What if saying it simply was MORE effective?

Getting Comfortable With Simple and Clear

Remember back in the introduction, Steven Pressfield's book, *Nobody Wants to Read Your Sh*t*?

Now, if you are a compliance officer, I bet that book's title made you uncomfortable. We don't swear in compliance. We avoid risky or potentially controversial topics. We never portray someone in an unkind way. We are thoughtful about every detail.

Honestly, I debated mentioning his book for all these reasons.

But guess what? I bet—this many pages later—you still remember the title. In fact, you probably remember those 6 words better than the 1,500 words that surrounded it.

It's a good title: simple, clear, memorable. It takes a key message and boils it down to a phrase that sticks in your mind, in part because it's a tiny bit transgressive.

I remembered the title when I sat down to write the introduction—more than three years after reading Pressfield's book.

(There's a lesson for compliance programs in this. And it reminds me of a conversation that led to a shift in my thinking: Around 2012 or 2013, I was talking to someone who ran the compliance training program at a large pharmaceutical company. He was talking about how he had recently begun introducing humor and humorous products in his training. And he said: "I worried for so long about offending people. But everything here is well-done and well-intentioned. And now I realize: If I offend someone, at least they'll remember it!")

Anyway: In the same book segment I quoted from earlier, after outlining the problem, Pressfield shared the secret to breaking through to a busy, uninterested audience:

> 1. Reduce your message to its simplest, clearest, easiest-to-understand form.
>
> 2. Make it fun. Or sexy or interesting or informative.
>
> 3. Apply that to all forms of writing or art or commerce. [1]

As you may have already gathered, this book is a longer, compliance-focused exploration of a similar formula.

Because, how *do* you make compliance fun? Or interesting? Or genuinely informative? (We'll skip sexy, for obvious reasons.)

In the last chapter, we talked about how to approach your subject so you can identify the simplest, clearest take on the topic, while also screening out the details that might lead you to clutter things up and swamp your main points.

Getting the focus right is where you need to start. It's your table stakes. If you skip this part, all the copywriting tricks and cool new media formats still can't help much.

But how do you write compliance content that people will find easier and more enjoyable to read (or watch, or hear, if you are making a multi-media piece)?

(Lawyers, don't worry that "easy" and "enjoyable" means "lightweight" or "dumbed down." We're trying to get people to listen and pay attention so you can get your message through. I promise you that a big block of text would *not* be more effective at accomplishing that purpose.)

Where Not To Start

So, you've identified your key behavior points and core concepts. Here's where *not* to start: By writing a topic summary.

No matter how clear or readable you make each word, no one reading them cares . . . *yet*. You haven't given them a reason to care.

As Pressfield says: People don't care about your message. They care about themselves, their jobs, and their own concerns—and you'll only capture their attention if you can show them how the content relates to one or more of these.

Say you're writing the introduction of an antitrust course. You want the page to sum up what the course will cover and why it matters.

Don't start here:

> *Fair competition, or antitrust, laws are designed to encourage fair competition in the marketplace. They protect both companies and consumers from unfair competitive practices.*
>
> *As a large, global company, we must be very aware of our often dominant position in the marketplace. We are committed to complying with both the letter and the spirit of fair competition laws.*
>
> *Our company believes in vigorous competition, but we do not use illegal or unethical means to gain an advantage over a competitor. In this module, you'll learn what this means and what behavior is expected of you in this respect.*

Now, what exactly is wrong with this approach?

Taken on its own, it's not a bad summary of fair competition—it explains what the competition laws are, why they matter, and how they relate to the audience. It contains clear, simple sentences and doesn't have any legal definitions or jargon. It's even under 100 words. A 12-year- old could read it and probably figure out what was going on.

In fact, if you started with a summary written by a competition law expert, getting here would be a victory. There would be whole swaths of unnecessary detail you'd left on the cutting room floor.

And yet . . . *who would read or listen to this?*

Put it this way: If you came out of a store and found a flyer with these words stuck under your car's windshield wiper, would you stop and read it? The whole thing? I don't think so—and you are a compliance professional.

In fact, the only person likely to read this is someone who has to—either because that person is researching antitrust or taking a mandatory training.

Now, let's take the same content and recast it in a different way. Something like this:

> *Competition laws help support a free and fair marketplace.*
>
> *We're a large company in a high-visibility industry.*
>
> *We need to follow these laws—and we're counting on you to help.*
>
> *We want to win on the merits of our products and services, not because someone on our team took unethical or illegal actions.*
>
> *Let's review some key concepts . . .*

This introduction covers the same points, but in a much different way. Among other things:

1. It's a lot shorter—almost by half—even though it hits the same basic points.

2. Something is at stake . . . and the learner is in a position to help.

3. It's written the way a person talks to another person, with "we" and "you" sentence construction—not like an omniscient narrator.

