



EMPORIUM CAR SALES LTD

# VULNERABLE CUSTOMER POLICY

## INTRODUCTION

The Financial Conduct Authority (“FCA”) defines a vulnerable consumer as:

***“someone who, due to their personal circumstances, is especially susceptible to harm, particularly when a firm is not acting with appropriate levels of care. There are many reasons a person may be vulnerable. These may be related to health, capability, resilience, or the impact of a life event”.***

Our role as an FCA regulated firm and regarding the treatment of vulnerable customers is to aid where appropriate, ensure a smooth customer journey, and to deliver good outcomes.

## PURPOSE

The purpose of this document is to set out the policies and procedures that Emporium Car Sales Ltd (“Emporium Car Sales”) has in place to ensure the fair and appropriate treatment of customers, who Emporium Car Sales understands or reasonably suspects to be vulnerable.

This document is for the use of Emporium Car Sales staff who interact with customers in any capacity or otherwise operate in a capacity where they can be reasonably aware of information that indicates a customer is vulnerable and provides a documented framework to promote the consistent fair treatment of customers who are vulnerable or particularly vulnerable.

## REGULATORY REQUIREMENTS

Consumers are placed at the centre of the FCA’s regulatory regime, and their protection is one of the FCA’s operational objectives. The FCA advances its consumer protection objective through its high-level principles, as set out in the Principles for Businesses module of the FCA Handbook, and specific conduct rules that apply to the firm’s regulated activities.

The **Principles** for Businesses (PRIN) that underpin the fair treatment of vulnerable customers are as follows:

- **Principle 2** - A firm must conduct its business with due skill, care, and diligence.
- **Principle 3** - A firm must take reasonable care to organise and control its affairs responsibly and effectively, with adequate risk management systems.
- **Principle 12** - A firm must act to deliver good outcomes for retail customers.
- **Principle 8** - underpins the firm’s obligation to ensure the fair treatment of vulnerable customers in that the fair treatment of customers depend, in part, on the characteristics of the customers concerned therefore, to pay due regard to their interests and treat them fairly, the Firm must understand what makes such customers vulnerable, understand their needs, and ensure the products and services it provides supports the fair treatment of vulnerable customers.

The Principles of Businesses are supplemented by conduct rules which require Emporium Car Sales to establish and implement clear, effective, and appropriate policies and procedures for the fair and appropriate treatment of customers, who Emporium Car Sales understands or reasonably suspects to be vulnerable or particularly vulnerable.

## **CONSUMER DUTY**

In accordance with the Consumer Duty, Emporium Car Sales has carried out an assessment of the nature and scale of characteristics of vulnerability that exist within the target market we operate in. Complying with the Consumer Duty requirements mean us going above and beyond considering generic customer vulnerabilities that are person or situation specific and reviewing and monitoring vulnerabilities and characteristics that apply because of our target market.

Emporium Car Sales have developed policies, controls, and tools to comply with the Consumer Duty and specifically the requirements contained in PRIN 2A.

Customer interests are considered from product/service design through to after-sales care and everywhere in between. Emporium Car Sales aligns with the guidance for firms on the fair treatment of vulnerable consumers and aims to improve outcomes for customers in vulnerable circumstances. Emporium Car Sales are committed to ensuring that good outcomes are attainable for all customers, regardless of circumstance, situation, or vulnerabilities.

## **TYPES OF VULNERABILITY IN TARGET MARKET**

Emporium Car Sales' target market will include individuals seeking to finance vehicle purchases. The target market includes:

- First time buyers
- Eco-conscious individuals
- Car enthusiasts
- Performance car enthusiasts
- Families
- Families/individuals on a budget

Emporium Car Sales has identified the following potential characteristics of vulnerability in the target market.

- Emporium Car Sales understands that consumers who have poor or no credit may feel forced to accept higher interest rates or poor terms because they believe they have no other choice. They may also feel pressured to agree to finance out of desperation.
- Emporium Car Sales understands that younger individuals may be more impulsive, leading to rushed decisions. They may also not be fully aware of long-term financial implications of finance products.
- Emporium Car Sales understands that older consumers may not understand the finance products offered, making them susceptible to poor deals and terms. These individuals may have mobility and hearing issues which may affect their ability to understand the information provided.
- Emporium Car Sales understands that individuals with certain mental health conditions, such as compulsive behaviours or depression, might be more susceptible to such schemes and might not make decisions in their best interest.

