



Australian Government

Department of Education, Employment and Workplace Relations

FNSCUS402A Resolve disputes

Revision Number: 1

FNSCUS402A Resolve disputes

Modification History

Not applicable.

Unit Descriptor

Unit descriptor	This unit describes the performance outcomes, skills and knowledge required to investigate, negotiate and resolve disputes between financial services customers and organisations. No licensing, legislative, regulatory or certification requirements apply to this unit at the time of endorsement.
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Application of the Unit

Application of the unit	This unit may apply to job roles in any sector of the financial services industry as part of a formal internal dispute resolution process.
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Licensing/Regulatory Information

Not applicable.

Pre-Requisites

Prerequisite units		

Employability Skills Information

Employability skills	This unit contains employability skills.
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Elements and Performance Criteria Pre-Content

Elements describe the essential outcomes of a unit of competency.	Performance criteria describe the performance needed to demonstrate achievement of the element. Where bold italicised text is used, further information is detailed in the required skills and knowledge section and the range statement. Assessment of performance is to be consistent with the evidence guide.
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Elements and Performance Criteria

ELEMENT	PERFORMANCE CRITERIA
1. Establish that a dispute exists	1.1. All information relating to the original problem is identified and the <i>grounds for the dispute</i> clarified 1.2. Contact is made with all <i>parties</i> to identify and clarify the disputed issues and ensure that the customer has a legitimate dispute or that the initial complaint has not already been settled to the customer's satisfaction 1.3. Information is assessed to ensure that the organisation operating procedures have been followed and all <i>information</i> relevant to the dispute resolution process is provided to the customer 1.4. Where necessary additional information is obtained from relevant parties as required and exchanged appropriately 1.5. Where the existence of a genuine dispute is established, the customer is informed of the organisation's obligations, procedures to be followed and timeframes
2. Investigate the dispute and determine the action to be taken	2.1. All information from prior dealings with the customer is collected with further <i>investigations</i> undertaken if necessary 2.2. The customer is kept informed of progress and advised of any delays 2.3. Resolution action is determined with consideration to the facts, legislation, organisation procedures and policies and industry codes of practice and appropriate personnel informed of action to be taken
3. Resolve dispute	3.1. The customer is informed of the decision, including reasons for the decision if appropriate, and negotiations are carried out with claimant or representative if required 3.2. Disputes are resolved in a timely and, as far as practicable, non litigious manner and, as far as possible, without resorting to <i>formal conciliation services</i> 3.3. The rights of the customer are respected in all dispute settlement procedures and any unresolved disputes are referred to formal conciliation services
4. Finalise dispute	4.1. Outcomes of the dispute resolution process are recorded and all parties affected by the decision clearly and promptly advised on the outcome and

ELEMENT	PERFORMANCE CRITERIA
	their rights in relation to review of the decision 4.2. Relevant documentation is prepared according to legislation, regulations and codes of practice for unresolved disputes which have been referred to formal conciliation services 4.3. Decision of external dispute resolution body is attended to, as appropriate 4.4. All documentation is completed in accordance with legislation and organisation procedures

Required Skills and Knowledge

REQUIRED SKILLS AND KNOWLEDGE

This section describes the skills and knowledge required for this unit.

Required skills

- well-developed communication skills to:
 - determine and confirm dispute situation and resolution requirements, using questioning and active listening as required
 - negotiate effectively and respectfully
 - liaise with others, share information, listen and understand
 - use language and concepts appropriate to cultural differences
- research and analysis for:
 - accessing, interpreting and managing dispute documentation and related information
 - accessing and interpreting financial product information
- literacy skills to read and interpret documentation from a variety of sources and recording, gathering and consolidating information
- IT skills for accessing and using appropriate software such as spreadsheets and databases and using internet information
- team working skills for working cooperatively and effectively with others
- problem solving skills to address negotiation and related dispute resolution issues
- judgement skills for forming recommendations in operational situations
- organisational skills, including the ability to plan and sequence work and plan meetings

Required knowledge

- current industry compliance requirements and dispute settling procedures and requirements
- current organisation policy and procedures and any impacting legislation for dispute resolution
- negotiation principles and practises
- risk prevention methods

Evidence Guide

EVIDENCE GUIDE

The Evidence Guide provides advice on assessment and must be read in conjunction with the performance criteria, required skills and knowledge, range statement and the Assessment Guidelines for the Training Package.

Overview of assessment

Critical aspects for assessment and evidence required to demonstrate competency in this unit

Evidence of the ability to:

- settle disputes in the financial services industry in line with organisation's policy and procedures and industry and legislative requirements
- effectively apply dispute resolution techniques
- interpret and comply with relevant legislation, organisation policy and procedures and industry codes of practice

Context of and specific resources for assessment

Assessment must ensure:

- competency is demonstrated in the context of the financial services work environment and conditions specified in the range statement either in a relevant workplace or a closely simulated work environment
- access to and the use of a range of common office equipment, technology, software and consumables
- access to financial services product information
- access to information about a range of workplace disputes.

Method of assessment

A range of assessment methods should be used to assess practical skills and knowledge. The following examples, in combination, are appropriate for this unit:

- evaluating an integrated activity which combines the elements of competency for the unit or a cluster of related units of competency
- observing processes and procedures in workplaces or role plays
- verbal or written questioning on underpinning knowledge and skills
- setting and reviewing business simulations or scenarios
- accessing and validating third party reports.

Guidance information for assessment

Range Statement

RANGE STATEMENT

The range statement relates to the unit of competency as a whole. It allows for different work environments and situations that may affect performance. Bold italicised wording, if used in the performance criteria, is detailed below. Essential operating conditions that may be present with training and assessment (depending on the work situation, needs of the candidate, accessibility of the item, and local industry and regional contexts) may also be included.

<i>Grounds for the dispute</i> may include:	• claims • failure to provide agreed service • fraud • interpretation of terms and conditions • liability • provision of inaccurate advice • validity of contract.
<i>Parties</i> may include:	• brokers • claimant • employer • industry and professional organisations • insurer • investigators or assessors • risk manager • service providers • unions.
<i>Information</i> may include:	• customer details • customer history with the organisation and other companies • organisation policy • type of business and product or service.
<i>Investigations</i> may include consideration of:	• whether: • the correct procedure been followed • the customer been kept informed of progress of the dispute • the initial decision that is being disputed based on adequate information
<i>Formal conciliation services</i> may include:	• conciliation bodies or specific industry dispute resolution bodies such as: • Insurance Enquiries and Complaints Scheme • Insurance Brokers Disputes Limited (IBD) • referral to outside bodies such as mediators.

Unit Sector(s)

Unit sector	Customer service
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Competency field

Competency field	
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Co-requisite units

Co-requisite units		