



TOKIO MARINE
NICHIDO

Family Violence Policy

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1. FAMILY VIOLENCE POLICY

Tokio Marine Management (Australasia) Pty Ltd (the “Company”) supports the General Insurance Code of Practice (the “Code”).

Company employees and distributors are to understand and comply with the Code as it applies to the work performed.

The Code requires employees and distributors to understand and decide how best to support customers and others who are experiencing vulnerability, including those affected by family violence.

1.1. Statement of Family Violence Policy

The Company supports the policy of helping customers affected by family violence served by the ICA’s “Guide to helping customers affected by family violence”.

Management will make available to each employee and distributor this Family Violence Policy (the “Policy”). This Policy will assist them in identifying and supporting people affected by family violence.

Management is responsible for ensuring observance of this Policy, periodically reviewing it and its related procedures and how this Policy works in practice.

1.2. Objectives

- 1) Whenever family violence is identified or suspected, the safety of the customer affected by family violence and their family is protected.
- 2) To minimise the risk of harm in the Company’s interactions with vulnerable customers; and
- 3) To help ensure timely, consistent and targeted assistance is provided to those affected by family violence.

1.3. Definitions

Word	Definition
Company	Tokio Marine Management (Australasia) Pty Ltd
Customer	Includes the following: <ul style="list-style-type: none">▪ An individual insured;▪ A third party beneficiary;▪ A potential customer; or▪ An individual the Company is seeking to recover money from.
Distributor	Distributors also offer policies through the Company. This policy applies to all distributors that the Company has arrangements with. Currently, this includes the following entities: AANT, RAA, RAC, RACQ and RACV (the “Auto Clubs”).
Employee	Includes the following: <ul style="list-style-type: none">▪ Officers;▪ Management; and▪ Directors of the Company
Family Violence	“Violent, threatening or other behaviour by a person that coerces or controls a member of the person’s family... or causes the family member to be fearful.” ¹ Includes the following: <ol style="list-style-type: none">a) Physical violence;

¹ Family Law Act 1975 (Cth), section 4AB

	<ul style="list-style-type: none"> b) Emotional abuse, psychological abuse, sexual abuse, financial or economic abuse; and c) Damage to property.
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2. Family Violence Policy (the “Policy”)

2.1. The Aim of Training Employees and Distributors

The Company is committed to making sure all employees and distributors have ongoing training so that they are:

- a) are aware of the organisation’s policies and procedures when they are engaging with someone experiencing family violence;
- b) identify customers affected by family violence;
- c) deal appropriately and sensitively with customers affected by family violence; and
- d) apply the family violence policy – and related policies and procedures – relevant to their role in dealing with customers affected by family violence.

Training will assist employees and distributors to:

- a) be more aware of the prevalence and practical effects of family violence;
- b) recognise potential or early signs of violence that may lead to future violence;
- c) have careful and sensitive conversations with a customer affected by family violence (without disclosing to the perpetrator of such violence that the employee is aware of the family violence);
- d) appropriately triage matters involving family violence – this may require the employee to:
 - i) decide (as a matter of priority) on a claim or whether to provide Financial Hardship help; or
 - ii) promptly escalate an issue to a more senior person;
- e) refer the customer affected by family violence to specialist services that can give further guidance;
- f) understand the impact of trauma on a customer affected by family violence, in particular, how trauma may affect the way they appear and present;
- g) enable employees to engage with customers in a supportive manner;
- h) understand the potential impact that an insurer’s actions can have on a customer experiencing family violence;
- i) understand the need for strict confidentiality and privacy in relation to a customer affected by family violence;
- j) understand the significant and heightened safety risks for women and children during and after a relationship separation;
- k) understand that perpetrators of family violence:
 - i) are customers whose needs have to be managed appropriately; and
 - ii) may attempt to convince the employee to disbelieve or dismiss someone affected by family violence;
- l) understand the need for flexible arrangements for, and responses to, customers affected by family violence;
- m) understand the legal and procedural implications of court-issued family and domestic violence orders to the extent that these impact a claim or the customer experience;
- n) know about local referral pathways and contacts for local support services; and
- o) understand, and keep in mind, that a female customer affected by family violence may prefer to speak to a female employee.

