to rate the performance of their sales representatives, which involves the telco inviting consumers to rate the performance of the sales representative after the sales transaction – the score measures consumer experience and helps identify trends in behaviour and consumer dissatisfaction (3 telcos).

Not all monitoring activities undertaken by telcos specifically focused on how their sales staff dealt with vulnerable consumers. Some telcos advised they monitor the conduct of their sales representatives more broadly. For example:

- > One telco advised it focuses on whether sales representatives have identified and responded adequately to consumers' needs. This involves team leaders or managers routinely monitoring calls and consumer interactions to assess whether consumers are offered appropriate solutions to meet their needs, and whether sales representatives are professional in their interactions and able to handle challenging situations.
- > Another telco advised that it looks holistically at the conduct of sales representatives, using weekly monitoring of consumer contacts and consumer complaints to identify potential sales conduct issues. The telco considers that this broad monitoring can identify issues or concerns regarding vulnerable consumers.

None of the 9 telcos were able to identify any emerging or systemic deficiencies in the conduct of their sales representatives.

We asked each telco to tell us about the oversight arrangements they have in place to ensure their sales representatives are interacting with vulnerable consumers appropriately, including the level of senior management engagement and relevant governance structures.

One telco provided detailed information about internal and external oversight arrangements. Its systems included reporting to a member of the leadership team.

The majority of telcos, however, provided little information about specific governance arrangements to ensure their sales representatives are interacting with vulnerable consumers appropriately. Our review of these responses indicated that senior management may only become involved once significant non-compliance is identified.



Our observations

Most telcos contacted during the audit had some program for reviewing and assessing the effectiveness of their sales staff in interacting with consumers, including those with vulnerabilities. However, these programs appear to be managed at an operational level and did not identify any emerging or systemic issues.

Given the volume of consumer interactions with their telcos, the fact that no telco reported identifying any emerging or systemic deficiencies suggests to us that telco monitoring programs may not be thorough enough. We will be seeking further information from the major telcos on their monitoring programs to seek assurance that their programs are sufficiently targeted and capable of effectively identifying systemic issues that may arise when selling products to vulnerable consumers.

Policies and procedures

We asked telcos to provide information on the policies and procedures they have in place to identify vulnerable consumers and ensure that their sales representatives promote and sell their telco products appropriately to vulnerable consumers.

A summary of the responses is below:

- > All major telcos provided information on the policies and procedures they have in place for training sales representatives in how to identify vulnerable consumers and responsibly sell their products to consumers.
- > Two telcos advised that the sales incentives are agnostic of the telco plan cost. That is, equal commission or benefits are provided to sales representatives regardless of the plan cost, which means there is no incentive to sell a more expensive plan to a person who cannot afford it. Another telco advised that staff incentives do not reward staff for unfair or pressure-based selling, but for positive consumer reviews and going the 'extra mile'.
- > One telco advised that it makes a 'Vulnerability Matrix' available to its staff. This sets out possible consumer trigger words and categories to assist its sales representatives identify vulnerability or hardship scenarios.
- > Other telcos indicated that consumers in some vulnerable circumstances (such as those in financial hardship arrangements) are flagged in their IT systems.
- > Another telco advised that it has recently embedded prompts into its sales process to help identify and deal with vulnerable consumers. This telco also provides its staff with a 'Customers in Vulnerable Circumstances Knowledge Hub.' This hub provides training materials and other resources to sales representatives to assist in identifying a consumer who may be vulnerable.
- > All telcos make some resources publicly available on their websites about supporting vulnerable consumers.
- > Some telcos referred to processes they have in place to facilitate the use of authorised representatives and advocates, which they consider can assist consumers in vulnerable circumstances.



Our observations

Reported policies and procedures varied across the telcos. Of note, very few reported their monitoring or oversight programs are a part of their relevant policies and procedures.

We consider that it would be beneficial to ensure that customer relationship management systems and associated processes are designed to enable the recording of a consumer's vulnerability in a way that assists with future interactions between the consumer and the telco.

Next steps

We will be following up various matters we have identified during this audit with particular telcos.

We are also developing a statement of expectations. This will outline priority focus areas and set expectations for industry in dealing with consumers in vulnerable circumstances. A draft has been released for public consultation in conjunction with this report. View the [‘Consumer vulnerability: expectations for the telco industry’](#) consultation on our website for further information.

Appendix A: Extract of relevant TCP Code provisions

3.3 Application of the Code and training

- 3.3.1 A Supplier must have systems and processes to support Code obligations.
- 3.3.3 A Supplier must ensure staff are adequately trained in relation to Code obligations related to their roles, and in the use of systems and processes that support Code obligations.
- 3.3.5 A Supplier must regularly review the training, systems and processes available to staff in relation to their roles to ensure it meets its obligations under the Code.

