

Years of talk but no communication

The Financial Dispute Resolution Service team received several calls and emails from a customer within a short timeframe. Sean was extremely frustrated and felt that he has been going around in circles with his insurance broker.*

Background

Over three years ago, the broker had arranged several policies for Sean. However, a matter came to light in the following months, which the broker believed Sean had previous knowledge of. The broker threatened to terminate Sean's policies over this 'non-disclosure.'

Over the following years they were in frequent contact about the matter by phone, email and in person. Their relationship broke down, with no apparent end in sight. Tensions heightened, with the broker frequently threatening to terminate policies and Sean becoming more emotional and stressed in his interactions with the broker. The broker followed through on his threat, and Sean's policies were terminated. Sean continued to contact him and his office repeatedly. During this time, the broker moved dispute resolution schemes.

Next steps

Under Financial Dispute Resolution Service's scheme rules, typically, we can only deal with a complaint about a member if the event or matter took place during their membership with our scheme. However, these two people were in a real predicament. The breakdown in their relationship meant that the specifics of the complaint and what each party wanted to happen was lost. After three years, they both needed a way out of their constant battle together.

It was clear that despite their frequent contact with each other, they were not communicating effectively. We could see that they would benefit from independent assistance to find a way forward. We offered to assist them with their communication, through conciliation. Both Sean and the broker agreed, so we were able to assist with the complaint.

Conciliation

Conciliation is like mediation in that an independent person creates a forum to discuss issues and explore solutions. The main difference is that the conciliator has a more direct role in the resolution. While a mediator can guide the conversation, a conciliator can participate directly in helping the parties consider outcomes.

An experienced conciliator was appointed, who had both in depth knowledge of financial codes and acts, as well as skilled expertise in restoring relationships.

Outcome

Through the conciliation process, Sean and his broker were able to reach an agreement together. The complaint was settled and after three years, Sean and the provider could both put the matter behind them.