Emporium Car Sales has set out below the customers that sit on its spectrum of vulnerability from lowest risk to highest risk based on (1) the likelihood of the vulnerability materialising to consumer harm

should Emporium Car Sales not act with appropriate levels of care and (2) based on the potential impact on the relevant customers with the vulnerabilities should the harm materialise

## **1. LOWER RISK CUSTOMERS ON THE RISK SPECTRUM**

Emporium Car Sales' consider customers with communication limitations (such as a language barrier) to sit on the lower risk spectrum. The rationale behind the aforementioned customers being placed on the lower risk spectrum is that Emporium Car Sales consumer demographic are individuals that are fluent in speaking and reading English. Therefore, the probability of Emporium Car Sales encountering customers that have communications limitations is low.

## **2. HIGHER RISK CUSTOMERS ON THE RISK SPECTRUM**

Emporium Car Sales considers that customers with vulnerabilities such as those with mental capacity limitations to sit on the higher risk spectrum. The rationale behind the aforementioned vulnerabilities being place on the higher risk spectrum is that customers who are dealing with mental health vulnerabilities can fall into financial detriment due to not being able to fully understand the risks associated with the credit agreement.

Emporium Car Sales considers that consumers who have poor or have no credit history to sit on the higher risk spectrum. Customers who have poor or no credit may feel forced to accept higher interest rates or unfavourable terms because they believe they have no other choice.

To mitigate vulnerability risks, Emporium Car Sales has designed, and embedded controls related to service design, communications with customers and the training and competence of customer-facing staff. Emporium Car Sales have also implemented robust monitoring procedures to provide regular assurance that the controls are effective and that vulnerable customers are receiving good outcomes throughout the customer journey.

## **IDENTIFYING AND DEALING WITH VULNERABLE CUSTOMERS**

The table below sets out the four drivers of vulnerability and provides key indicators that staff should listen out for and take note of.

The indicators are not exhaustive and are not always demonstrative of a vulnerability being present. These are examples of how vulnerability can be displayed:

Indicators	Vulnerabilities	Indicators:
Health	Physical Disability Severe or long terms illness Hearing or visual impairment Poor mental health Addiction Low Mental Capacity or cognitive impairment Blind or partially sighted.	Keep asking to repeat questions. Asking the same questions Customer seems confused. Jumps from one subject to another. Slurred Speech. Aggressive language.

Life Events	Caring responsibilities Bereavement Income Shock Relationship Breakdown Domestic/Abuse People with non-standard requirement such as people with convictions, care leavers, refugees.	Insistence on someone else dealing on their behalf. Emotional behaviours/upset. Conversation going off track a lot. Indication of financial difficulties Is additional support required
Resilience	Low or erratic Income Over indebtedness Low Savings Low Emotional Resilience	Is it hard to engage in conversation? Is everything you say agreed with? This could mean lack of focus, or engagement. Ask questions, to gauge their understanding of what you have told them. Repeatedly asking you to clarify
Capability	Low knowledge or confidence in managing problems. Poor literacy or numeracy skills Low English language skills Poor or non-existent IT skills Learning Impairments No or low access to help or support	Is the customer fluent in English? Do they understand what you are saying? Do they need a translator? Respond in a way that doesn't flow with the question(s) Cannot express choices/decisions clearly. Ask you to read documents for them.

Emporium Car Sales will ensure staff are trained appropriately in how to identify and treat customers who may have the above vulnerabilities. The training will equip staff with the required skills and knowledge to engage in sensitive conversations, exercise empathy and provide the support customer needs.

Training will be provided to all new, temporary, and existing sales staff, reminding, and updating them on the requirements, guidelines and company ethos of managing Vulnerable Customers.

Emporium Car Sales recognises that informing, training, and assessing front line staff and those with dedicated vulnerable customer roles is essential in removing barriers and reducing potential harm. We work hard to ensure that our staff have adequate and effective skills and knowledge to help vulnerable customers and to ensure that the right and relevant product, service or advice is provided every time.

#### **HOW WE WILL DEAL WITH A VULNERABLE CUSTOMER**

If a vulnerable customer is identified, Emporium Car Sales will ensure services are accessible, interactions are sensitive, and that customers feel understood and respected. Once a customer is identified as potentially vulnerable, our approach is:

- We will use clear and simple language, whether in written correspondence or verbal communication, we ensure that our language is easy to understand, free from technical language and jargon, and tailored to the customer's level of understanding.