2.2. Signs of Family Violence

The Company's employees and distributors need to identify signs that may indicate a customer affected by family violence (as they may be reluctant or unable to disclose their circumstances). Examples of those signs are when someone:

- a) appears, or sounds, distressed or scared;
- b) is seen, or heard, to be taking instructions from their partner;
- c) remains silent while another party does all the talking;
- d) does not understand, or is not aware, that cover has been taken out in their name or covering their property;
- e) asks questions about a joint policyholder's behaviour or activities;
- f) has concerns about protecting their personal privacy or safety, or the security of their policies;
- g) is reluctant to involve the other joint policyholder when making changes to the policy, making a claim or seeking Financial Hardship help;
- h) changes their address frequently;
- i) does not want their physical address recorded;
- j) is consistently late with premium payments; or
- k) discloses the existence of any past or present family violence, or an intervention order or its equivalent.

2.3. Employees and distributors interactions with customers

Employees and distributors should facilitate in identifying family violence and improve the experience of those affected by family violence. Employees and distributors must not require evidence of an intervention order to trigger the requirements of this Policy.

An employee or distributor should treat a customer, as this Policy requires them to be treated, if:

- a) the customer self-identifies to the employee or distributor as being affected by family violence; or
- b) the employee or distributor identifies (see 2.2) that the customer may be affected by family violence.

Whilst employees and distributors are not expected to be social workers or experts in family violence, training can help employees and distributors to reduce the impact of family violence on customers.

2.4. Service supplier interactions with customers

The Company's service suppliers who deal directly with customers (such as loss assessors, investigators and claims management services) must also be trained to the same level as employees and distributors. They are to have training before they come into contact with a customer who has been affected by family violence. Once in contact with a customer affected by family violence, they must handle the situation with appropriate sensitivity.

2.5. Protecting private and confidential information

The Company provides for the secure and confidential handling of private and personal information about customers affected by family violence in order to protect their safety. Customers should have confidence that such information (particularly their physical address) is secure and not at risk of deliberate or inadvertent disclosure.

To make sure a family violence perpetrator does not discover the physical address of a customer they may be abusing, the Company has the customer's:

- a) email address accessible to employees and / or distributors; and
- b) physical address password protected.

Information about family violence that the customer shared with the Company is only accessible by authorised employees and / or distributors.

The Company is committed to protecting the right to privacy of vulnerable customers who have notified the Company of their need for additional support from someone else (for example, a lawyer, consumer representative, interpreter or friend). One way the Company achieves this is by establishing a flagging system for a customer affected by family violence. This flag alerts other employees and / or distributors who may interact with the customer that may be affected by family violence.

The Company addresses privacy and confidentiality concerns for a customer affected by family violence in the following ways:

- a) it has systems in place to keep the customer's contact information secure and confidential;
- b) treats all information about the customer as sensitive information;
- c) any protection put in place applies across all the policies the customer holds. This can be achieved by:
 - i) asking the customer if they have more than one policy or account that needs to be amended due to family violence; and
 - ii) proactively searching for other policies in the customer's name;
- d) giving the customer access to personal information held about them within a reasonable timeframe;
- e) giving the customer control over how their personal information is shared with third parties;
- f) discussing safe ways to communicate with the customer and recording the plan on their file. For example, this can be achieved by asking:
 - i) whether it is a good time to talk; or
 - ii) if it's safe to leave phone messages;
- g) supporting the customer to set up new insurance policies;
- h) agreeing to requests from joint policyholders who ask for policy communication and information to be sent to 2 different addresses (whether physical or email);
- i) understanding the legal requirements and internal processes if the customer affected by family violence and the perpetrator are joint policyholders;
- j) ensuring the customer is informed about the circumstances and nature of information that has to be shared with the perpetrator so that they can plan accordingly;
- k) understanding legal reporting requirements in relation to children; and
- l) protecting the details of employees and / or distributors in situations where they may have to contact the perpetrator.

