



**THE MOTOR
OMBUDSMAN**

**Identifying and managing
consumer vulnerability effectively
in the age of social media**

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SECTION 1. Overview

The growing use of social media as a free, and sometimes primary channel of communication, has shifted the focus of how vulnerable consumers may be identified and assisted with the resolution of their dispute. Twitter or Facebook, for example, may be the first port of call for customers when expressing their concern or a need for urgent assistance, bypassing the use of a letter, e-mail or phone call.

Vulnerable customers turning to social media to explain and emphasise an often desperate situation remains a little talked about subject, if at all, especially within existing vulnerability commentary and guidelines. This paper therefore discusses how internal processes can be evolved to accommodate how consumers seek help in the digital era, so that organisations can provide more effective and tailored support and assistance to customers.

SECTION 2. The challenge of defining vulnerability and vulnerable consumers



Vulnerability has never come so much to the fore than during the COVID-19 pandemic. The words “[clinically extremely vulnerable](#)” have been widely used in government press briefings, describing those who are at greater risk of becoming seriously ill from Coronavirus.

The term “vulnerable” is, in itself, a loaded one. Many associate the word with a feeling of weakness, and would not necessarily identify themselves as vulnerable, despite being in difficult circumstances, or perhaps be at risk of receiving inferior goods and services. However, The Motor

Ombudsman argues that there should be no stigma attached to vulnerability, and that it is vital to recognise where it exists, so anyone can receive access to the services they need.

In fact, vulnerability is such a broad area in terms of its scope, because:

- It can affect anyone i.e. it is non-discriminatory;
- It can occur at any stage of life;
- It can vary in complexity and risk; and
- It may be visible or be completely invisible.

Putting this into perspective, Keith Richards, Chief Executive of the Personal Finance Society (PFS), said:

“Vulnerability can manifest itself in a physical, mental or an emotional form, is dynamic in nature (short lived or longer term, sometimes permanent, transient, recurring or fluctuating over time) and may be hidden.”¹

With so many different factors at play, defining what actually constitutes vulnerability makes it a somewhat contentious and challenging task. The Financial Conduct Authority (FCA) is one body that has formulated a definition of a vulnerable consumer, placing an emphasis on an individual who is particularly at risk of harm:

“Someone who, due to their personal circumstances, is especially susceptible to harm, particularly when a firm is not acting with appropriate levels of care.”²

Similarly, the term “vulnerable consumer” has been clearly defined at the outset of each of The Motor Ombudsman’s four [Motor Industry Codes of Practice](#). The emphasis here, however, is that vulnerability can lead to an individual making the wrong decision based on the facts presented to them, whilst also being at risk of receiving a physical item or service that is of inferior quality to what they should have had.

The definition stated in each of the Codes of Practice reads as follows:

“Any consumer whose circumstances put them at risk of making an incorrect or inappropriate decision, or of receiving inferior goods or services.”

Regardless of the description that is ultimately applied, what vulnerable customers have in common is that there is often an underlying need for immediate help, and in some cases, a sense of desperation. Even if the cause of the dispute is ordinarily considered to be relatively minor in nature, it may be amplified or exacerbated by someone’s personal circumstances. For instance, a small mechanical problem with a car, which, in the eyes of a repairer, can easily be rectified, may be the cause of significant stress and worry for the individual if they are already suffering from financial hardship or are bearing the emotional toll of caring for a loved one.

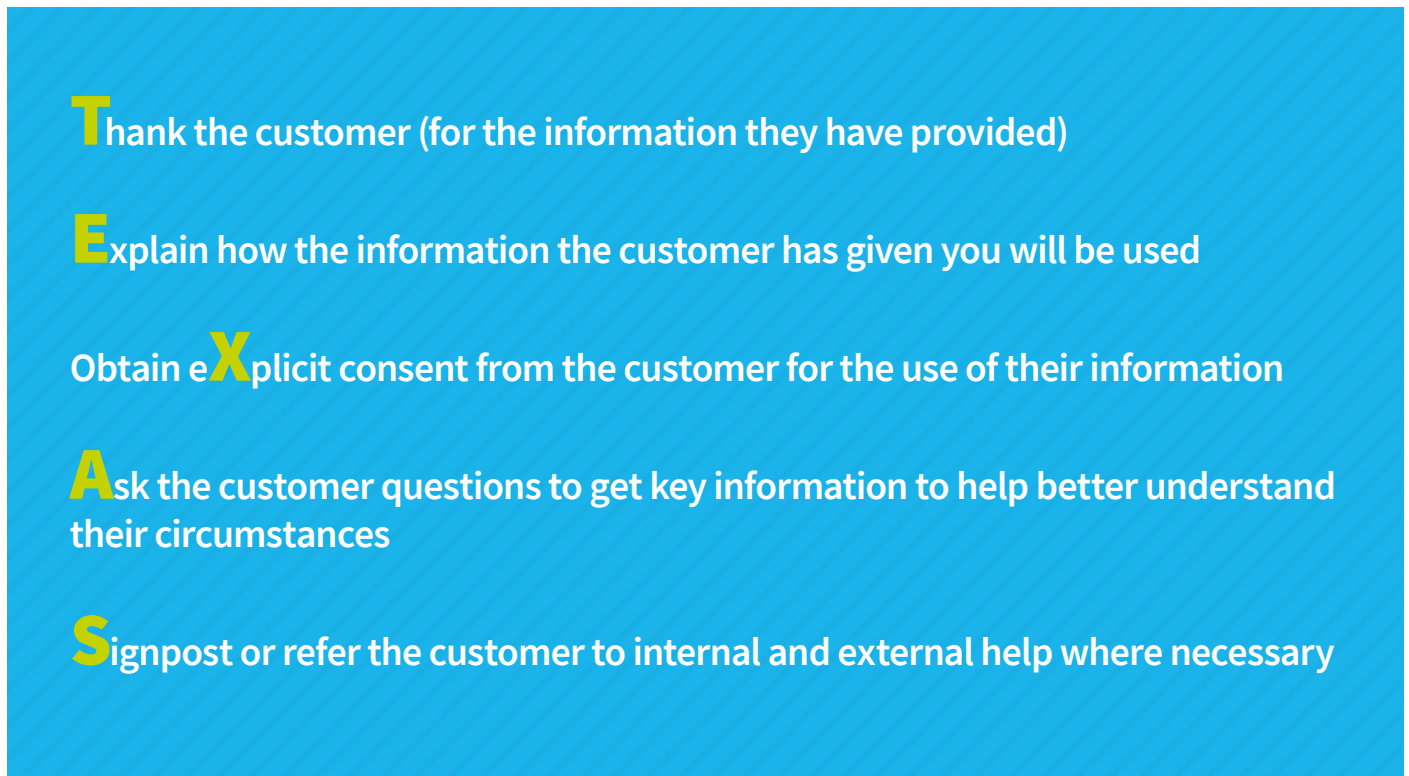
¹ Source: FTAdviser - www.ftadviser.com/your-industry/2021/03/15/pfs-finds-advisers-struggle-to-discuss-vulnerability-with-clients

