



21st SOCAP INTERNATIONAL SYMPOSIUM: COMING OF AGE

*Discussion group – “Government: Hypothetical Case Studies”
Unreasonable complainant conduct in a virtual world*

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Introduction

More and more people are turning to social media and the internet to complain. Rather than complaining to the organisations or companies they have a problem with, complainants are finding a new place to express their concerns 'to the world,' either in the first instance or after exhausting all of their options with the organisation concerned. As a consequence, "social networking sites such as [Facebook] and Twitter are booming with people publicly expressing their displeasure."¹

We don't need to go back too far to see examples of this growing phenomenon. For example, when the Commonwealth bank unexpectedly increased its interest rates by 0.1 percent to 5.74 per cent in June 2009 the move sparked a frenzy of online comments.² According to a Nielsen Online study "after the hike 50% of all the comments about the CBA were negative... The statistics showed people who were getting no satisfaction from traditional methods were going online to seek sympathy, support and a little revenge on banks" said Mark Higginson, Director of Analysis at Neilson Online.

The Commonwealth Bank case was not unique by any means. Not a day seems to go by without a social media incident involving teachers, students and parents appearing in the headlines. We are also increasingly hearing about incidents involving other public sector organisations and public servants who have been the subject of negative comments online.

For example:

1. In 2009, six NSW corrective services officers were threatened with losing their jobs after making comments on Facebook relating to the Corrective Services Commissioner and other staff in relation to the planned privatisation of gaols. The Facebook group page, titled "Suggestions to help Big RON save a few clams" included comments and suggestions on how the Department could save money by sacking senior officials who they claimed added little value. Other comments revealed areas of wastage within Corrective Services.³
2. In 2010, a Beecroft Primary principal successfully sued a parent for defamation after he described her as 'incompetent, dishonest and untrustworthy' in a widely circulated email. The principal received \$82,543 in damages.⁴

And in probably the most groundbreaking Facebook case in Australia:

3. In November 2009 a 19-year old man was convicted of criminal defamation after posting material on Facebook about a country police officer. He created a Facebook group called "Piss Off [the name of the officer]" and posted comments which were incorrect, offensive and contained grossly defamatory statements about the Senior Constable. The Facebook page also identified the constable's children in photographs and disclosed the location of his house. Some of the posts even encouraged acts of violence and aggression towards him.

What all of these cases illustrate is that complainants are turning to the internet in greater numbers and in the process are sometimes engaging in unreasonable, sometimes unlawful conduct. The huge and instant potential audience of the internet and social media sites have made it easier than ever for a single disgruntled complainant, employee or former employee to permanently stain an organisation's image or cause psychological injury to another person with a single inappropriate

¹ Angela Harper, 'Bank customers deposit their anger on the internet', *news.com.au*, <http://www.news.com.au/bank-customers-deposit-their-anger-on-the-internet/story-0-1225740509586>, 26 June 2009.

² Ibid.

³ ABC News, 'Prison guards threatened with sack over Facebook', *ABC News Online*, <http://www.abc.net.au/news/2009-09-17/prison-guards-threatened-with-sack-over-facebook/1431976>, 17 September 2009.

⁴ The FindLaw Team, 'Can Australian Stalking Laws be Applied to Social Media?' *FindLaw Australia*, <http://www.findlaw.com.au/articles/4272/can-australian-stalking-laws-be-applied-to-social-.aspx>, 15 April 2011.

online contribution.⁵ All too often these sites are a “medium for the unreasonable and the unprincipled to have momentum out of all proportion to reality.”⁶

But what can organisations, and today I am focussing on public organisations, do about this issue? The sheer quantity of material on the internet is almost beyond comprehension, making it impossible for any individual to effectively monitor the internet looking for negative comments. Organisations are ill-equipped to designate staff to exclusively react to negative comments and more importantly, this behaviour is happening off-site, out of office and sometimes with complete anonymity without our knowledge. As such, is it even an organisational issue? Why should organisation’s dedicate their limited resources to such an insurmountable issue?

Our discussion today will centre on these issues. We will start with a brief discussion of unreasonable complainant conduct (hereafter referred to as UCC) and the managing UCC project which has been a joint collaboration involving all Australian Parliamentary Ombudsman offices.

