

# Vulnerable Customers Policy

## Company Details: Mark S Nanson t/a Fishergate Leasing

Date Last Updated: 5<sup>th</sup> April 2022

### Our Intentions:

Mark S Nanson t/a Fishergate Leasing (The firm) is committed to abiding by the Principles for Business laid down by the Financial Conduct Authority. This Policy provides guidance on how we will meet our objectives to look after the best interests of Potential Vulnerable customers by dealing fairly with them.

### How We Will Do This:

We have identified all the areas where we consider, or it has been found elsewhere, that problems may occur. Customers can be regarded as vulnerable for a wide variety of reasons, and the issues affecting them often present challenges. Each vulnerable customer will require different help and support this policy outlines the steps Mark S Nanson t/a Fishergate Leasing can do to identify and provide to such customers a fair and appropriate assistance.

### Mark S Nanson t/a Fishergate Leasing Role:

The Role is to identify through interaction with customers who may be vulnerable. When a potential vulnerable customer has been identified, it is policy to contact the relevant funder, to enable their specialist team to provide Mark S Nanson t/a Fishergate Leasing and the customer with the appropriate support and guidance needed. The customer's permission will be obtained to pass on any information they have given to Mark S Nanson t/a Fishergate Leasing (except where it is believed that the customer is under duress by a person who is forcing them to enter into their agreement).

### Types of Vulnerability:

#### Limited Mental Capacity

'Mental Capacity' is a person's ability to make decisions. If a customer, for any reason, is not able to effectively make decisions, this is known as a 'limitation' of their capacity. Mark S Nanson t/a Fishergate Leasing will always assume that a customer has mental capacity but will actively check whether there is any evidence that means that Mark S Nanson t/a Fishergate Leasing should reasonably suspect that they do not.

Indications which might lead to a belief that a customer has a mental capacity limitation.

- if there is an existing relationship with a customer and the customer is making a decision that seems out of character.

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- A person or person's close to the customer, who the customer has given permission to deal with which may raise a concern about the customer's ability to make a decision about entering into any agreement
- A customer is unable to communicate their decision about whether to enter into the agreement.
- the customer is confused about the personal information you have asked for, such as date of birth or address.
- The customer tells you or you believe that:
  - the customer has been diagnosed as having a health problem which meant that the customer has struggled with similar decisions in the past
  - the customer doesn't understand what they are applying for
  - the customer doesn't understand the information and explanations you have provided, especially where this is about the key risks of entering into an agreement
  - the customer cannot remember information and explanations you provide
  - the customer is unable to weigh up the information and explanations you have given to make the decision to proceed

## Available Options:

Whilst Mark S Nanson t/a Fishergate Leasing has a duty to protect customers with a mental capacity limitation, this must be balanced with their right to make their own decisions. Where it is believed that a customer is suffering from a mental capacity limitation, it is important that an **'immediate decision to arrange an agreement for the customer is not taken'**. If Mark S Nanson t/a Fishergate Leasing believes that the customer has a limitation on their capacity to make a decision, **before** deciding whether or not to arrange an agreement the following steps will be followed.

- Asking the customer to repeat key information back to ensure that they have a fully understood
- Asking the customer whether there is someone who they would like with them to help with the application.
- allowing the customer time to make the decision, including going away to discuss the decision with a friend, relative or carer
- some mental capacity limitations (for instance, intoxication and some forms of mental illness) may not always be present. If this might be the case, it could be appropriate to suggest that the customer takes some time to think the decision over
- Contact will then be made to the appropriate funder to inform them of Mark S Nanson T/a Fishergate Leasing becoming aware or suspecting a limitation.

## Annual Review

Mark S Nanson t/a Fishergate leasing will ensure that at minimum, an annual review of Vulnerable Customers Policy s will take place.