² Source: Financial Conduct Authority (FCA) - www.fca.org.uk/firms/treating-vulnerable-consumers-fairly

SECTION 3. The Motor Ombudsman's Vulnerability Charter: An open commitment to assisting vulnerable consumers fairly and equally

The purpose of a Vulnerability Charter, sometimes called a Vulnerability Commitment, is to publicly outline an organisation's approach to managing and communicating with vulnerable consumers. The Motor Ombudsman's Vulnerability Charter³ (seen in Fig.2), which is available on The Motor Ombudsman's [website](#), incorporates elements of both the Personal Finance Society's Financial Vulnerability Charter, and the TEXAS drill developed by The Royal College of Psychiatrists and the Money Advice Trust⁴ (as seen in Fig.1 below).

► Fig.1: The meaning of the TEXAS drill



The Motor Ombudsman's 10-point Vulnerability Charter has also been written to address the following key areas:

- How consumers should be **treated** by all Motor Ombudsman employees;
- When and how **sensitive information** may be shared;
- That communication may need to be **adapted** to ensure accessibility;
- That a customer may require **assistance** from organisations other than The Motor Ombudsman; and
- That The Motor Ombudsman has a role in **promoting** the importance of best practice to others when communicating and managing consumers who may be vulnerable.

³Source: FTAdviser - www.ftadviser.com/your-industry/2021/01/18/pfs-launches-vulnerability-charter-for-advice-firms

⁴Source: ABI - www.abi.org.uk/products-and-issues/its-public/issues-in-long-term-savings/vulnerability-guide/case-study-9-texas-drill-royal-college-of-psychiatristsmoney-advice-trust

► Fig.2: The Motor Ombudsman's Vulnerability Charter

THE MOTOR OMBUDSMAN'S VULNERABILITY CHARTER

WE ARE COMMITTED TO:

1. **Never** addressing an individual directly or publicly as **being vulnerable**, as they may not ever see themselves as being vulnerable or may be unaware of their vulnerability.
2. Treating all individuals **equally** and with **respect** regardless of their age, sex, sexual orientation, race, background, nationality, religious beliefs and personal circumstances, reflecting our core organisational **values**.
3. Recognising that vulnerability can affect any individual at any stage of life, and can be both **apparent** to another person or **hidden** from view.
4. Allowing every individual to share information or sensitive data about their circumstances and dispute in a **confidential** and **safe** environment without fear of personal judgement or prejudice.
5. Ensuring an individual's situation will be managed **sensitively** and **appropriately** based on any personal accounts and information provided.
6. **Adapting** our communication, language, channel and tone in line with an individual's needs to maximise understanding of terms and outcomes used at any stage of our dispute resolution process, and to make our service accessible to all.
7. **Training** all customer-facing staff to ensure they have the necessary skillset and interpersonal techniques to assist individuals in the most effective manner.
8. Ensuring that we **handle data** about vulnerability with sensitivity, only disclosing it where absolutely necessary and with consent.
9. **Signposting** an individual to the most appropriate point of assistance and support regardless of whether the business is accredited to one or more of our Codes of Practice.
10. Making our accredited businesses **aware** of the importance of adapting their processes to assist and communicate with consumers who may be vulnerable.

SECTION 4. Identifying and assisting vulnerable consumers effectively

The Financial Conduct Authority (FCA)'s "Guidance for firms on the fair treatment of vulnerable customers", published in February 2021⁵, stresses the importance for an organisation to understand the **needs** of vulnerable consumers in their target market, and to be aware of the many situations and **circumstances** that may lead them to becoming vulnerable.

Circumstances that could lead to a person being vulnerable, as identified by The Motor Ombudsman, could include:

- Experiencing sustained stress or frustration with an existing situation;
- A deterioration in mental health and an inability to cope with their existing circumstances;
- The loss of independence through reduced mobility (this could include a vehicle being off the road);
- Financial concerns or worry;
- Being a victim of fraud or a scam, which could lead to a loss of earnings or savings;
- Suffering from a medical condition, illness or injury;
- Age;
- A physical disability, such as loss of sight or hearing, or a speech impairment;
- Being a carer for or living with others who have a disability or medical condition;
- A difficulty with literacy (trouble reading and writing, or if English is not an individual's first language);
- Personal loss and bereavement;
- Loneliness, isolation and restricted physical contact with others;
- Being at greater risk of self-harm or suicide;
- Redundancy and an immediate or gradual loss of expected income;
- Relationship breakdowns and difficulties; and
- A prolonged interruption or loss of a vital form of communication, such as an internet or phone connection.

Being able to evaluate the often-immediate **needs** of vulnerable consumers, to assist them in the most effective way, starts with the training of individuals who may be in touch with this group of customers, whether it is on the phone, by e-mail or on social media. Dedicated tuition at The Motor Ombudsman on vulnerability forms part of the staff induction process for new joiners, whilst also serving as a useful refresher for existing employees. The course, entitled "Vulnerability, accessibility and the people behind complaints", covers the following core subject areas, amongst others:

- Defining consumer vulnerability and possible reasons for it;
- How existing processes can be adapted to accommodate vulnerable customers;
- How and why complaints may be made by consumers;
- Identifying the possible needs of vulnerable customers;
- Case studies relating to how vulnerable consumers have been managed effectively when helping to resolve their dispute; and
- The effect of complaints on staff wellbeing, and how they are supported by The Motor Ombudsman.