We will discuss the growing frequency of UCC online and on social media and what, if anything, organisations can do to deal with such conduct. As a group, we will also go through a case study example which will help us contextualise some of the considerations organisations should take into account in relation to this issue.

Ultimately, my message today is that whether or not organisations have an online presence or permit the use of social media websites by their staff, they should take a proactive approach to social media by doing at least four things:

1. Use online tools and alerts for monitoring discussions about their organisation online – *which will be discussed in greater detail*
2. Develop a social media policy for staff of the organisation
3. Develop a set of rules for complainants on acceptable and unacceptable uses of social media and any relevant consequences for doing so
4. Treat unreasonable complainant conduct online in the same way as unreasonable complainant conduct generally, using the approach advocated in our Manual – *the second edition of which will be available in the next couple of months*

Organisations need to recognise the potential for the misuse of social media by both their staff, in their personal and/or professional lives and their complainants, and take steps to address such problems even before they occur.

What do I mean when I say ‘unreasonable complainant conduct’?

The NSW Ombudsman’s office, along with the other 8 Australian Parliamentary Ombudsman, began using the term ‘unreasonable complainant conduct’ in 2006, after much discussion within and among our offices about the noticeable increase in the number of complainants who presented with behaviours that were increasingly challenging and serious.

We were seeing more complainants who were very angry, aggressive and abusive to our staff; who were threatening harm, were dishonest or intentionally misleading in presenting the facts, or who were deliberately withholding information from us. Our offices were frequently flooded with unnecessary telephone calls, emails and massive amounts of irrelevant printed material. We were seeing complainants who were insisting on outcomes that were clearly not possible or appropriate, or were

⁵ Annamarie Rooding, Stephen Jacques, ‘Cyberbullying in the workplace: dealing with social networking sites’, *Internet Law Bulletin* (2009) 12(1) *INTLB*.

⁶ Manchester Evening News, ‘Teachers targeted in Facebook bullying campaigns – by parents’, *Manchester Evening News – Education*, http://menmedia.co.uk/manchestereveningnews/news/education/s/1404910_teachers_targeted_in_facebook_bullying_campaigns_by_the_parents, 11 January 2011.

demanding things they are not entitled to, or who, at the end of the process were unwilling to accept our decisions and continued to demand that we take further action on their complaint.

As such, we loosely define unreasonable complainant conduct as behaviour by a complainant which, because of its very nature or frequency, raises substantial health, safety, resource or equity issues for the parties to a complaint. It has no fixed location and can happen anywhere; on an organisation's premises or at an off-site location including a complainant's home. It can happen over the phone or in an email or in any other medium that the complainant uses to push their cause in ways that are unreasonable.

For the purposes of today's workshop – I want to be clear on the distinction between reasonable and unreasonable conduct. We aren't talking about conduct where a complainant criticises an agency in a way that is constructive or is providing negative feedback. We're talking about conduct that is dangerously defamatory and has the potential to cause serious harm to the reputation of the agency or its staff.

History of the project: Stage 2 and the focus groups

As our offices have witnessed an increase in unreasonable behaviours by complainants we decided to adopt a collaborative approach to addressing the UCC problem by undertaking a two-staged project on developing strategies to better manage unreasonable complainant conduct. The first stage of the project concluded in 2009 with the publication of a Project Report and Managing Unreasonable Complainant Conduct Practice Manual, which provides strategies to assist complaint handlers to manage unreasonable complainant conduct.

The second stage of the project, which is nearing its conclusion, has sought to expand upon the strategies contained in the first edition of the Practice Manual making it more relevant to a wider range of organisations. In particular, the focus of Stage 2 has been on organisations that have limited discretion to terminate their relationships with complainants who display unreasonable behaviours and/or are small or involved in rural or remote service delivery and have limited resources to dedicate to managing UCC.

As part of Stage 2 we held nine separate workshops across Australia on unreasonable complainant conduct, involving 25 focus groups, between 4 March and 23 July last year. A total of 95 agencies, represented by 179 staff members, participated.

