



Issues and Problems in Ethical Practices amongst Takaful Agents

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ABSTRACT

This paper discusses contributing factors pertaining to the ethical behaviour of Takaful agents in Malaysia. Perspective of sales, selling pressure and the level of competitiveness are identified as factors, influencing ethical behaviour of Takaful agents. This study is conducted through focus group and formed a personal interview among branch managers, executives and Takaful agents. It revealed that unethical behaviour is evident among the Takaful agents in meeting the sales target. These factors can be used as a signal for practitioners and Takaful operators in order to avoid unethical practice in dealing with customers.

Keywords: Takaful Agents, Unethical Behaviour, Takaful Industry

JEL classifications: K4, L2

1. INTRODUCTION

In the era of globalization and competitiveness in the market, the demand for the Takaful industry in Malaysia is increasingly important and high Bala and Sandhu (2011), and Mansur and Sahlan (2010) due to the variety of offers by each insurance company as well as its contribution to the growth and development of the economy (Life Insurance Association of Malaysia, 2013; Ministry of Finance Malaysia, 2013). Besides, the report by Ministry of Finance (2014) showed that the Takaful segment is expected to benefit from the various insurance schemes announced by the government to help small traders and hawkers, fishermen, soldiers, police and students.

In the contexts of service industry, interaction between customer and salespeople is very important (Adnan et al., 2013). Therefore, it is critical to ensure customer loyalty and obtain the benefit by extending customer life (Lin and Wu, 2012). Meanwhile Haron et al. (2011) mentioned that life insurance business is based on trust and honesty, which requires a high degree of responsibility and professionalism from the agents and selling insurance is possible when the prospect trusts the agents. Besides, insurance sales agents must fully understand the customers' needs and requirements

as well as build a trusting relationship between themselves and clients to promote a long-term mutually beneficial relationship (Crosby et al., 1990).

Furthermore, insurance agents are often considered to market complex services in marketing life insurance (Mat, 1995), which is due to engagement of family life agents in long-term commitments and a continual stream of interaction between buyer and seller. After the sale, agents provide a follow-up service and help customers make policy changes in response to changing needs, which would justify the importance of continuous researches to satisfy the customers in this dynamic marketing industry (Noor and Muhammad, 2005).

Despite an increased demand for the Takaful industry and a return to the national economy, a number of cases of unethical behavior of agents have been highlighted in the local newspaper. For instance, former director of insurance broker charged with cheating, bribing and using false documents involving more than RM 80,000 (Bernama, 2013). A client wrote in the Utusan Malaysia alleging an agent had misrepresented facts in his proposal form and withheld medical document on the pretext of ensuring the approval of the proposal, while upon correcting the error, the

client policy was suspended. Subsequently when the client met with an accident, his medical claim was rejected (Ismail, 2014). There is an increase of complaints related to conduct of agents and repudiation of liability (Financial Mediation Bureau, 2013). Based on the abovementioned issues, it is clear that unethical behavior has enormous implications. Ethical issues not only involve financial risk, reputation and survival of the organization, or the employees might also lose their jobs, but also has implications for the nation's good name. Therefore efforts must be intensified to understand this phenomenon and create transparency moral and ethical (Ambrose et al., 2008; Bratton, 2004; Christensen, 2007) in both public and private sectors (Stedham et al., 2007; Svensson et al., 2004).

2. BACKGROUND OF STUDY

Ethics is a central issue in financial services (Dunfee and Gunther, 1999), which can create liability problems for salespeople's organizations through both intentional and inadvertent statements (Boedecker et al., 1991). Financial institutions are vulnerable to many legal and ethical misuses and very expensive forms of corruption (Román and Munuera, 2005). In the context of the Takaful industry, customers often face considerable uncertainty restricting from intangibility, complexity, a lack of service familiarity, and long-term benefits, due to the experience and credence properties of these services (Chen and Mau, 2009). An unethical sales behavior may hurt customer satisfaction and trust. Dissatisfaction and distrust encourage customers to take actions to protect themselves, and customer loyalty shall therefore be lost (Cicala et al., 2014; Lin and Wu, 2012). According to Hunt and Vitell (1986), ethical versus unethical behavior can be adjusted by the extent to which stress is given to the values of right versus wrong, good versus evil, fair versus unfair, or just versus unjust. In practice, from the salespersons perspective, salespeople often behave against the firm's ethical norms in order to meet sales targets, and such unethical sales behavior could result in arguments and destroy the buyer-seller reciprocal relationship, thus losing customers or even more serious consequences. It is assumed that ethics is a standard to judge the rightness not of an action per se, but of the action of one person relative to another, that is, ethics is a basis for judgment in personal interaction (Lin and Wu, 2012).