● Consumers may be identified as being vulnerable through different means of communication

In the modern era, it is important to bear in mind that consumers have access to numerous means of communication to get in touch with another individual or organisation. Excluding messages received via Twitter and Facebook, which will be discussed separately in Section 5 for the purposes of this paper, customers have the ability to contact The Motor Ombudsman by phone, e-mail, letter, or by using the body's [online complaint submission form](#). However, identifying vulnerability can be challenging, particularly when trying to do so through non-verbal forms of communication. This is why The Motor Ombudsman is increasing the use of phone calls during the dispute resolution process, as this method of communication offers a good opportunity to establish the person's circumstances and frame of mind.



Whilst verbal communication can be considered more straightforward in terms of vulnerability, due to the increased ability to interact and ask questions, all contact methods are treated equally, and case handlers are asked to be alert to any indicators that someone may be vulnerable and, if so, whether any action is required to assist them.

⁵Source: Financial Conduct Authority (FCA) FG21/1 Guidance for firms on the fair treatment of vulnerable customers - <http://www.fca.org.uk/publication/finalised-guidance/fg21-1.pdf>

● The Motor Ombudsman’s Vulnerability Evaluation Matrix

The Motor Ombudsman has developed a framework, named the “Vulnerability Evaluation Matrix” (refer to Table 1) to define how customer-facing staff can identify possible consumer vulnerability and act effectively according to the personal circumstances presented to them.

Having a prescribed framework in place, such as the Vulnerability Evaluation Matrix, allows a uniform process to be adopted across the organisation, whilst also serving as a quick-reference guide or aide memoire following initial training on the subject of vulnerability.

With so many different causes of vulnerability at play, the principal factors have been grouped together under eight different headings for the purpose of simplicity (refer to Column A). It is important to state that categorisation of vulnerability is difficult, and a person’s unique circumstances may not neatly fit within any of these boxes. This is why there is an ‘Other’ category, to capture anything that The Motor Ombudsman may not already have foreseen.

However, the advantage of categorisation is twofold. Firstly, it helps The Motor Ombudsman tailor the assistance provided to each individual or situation – what might work for someone in financial difficulty, for example, may not be appropriate for a person suffering from ill health. In this way, The Motor Ombudsman can apply a marker to the case, which alerts the caseworker and senior management to the particular vulnerability that has been identified, and effectively manage the complaint through its dispute resolution process.

Secondly, a marker provides The Motor Ombudsman with information about the people accessing its service and their needs. This is important to ensure The Motor Ombudsman is accessible for all, and that if any improvements are required, they can be swiftly identified, and any ensuing action can be taken.

► **Table 1: The Motor Ombudsman’s Vulnerability Evaluation Matrix**

A. Possible cause of vulnerability	Flags for customer-facing roles	
	B. Concerns that may be expressed by a consumer	C. Phrases that may be used by the consumer to express or highlight these concerns
1. Financial difficulty	<p>They have:</p> <ul style="list-style-type: none"> - Said they are in debt - Explained they are unemployed - Stated they are on the breadline - Said that they are struggling to afford bills, food and repairs - Highlighted a risk of eviction or repossession - Explained they are homeless - Stated they are claiming Universal Credit - Expressed they are in a desperate situation - Explained they are reaching / have reached their credit card limits - Said they are borrowing money for daily expenses (e.g. from lenders, friends or family) 	<p><i>“I cannot afford to pay the priority bills”</i></p> <p><i>“My property is being repossessed / I am being evicted”</i></p> <p><i>“I am being rehoused”</i></p> <p><i>“I’m struggling to feed my family”</i></p>
2. Family concerns	<p>They have:</p> <ul style="list-style-type: none"> - Suffered a bereavement - Reported the loss of the individual who brought the complaint to The Motor Ombudsman - Carer responsibilities (including for end-of-life) - Endured a relationship breakdown - Issues relating to the care of children - Expressed concern that they are struggling to cope with their current circumstances - Stated that they are in a desperate situation - Explained that they have been subjected to physical or emotional abuse 	<p><i>“A family member only has days to live, and I can’t cope with the stress of the complaint”</i></p> <p><i>“Consumer X (who brought the complaint) has passed away”</i></p> <p><i>“I am being domestically abused”</i></p> <p><i>“I am a primary carer”</i></p> <p><i>“I can’t get the kids to school”</i></p> <p><i>“I am a single parent”</i></p>

3. Physical ill health	They have: <ul style="list-style-type: none"> - Been diagnosed with a terminal illness - Stated they are suffering from specific medical conditions - Explained that they are struggling with their current circumstances - Been affected physically by a pandemic 	<i>“I need my car to get to medical appointments”</i> <i>“I am terminally ill”</i> <i>“I only have X number of days to live”</i> <i>“I have a carer”</i> <i>“I can’t leave the house due to illness”</i>
4. Physical disability	They have: <ul style="list-style-type: none"> - Expressed concerns regarding their physical movement and mobility - Stated a loss of independence - Explained that they are struggling to cope with their existing circumstances - Made it clear that they are struggling to afford the essentials 	<i>“I live on my own and rely on my vehicle to get around / for my independence”</i> <i>“My vehicle has been adapted specifically to my needs”</i> <i>“My movement is severely limited”</i> <i>“Do you have x document available in braille?”</i> <i>“I am deaf / hard of hearing”</i>
5. Mental ill health	They have: <ul style="list-style-type: none"> - Expressed their intention to self-harm or end their life - Explained that they are subject to high levels of stress - Stated that they are struggling to understand - Said that they are finding it difficult to cope with their current circumstances - Explained that they have mental health issues or a condition (e.g. depression, anxiety or PTSD) 	<i>“I am thinking of ending my life / committing suicide”</i> <i>“I can’t do this anymore”</i> <i>“I’ve had enough”</i> <i>“This is really stressing me out”</i> <i>“I’m suffering from depression”</i>
6. Education and learning difficulties	They have: <ul style="list-style-type: none"> - Said they are finding “x” hard to understand - Stated they are illiterate - Explained they are finding a situation or their circumstances hard / difficult - Expressed that they have limited knowledge of a subject - Stated that they have autism, Asperger’s, dyslexia or dyspraxia 	<i>“I cannot read and / or write”</i> <i>“I’m finding it hard to understand”</i> <i>“I need someone else to explain things to me”</i> <i>“Can you explain this to me more simply?”</i>
7. Communication issues	They have: <ul style="list-style-type: none"> - Expressed the need for an interpreter - Said that they require explanations and / or documentation to be translated - Explained that English is not their first language / mother tongue 	<i>“Do you have an interpreter?”</i> <i>“I need this to be translated so I can understand”</i> <i>“I am from a non-English speaking country”</i> <i>“My English is not very good. Would you like to speak to a friend or family member?”</i>
8. Other	They have: <ul style="list-style-type: none"> - Explained they are a victim of racism, homophobia or transphobia - Been physically assaulted - Stated that they are at risk due to a political event or climate - Said that they have been subject to sexism 	<i>“I have been discriminated against / I am the victim of discrimination”</i> <i>“I have been physically assaulted”</i> <i>“I have been the victim of crime”</i>