During the focus group discussions, participants were asked to comment on a wide range of issues relating to unreasonable complainant conduct. The issues included:

- the impact of unreasonable complainant conduct on staff members
- the management of expectations
- the use of surveillance technologies and physical design (ie office layout) to ensure staff safety
- forum shopping, including the involvement of ministers and their staff in complaint handling and more.

One issue that was discussed in every session was the use of e-media by complainants to vilify, defame, harass, intimidate or threaten agencies, their staff and/or their family members and associates. Participants complained in their droves about complainants creating websites dedicated to them or their organisations, complainants posting lies and defamatory comments online or conducting snide online polls. They added that in their experience complainants who complained online tended to exaggerate the content and issues of their complaints and misrepresent the facts of their case making it particularly traumatic for the subjects of such comments.

These observations have been echoed in a growing number of articles on cyber bullying, where it has been noted that “emboldened by not having to witness the victim’s immediate reaction and sometimes also by anonymity, bullies can be crueller online than they might be in person”... with one victim stating that “it makes you feel very powerless when there is no way to respond... when they personalise it - devastating...”⁷ The internet provides a place where complainants can vent their concerns without anyone questioning them. In fact, they are likely to receive a great deal of support from other disgruntled complainants in online forums and on social media who have suffered similar experiences.

When asked what they and their employers were doing to deal with such conduct, the resounding response we received was ‘nothing.’ Most participants stated that online indiscretions were completely being ignored by their organisations. Some speculated that the reason for doing nothing was that most organisations are unaware of their roles or powers in relation to the internet. They are uncertain as to what they can do to effectively deal with such conduct.

Interestingly, of the public sector organisations across Australia, it has been the education departments that have taken the lead in addressing such conduct. The reason for this interest in addressing the issue is highlighted by the statistics from the UK earlier this month, which show that 96 per cent of Generation Y have joined a social network.⁸ And as of June 2010 Facebook had eight million Australian accounts among its 400 million accounts worldwide.⁹

What this has meant for school and teachers is that they have been confronted head on with everything occurring on such sites. As a result, in March 2010, the headlines of the Sunday Telegraph read: “*School principals in NSW have been advised staff can sue parents who defame and harass them through social networking sites and email....*”¹⁰ reflecting the growing incidence and severity of inappropriate online behaviour whether or not the school or teacher has a Facebook profile.

The NSW Primary Principals Association stated that they believed the issue has become so serious that the Education Department’s legal services chief was asked to address principals on taking legal action.¹¹ The association had been told of at least 11 incidents within a 12-month period where principals or teachers have been harassed, defamed, intimidated, or attacked by parents or community members.¹² Primary Principals Association president, Geoff Scott said that “*it’s obviously reached a serious degree to get beyond the normal complaints-handling process, and those principals at the time thought it was serious enough to seek some support and, maybe, to undertake action.*”

Recent cases demonstrate that it is possible to take legal action against the misuse of social media in certain circumstances. For example, a 17-year old student in Sydney was recently charged with *using a carriage service (the internet) to menace, harass or cause offence* under the *Commonwealth Criminal Code Act 1995* after he continued to distribute another girl’s birthday invitation (including the girl’s name, home address and mobile phone number) to more than 200,000 people online after she had removed it from her Facebook page. The offender assumed the girl’s identity under another Facebook profile to distribute the party invite.¹³

⁷ F. Tomazin and B Smith, ‘The bully you can’t see’, *The Age Online*, www.theage.com.au/news/in-depth/the-bully-you-cant-see/2007/03/09/1173166983566.html?page=fullpage, 10 March 2007.

⁸ BBC UK, ‘Study find third of teachers have been bullied online’, *BBC UK*, <http://www.bbc.co.uk/news/technology-14527103>, 15 August 2011.

⁹ Ellen Whinnett, ‘Facebook wants access to sex offender registers’, *Sunday Herald Sun*, <http://www.news.com.au/technology/facebook-wants-access-to-sex-offender-registers/story-e6frfro0-1225878977835>, 13 June 2010.