4. It uses plain language. You might say these sentences to a friend over lunch. (Or, at least, you are more likely to say any one of these sentences than: "We are committed to complying with both the letter and the spirit of fair competition laws.")

5. It's styled like a lot of the web: Simple, standalone sentences. One sentence per line, with large line breaks. Easy to scan.

In this section, we'll cover some techniques for both structure and language to help you produce content that can be easier for learners to engage with.

(When it comes to connecting, easy is good. Easy is what keeps people reading and paying attention.)

Structure: Keep the Most Important Thing the Most Important Thing

1. Organize around key behaviors, not facts.

Once you've identified a topic's key behaviors, make these the backbone of anything you are writing. Individual employee behaviors—not facts—should be your starting point and also your punch line.

I'll give an example. Here's a fact-based introduction to GDPR:

> *The General Data Protection Regulation is a European Union privacy law that took effect on May 25, 2018. Years in the making, it replaced the last major piece of EU privacy law established in the 1990s.*
>
> *The internet has changed how we do business and the role of data and data-sharing in our lives. GDPR updates privacy law to account for these technical developments.*
>
> *The law places restrictions on what companies can do with your data, and it gives individuals greater rights and control to their data.*

Here's a behavior-based introduction to GDPR:

> *We live in a digital world where technology is evolving rapidly—raising the standards for how we use and secure personal information.*
>
> *The way you treat personal data makes a difference. Your actions at work matter.*
>
> *We all need to be able to recognize when we are working with personal data, so we can protect it appropriately.*

Both of these passages are simple and clear, but the first one starts with facts (information about the law) and the second one starts with behaviors (what your audience must know or do as a result).

Now, if you are a compliance expert, you will know a lot of facts about the law, and it can be easy to slip into writing about facts without realizing it. You are likely very good at hearing facts about a law or rule and quickly, almost effortlessly, grasping what that means for your own actions and decisions.

Assume that your audience doesn't have this same skill. Assume that they need to have things spelled out for them—if for no other reason than to save them time and avoid ambiguity or misinterpretation.

How can you tell if you are writing in a behavior-based way? Ask yourself:

- **Who or what is the subject of your sentences?**

  The first introduction is full of active, not passive, sentences—which is a good first step.

  But in the fact-based approach, the "actors" in each sentence are abstract things—the law ("GDPR updates privacy law") or a technology ("The internet has changed how we do business").

  In the behavior-based approach, people are at the center—"We live in a digital world," "The way you treat personal data," "We all need to be able to recognize."

- **Can your audience do anything with this information?**

  Your audience can't do anything about the EU GDPR being established in May of 2018. They can't do anything about the internet and its effects on business. So, while this may be useful background, it's not what you want to lead with.

Similarly, I've seen GDPR trainings that go into detail about the six privacy principles, like Purpose Limitations, Data Minimization, etc.

If you are a company data privacy expert, you need to deeply understand these six principles, especially if you are designing rules, processes, and standards for the company to implement. But, strictly speaking, the average employee could be instructed to handle data in a way that complies with GDPR without ever knowing that these six principles exist.

Now, here's where it gets tricky:

Sometimes, information like the privacy principles can be useful background. Depending on your audience, some people might be interested to know, at a high level, what the GDPR requires so that they can better understand the context of the rules you have set.

So I'm not saying don't mention them. I'm saying: Don't mention them unless you can clearly tie them to a desired behavior.

So, for instance, if you want to talk about the principle of data minimization, you might explain what the EU expects, and then make a clear and concrete ask: "This is why we ask you to delete all project emails once a project is complete."

This focus on behaviors should start with the title you give your course. Avoid single-word "label" style titles, like "Antitrust," "Anti-Money Laundering," "Anti-Corruption," or "Financial Integrity."

Yes, these are technically correct. But, as written, they're also just compliance department shorthand.

A label-style title is a form of one-way communication with your audience. It says: "Here is something I want you to know." It's about getting what's in your head out and into the minds of your audience—with little to no consideration of what might make the subject interesting or useful to them.

Instead, write a title that puts the topic in the context of their jobs, and their actions in their jobs, like:

- Avoiding Conflicts of Interest at Work

- Spotting Bribery Risks in Sales: What You Need to Know

- Not Here, Not Us: Building a Harassment-Free Workplace

Troubleshooting tricky situations

Now, there is one big caveat to all this focus on behavior.

Sometimes, you may think you've tackled all of the research you needed for a topic . . . and then, when you sit down to write a course (or someone who is writing it sends you a draft), you find it really hard to come up with the actual behaviors to include.