As seen in Table 1, the Vulnerability Evaluation Matrix (“VEM”) details flags for each principal cause of vulnerability (as seen in Columns B and C). These are example concerns and phrases which are essentially there to act as a prompt to staff that either a **required** or **suggested** action should be taken to assist the consumer as effectively as possible, to indicate the level of urgency needed to resolve their issue, and to determine whether their case needs to be prioritised. Please note that, for the purposes of this paper, not all example phrases have been included due to this list for internal use being extensive.

For clarification, a **required** action is a course of action that a caseworker must take in line with the flags that are apparent. A **suggested** action is a recommended action for a caseworker to take should it be appropriate based on the circumstances presented, and is at their discretion.

To illustrate how the Vulnerability Evaluation Matrix is applied by The Motor Ombudsman to determine the most effective action for a consumer who may be potentially vulnerable, the following (fictional) example may be used:

*Customer X has submitted their dispute with an accredited business using The Motor Ombudsman's online submission form. The case is reviewed by a caseworker (the first stage of the dispute resolution process) where the consumer explains within their account that they have recently been diagnosed with a **serious medical condition**. However, they have lost the use of their vehicle because of a mechanical issue, which they rely on as their **sole means of transport** to get to and from regular **hospital appointments** due to living in a **rural location**. The consumer's dispute has arisen due to the garage keeping their car for a sustained period of time because there has been a delay in sourcing replacement parts to repair it.*

When reviewing a customer's account of their circumstances, The Motor Ombudsman is looking for any flags, namely particular words or phrases that can identify vulnerability. These flags may be able to demonstrate the **object**, so what is causing the vulnerability; the **implications** for the consumer; and any **aggravating** or **mitigating** circumstances that might influence how The Motor Ombudsman handles the case or the advice they provide.

In the example about Customer X above, the **object** is the serious medical condition, the **implication** is that the car is the consumer's sole means of transport, and the **aggravators** (to determine priority) are that the customer relies on their vehicle to travel to and from hospital appointments, and that they live in a rural location.

STEP 1: Review of flags to determine the marker

The phrases highlighted in grey would act as the "flags" in the customer's account, drawing the attention of the caseworker to point 3 in Column A of the Vulnerability Evaluation Matrix, namely "Physical ill health". This would allow the appropriate marker to be applied to the case file of Customer X.

It is possible that Customer X's account may be applicable to two points in column A, and if this is the case, the most urgent element from the flags raised will be used to determine which marker is applied to their case file. As this may not be so clear cut, this is where having a dedicated vulnerability coordinator within an organisation offers added benefit, as they act as a useful point of reference if a staff member is unsure as to which flags should be prioritised in order to determine the most effective course of action.

STEP 2: Accessibility considerations

In this particular case, there are no further considerations in terms of accessibility i.e. addressing the needs of consumers to make sure that all information is communicated appropriately. For example, if a customer had a sight impairment, supplying documentation in braille or as an audio file would be an added consideration at this point, subject to the specific needs of the consumer.

STEP 3: Determination of level of priority for case review

The next step is for the caseworker to assess the case in terms of urgency, as to whether the customer's dispute should be prioritised for review by an adjudicator within a faster timeframe than that regularly applied to cases.

In the case of Customer X, their dispute would qualify for fast-tracking due to the fact that they rely heavily on their car as their sole means of transport to attend medical appointments.

STEP 4: Applying the required and suggested actions

There is no uniform answer as to what constitutes the most effective course of action, as every individual is different in terms of their personal circumstances – what may suit one consumer in terms of actions, may not be applicable to another.

For Customer X, a **required action** would be to contact the business to find out if they are able to provide a loan car. If this is not possible, a **suggested action** would be to signpost the consumer to a charity, such as the British Red Cross, that may be able to provide voluntary assistance to take the consumer to and from their medical appointments whilst their vehicle is off the road.

Sharing of data

As seen earlier in the Vulnerability Charter (Fig.2), it is important to remember that how data supplied from consumers is utilised, shared and stored by an organisation is paramount, especially when managing particularly sensitive information provided by those who are potentially vulnerable. This is especially pertinent when considering whether to share sensitive personal information with an accredited business, as this should only ever be done with the consumer's consent.

● Signposting is a key element in the effective management and assistance of consumers, especially those who may be vulnerable



The signposting of consumers forms a key part of the TEXAS drill and The Motor Ombudsman's Vulnerability Charter, which is all about assisting a consumer to the best of an organisation's ability during an individual's time of need. It is important to clarify here that this is not solely about helping a customer to progress the resolution of a dispute, but it is also about showing empathy and an understanding of a consumer's personal circumstances to direct them to support or a charitable resource if it is deemed appropriate. It is equally essential for bodies, such as The Motor Ombudsman, to neither discriminate, nor be viewed as being less helpful to a customer, simply because a business that they have a dispute with may not be accredited to its Codes of Practice.