¹⁰ Sharon Labi, ‘Now schools can sue parents’, *The Sunday Telegraph*, <http://www.dailytelegraph.com.au/news/now-schools-can-sue-parents/story-e6frewt0-1225846360533>, 28 March 2010.

¹¹ Ibid.

¹² Ibid.

¹³ Ben Grubb, ‘Facebook party invite mayhem: youth could face jail’, *Sydney Morning Herald*, <http://www.smh.com.au/technology/technology-news/facebook-party-invite-mayhem-youth-could-face-jail-20110316-1bwi3.html>, 16 March 2011.

Another recent example was when a police officer took out an AVO against a woman he had befriended online after she started sending him abusive messages. They had never met but it turned into a 'fatal attraction' situation.¹⁴

Other than Part 10.6 of the *Criminal Code Act*, state stalking laws may be applicable in preventing an individual from visiting another person's social media page. For example, In Victoria – s21A(2) of the *Crimes Act* states that *a person stalks another person if the offender engages in a course of conduct which includes contacting the victim by ... e-mail or other electronic communication ... publishing on the internet or by an e-mail or other electronic communication to any person a statement or other material – relating to the victim; or purporting to relate to, or originate from, the victim.*

Queensland's *Criminal Code* s 359B stalking laws also stipulate behaviour that may be defined as stalking similar to Victoria's *Crimes Act*.

Referring to unreasonable online behaviour, University of Technology Sydney clinical psychologist Megan Varlow added that this impacts on the whole school community – it's not just the teacher who is affected. It can have a detrimental effect on the cohesion of the school.¹⁵ This was supported by claims that "counsellors around Australia said schools now spend the start of each week 'cleaning up the carnage' of cyber bullying on Facebook and via text message at weekends." One principal stated that: 'It becomes (the school's) business when the ongoing conflict erupts in classrooms, on buses and in the playground'.¹⁶

Ascham all-girl private school in Sydney recognises this, enlisting the assistance of internet monitoring companies to read what students are posting on social networking sites. The director of students for years 11 and 12, Frances Booth said "*we monitor the girls' usage of the internet both internally and externally, not because we want to stop them but because we want them to use it in a safe manner.*"¹⁷

Question

If organisations are to get involved in managing unreasonable complainant conduct online, what should be the threshold test for doing so? For example, should they only get involved when the behaviour impacts on the workplace environment? What if the conduct does not reach that threshold? Is there still scope to get involved?

Referring to the Department of Education and Communities slide – the slide shows the process for evaluating a comment made and deciding when to get involved. On the left of the slide, they describe a 'concurrency' which may be considered negative / constructive feedback. The options are to not respond and leave the post in public view or to publicly acknowledge and agree with the comment.

The other side of the slide identifies conduct that might be more unreasonable and our primary focus today:

- **'Trolls'** – is this a site dedicated to degrading others? If yes then will need to monitor and may need to report to appropriate area.
- **'Ragers'** – is the posting a rant, rage, joke, ridicule or satirical in nature? If yes, then will need to monitor and may need to report appropriately.

¹⁴ Brenden Hills, 'Restraining Orders, Facebook Stalkers', *The Sunday Telegraph*, <http://www.dailytelegraph.com.au/restraining-orders-facebook-stalkers/story-fn6b3v4f-1226008691806>, 20 February 2011.

¹⁵ Ibid.

¹⁶ Bruce McDougall, 'Schools call police to deal with cyber bullies', *The Daily Telegraph*, <http://www.news.com.au/technology/schools-call-police-on-cyber-bullies/story-e6frro0-1225838469323>, 9 March 2010.

¹⁷ Andrew Stevenson, 'Schools use the net to eavesdrop on students', *The Sydney Morning Herald*, <http://www.smh.com.au/technology/technology-news/schools-use-the-net-to-eavesdrop-on-students-20110812-1iqx2.html>, 23 August 2011.

- **'Misguided'** – are there incorrect facts in the posting? If yes, may need to refer to appropriate area and should respond with factual information directly on the comment board.
- A further category that is identified is the **'unhappy customer'** – Is the posting the result of a negative experience? If yes, then will need to refer to the appropriate area, who can rectify the situation, respond and action a reasonable solution. ¹⁸

There will be instances where the conduct of the complainant is so unreasonable and so defamatory, that the offending posts or evidence of unreasonable conduct must be removed without question, immediately.