2.6. Minimising the need for customers to repeat disclosure

It is important to minimise the number of times a customer has to repeat the disclosure of their family violence situation because:

- a) doing so can have a traumatising effect through them reliving their experiences; and
- b) they may not always be in a position to talk about their circumstances. This may be due to the perpetrator:
 - i) being present;
 - ii) monitoring their call; or
 - iii) monitoring their web and mobile phone access.

To minimise repeated disclosure, the Company will:

- a) minimise the information that the customer is required to provide and the number of times they are required to disclose the same information – given that the customer may not have access to records and documents that the insurer would normally require;
- b) if possible, enable the customer to deal with the same employee or distributor each time, or to have a single pathway to an appropriately trained team;
- c) provide copies of documents to the customer without charge to help resolve matters, or for legal purposes;
- d) work with the customer's agent or representative. For example, a professional financial counsellor, lawyer, community services or social worker, legal aid officer or family violence specialist;
- e) make it as simple as possible for the customer to appoint an agent or representative while recognising privacy obligations; and

- f) if required, refer the customer to a qualified, independent interpreter to assist with communication.

2.7. Early recognition of family violence

Employees and distributors can play a role in first identifying that a customer is experiencing family violence. This can help reduce the impact of the violence. Sometimes the Company may identify the person experiencing the violence and sometimes the perpetrator (either may be a customer or an employee / distributor).

The Company and its service suppliers can be involved in circumstances when indicators of family violence may first become apparent. For example, at claim time and after a major disaster. The Company's employees / distributors and service suppliers are to be trained in identifying family violence and to respond accordingly.

2.8. Sensitive claims handling

If a customer affected by family violence makes an insurance claim, then employees and distributors need to handle the claim with sensitivity, flexibility and care. This is particularly important if:

- a) the customer and the perpetrator are joint policyholders; or
- b) the perpetrator has caused the claim (e.g. by damaging the customer's property).

To make sure that employees and distributors handle the claims with flexibility and care, the following will be considered:

- a) the need to clearly and transparently explain to the customer the claims process and what is required of them;
- b) having specialist employees and distributors with adequate authority to make decisions in family violence-related claims – this is useful due to the complexity of the issues raised;
- c) that a survivor of violence may come across as incoherent or scattered (this does not necessarily indicate that their claim is invalid);
- d) that traumatic events (such as catastrophes) that result in claims, can trigger violence;
- e) that the claims process may trigger violence, particularly if the perpetrator caused the damage the claim relates to;
- f) that if the claimant does not reply to communications, it may be because they do not have access to a telephone or email. It does not necessarily:
 - i) indicate fraud; or
 - ii) mean they have given up on their claim;
- g) that requests for information from the customer need to take into account that they may not have access to their personal or financial records, or their other documents;
- h) not require the customer to do either of the following (unless they are comfortable doing so):
 - i) make direct contact with the perpetrator; or
 - ii) make a police report about the perpetrator;
- i) ensure that anyone interviewing or investigating a customer who may be affected by family violence (or going to their home) needs:
 - i) to be aware that they may be putting themselves in danger; and
 - ii) to be appropriately trained under the investigation standards of the Code; and
- j) before the insurer pays a claim, it should try to make sure it is paying the appropriate party or parties – this can be a particularly complex area in cases of family violence and family law property disputes.