Signposting a consumer to a source of impartial and confidential support is an equally sensitive subject, and may not always be a straightforward process, as the individual might not be open to seeking third party assistance. This could be because:

- They may not have proactively admitted that they are in "difficulty" or are facing a challenging situation;
- They may feel embarrassed that a vulnerability has potentially been identified by a third party, such as The Motor Ombudsman;
- There could be a cost involved if the organisation providing support is not a charity;
- They may have already used one of these organisations previously for support; or
- They simply don't acknowledge that they need help of this kind.

Table 2 below shows some examples of organisations that a consumer can be directed to, if they have demonstrated a particular personal concern beyond the issues relating to their complaint.

► **Table 2: Examples of signposting destinations for consumers in response to the raising of personal concerns***

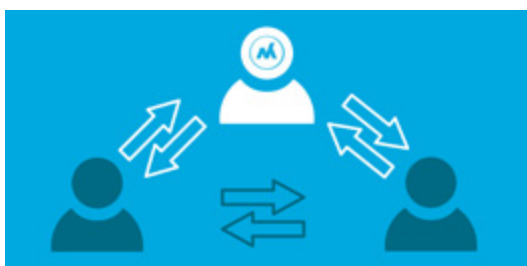
Example concern	Example organisations for signposting of consumers to address a specific concern
Stress / sustained frustration	Mind
Inability / struggle to cope with the current situation	Samaritans
Loss of use of vehicle / mobility	British Red Cross
Elderly and difficulty managing with their situation	Age UK Advice Line Alzheimer’s Society
Financial concerns / worry	National Debtline StepChange Debt Charity
Victim of fraud	Action Fraud
Existing medical condition / illness / injury	Macmillan Cancer Care
Physical disability	Local Authority Adult Social Care Services
Bereavement	Cruse Bereavement Care
Family concerns (divorce / impact on small children)	Divorce Recovery Workshop ChildLine GOV UK Civil Legal Advice
Loss of essential communication channel	Relevant customer care contact at internet provider Family member / friend (to help as needed to make the call or test the internet connection)
General advice and support	Citizens Advice or a local Citizens Advice bureau

*Please note that this list is not exhaustive.

It is worth highlighting that Citizens Advice can provide information and guidance in a number of different areas, for instance debt, housing, consumer rights, benefits and immigration. As such, Citizens Advice can be a good first port of call for those in vulnerable situations, as it can assist on various topics, rather than providing more specialised services.

Citizens Advice operates both a national and local service, as well as being able to provide tailored advice for residents of England, Scotland, Wales and Northern Ireland.

● **The introduction of mediation to The Motor Ombudsman’s dispute resolution process provides an important opportunity to identify consumer vulnerability**



Mediation was added earlier this year to The Motor Ombudsman’s early resolution process, providing another mechanism to identify vulnerability. Mediation offers consumers and businesses a more informal, flexible and personal alternative to The Motor Ombudsman reaching a decision using solely the written documentation and evidence provided to the body. Prior to a joint phone or video call of the two parties involved in the dispute, The Motor Ombudsman’s in-house mediation team will speak with both the consumer and business on an individual basis. The focus here is a discussion around a person’s situation and needs, putting the facts of the case temporarily to one side. This gives the consumer the opportunity to communicate their feelings and concerns in a safe and confidential setting. Similarly, for the mediator,

this open dialogue gives them a first-hand insight into an individual’s circumstances, the opportunity to identify any potential vulnerability that could affect the way that the case is handled, and the chance to suggest the best route forward in terms of the type of resolution and assistance that is offered.

As seen previously, it is just as important for the mediator to consult the Vulnerability Evaluation Matrix (refer to Table 1) to determine any possible consumer vulnerability to ensure that their assessment of the individual is not purely based on their first impression.

SECTION 5. Identifying and assisting vulnerable consumers effectively on social media



In today's digitally-driven world, where so many areas of life can be organised, actioned and accessed at the touch of a button, social media has added another dimension to how vulnerable consumers are identified, managed and assisted. Social media can have both visual and written communication, and can sometimes condense a person's message into as few characters as possible. Yet, despite its increasing prevalence, there is little discussion of this form of contact in the sphere of vulnerability, and how it can be utilised to identify those in difficult circumstances.

Whether it's sending messages on social media, picking up the phone or writing an e-mail, the individual themselves has the task, and sometimes the challenge, of communicating and conveying their exact circumstances and needs, to allow the recipient, such as a social media manager or caseworker, to understand what the

individual is going through, whilst also being equipped with enough and the right information to evaluate how the consumer can best be helped.

Starting with the basics, an initial contact on social media from a consumer can be in the following forms:

- A **reply** to an existing post on an organisation's wall (e.g. Facebook) or a **comment** on an existing post (e.g. Twitter);
- A **direct private message** away from public view (e.g. on Facebook or Twitter);
- A **message notification** (e.g. an @Motor_Ombudsman message on a Twitter feed); and
- In some cases, a message on a live chat function, such as Facebook Messenger, if an organisation has invited a consumer to connect via this interface.

● Emotion can drive the written word and pictorial representation when consumers message on social media

When a consumer approaches The Motor Ombudsman on social media about a dispute with a business, such as a garage or car dealership, it is often charged with a certain degree of emotion, as a complaint ultimately relates to a negative situation impacting a person's current way of life. This can be driven by frustration or, in more extreme cases, aggression, but it's also important to bear in mind that the use of capital letters or repeated communication could be due to anger, as opposed to vulnerability. However, certain prompts or flags may be able to demonstrate that a particular behaviour, or set of behaviours, is being caused by an underlying vulnerability.