At other times, the online conduct of the complainant will need to be subject to a risk assessment. In conducting a risk assessment, the agency should ask:

- **is the harm sufficient to warrant action?** For example – if the harm involves the health and safety issues of an employee subject to the conduct (stress, etc). If the harm is sufficient enough, action should be taken immediately – eg. removing post / considering legal action.
- **is there a significant risk of misinformation?** That is, could the conduct be damaging to the values of the agency and/or encourage distrust in others who access the site?
- **is the conduct of the complainant hijacking the communication stream?** Is the conduct impacting on the effectiveness of the forum as a communication tool for the agency?
- **will the complainant's conduct significantly damage the reputation of the agency?**

Other factors that will need to be considered as part of a risk assessment:

- Is the conduct of the complainant so exaggerated / so outrageous that it will not be believed?
- Distinction needs to be made between constructive criticism, general criticism and conduct that is seriously defamatory or that is intended to be dangerously misleading. Remember, the sheer fact that the complainant is wrong, does not mean he/she is unreasonable. It only becomes an issue when the complainant is intentionally misleading or seriously indifferent to the truth and overtly reckless in their conduct.

Responding to the problem

So far, our discussion has focussed on the decision of an agency to intervene and at what point this should be done. Many of the approaches discussed – for example, removing posts immediately, threatening or taking legal action and blocking users are reactive. While they can be effective in managing the unreasonable conduct of a complainant, it is clear that as the social media phenomena continues to gather momentum, agencies will be required to take a far more proactive approach, regardless of whether or not the agency has an online presence. This approach will involve building-in mechanisms from the outset and establishing a framework that is capable of effectively responding to social media issues as they arise.

Proactive mechanisms may include:

- building social media and its associated risks into the agency risk management framework
- developing policies and guidelines for staff in relation to social media – both work-related and personal use. These guidelines could include advice on when it is appropriate to remove posts from agency social media sites.
- staff moderators to monitor and manage the agency's social media site
- disclaimers for positing on agency social media sites (see attached **annexure A**)

¹⁸ NSW Department of Education and Communities, 'How to Manage negative or controversial online conversations', YouTube video, <http://www.youtube.com/user/nswdec#p/1/u/0/-KKQxbVOxBO>, 5 May 2011.

- counselling services for staff who are the subject of the unreasonable conduct of a complainant.

While it could be argued that agencies should take all measures necessary to ensure that complainants do not take advantage of social media to unreasonably damage their reputation or the reputation of their staff, in my experience complainants who are on the 'downward spiral' often exit 'the spiral' or unreasonable conduct pattern of behaviour when they have created an online avenue to vent their frustrations. In this way, we see how the use of the internet can be beneficial as it can provide an alternative outlet for people to vent their concerns.

I admit that I certainly do not have all the answers when it comes to dealing with unreasonable complainant conduct in social media. In fact, I think it's fair to assume that we are all feeling this way. At last year's SOCAP Symposium, social media and how to manage it in a customer relations environment was a highly topical issue and the general message to come out of the Symposium was that *"social media is not going to go away and organisations must give up ambitions to try to 'control' the conversation – ultimately they can only hope to influence it."*¹⁹

The value of today's workshop will be to bring this issue to the table for discussion to see how each of you would approach the same problem and if there are any possible solutions we, as government agencies, can generate.

Case study

Mr Buckley is an avid horse racing enthusiast. With the first week in November fast approaching, Mr Buckley applies to take a day off work so he can go to the Melbourne Cup. Ms Swan, Mr Buckley's supervisor, refused to grant Mr Buckley leave. Mr Buckley is increasingly absent from work for a variety of reasons and it is beginning to become a problem.

Mr Buckley is agitated by this and decides he is going to call in sick on the day of the race so he can go to the track. On the day of the Melbourne Cup, Mr Buckley goes to Smithville Medical (a public medical centre) to get a doctor's certificate. Mr Buckley feigns sickness but Dr Clayton is not convinced and she refuses to give Mr Buckley a medical certificate.