- We will offer increased support which will take the form of longer telephone times, providing written summaries of conversations by email or letter, or offering a follow-up call to answer any questions.
- We will provide comprehensive, but relevant information. We aim to provide comprehensive information to allow a customer to be fully informed, we also ensure the information we provide is relevant to the customer's needs.
- Emporium Car Sales will ensure all interactions are carried out with sensitivity, respecting the privacy and dignity of the customer.
- Depending on the nature of the vulnerability, we might offer alternative communication methods. For instance, for those with hearing impairments, we could offer written correspondence or services designed to provide assistance with individuals with hearing impairments such as Relay UK (previously TypeTalk).
- If necessary, Emporium Car Sales will refer customers to external support services and charitable organisations depending on their needs and provide contact information on who can offer further guidance and assistance.
- We will allow vulnerable customers additional time to review and consider any key information, terms, or agreements, to help ensure that they are able to make fully informed and confident decisions without feeling rushed or under pressure.

Should Emporium Car Sales identify a customer who may need specialist advice which we are unable to offer we will refer them to, or we will seek guidance from an appropriate organisation such as:

- **Mental Health Foundation** <https://www.mentalhealth.org.uk>.  
Helping people understand, protect and sustain their mental health.
- **MIND** <https://www.mind.org.uk>.  
Advice and support to empower anyone experiencing a mental health problem.
- **National Debt Helpline** <https://www.nationaldebtline.org>.  
Free and confidential debt advice service run by the Money Advice Trust.
- **Samaritans** <https://www.samaritans.org>.  
Providing emotional support to anyone in emotional distress.
- **Step Change** <https://www.stepchange.org>.  
Expert debt advice and fee-free debt management.
- **Alzheimers Society** <https://www.alzheimers.org.uk>.  
Information and support for people affected by dementia.
- **The Royal National Institute of Blind People (RNIB)** <https://www.rnib.org.uk>.  
A leading sight loss charity and the largest community of blind and partially sighted people.
- **Action on Hearing Loss** <https://rnid.org.uk>.  
The UK charity supporting deaf people and those with hearing loss and tinnitus.

## **ALLOWING VULNERABLE CUSTOMERS TO DISCLOSE THEIR NEEDS**

Emporium Car Sales are committed to allowing customers to disclose their needs during the customer journey. Emporium Car Sales will adopt a subtle approach to obtain relevant information to solidify any suspicions of vulnerability. For example, should we suspect potential vulnerabilities, we will sensitively ask, “We care about your health and wellbeing and give this paramount consideration. It is therefore important that you let us know about your current personal circumstances and if there is anything we should consider. What are your current personal circumstances which you would want us to be made aware of?”

We will ask open questions where possible to solicit as full an answer as possible to give as much insight into the customer’s circumstances to enable us to determine whether the customer is particularly vulnerable.

We consider that this approach, while subtle, is the most sensitive to the customer’s circumstances and is more likely to encourage an open two-way dialogue between us and the customer.

## **MAKING ADJUSTMENTS TO SERVICE DELIVERY**

Emporium Car Sales will make reasonable adjustments to its service delivery considering the service scope and the type of services it provides. A reasonable adjustment could consist of any of the following:

- Liaising with the customer’s third-party representative during the process – If a potentially vulnerable customer wishes to have a family member, caregiver, or another trusted individual speak on their behalf, we will support and facilitate this. It is our commitment to provide a service and environment that is both respectful and adaptable to the unique needs of each customer, particularly those who are most vulnerable.
- Offer alternative communication methods to suit the customer’s needs. We can allow the customer to use email, letter, or telephone. As detailed above, we will offer written correspondence or services designed to provide assistance with individuals with hearing impairments such as Relay UK (previously TypeTalk).
- We aim to provide the best outcome with regards to customers individual needs and circumstances. This may include speaking to them at a different time/day.
- Offering a translation service for non-English speakers. Assisting a vulnerable customer with a translation service can make a significant difference in their experience and understanding. By offering a translation service, we can ensure that the customer fully comprehends the information being presented, making them feel more at ease and able to make informed decisions.

Emporium Car Sales will ensure that any authorised third-party representatives receive the same level of care, support, and communication as the customer would themselves, in line with our commitment to fair treatment.