Another feature widely employed by individuals when communicating on social media is emojis which, according to Vyvyan Evans writing in the *New York Post*⁶, are used to "fill in the emotional cues otherwise missing from typed conversations". They are a form of non-verbal and pictorial expression, and therefore should not be missed when assessing the likelihood of vulnerability. If emojis provide the tone to a message, then social media managers, or individuals handling social media enquiries, need to be able to "read" them to gauge a person's feelings and frame of mind, and through that, potentially identify a flag, which could prompt further questions, or clearly demonstrate vulnerability. Identifying the main forms of social media communication, which for The Motor Ombudsman is those highlighted in the list above, is important, because some consumers will choose to publicly vent their issues surrounding a case (e.g. as a comment on an existing post). This can be with the aim of gaining maximum attention, to air their feelings about a personal experience with a business to fellow social media users, or to ultimately try to deter other customers from using that vehicle retailer or repairer, for example. Sometimes, however, it can be through sheer desperation, a potential flag for vulnerability, or because they feel they have hit a stumbling block when using other means of communication.

This means that, for a social media manager or team, there are various social media communications pathways to be aware of and monitor, especially if more than one platform is being used by an organisation to receive correspondence from consumers in addition to the more "traditional" forms of correspondence explored in Section 4.

Apart from how a consumer's concerns are communicated on social media, the other key factor that should not be ignored is what they actually say within their written words, as this is a key indicator when looking to determine the presence of vulnerability. Furthermore, if social media is the first time a consumer has got in touch with the organisation or business, it presents an opportunity to identify possible vulnerability from the very start of their journey.

⁶Source: New York Post - <https://nypost.com/2017/08/12/emojis-actually-make-our-language-way-better>

Written messages on social media may reveal the following about a consumer:

- What their primary concerns are;
- Who or which organisation they have a problem with;
- Their sense of urgency to get the issue resolved;
- An insight into their personal circumstances away from the issues surrounding their dispute;
- An initial understanding of their state of mind and physical wellbeing;
- The level of impact a complaint is having on their way of life and that of others (e.g. close family members); and
- Their level of literacy and whether English is the person's first language.

Table 3 below highlights anonymised examples of emotive phrases and words which have appeared previously in messages sent by consumers to The Motor Ombudsman on social media during the past two years, indicating potential vulnerability under the pre-defined headings of the Vulnerability Evaluation Matrix seen in Table 1.

► **Table 3: Real-world examples of emotive phrases used by consumers in social media messages to The Motor Ombudsman and their application to the Vulnerability Evaluation Matrix**

Possible cause of vulnerability	Examples of emotive phrases used by a consumer in written messages to The Motor Ombudsman on social media	What this could signal about the consumer's personal circumstances
Financial difficulty	<ul style="list-style-type: none"> - "I'm already living on the breadline and cannot afford to rent a car, but taxis just to and from work are bleeding me dry. I'm not covered for any courtesy car on my insurance and breakdown cover, so I'm literally stuck" - I am driving around in a car with problems, and that is consuming fuel to no end, and I'm struggling to pay for it" 	<ul style="list-style-type: none"> • Financial concerns are adding to the sense of urgency to get the dispute and overriding problems resolved • A defective vehicle is putting an increasing financial burden on the consumer
Family concerns	<ul style="list-style-type: none"> - "I cannot express to you how much the impact of being without a car has on a family with small children" - "I have had the worst year of my life this year and did not need this on top. My father was always the one to tell me which cars to buy, but unfortunately cancer took hold of him quickly at the beginning of the year and we lost him" 	<ul style="list-style-type: none"> • Distress caused by loss of mobility, and the impact on the individual themselves and young family members • Distress surrounding the issue may be amplified through a recent loss of a family member
Physical ill health	<ul style="list-style-type: none"> - "My car is getting worse, and there is a real concern the clutch is now doing further damage. I do need my car for my ongoing cancer care. It's worrying enough going to the hospital regarding my cancer. It adds to the worry not knowing if my car is going to break down on the way there" 	<ul style="list-style-type: none"> • Distress associated with a long-term illness is being amplified by mobility issues
Mental ill health	<ul style="list-style-type: none"> - "Please, please, please help me, the stress is causing my health to deteriorate" - "I hope this can be resolved as I am really struggling" - "I need to be assured that this does not disadvantage me in any way" - "I'm pretty desperate as I can't use the car" 	<ul style="list-style-type: none"> • A repetition of the word "please" indicates urgency in getting the issue resolved to avoid a further impact on the consumer's health • The issue causing their complaint is making it difficult for the consumer to cope • Possible insecurity and a more fragile state of mind • Distress caused by loss of mobility / independence, urgent need for a resolution
Other	<ul style="list-style-type: none"> - "My life has turned upside down because of an assault I had plus the pandemic" 	<ul style="list-style-type: none"> • Physical injury and fragile mental health are exacerbating the impact of the dispute on the individual

● Gaining an insight into a consumer's state of mind and needs on social media through their messaging behaviour

In addition to the language used by an individual in their social media messages, and how their communications are written, the type of approach and behaviour shown by the consumer is also a useful indicator of their state of mind and level of urgency to get their issue resolved. An impression of how a person is feeling may be garnered through the level of aggression and persistence shown in their written communication, which can range from well-mannered, kind-natured, accommodating and grateful, to rude, threatening, impatient and dismissive at the other end of the spectrum. The latter behaviour could stem from being in a vulnerable situation e.g. the consumer has medical conditions exacerbating the issue at play, or has lost the use of their vehicle, which is severely impacting their life.

When an individual is impatient and dismissive of the time needed to review their dispute, the behaviours seen below may be shown on social media:

- Multiple messages per day or week until their issue has been concluded;
- Repeat questioning about something that may have already been answered, even though the consumer may have previously acknowledged their satisfaction with a response;
- A display of a degree of aggression due to the provision of a lack of responses (e.g. as a result of repeat questioning on the same or similar subject);
- The repeated highlighting of stress and the inability to cope, whilst also reinforcing their personal situation; and
- The consumer repeatedly chasing for a resolution even though they are already aware of the either estimated or recommended resolution timescales and deadlines.

CASE STUDY: How a consumer used a persistent approach and personal circumstances to emphasise the urgency in resolving their complaint submitted to The Motor Ombudsman.

What may initially start off as a simple enquiry on social media can sometimes prove otherwise, as demonstrated by the following anonymised case study. This case study shows the behaviour that can be displayed by a consumer, and the lengths that they may go to when pursuing a more rapid resolution to their complaint.