2.9. Access to Financial Hardship help

Family violence is relevant to Financial Hardship help because it is a potential cause of payment difficulties and it is an eligibility criterion for access to Financial Hardship support. If a customer

identifies to an employee or distributor that they are being affected by family violence, then the employee or distributor should ask about the customer's financial situation to determine if they are experiencing Financial Hardship. If the customer is experiencing family violence, the Company is committed to:

- a) fast-tracking the Financial Hardship request;
- b) providing options for the customer to retain their policy if they say they cannot pay their premium. Examples of options include:
 - i) changing the benefit structure or the sum insured;
 - ii) reducing the benefits, or removing, or altering, benefit options; and
 - iii) pausing premium payments, without cancelling the policy;
- c) ensuring policies about assessing Financial Hardship involving joint policyholders are appropriate. For example, the Company can consider an application from a joint policyholder who is affected by family violence without requiring the consent of the other policyholder;
- d) considering that the customer's reluctance to obtain consent from a joint policyholder in relation to Financial Hardship help may be the first indication of financial abuse;
- e) where possible, minimise the information and documents that customers are required to provide; and
- f) not requiring an intervention order as evidence of family violence (when assessing a Financial Hardship application). If the Company identifies that the customer is affected by family violence or the customer discloses this information, that will trigger a referral to the appropriate team.

2.10. Collection arrangements

If the Company is aware that a customer's debt involves a situation of family violence, then the Company will not refer or sell the debt onto third-party debt collection agencies.

If the Company becomes aware that family violence is involved in a debt after it has referred or sold that debt to a third-party collection agency, then the Company will work with the collection agency to provide the best outcome for the customer. The Company will assess the options on a case by case basis. The options may include:

- a) repurchasing an existing debt; or
- b) taking back a referred debt from a collection agency.

The Company will consider the risks involved in attempting to recover debts in situations involving family violence - whether from a customer experiencing family violence or from the perpetrator. Collection Agents must comply with the 'Debt Collection Guideline: For Collectors and Creditors' (Published by the Australian Competition and Consumer Commission & the Australian Securities and Investments Commission).

2.11. Making customers affected by family violence aware of information and help available

The Company has published on its website, and at our branches, an updated list of assistance referrals (internal or external) available to customers affected by family violence and how they may access such assistance. A copy of this Policy is also available to any customer that requests it.

2.12. Referring customers affected by family violence to specialist services

Employees and distributors can play an important role by suggesting to the customer that they can contact an external legal or support organisation. To enable employees and distributors to refer customers to organisations that can assist with family violence issues, the Company:

- a) Keeps an updated list of recognised external specialist services (see table on page 9);
- b) Publishes the information referred to in the table (see page 9) on the Company website; and
- c) Has employees and distributors provide this information to customers.

Location	Recognised external specialist services
Australia-wide	Kildonan UnitingCare 1800 RESPECT Domestic and Family Violence Response Training
Australian Capital Territory	Legal Aid ACT
New South Wales	NSW Health Education Centre Against Violence Women's Domestic Violence Court Advocacy Service Gendered Violence Research Network, UNSW Ask LOIS (Women's Legal Service NSW) LawAccess NSW Legal Aid NSW
Northern Territory	Northern Territory Legal Aid Commission
Queensland	Queensland Centre for Domestic and Family Violence Research Legal Aid Queensland
South Australia	Legal Services Commission of South Australia
Tasmania	Legal Aid Commission of Tasmania
Victoria	Domestic Violence Resource Centre Victoria Victoria Legal Aid
Western Australia	Women's Council for Domestic and Family Violence Services Legal Aid WA

2.13. Support for employees and distributors

Employees of insurers (including employees of the Distributors) may also be affected by family violence and require support in the same way that others do. Employees and Distributors may be adversely affected either by the impact of the customer's issues or when their interactions with a customer cause them to relive their own experiences of family violence. Employees and distributors may also be perpetrators of family violence and need support to deal with that.

The Company provides support to employees who are impacted by family and domestic violence and manages known perpetrators of violence (it is expected that Distributors will also provide similar support to their employees). The support provided to the Company's Employees involves:

- a) Training;
- b) Leave;
- c) Additional security measures;
- d) External referrals; and
- e) Counselling.