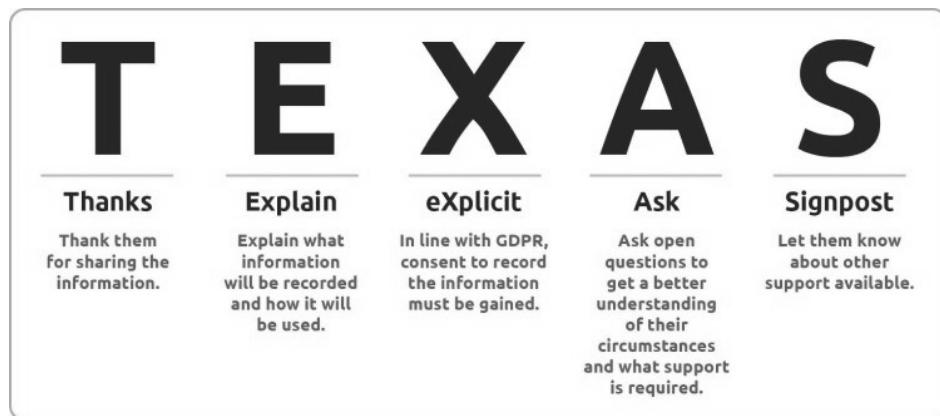
Emporium Car Sales will keep a Vulnerable Customers Log where vulnerable customer interactions can be tracked and monitored. The log will include the description of vulnerability, the potential impact on the customer and actions taken. By maintaining a log, Emporium Car Sales can ensure consistent support is provided and promote responsible and fair treatment of customers throughout the credit broking process.

The policies and procedures set out in this document ensure that Emporium Car Sales identifies and appropriately treats all consumers that sit on a spectrum of vulnerability in the context of the credit broking service.

## THE TEXAS PROTOCOL

It is important to not only to recognise the above indicators, but for Emporium Car Sales staff to feel comfortable engaging with customers who may have found themselves in a vulnerable situation.

The Royal College of Psychiatrists and Money Advice Trust have developed a protocol that may help to manage such conversations. This is called the Texas Protocol.



The TEXAS Protocol is five simple steps to take during a conversation about vulnerability in a sensitive, and fair manner. It helps ensure staff record the most relevant information about characteristics of vulnerability, how these characteristics affect support needs while helping to meet data protection requirements.

Practically this means:

**T** - Thank the customer for their disclosure.

**E** - Explaining how their disclosed information will be used.

**X** - Depending on the basis on which the data will be processed either:

**eXplicit** consent is sought or;

**cheXs** ('checks') made to ascertain if the customer objects to data processing. Where special category data is disclosed, explicit consent is required to record this and to share with any third parties.

**A** - Asking the customer questions to find out key information to understand the situation better. (Depending on the Key Driver this will determine what further questions need to be asked)

**S** - Signpost to internal support, or to external services with specialised expertise (where this is appropriate).

## COMMUNICATIONS

As a firm, we are committed to enhancing our customers' understanding through our communications. This means we will:

- Present information in a clear and logical way.
- Use straightforward and clear language for all our communications. Should technical terms or jargon be necessary, we'll ensure they are explained in the simplest terms possible.
- Highlight important information, making it easily noticeable through the use of headings, layout, text display, and font features. We'll also leverage design elements like tables, bullet points, graphs, graphics, audio-visuals, and interactive media to make data more accessible.
- Minimise the use of unnecessary disclaimers to keep our messages concise and focused.
- Provide information that is relevant and detailed enough to support decision-making, while avoiding the overload of information that could prevent customers from making effective decisions by our customers.

## FACE TO FACE & TELEPHONE COMMUNICATIONS

In accordance with its customer journey, Emporium Car Sales anticipates that most of the direct customer interactions will be face to face or telephone.

Where Emporium Car Sales have face to face or telephone conversations with customers, Emporium Car Sales will seek to understand the customer's needs and individual circumstances up front to determine whether the credit product is suitable for the customer's needs. Emporium Car Sales' rationale for doing so is that customers with apparent or more subtle vulnerabilities are more likely to enter into an unsuitable credit agreement on a poorly informed basis, and therefore Emporium Car Sales will seek to ensure that the structure of the credit products aligns to the customer's needs by seeking to understand the same at the start of any sales conversations with customers.

