



Making telephone advice work

Presentation to *NACLC Conference 2014*

Kat Lane, Principal Solicitor – Financial Rights Legal Centre

Ben Zika, Solicitor – Consumer Action Law Centre

14 August 2014

This presentation is for information only.

You must seek legal advice in relation to any particular circumstances.



Overview

- Quick overview of Financial Rights LC and Consumer Action LC
- General observations about the role of telephone advice
- What works
- What does not work
- The future evolution

- Specialist CLC's with state wide catchments.
- Assistance in Consumer Credit and Consumer Law
- Co-located with financial counselling services. Integrated services with policy and CLE programs
- Services provided almost exclusively over the phone.
- Financial Rights Legal Centre – Insurance Law Service

1800 007 007

- National number which redirects to your state/territory.
- Separate services in each State/Territory
- Administered differently in NSW and Victoria

JAMES BOND



007

What can phone advice provide?

- Answer questions
- Information, options and referrals
- Supported self advocacy
- Referrals to face to face financial counselling or other services
- Legal advice from solicitors
- Finding systemic issues
- Screening process for appropriate casework

The challenges

- Meeting demand
- Tailoring advice to be useful and accurate
- Balancing caller needs with demand
- Stress and difficult callers
- Maintaining consistent advice with callers ringing back about same problem
- Complex caller problems

Elizabeth Shearer Report – 2012

- Tension between:
 - Breadth of Service – keeping an advice service as open as possible; and
 - Depth of Service – providing effective services that make a difference
- Solicitors felt under pressure to ‘push through’ calls on advice line.
- No way of measuring effectiveness.

Elizabeth Shearer Report – 2012

Recommendations:

- Adjusted hours of service (3 hours per day for triage. 3 hours for complex callbacks).
- Tighter service definitions and guidelines about level of service.
- Centralised allocation for extended advice
- Formal intake process
- Follow up process

Levels of service

- Triage
- Callbacks
- Casework
- Extended advice

All centrally allocated

Guidelines for each level of service: client vulnerability, merit, what can we do for client, policy aims/goals

What works:

- Triage
- Integrated services
- Support and training of staff to be experts
- Knowing in practice (through casework experience) how to resolve the problem and likely outcomes
- Telling the client to call back if needed until problem resolved



Triage

- not about exclusion it is about determining assistance levels
- done most efficiently when operated by qualified workers with casework experience.
- recognises that callers have different needs from a simple question right through to a complex problem
- identifies urgency and imminent detriment
- recognises that some callers due to vulnerability will need representation and casework assistance



Integrated services

- Consumer credit/debt problems benefit from a holistic approach with both financial counsellors and solicitors working as a team and exchanging knowledge.
- Casework, CLE and law reform policy work are essential experience in delivering targeted and practical advice
- Using the advice line to spot emerging issues that require systemic responses
- Integration with other services is essential - often a phone assistance service can only do so much




Expertise

- Good telephone legal advice cannot be performed by robots with a script
- Advice needs to be tailored
- Solicitors need to be part of a team with experience in solving problems
- Good telephone advice needs casework experience
- Team members need to be constantly sharing experiences to inform the entire team.



Practical problem solving

- Explaining how to solve the problem is critical
- Merely giving advice on the law is usually useless for callers
- Need to set out each step to solve the problem
- Advice about consequences
- Managing expectations and communicating about likely remedies
- Callers do want advice not just options
- Dictating letters and using sample letters is important



Problems are not always resolved with one advice!

- Problems can be complex
- Problem solving often requires several steps
- Some callers need support until the problem is resolved
- Callers need to know how to recognise when the problem is solved. This is not always obvious
- Letting callers know they can ring back and get further support is empowering

What does not work:

- Legal mumbo jumbo
- Follow the script (only)
- Not listening
- Lack of expertise
- Lack of practical experience
- Expecting demand can be resolved by referral out (they just come back...)



Innovation

- New ways to assist vulnerable consumers
- Reviewing referral pathways constantly
- Self reflection. Looking at ways to do things better
- Focussing on outcomes – how to assist callers more effectively



The Future – Opportunities and Fears

- Greater technology is great for some types of clients and some types of matters.
- Outcome focus (rather than output focus)
- If resources/funding is continually going to be stripped from the sector, will rigid structures for assessment and ongoing assistance mean that people are just turned away?

Summary

- Phone advice can only do so much. So it is important that it is integrated with other services
- There will always be a tension between the breadth of a service and the depth of a service.
- Dealing with this tension is a constant challenge but with differing approaches but having qualified workers on the front line is a strategy that we both agree on.

*Kat Lane, Principal Solicitor – Financial
Rights Legal Centre*
Kat.Lane@financialrights.org.au

*Ben Zika, Solicitor –
Consumer Action Law Centre*
ben@consumeraction.org.au