

**Agency:** Australian Small Business and Family Enterprise Ombudsman  
**Question No:** QoN 038  
**Topic:** AMP  
**Member:** Senator O'Neill

**QoN038-02 AMP General**

**a) Are you still receiving complaints from AMP planners about their mistreatment?**

**Answer:**

We have received 3 new requests for assistance in 2021, and we currently have 5 cases with active assistance being provided.

**b) Has AMP been enforcing very strong non-disparagement clauses onto former advisers?**

**Answer:**

On 10 May 2021 we asked AMPFP if they were using non-disparagement clauses in contracts and settlement documents. AMPFP informed my Office that they consider non-disparagement clauses to be standard practice.

**c) What have you heard about these non-disparagement arrangements?**

**Answer:**

We do not have any visibility of the detail of non-disparagement arrangements.

**d) Multiple AMP advisers have contacted my office regarding their mental health and the strains that AMP has placed on them due to the BOLR changes. What have you heard?**

**Answer:**

44 AMP ARs have specifically reported concerns about mental health impacts, and subsequent impacts on relationships with family and friends, which they say are directly resulting from changes to the BOLR arrangements and their treatment by AMPFP. AMP ARs reported feelings of powerlessness, significant time delays and a lack of clarity/transparency in the exit process which exacerbated their declining mental health. Some AMP ARs reported suffering, for example, stress, severe depression and anxiety.

We are also advised that the AMP ARs have advised AMPFP of these mental health impacts and, while given information via email about external counselling services, the AMP ARs reported that they believed this was not adequate, as they did not feel a sense of safety in engaging with an organization referred to them by AMPFP.

**Note:**

*The answers provided are based on information provided to us by the 116 AMP Authorised Representatives (AMP ARs) who have sought assistance from this Office. In many instances, AMP ARs have provided an impact statement to our Office, which have been validated where possible. In some instances supporting documentation has not been available, and confidentiality agreements prevent full disclosure by AMP ARs.*

*It is important to note that not all AMP ARs have provided the same information to this Office during our work with them, and while attempts have been made to standardize information received from planners, this has not always been possible.*

*The work of the Office to date has been to:*

- 1. Provide direct assistance to AMP ARs who request it, including offering guidance on alternative dispute resolution options and facilitating communication between the AMP ARs and AMP Financial Planning (AMPFP). This has included arranging mediation where appropriate.*
- 2. Facilitating communication between AMPFP and AMP ARs (and their representatives) in relation to policies and practices that have that have directly impacted the parties.*

*As the Committee is aware, this Office is unable to provide rulings or decisions on these matters, nor provide advice on the legal position of the AMP ARs.*