Mr Buckley is extremely angered and does not have time to go to another medical centre to get a certificate. Mr Buckley decides he is going to go to the races anyway.

The next day at work, Ms Swan asks Mr Buckley for a medical certificate to prove he was sick the day before. Mr Buckley says he does not have one.

Ms Swan tells Mr Buckley that this is unacceptable and that she is very concerned about the amount of time he is having off work without any explanation. Ms Swan says that this is the last straw and that Mr Buckley will now undergo a performance review.

Mr Buckley is very angry, stressed and frustrated. In a fit of rage, he uses the internet to vent his frustrations. He begins by updating his personal Facebook profile with the status:

"I have never been so disappointed in all my life. Everything is going wrong all because my supervisor Ms Swan is a controlling idiot! I'm putting out the word – Smithville Medical is the worst medical centre in Australia. Doctor Clayton is completely incompetent and the Department of Health is a joke for hiring her! I'm going to sue her for malpractice!"

¹⁹ Freya Purnell, 'The Game has changed', *Consumer Directions* magazine, September 2010.

Mr Buckley then goes to the Department of Health's Twitter feed and posts the following:

"@DepartmentofHealth you are the worst Department I have ever dealt with!"

At this stage, Mr Buckley is so angry, he films himself angrily ranting about his issues with his supervisor, Dr Clayton and the Department of Health. He then posts the video to YouTube.

Mr Buckley has a personal website, which also contains a blog titled 'You've got Buckley's'

Mr Buckley posts the following blog:

"My supervisor, Ms Swan is a horrible, rude and arrogant person. She says she has a degree in Commerce but she is so stupid I think she is lying. She thinks all the staff like her but they all say how much they hate her behind her back. She's always singling me out and making me feel small. She is a bully and I can't stand working with her. She should be sacked.

Dr Clayton of Smithville Medical is completely incompetent and should be deregistered from the medical profession. I'm surprised she hasn't killed any of her patients yet. The Department of Health is a JOKE for hiring her – I want to know who checked her credentials or if she even has any."

Task

In your tables, please read the following case study. Once you have done this, consider and answer the following questions in your group. At the end of the discussion in groups, we will come together to share our answers.

Remember to consider the conduct from each of the forums used in the example:

- a. YouTube
 - b. Twitter (agency only)
 - c. Facebook (personal profile)
 - d. Website / blog
-
1. You are a Senior Manager at the Department of Health. What are the detrimental consequences [eg. damage to reputation, distress to staff] to your agency (if any) as a result of the complainant's online conduct?
 2. Is the detriment equally serious in relation to each forum?
 3. Do you think you *should* respond to the online attacks by the complainant in each forum?
 4. If yes, what are some of the control mechanisms you would use to manage the complainant's online behaviour? [For example, moderator, deletion of posts, etc.]
 5. What are the advantages and disadvantages of these control mechanisms?
 6. Let's consider that Mr Buckley is an employee of a government department. What would you do as his employer?
 7. What are some active strategies / proactive mechanisms Mr Buckley's agency can employ to prevent similar conduct occurring in the future?
 8. In your opinion, what provisions should an agency's policy relating to its staff use of social media include? (Consider both personal and work-related use)

[See PowerPoint for thoughts on possible answers to these questions]

Annexure A – Example of an online forum disclaimer

SOURCE:

Bang the Table, 'Forum etiquette and moderation', <http://corporate.bangthetable.com/moderation/>

Forum Etiquette & Moderation

This forum is moderated in order to keep the discussion flowing and to remove any offensive material. Comments that do not adhere to the moderation rules will be removed and you will be notified of this by email and by a message left on the site.

Every comment is valued for its content. This discussion forum allows everyone to have a say and it brings out many different ideas and viewpoints.

A single comment may have as much influence as 100 comments if the idea is a good one.

In order to play a positive part in the discussion and to give your views maximum impact we encourage you to follow the etiquette guide below.