Emporium Car Sales will analyse what the customer says, and how they communicate the same throughout the pre-sale customer journey during conversations. Emporium Car Sales will sensitively request that the customer relays their understanding to provide assurance that the customer is sufficiently well-informed to enter into a credit agreement with the lender. Where the customer fails to reiterate their understanding effectively, this may indicate the presence of a vulnerability relating to the customer's confidence or capability to understand the credit product.

Emporium Car Sales will seek to understand whether a bespoke communications strategy would assist the customer and will seek to agree the same with the customer. To further illustrate this point, where the customer appears to be stressed or worried by the monotony in their voice, this may demonstrate some form of mental health or lack of confidence which may impact their financial standing. This will indicate that communication with the customer must be extremely sensitive. Emporium Car Sales staff must then articulate that Emporium Car Sales are looking to provide the best outcome to the customer regarding their individual needs and circumstances which may include providing bespoke communication strategies to the customer where the customer is in or reasonably expects to enter financial difficulty.

Emporium Car Sales considers that the abovementioned approach is required when interacting with customers to facilitate in understanding the holistic individual needs and circumstances of each customer.

When interacting with customers, it is important that staff listen and do not interrupt the customer, particularly when the customer is providing representations regarding their individual financial and personal circumstances. Emporium Car Sales must ensure that they make the customer feel comfortable and cared for by listening and letting the customer express themselves.

In circumstances where a customer does not proactively disclose anything to indicate that they are vulnerable, yet observe items surrounding the communication with the customer which indicates particular vulnerability, for instance in the example above where a customer appears to be worried or stressed during conversations, this may indicate that the customer is suffering with a life event vulnerability and an associated or distinct mental health vulnerability, it is likely to be insensitive to directly ask the customer to confirm whether this is the case.

Staff must adopt a subtle approach to obtain relevant information to solidify any suspicions. A strategy that can be used to extract relevant information is providing context to a question. For example, “We care about your health and wellbeing and give this paramount consideration. It is therefore important that you let us know about your current personal circumstances and if there is anything we should consider. What are your current personal circumstances which you would want us to be made aware of?” It is advisable to ask open questions where possible to solicit as full an answer as possible to give as much insight into the customer’s circumstances to enable staff to determine whether the customer is particularly vulnerable.

In general, Emporium Car Sales considers that, to protect the interests of its customers, notes should be made of any indicator of vulnerability after the conversation with customers is completed, or immediately during a conversation with a customer outlining the nature of the vulnerability and any agreed actions or bespoke treatments applied such as a tailored communication strategy. The rationale for the former is to ensure that customers do not see or infer that Emporium Car Sales are making notes about their respective vulnerabilities, while the rationale for recording detailed notes regarding the customer’s vulnerability more broadly is to ensure the consistent and fair treatment of such vulnerable customers throughout the customer journey.

## **EMAIL COMMUNICATIONS**

When interacting with customers by email, a different skillset to be attentive to detail is required. Staff, when reading email communications from customers, must be attentive to read what is being communicated by the customer (i.e., the content) and how it is being communicated (i.e., the manner). The ‘how’ element may indicate characteristics which denote that the customer is vulnerable or may give insight into a driver of a customer’s vulnerability. For example, should a customer communicate in a way that is extremely apologetic and contains a lot of apologetic phrases. This may indicate that the customer may have a capability issue in the form of potentially low confidence in managing their financial affairs, or a mental health vulnerability such as an anxiety disorder, as they appear over apologetic and seem to be a possible problem to make future financial commitments. When communicating with such a customer, staff should personalise the communication and sensitively assure the customer, for example, customers can seek independent and specialist advice from not-for-profit organisations such as Citizens Advice, Money Matters and Samaritans.

Staff should be observant to establish what a customer’s written communication style says about the customer and whether this can indicate the existence of an indicator of vulnerability. For example, an

email communication from a customer littered with significant grammatical and spelling errors may indicate low literacy skills or maybe that the customer is not fluent in English. Staff should seek to make things as easy as possible for the customer by facilitating contact through a channel that is most suitable for the customer and which they are comfortable using. For example, where a written communication from a customer indicates difficulties in communicating in writing, Emporium Car Sales can personalise a return email in which it offers the customer the option of staff contacting the customer by telephone.