3.4 Disadvantaged and vulnerable Consumers

- 3.4.1 A Supplier must:
 - (a) have regard to best practice as set out in the ACCC Compliance Guide *Don't take advantage of disadvantage: a compliance guide for businesses dealing with disadvantaged or vulnerable consumers, while ever it is in force.*
 - (b) In its collection activities, a Supplier must adopt best practice as set out in this Guide.
- 3.4.2 A Supplier must ensure that its Sales Representatives and staff who interact with Consumers are able to interact with disadvantaged or vulnerable Consumers appropriately.

4.5 Responsible approach to selling

4.5.1 **Responsible approach to selling:** A Supplier must ensure its Sales Representatives:

- (a) promote and sell its Telecommunications Products in a fair, transparent, responsible and accurate manner to assist Consumers in making informed purchasing decisions

...

A Supplier must take the following actions to enable this outcome:

- (c) **Training for Sales Representatives:** ensure its Sales Representatives are appropriately trained to promote and sell in a fair, transparent, responsible and accurate manner;
- (d) **Ongoing monitoring:** ensure the conduct of its Sales Representatives is monitored periodically to see how they interact with Consumers, and take steps to address emerging or systemic deficiencies in the sales conduct;

...

- (f) **Consumer understanding:** ensure its Sales Representatives are appropriately trained and have appropriate tools and aids to assist Consumers to understand the Telecommunications Products they are purchasing.

- 4.5.2 **Meeting identified Consumer needs:** If a Consumer identifies a particular need to a Supplier, the Supplier must indicate if it has an Offer that may suit the Consumer's identified need and if the Supplier does indicate a particular Offer that may suit the Consumer's identified need, the Supplier must provide the Consumer with information about the particular Offer, to allow the Consumer to assess the suitability of that Offer against that need.

A Supplier must take the following actions to enable this outcome:

(a) **Training of Sales Representatives:** ensure Sales Representatives are appropriately trained so they can be aware of how to understand Consumer needs and advise Consumers on the Supplier's suitable Offers.

Appendix B: Extract from ACCC guide

What do we mean by ‘disadvantaged’ or ‘vulnerable’?

Some consumers may be disadvantaged or vulnerable in some marketplace situations if they:

- > have a low income
- > are from a non-English speaking background
- > have a disability—intellectual, psychiatric, physical, sensory, neurological or a learning disability
- > have a serious or chronic illness
- > have poor reading, writing and numerical skills
- > are homeless
- > are very young
- > are old
- > come from a remote area
- > have an Indigenous background.

Of course, not all consumers with these characteristics are more at risk of making poor business decisions. But be aware that your marketing message and conduct may affect some consumers differently when making decisions about buying goods or services.

Your business should consider that consumers:

- > whose English language skills are not good, or who are visually impaired may not be able to compare written contracts with your advertisements or verbal representations—they are at risk if representations about the terms of the contract are unclear, incorrect or fail to mention key terms
- > in Indigenous communities may have had limited exposure to commercial transactions and have little understanding of commercial documents
- > on low incomes may be more inclined to pursue claims about low prices, but they may also suffer greater financial impact if the claims are unclear, incorrect or simply untrue
- > who live in remote areas may have limited choices, and may therefore feel pressured to accept unfair terms
- > particularly those from non-English speaking or Indigenous backgrounds, may view transactions according to cultural values rather than market values.

...

Tips for business

Preparing your business:

Are your staff aware of fair trading, anti-discrimination and other relevant laws? Have they received relevant training?

Be alert to any special needs your consumers have and make sure you have systems in place to prevent any unfair treatment.

Is your marketing message clear and accurate? Keep in mind the different needs of current and potential consumers.

Are all documents you use to market goods or services to consumers clear and simple?

During a transaction

Have you clearly disclosed important or unusual terms or conditions of the agreement?

Does the consumer understand the terms of any agreement associated with the transaction? Has the consumer had an opportunity to consider the offer properly?

Make sure the consumer is not flustered, agitated or in a highly emotional state when they enter into a contract. Observe any cooling-off periods that may apply or consider offering a cooling-off period in writing.

Consider that it may be appropriate for a guardian, carer or other appropriate person to be present to either act on the consumer's behalf and/or help explain and assist the consumer with the decision.

If you are in any doubt, give the consumer an opportunity to seek advice about the contract before they sign it.

Make sure your actions, whether intentional or not, do not take advantage of any characteristic listed under the heading.

After a transaction

If things go wrong, be open to resolving complaints and, where appropriate, setting aside contracts or agreements.

Do not reward your staff or agents for unfair, pressure-based selling.