Family Takaful industry is characterized by continuous exchange activities, because this industry starts from door-to-door selling and continues to cross-selling and then to up-selling existing product offers, which benefit both the insurance service providers and customers and represent all points on the transaction-relationship continuum (Chen and Mau, 2009). Relationship marketing is undoubtedly an ideal strategy based on social exchange theory and customer loyalty makes the customers willing to buy other insurance services from the same company (Noor and Muhammad, 2005). On the other hand, as the financial industry has become more competitive, financial services' salespeople could, if they choose to act unethically, take advantage of the consumer's naivety and improve their own position (Wray et al., 1994). Structural reforms planned by the management of the Takaful industry have faced more market-based pricing mechanism in major market segments, greater efficiency in the insurance ecosystem and further strengthen the framework for the protection and investment guide.

Therefore, the insurance companies particularly agents must have knowledge about the products that offer a better service to customers (Karthikeyan et al., 2010).

Haron et al. (2011) categorized unethical selling as: (1) False or misleading representations of products or services, (2) failure to identify client's needs and recommend products and services that meet those needs, (3) lack of knowledge or skills, and (4) conflicts between opportunities for personal financial gain and proper performance of one's responsibility. The above quotation can support the researcher to explain the unethical selling and why financial person accomplishes it in such a manner. Based on the above discussion, the research questions can be summarized as follows: (1) Is there a relationship between sales pressures with unethical behavior among Takaful agents insurance? (2) Is there a relationship between intense competitions with unethical behavior among Takaful agents insurance? In order to address the issues, the researcher suggested the following research objectives: (1) To determine the factors of sales pressure that influence unethical behavior among Takaful insurance agents (2) to explore the intensity of competition that influence unethical behavior of Takaful insurance agents.

3. PROBLEM STATEMENT

Ethics has been defined as the moral concerns of being right or wrong (Barnett and Valentine, 2004; Sims, 1992). Considering the organizations, ethics play a very important role in its performance. All the decisions made in the organizations are by the individuals or the group of individuals and how they pay attention to the moral judgments will certainly reflect in the organizational decision making process (Adnan et al., 2013). Despite these efforts, unethical behavior still permeates the workplace (Schwepker and Schultz, 2013). A total of 55% of respondents in a poll of nearly 20,000 people across 19 countries indicated that cheating in business deals was more rampant today than ten years ago, while only 7% said it was less pervasive (Cohen, 2008). The preponderance of unethical behavior is caused because companies increasingly shift their strategic focus toward establishing mutually beneficial customer relationships (Cannon and Perreault, 1999; Ganesan, 1994; Gundlach and Murphy, 1993; Alamer, 2015). Ethics has gained much attention after the famous ethical scandals like of Enron, WorldCom, Global Crossing and Arthur Anderson (Adnan et al., 2013). In Malaysia, an incidence of unethical behavior that received widespread attention was Port Klang Free Zone involving increased project cost of RM 1.957 billion to RM 4.947 billion (Li, 2009).

Selling financial products can easily raise ethical concerns because of the degree of pressure on sales personnel, which can be generated, for example, by the selling firm through its use of quotas and incentive pay (Yi et al., 2012). Companies utilize quotas and incentive compensation to motivate sales personnel and guide their behavior (Hair et al., 2009). Essentially, quotas are a constant reminder to salespersons regarding what they must do. Thus, salespeople's need to achieve quota can induce a psychological burden as it represents performance that must be achieved.