We see this a lot in Code rewrites. A company has had a Code for 10 years with a conflicts-of-interest section. And yet, when we sit down to transform it into behavior-based writing, there's almost nothing to work with. And then we ask the group "We get the general concept, but what do you want employees to do or not do?"—but the team members either don't know or don't agree.

Abstract, fact-based language can be great at concealing a lack of knowledge or consensus while still giving you

credit for the Code or policy or course at hand. Forcing a focus on behavior can expose some uncomfortable truths, like:

- We act as if we have one standard, but our practices aren't the same everywhere

- Different groups inside the company disagree on this, so we've avoided giving specific examples

- This law or rule is new or outside of our usual focus, and we haven't yet worked out how it applies to us

- The laws really vary between jurisdictions, and it's not feasible to operate globally to the highest standard

- There isn't much the individual employee can do about this, and yet we are required to train on it

There's really no magic solution to these situations, except to keep going in the direction of behavior and get as far as you can. These tips may help you get there:

- **If the problem is lack of knowledge** ("We don't know how employees could get this wrong?"), do some more investigation. Look at your helpline calls. Look at the questions that come in to your office. What were the violations? What were the questions? Or connect with managers on the ground and ask: Where could employees get this wrong? Where are the misunderstandings?

- **If the law or standard is new** ("We don't know how the courts will interpret this,"), see if you can at least come up with hypotheticals that would be well within the behavior that's clearly prohibited.

  - Remember, a course is not a litigation. You don't have to rule out only what's illegal, or draw a clear, bright line between what is legally permitted and what is not. You can prohibit behavior that the company would technically defend in court, if it came to that.

- **If the law varies among jurisdictions**, see what commonalities there are. On a technical topic like exports, there's genuinely no way to teach to a high level of detail in a course intended for your general audience, unless they are all in one place. When I've worked on courses like these, we've tended to keep the focus to behaviors like:

  - You need to be able to recognize when an export is taking place

  - You must get a license for any controlled products

  - You must not ship to any restricted individuals or entities—or to anyone who might re-export to them

  - This is a technical and complex area, so work with our exports experts if you have any questions

  Then point people to local laws and experts for more information.

- **If the problem is internal conflict** . . . well, good luck. That one is hard. Maybe there's internal disagreement about what an appropriate gift limit is and whether you should even name a specific figure. Perhaps there's a difference of opinion about hiring and managing family members or how to handle in-office romantic relationships.

  - Sometimes, you can use the course development process to force a discussion and foster a deeper level of consensus. Sometimes, the situation is intractable. You will be the best judge of what's possible.

- **If the problem is that the law is vague or hard to interpret**, you may have a larger problem. About five years into my compliance career, there was a lot of interest in the market in developing a course on Chinese competition law. But an interesting thing happened: Every time we tried to partner with a company to develop one, we couldn't get to any specifics. They found it very hard to point to specific behaviors.

  Finally, we retained an outside expert who shared this opinion: Look, I think you are trying to solve the wrong problem. The Chinese government has made the law vague on purpose so that they can prosecute the companies they want to prosecute. There's no way to write a course that gives employees clear direction, because there's no clear direction to give.

All this to say: Focusing on behaviors is key—and difficulties in uncovering specific behaviors may be signposts of other issues you need to tackle outside of training.

Worst case, if you really can't get to behaviors but need to train on a topic, consider hiring a lawyer to do a webinar on the topic. It will probably be cheaper than a course and will take a lot less of your time.

2. Set and enforce hierarchies.

The tech world is famous for keeping focus.

There's the concept of minimum viable product—make something with just enough features to do everything your audience needs, then build from there.

There's the story about Steve Jobs, who every year at Apple would take his "top 100" people on a retreat. Together, they would come up with a list of the top 10 things that Apple should be doing next. After much back and forth and jockeying for position, these 10 would be ranked. And then Jobs would cross off the bottom seven items on the list, leaving the team with three—and these would become Apple's top focus for the next year.

Similarly, it's critical in compliance training to separate out a few key (typically behavior-based) points and make everything else subordinate.

Let's say that in GDPR, there are three behavior-based points for the average employee:

- You need to understand what personal information is so you can recognize when you're working with it.

- You need to understand the processes and rules our company has put in place for when you collect, store, retrieve, or share personal data.

- You need to know when to ask for help or report issues.

If I were writing a course about GDPR and these were my behavioral points, I would probably organize my course like this:

- Introduction to set the stage and explain why the employee is taking this

- Module on recognizing personal information

- Module (or two) on protection processes

- Module on speaking up/reporting, with specific examples

Everything else in the course—including the history of the law, specific definitions, rules, etc.—should fit within this framework and be clearly subordinate to the main points.