### **THIRD PARTIES AND VULNERABLE CUSTOMERS OF THE FIRM**

Where a customer or third party (e.g., a third party acting under an Ordinary Power of Attorney, Lasting Power of Attorney etc.) makes representations on behalf of a customer, it is likely to be indicative that the customer will have health related vulnerabilities (i.e., mental capacity limitations). In such circumstances, the Senior Managers will contact the relevant third party to obtain further information about the customer's circumstances to inform the most appropriate action to take.

Where a customer informally provides consent for a third party to manage their account either by in person, email, or via telephone conversation on a recorded line post-sale, staff should reiterate their understanding for explicit consent is being received from the customer and to ensure both parties are clear on the scope of their consent. For instance, staff should ask the customer whether they are giving explicit consent to Emporium Car Sales for a third party to speak with staff and the scope of the consent e.g. "When you say you give consent for [name] to discuss your transaction with us, can you please confirm that you are giving explicit consent for [name] to discuss your transaction with us? When you state, 'discuss your transaction' can I please confirm whether you are giving consent for [name] to discuss the content of the last communication only or whether you are giving him consent to manage your transaction fully moving forwards."

Alternatively, Emporium Car Sales will also accept a Letter of Authority signed by a customer as confirmation that a customer is giving explicit consent for a third-party to manage their transaction. To verify the authenticity of the Letter of Authority staff should cross-reference the same against personal customer data held on the customer's file to ensure accuracy and to minimise the risk of fraud.

Should a customer who has been identified as vulnerable by Emporium Car Sales been flagged to no longer receive any communications due to a third-party making representation on behalf of the customer, it is important that staff do not describe the customer as vulnerable as this can be extremely offensive for the same bearing in mind that some vulnerable customers may not consider themselves to be vulnerable.

In cases where a potentially vulnerable customer is represented by a third-party, as per PRIN 2A.6.5, we will provide the same level of support and assistance to the third-party representatives as we would to the customer directly.

### **FRONTLINE STAFF DEALING WITH VULNERABLE CUSTOMERS**

We note the FCA's Finalised Guidance [FG21/1: Guidance for firms on the fair treatment of vulnerable customers](#) ([fca.org.uk](http://fca.org.uk)) states:

***3.21 Frontline staff may come across challenging situations and firms should offer practical and emotional support to staff where appropriate. This may take the form of offering self-help information, time out following difficult or challenging phone calls or time for staff to share experiences either in face-to-face meetings or via online forums. Large firms may offer an***

***employee assistance service. By supporting and improving staff members' mental and emotional resilience, firms can help their frontline staff engage with vulnerable consumers more sensitively.***

Emporium Car Sales' goal is to make sure that all staff have the skills they need to support customers' wellbeing. Whether that's managing difficult conversations or signposting them towards external organisations that can provide extra support, Emporium Car Sales wants to make sure staff feel empowered, comfortable, and confident when helping customers in vulnerable circumstances.

Staff have been, and will be recruited for their encouraging listening skills, emotional intelligence, and empathy. All new members of staff will be provided with vulnerable customer training which includes training of the procedures outlined in this document. Further training will consist of completing courses that focuses on the rules required of a credit broker, one of which the subjects covered is Dealing with Vulnerable Consumers.

Vulnerable Customer Training will be carried out on at least an annual basis.

Staff will also be offered practical and emotional support where it is required, particularly if they have handled a particularly distressing call. Support will include:

- Allow time out following a difficult or challenging phone call.
- Time off for staff to share experiences.
- Face-to-face or remote meetings.
- Provision of self-help information.

## **MAKING RECORDS**

Emporium Car Sales, under data protection legislation, can rely on the legal obligation lawful basis to make and maintain a record to flag that a customer is vulnerable without requiring the consent of the customer for the same.

Regulatory requirements qualify as a legal obligation and therefore Emporium Car Sales, as an FCA authorised firm, to comply with its obligations to treat customers fairly (including vulnerable customers), can legitimately make a record of customer vulnerability and maintain the same for the purposes of preventing future communication to the customer. Please note that the section below provides an exception to this.

## **SPECIAL CATEGORY PERSONAL DATA**

Under data protection legislation, there are some categories of personal data which are deemed highly sensitive due to their confidential nature and potential to cause prejudice to the data subject. Data protection legislation requires that additional safeguards be put in place to process sensitive/special category personal data. Special categories of personal data include personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, genetic data, biometric data, data concerning health or data concerning a natural person's sex life or sexual orientation. For the purposes of Emporium Car Sales products, the only type of special category data that Emporium Car Sales is likely to process is potentially racial or ethnic origin data (e.g., where a customer is not fluent in English and reveals their ethnic origin and native language) and health data.