Intensity of market competition can have an impact on salespeople. For example, previous researchers have found that competitive intensity is inversely related to salesperson performance (Ryans and Weinberg, 1979). Moreover, Walker et al. (1979) proposed that a firm's competitive position is negatively related to the amount of conflict a salesperson experiences in the job. Such conflict could have a negative influence on salespeople's performance. Thus, when competition is intense, sales agents could be led to act opportunistically and owing to their concerns about their performance (Wotruba, 1990). Despite the foregoing arguments, prior sales research is mixed regarding the potential association between competitive intensity and unethical behavior (Yi et al., 2012). Based on previous studies, this research found several factors leading to the unethical behaviour that influence Takaful agents. As mentioned by Yi et al. (2012), sales pressure and intensity of competition trigger unethical practices amongst Takaful agents. Therefore, this paper tries to investigate both factors that potentially explain unethical behaviour amongst Takaful agents in Malaysia.

4. METHODOLOGY

The aim of this study is to explore the contributing factors to the unethical behaviour of Takaful agents towards sales. In order to obtain data, the researcher developed a focus group using personal interview through unstructured interview. Three types of respondents, namely branch managers, executives and Takaful agents were directly involved. The unstructured and spontaneous responses are expected to reflect the genuine opinion and ideas regarding the topic of discussion (Sekaran and Bougies, 2013). To analyse the data, the information was transcribed and interpreted. So, this study tries to prove the occurred unethical practices among Takaful agents.

5. FINDINGS

The purpose of this section is to illustrate the result, which emerged from semi-structured interviews. The preliminary interview on Takaful operators with branch managers, agents and executives clearly shows that there is a problem with the misconduct of Takaful agents related to sales of Takaful family products. The received feedbacks from the interview are as follows:

"...is quite complicated in selling insurance (policies) so agents must know their responsibility about their task. Actually it easy to make sale if they were smart in arranging their sales strategies....."

(Branch Manager 1)

"....now, the insurance market experiencing high demand and intense competition. This provides a challenge to the agent to act more aggressively to win customers....."

(Branch Manager 2)

"There are several illegal behavior practices by agents in order to increase their sales. As example they misrepresent an insurance

policy as being an asset which can be traded or sold in the marketplace for investment purposes. This has been happen when customers come to claim...."

(Branch Manager 3)

The result of the interview indicates that unethical practices of Takaful agents arise in order to increase their sales. Previous studies indicated that insurance agents have the opportunity for ethical misconduct due to highly abstract service, characterized by credence attributes and difficult for consumers to fully understand (Haron et al., 2011; Hoffman et al., 1991). In addition to the interview with branch managers, agents were found to act out of control, either consciously or unconsciously to achieve the sales target as set by the company. It is geared towards unethical behavior. By right, the agent should use the right approach. This is because the good behavior can affect the transactions carried out.

Two executives as involved in the views of misconduct agents.

"Since I worked here, there are agents who were terminated from company due to their discipline. One that has been identified is agent's misconduct. Despite there being dismissed but the company must conceal from public knowledge....."

(Executive 1)

In order to increase their sales, Takaful agents need to get new customers for avoiding dismissal. So they will use a variety of methods to increase their sales. So each agent should be wise in handling sales and how to attract customers to buy policies sold by agents....."

(Executive 2)

As argued by the interviewed executives, it showed that the Takaful industry suffered a shock associated with ethical problems among agents. As mentioned by Alhyasat (2012), Wotruba (1990) and Yi et al. (2012), agents act opportunistically to maintain their performance in the firm. Based on that scenario, agents may act out of control to maintain self-interest as supported by Agnihotri et al. (2011), which might happen due to the nature of the job as mentioned by Hoffman et al., (1991).

Moreover, three agents also gave their views on the issues and the scope of ethical action in the industry.

"Sales target sometimes give me pressure. When company has been set sales that agents must fulfill or achieve sometimes there is also dishonesty in conversation...."

(Agent 1)

"To increase sales policy, the agent was required to compete with each other....."

(Agent 2)

“Agents will be laid off after advised and given a warning letter. That’s fact that I must be remembered. So to refrain from that actions I must worked hard and diligently.....”

(Agent 3)

In dealing with the demanding customer and complicated product, agents need to use a variety of approaches to capture their customers. Therefore, the results of interviews with agents show that they need to enhance their creative performances for long-term success especially in the sales profession, where individual and organizational success depend on supplying innovative and useful solutions for customers. As mentioned by Lassk and Shepherd, (2013), organizations must take full advantage of their work force’s creative potential to prosper or even survive in today’s highly competitive and rapidly changing business environment.