Etiquette

- 1. It's a good idea to read through the information on the site and the other participant's comments before getting involved in the discussion yourself.*
- 2. Always respect the views of other participants even if they don't agree with you.*
- 3. Be constructive. It's okay to disagree with other forum participants, in fact we encourage debate, just keep the dialogue positive.*
- 4. Always keep things civil. We recognise that this can be difficult sometimes, especially when you are passionate about an issue, but it is important to keep the discussion focused on the issues rather than letting it deteriorate into personal insults.*
- 5. Once you've left your comment keep an eye on the forum to see what other people have to say.*
- 6. If you feel that someone has insulted you, report their comment to the moderator. Don't perpetuate the dispute. The moderator will take a look at the offending comment and decide whether it should be removed.*
- 7. Stay on topic. These forums have been created for a specific purpose. Please stay within the boundaries of the subject matter.*
- 8. Turn off the "CAPS LOCK". Writing in ALL CAPS is the equivalent of SHOUTING and can cause offence.*
- 9. Choose one discussion topic under which you would like to post each of your unique comments. Don't cut and paste the same comment into lots of different discussion topics. These will be considered duplicates and may be removed.*
- 10. Don't be a "troll". Trolls intentionally incite annoyance or offense. They do not participate constructively in the discussion and do not add any value to the debate.*
- 11. Don't bully, harass or threaten other participants. If another participant proffers an opinion that you don't agree with, you have no right to demand that they support their position with a detailed argument. They do not have to respond to your questions. It is up to each individual to participate in the forum as much or as little as they wish.*
- 12. Please respect the moderators. Our job is to keep the forum safe and constructive so that everybody gets to have his or her fair say.*

Moderation Rules

This site is subject to the following moderation rules:

- 1. Never post personal information about another forum participant. This includes identifying any individual by their real name if they have not already done so or providing personal contact information.*
- 2. Never identify a staff member of the consulting organisation by name.*
- 3. Don't defame anyone or any organisation. A comment is defamatory if it lowers or harms the reputation of a person or organisation. If you wish to accuse someone of committing a crime or being an idiot this is not the place to do it.*
- 4. Don't post anything that could be considered intolerant of a person's race, culture, appearance, gender, sexual preference, religion or age.*
- 5. Don't be obscene and don't use foul language. Lots of people from different backgrounds participate in these forums. We want them to be able to continue to do so from home, work, school, university or wherever they may be. Disguising swear words by deliberately misspelling them doesn't make them any less offensive.*
- 6. Don't personally insult or harass other participants. Always focus on the logic of the argument rather than the individuals involved in the argument. Users are entitled to choose not to enter into debate with you.*
- 7. Don't post or link to any inappropriate, offensive or illegal material. Inappropriate content is anything that may offend or is not relevant to the discussion.*
- 8. Don't post any advertisements, however much you believe in the service or product.*
- 9. Don't complain about the moderation on the site, you can always direct an email us if you are unhappy.*

Sanctions

Breaches of the moderation rules will be dealt with as follows:

- 1. Removal of comment – any comment that, in the view of the moderator, breaches the rules will be removed.*
- 2. Temporary Suspension – a participant who repeatedly and flagrantly flouts the moderation rules may be suspended from access to the site for period of up to one week determined by the moderators. The period will reflect both the severity and consistency of the breach.*
- 3. Permanent Blocking – a participant who continues to violate the moderation rules following reinstatement after a period of suspension may have their access to the site permanently blocked.*
- 4. Automatic Blocking – a participant who posts or links to inappropriate, offensive or illegal material will be immediately blocked from the site.*

About the Moderators

This discussion forum is moderated either exclusively or in collaboration with Bang the Table Pty Ltd or its appointed agents. Bang the Table hosts online discussions. Bang the Table and its staff have no financial interest in the results of any of the consultations we host.

Bang the Table moderators are independent and operate only according to the rules above. Our contract with our clients explicitly states that the site will be moderated according to the site terms of use. Contributions that meet site rules will not be removed. When a comment is removed from the site a message remains in its place stating that the comment has been removed. An email is also sent to the person posting the comment explaining what has happened.

Removed comments are stored so they can be restored to the site if it is later deemed an error has been made by a moderator. Bang the Table will not identify users or provide their email details to our clients. Our privacy statement states this clearly as does our contract with clients.

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