

Learning from others' mistakes

Webinar overview

1. Improvements identified
2. Client care
3. Written agreements
4. File management
5. Supervision
6. Resources available

Improvements identified

| Area of Concern | Improvements identified |
|-------------------------------|---|
| Client care | <ul style="list-style-type: none">✓ Well –written client engagement letters✓ Written agreements provided |
| Written Agreements | <ul style="list-style-type: none">✓ Description of services clearer/ match invoices |
| CPD | <ul style="list-style-type: none">✓ Engagement with mandatory webinars/ completing CPD |
| Supervision records | <ul style="list-style-type: none">✓ Evidence of direct supervision not only includes copies of supervision minutes. |
| Client Funds/ receipts | <ul style="list-style-type: none">✓ Transition to online payments has reduced issues with cash payments/ invoicing |

Mistakes- Client Care

| Issues | Code of Conduct 2014 |
|---|--|
| Dishonesty/ Negligence | <ul style="list-style-type: none"> • Cl 1 • Cl 29 • Own up to mistakes |
| Unlicensed advice/ Clerical workers | <ul style="list-style-type: none"> • Cl 1, 2(e) and 3(c) • LIA has individual responsibility • Instructions of client |
| Managing confidentiality | <ul style="list-style-type: none"> • Cl 4- written consent |
| Written consent to initial consultations- Terms and Conditions | <ul style="list-style-type: none"> • Cl 16 |
| Following instructions/engagement with client. | <ul style="list-style-type: none"> • Cl 1 • Cl 2(e) • Cl 26(c) |

Mistakes- Written Agreements

| Issues | Code of Conduct 2014 |
|--|---|
| Scope of services | <ul style="list-style-type: none"> • Cl 18(d), 19(e) |
| Method of charging for fees and disbursements | <ul style="list-style-type: none"> • Cl 19 (i) • Invoicing Cl 22 |
| Refunds | <ul style="list-style-type: none"> • Cls 19(k), 20(a) and 24 |
| Provisional Licence Holder requirements | <ul style="list-style-type: none"> • Cls 13(c), 19(c) |
| Record of summary of professional standards being <u>provided to and explained to the client</u> | <ul style="list-style-type: none"> • Cl 17(a)-(b) • Cl 19(m) |
| Records that a copy of the complaints procedure has been provided to the client | <ul style="list-style-type: none"> • Cls 17(c) • Cl 19(n) |
| Sign-on fees (also known as fee retainers) | <ul style="list-style-type: none"> • Cl 20(a) (also see <i>Geldenhuis v Yap</i> [2013] NZIACDT 27) |

Mistakes- File Management

| Issue | Code of Conduct 2014 |
|---|---|
| Employees recording/ providing advice | <ul style="list-style-type: none">• Cl 2(e)• Individual responsibility• Clerical workers using LIA signatures |
| Handover of client file to another LIA/ communications | <ul style="list-style-type: none">• Cl 28• Cl 10(a) |
| Evidence of compliance with maintaining a complete client file | <ul style="list-style-type: none">• Cl 26 (a),• Cl 26 (c) |
| Maintaining client account and ledger/ receiving funds in advance | <ul style="list-style-type: none">• Cl 25 |
| Providing complete client files for the purposes of inspection | <ul style="list-style-type: none">• Cl 26(e) |

Mistakes- Supervision

| Issue | Code of Conduct 2014 |
|---|--|
| Develop and enter into a supervision agreement which reflects intended supervision arrangements | <ul style="list-style-type: none">• Cl 11• Cl 12(c) and 13(a) |
| Frequency of regular formal supervision meetings | <ul style="list-style-type: none">• Cl 11• Cl 12(c) and 13(a) |
| Changes to supervision agreements – termination, supervision fees, frequency of supervision. | <ul style="list-style-type: none">• Cl 12(f)• Cl 13(b)• Cl 13(d) |
| Keeping records of supervision arrangement | <ul style="list-style-type: none">• Cl 11• Cl 12(c) and 13(a) |

Resources available

Previous Webinars

- Client Files
- Ethics considerations
- Supervision
- Client care and initial assessments

Toolkits

- Code of Conduct Toolkit
- Supervision Toolkit
- Licensing Toolkit
- Ethics Toolkit

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Feedback? Further questions?

How can we do better? Have we done a good job? Whatever the feedback, compliments or complaints, we want to hear from you.

Email us at info@iaa.govt.nz with “**Feedback-Webinar**” in the subject line.