Emporium Car Sales must obtain a customer's verbal consent on a recorded line to make a record on its IT system revealing the customer's vulnerability due to special category data. Emporium Car Sales must demonstrate sensitivity in requesting a customer's consent and should not state, for example, that this

is because the customer is deemed to be vulnerable. Emporium Car Sales must ask for the customer's permission to make a record of their personal circumstances on Emporium Car Sales' IT system.

## **GOVERNANCE**

The policies and procedures set out in this document have been drafted and approved by Benjamin Bryant ("Benjamin"), Emporium Car Sales' SMF29. As the nominated SMF29, Benjamin has ultimate responsibility for overseeing the operation of the policies and procedures set out in this document.

## **INTERNAL AUDIT**

Benjamin will monitor adherence with the policies and procedures set out herein by reviewing sample customer service communications. In the ordinary course of conducting customer file reviews as part of Emporium Car Sales compliance monitoring programme, Benjamin will review whether indicators of vulnerabilities are being appropriately identified by Emporium Car Sales.

Benjamin will conduct the aforementioned internal audit checks on, at least, a monthly basis. Where the internal audit checks conducted exposes deficiencies in Emporium Car Sales processes to identify and manage vulnerable customers, Benjamin will escalate the identified deficiencies along with recommendations to ameliorate the deficiencies for approval.

## **REVIEW**

Benjamin will conduct a review of the policies and procedures set out in this document on a bi-annual basis. The purpose of this review is to assess whether there are any processes set out in this document that need to be updated or revised. This review will also entail undertaking an analysis of customer complaints. The scope of this review will elucidate whether Emporium Car Sales policies and procedures are effective at consistently delivering good outcomes to customers.

Benjamin will conduct earlier reviews of the policies and procedures set out in this document where there is a trigger event. For example, an earlier review of the policies and procedures set out in this document will be conducted where the monthly internal audit checks identify deficiencies in the processes set out in this document or where external factors such as changes in regulatory requirements, or a relevant regulatory publication trigger a review.

## **RECORD KEEPING**

Emporium Car Sales maintains a vulnerable customers sub-folder in its company IT system. Included in the vulnerable customers sub-folder is a copy of Emporium Car Sales Vulnerable Customers Policy and Procedure document.

Emporium Car Sales must maintain a full audit trail to evidence compliance with the policies and procedures set out in this document. This includes ensuring that all telephone contact with customers (including where this involves leaving a voicemail) is on a recorded line, ensuring that it maintains a record of all communications with the customer including the date and time of the communication.

Emporium Car Sales maintains an internal audit sub-folder in its shared drive. The internal audit sub-folder contains a record of the internal audit checks that Emporium Car Sales conducts to review adherence to, and the effectiveness of the policies and procedures set out in this document.

Emporium Car Sales maintains an annual review sub-folder containing a record of the annual review that Benjamin conducts on the processes set out in this document and a copy of the corresponding report.

## **DATA RETENTION**

Emporium Car Sales must retain the records for a period of six years. Emporium Car Sales must not delete the records without written permission from Benjamin as the SMF29 Approved Person.

Emporium Car Sales will retain a copy of the previous version of the Vulnerable Customers Policy and Procedure document for a period of six years to enable effective supervision from the FCA should the FCA seek to review the historical processes Emporium Car Sales followed in relation to vulnerable customers in particular instances.

Emporium Car Sales will retain records of its internal audit checks for a period of six years to evidence that it is monitoring staff adherence to the policies and procedures set out in this document and the effectiveness of the policies and procedures set out herein. This will enable effective supervision from the FCA as records will be available for six years for the FCA to supervise Emporium Car Sales compliance monitoring activities.

Emporium Car Sales will retain records of its annual review of the policies and procedures set out in this document for a period of six years. The purpose of this will be to evidence the conduct of periodic reviews of the policies and procedures contained in this document against current FCA publications, good practice guidance and internal factors such as consumer outcome MI.

## **REVIEW AND AMENDMENT LOG**

<b>Version</b>	<b>Date</b>	<b>Author</b>	<b>Amendment Comments</b>	<b>Reviewed and Signed-off By</b>	<b>Sign-off Date</b>