Summary:

Facts of the complaint about The Motor Ombudsman-accredited business	The consumer believed the business' workmanship was poor and they had failed to identify a fault. The business had proposed a resolution, but Mr A was unhappy with the amount offered
Number of messages sent by the consumer on social media	121
Period in which the messages were sent (i.e. initial contact on social media to case outcome delivery)	33 days
Highest number of daily messages / (daily average volume of messages sent by the consumer)	10 (4)
Vulnerability factors causing the behaviour	Mr A's father had been diagnosed with a serious illness and had been told he only had one month left to live. Mr A was unable to cope with the stress of this alongside his ongoing complaint
Case outcome based on the facts presented by both parties	Partially upheld in Mr A's favour, with Mr A receiving the amount proposed by Garage 1 plus some compensation towards the cost of replacing a part

Mr A submitted his complaint via The Motor Ombudsman's online form, and thereafter used social media messaging as his primary channel of communication to follow up on the progress of his case. The main purpose of using social media as the principal point of contact in the consumer's eyes was to ultimately achieve a faster resolution of their dispute than the timeframes prescribed by The Motor Ombudsman for the delivery of a case outcome.

► **What was Mr A's dispute about?**

The dispute resulted from Mr A having to pay for a repeat repair on his vehicle at Garage 2 after he claimed that Garage 1, who he had a complaint against, had been negligent in their work. Mr A was therefore claiming a refund for the cost of the repairs, as well as compensation for distress, loss of time and the negative impact on his mental health. To resolve the complaint, Garage 1 offered a settlement amount which was £1,350 lower than what Mr was seeking, which prompted additional anxiety, as Mr A was not sure whether to accept this, or risk losing any form of compensation by taking the case further.

▶ How did Mr A emphasise a sense of urgency in getting his case resolved?

Mr A explained in his social media messages on more than one occasion that his father had only a month left to live and would therefore not be able to cope with the stress of preparing for end of life, the dispute itself, and having to wait for his case to be assessed to find out whether he should accept the settlement amount from Garage 1. This was again because of his fear that Garage 1 could withdraw the offer whilst the case was being considered, and he would end up with nothing. He equally emphasised his distress through the use of multiple crying emojis, which was reinforced with Mr A saying that he was stressed, and again, that his father only had weeks, if not days to live.

▶ How did Mr A demonstrate vulnerability in his social media messages?

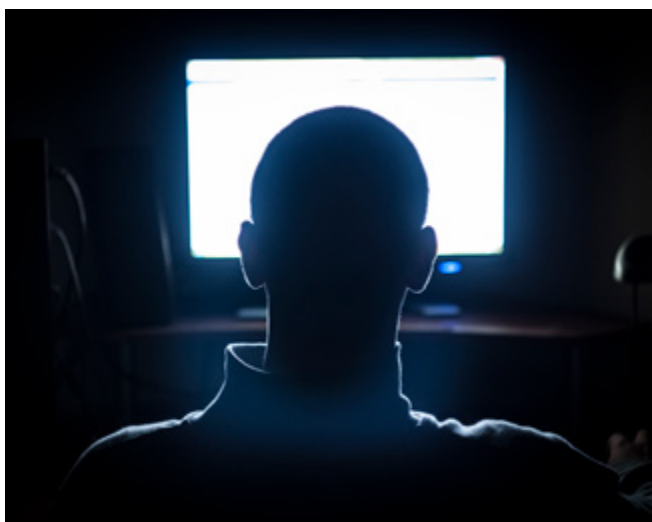
Mr A's behaviour, and the content of his messages, showed his extreme desperation and, at times, frustration with the complaints process and the impact it was having due to his personal circumstances. For example, Mr A:

- Accepted or acknowledged a response by The Motor Ombudsman but, hours later, asked the same questions again despite them previously being resolved to his satisfaction;
- Asked whether the adjudication team would call him out of hours on a Saturday with an update regarding the progression of his case;
- Sent a total of 10 messages between early morning and evening on two separate days during the 33-day period of correspondence on social media between the consumer and The Motor Ombudsman;
- Repeatedly asked whether he could speak to an adjudicator the very moment that he made the request on social media;
- Asked the social media manager on more than one occasion what his chances were of the case being upheld in his favour; and
- Displayed aggression towards the social media manager when he did not receive an answer to his message in the timeframe he personally deemed to be acceptable.

There can be a fine line between what constitutes unreasonable behaviour, which can demonstrate itself through unjustified persistence, anger or disproportionate demands, and vulnerability. It is important to not only look at the person's actions, but to try and understand the reasons behind their actions, which often can be demonstrated through linguistic or, in the case of social media, visual prompts.

● Persistence and repeat messaging by a customer can take its toll on social media channel managers and teams

Whilst people in difficult circumstances deserve empathy and understanding, repeat messaging and questioning on social media by a consumer on the same or similar subject, and within a very short period of time, can be difficult to handle – particularly where the social media manager or caseworker has provided all of the information that can be given at that point in time.



For any organisation or business, it is important to recognise the challenges faced not just by service users, but also employees, and providing them with the appropriate training, resources and support to guide them through challenging situations. For those working with vulnerable people, keeping calm, as well as striking the right balance between being firm, polite, approachable and empathetic, is imperative in providing the support that is required, whilst recognising that, even with the highest degree of prioritisation, issues can take some time to resolve. Colleagues should also be empowered to recognise when vulnerability tips into unacceptable behaviour, and be backed up by defined processes that allow such behaviour to be dealt with fairly and robustly, in order to protect their own mental health.

Being sat behind a screen, a virtual barrier to the outside world, may sometimes make social media users more comfortable to act beyond the realms of their “normal” character i.e. to be assertive, aggressive and, on occasions, even rude. This is because, from their perspective, being “at a distance” means that there is greater scope to feel less embarrassed about a more direct approach compared to if they were speaking directly

to a person on the phone, or meeting someone (e.g. from The Motor Ombudsman) face-to-face. From the consumer's point of view, they are ultimately looking for their issue to be resolved as soon as possible, so in their mind, they will do whatever it takes through the power of the written word to achieve their goal. This is namely to get their case escalated through the assessment and review process as quickly as possible.