6. DISCUSSION

Apart from the more knowledgeable customers of their rights to the Takaful industry, it was found that the insolvent insurers, unfair business practices and inefficient operations are the major catalyst factor contributing to the increased pressure and criticism from policyholders against Family Takaful. The primary focus of this research was however on the unethical behavior of salespeople, namely Takaful agents in sales position, who are related to selling pressure and intensity of competition. The interviews with branch managers showed that they agreed that agents might unintentionally act beyond their own behavior, thus agents should use the right approach in the transaction as good behavior has an impact on them too. Holmes et al. (2012) mentioned that ethical standards of any professional body are crucial in maintaining its credibility and reputation, so salespeople as a representative of an organization play a role in maintaining the company’s image so as not tarnished by doing things that can hurt them or company. By referring to the findings of interviews with executives, this study examined the issue of unethical behavior. As mentioned by Haron et al. (2011), unethical demands are made by clients or customers and mid-level managers who are only concerned with their own personal gain. Sometimes agents encounter ethical dilemma once unconditional situation happens.

The results of interviews with agents showed they need to know to use a variety of approaches to capture customers. Agents capture their customers with quality services and it would be profitable for a long time if the services are constantly improved. In addition, in order to deal with the competition, the agent needs to know to attract customers to trust them. In the context of the family Takaful product, customers often face considerable uncertainty stemming from intangibility, complexity, a lack of service familiarity, and long-term benefits, which might be due to the experience and credence properties of these services as Chen and Mau (2009) mentioned. Thus, agents need to have knowledge to attract customers to subscribe the policy. Besides, an empirical research by Tseng (2011) explained that compensation, punishment, competition, social consensus, training and customer orientation policy are important as to give importance to customer interest. Moreover, there is no reason for salespeople to take opportunity

to deliver poor product design as their responsibility. All these considerations may encourage salespeople to be customer-friendly. Therefore, as a managerial suggestion, the company should be responsible for designing products that align the firm and customers’ interests.

This research is supported by previous researches by Lassk and Shepherd (2013) in today’s highly competitive and rapidly changing business environment. Organizations must take full advantage of their work force’s creative potential to prosper or even survive. The need to enhance creative performance for long-term success is perhaps especially true in the sales profession. Individual and organizational success depends on supplying innovative and useful solutions for customers. Perhaps this would not be true in the sales profession, in which individual and organizational success depends on supplying innovative and useful solutions for customers in a turbulent environment as suggested by Chonko and Jones (2005).

Based on the issues, the researchers believe that in-depth research should be conducted because the industry is very important to economic growth. As mentioned by Mohamed et al. (2013), Takaful operators need to demonstrate their ability to offer a comparable, if not better quality of service than conventional insurance when dealing with Takaful participants. Hence, there is a need to invest in technology to deliver high quality service to help customer retention, which directly benefit the consumer as well as Takaful operators in the long-term and improve competitive standing and prospects in Takaful market.

7. CONCLUSION

Takaful industry is one of the subsectors in the financial industry, which mainly penetrates to a large percentage of the society and is attributed to the availability of well-tailored Takaful products that can meet the needs of the average and low income earners in the society (Mohamed et al., 2013). Within the increasing developments of the Islamic financial system, the Takaful industry has practiced significant growth and developments, indicating a clear manifestation of the recognition of Islamic insurance as an important source of enhancing the Shariah (Islamic law) compliant protection against vulnerability or risk arising from untoward events. Despite the importance of the Takaful industry in general and for Malaysians in particular, previous researchers such as Browne and Kim (1993), Ward and Zurbruegg (2002), Beck and Webb (2003), Hwang and Gao (2003), Lim and Haberman (2004) do not discuss the ethical issue, hence they only examined the demand for life insurance both domestically and abroad. Therefore with the increasing demand for Takaful industry, management should handle issues that may affect the company’s reputation. As it is known, many services are so abstract and complicated, so the buyer lacks the means to evaluate the quality of provided service.

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