▶ A consumer with a dispute may enlist the help of others when messaging on social media to act as their “mouthpiece”

Another issue with social media is that, because of the use of pseudonyms and nicknames, as well as the sharing of accounts, there is a chance that the person communicating through social media is not the person with the dispute, but a representative such as a friend, family member or colleague. This is particularly true for those who do not typically use social media or who are not as tech-savvy, but believe social media to be a quicker way of finding a resolution. It is therefore important to bear in mind that the “voice” speaking through social media communications is not necessarily the individual that has the dispute.

● Evaluating consumer vulnerability and determining the most appropriate course of action based on social media messaging

The same Vulnerability Evaluation Matrix seen earlier in Table 1 may be applied to an individual that has used a social media platform, such as Twitter or Facebook, as the primary communication channel, to determine possible vulnerability.

When a consumer makes contact with The Motor Ombudsman on social media, there are three main scenarios at play:

- ▶ **“Scenario A”** is when a customer will use social media to follow up about their existing case with The Motor Ombudsman, rather than corresponding by phone, e-mail or letter. This is because this channel is sometimes thought of by consumers as one that delivers a quicker response compared to other forms of communication;
- ▶ **“Scenario B”** is when an individual makes an initial enquiry about a dispute with a Motor Ombudsman-accredited business, but may not have yet submitted their information to create a case with The Motor Ombudsman; and
- ▶ **“Scenario C”** is when a consumer has contacted The Motor Ombudsman about a dispute with a business that is not accredited, and requires assistance.

Rather than a caseworker being responsible for recognising vulnerability and evaluating it, as seen previously, it is the responsibility of the social media manager to do just this, as they will be on the front line when a consumer makes contact on social media.

For any of these scenarios, it is possible that consumers may use words or phrases that express concern as seen earlier in Table 3. Regardless of whether the business is or is not accredited, it is important to ensure that all social media queries are captured in order to provide a record of how the consumer was assisted, and that all messages are logged on the central case management system rather than any other form of database so that data is transposed directly into one portal from any social media platform.

In both **Scenarios A and B**, the Vulnerability Evaluation Matrix will be followed in the same way by the social media manager, as highlighted in Section 4. This is so as to determine the application of a marker on the case file, or to be applied to the case file once created in **Scenario B**, and whether the resolution of the consumer’s case should be prioritised according to their circumstances.

The vulnerability coordinator will then be responsible for checking the marker applied is appropriate. As there is often a live conversation with the consumer on social media in parallel to the Vulnerability Evaluation Matrix being followed, signposting to an appropriate form of support (as seen in Table 2), is also an important consideration in order to assist the customer beyond their complaint with the business.

In **Scenario C**, where a business is not accredited to The Motor Ombudsman, as it is not currently mandated for an organisation, such as an independent garage or car dealership, to be part of an ADR provider, this requires a slightly different approach to assist the customer effectively.

Because every consumer’s contact is valid and treated with respect and equal weight, regardless of the means of communication, the customer’s details, and information about the business, where provided, will still be logged for record-keeping. If the business is deemed to meet the standard required to be part of a Motor Ombudsman Code of Practice, they will be contacted to find out if they would consider becoming accredited to maximise the chances of the consumer being assisted with their dispute without having to go to court, which is of particular importance for those already in difficult circumstances.

Even though a business may not be accredited, this does not exclude the social media manager from providing the best possible level of assistance to the consumer, which includes signposting to other sources of support if considered appropriate (refer to Table 2). If the customer has highlighted matters of a serious nature (i.e. they have mentioned self-harm or suicide, for example), this requires faster action to be taken, and ideally, communication should then be over the phone due to the highly sensitive and urgent nature of the customer’s situation.

SECTION 6. Health and wellbeing support for staff

● Providing adequate support for staff working with vulnerable consumers is vital

It is not only the consumer that needs support, but it is just as important to look after and preserve the wellbeing of staff handling customer enquiries. Being on the “front line” can be difficult, particularly when having to handle situations that are distressing or upsetting, such as someone verbally threatening suicide, or perhaps they resonate with a staff member’s personal circumstances. This can lead to such situations being both complicated, in terms of ensuring the individual gets the advice and support they need.

If staff, especially those who are customer-facing, feel the strain from handling consumers of this nature, it is important that they have the ability to talk to their line manager or others in their department, or an external organisation, to be able to offload their emotions from a wellbeing perspective. At The Motor Ombudsman, a dedicated wellbeing champion is on hand for all staff, and the current Employee Assistance Programme offers telephone counselling, advice on a wide range of issues, and confidential support around the clock so there is always someone to talk to no matter what the time of day.

SECTION 7. Conclusion

With the subject of vulnerability being so extensive in terms of its scope, and often so unique to the individual, it is of course challenging to provide definitive answers to every question that arises when identifying and assisting consumers who may be vulnerable. One of the key learnings and takeaways from this paper is that there is no “one size fits all” approach when it comes to managing and identifying vulnerable consumers. This is because it is about being able to adapt to the circumstances of each person.

However, having an established framework in place to help identify, manage and assist this group of customers, alongside clearly communicated policies and procedures for those handling customer contacts, is vital for helping to eliminate any potentially unfounded decisions and actions based on pure personal judgement or the first impression of staff. Any process that is designed for customers must place vulnerable consumers at its heart, ensuring that everyone, regardless of their situation, receives the level of care and support they require. As the pandemic has so starkly illustrated, vulnerability can affect anyone at any point in their lives, and it is likely that people will continue to feel the burden of COVID-19 for some time to come.

In today’s digital era, consumers live in a 24-hour society – anybody can send a message via electronic means at any time of day, with social media very much falling into this category. The points raised in this paper relate to identifying and assisting vulnerable consumers in the here and now. With technology and methods of communication evolving rapidly, and the rise of the likes of artificial intelligence, virtual assistants and chat bots to help customers alongside human intervention, it is essential that organisations do not stand still, that they develop to meet the changing needs of their customers and, most importantly, ensure that vulnerable consumers do not fall through the gaps.

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