

Plain English

The voice of Plain English Campaign

Issue 85 Summer 2016

A matter of life and death

Later this year, the NHS will introduce a new form which could cause confusion and poor communication between families and medical staff.

The form will replace controversial 'do not resuscitate' (DNR) orders. DNRs give doctors the right, without consulting a patient or a patient's family or carers, to let a patient die.

Unfortunately, the new emergency care and treatment plan (ECTP) may create serious problems of its own.

The ECTP is the NHS response to criticism of its DNR orders and the Liverpool Care Pathway, which has led to dying patients being deprived of food and water.

A specific high-profile case has played a crucial part in the introduction of the ECTP. Janet Tracey, who had terminal cancer, was allowed to die prematurely. Janet's family described her as having 'every will to live' when a DNR was placed in her medical file. It was originally removed after complaints but later put back into Janet's file.

There are many such cases of a DNR being incorrectly put into patient notes. The new form is meant to put an end to any such confusion. In part, it asks a patient's family to choose between 'DO resuscitate' and 'DO NOT resuscitate'.

We have read the two-page ECTP consultation form in full and find it over-complex, poorly-written and far too impersonal.

More importantly, decisions about someone's life should surely be made during a heartfelt conversation sensitive to the patient in question.



Don't seriously ill patients deserve more than a few ticked boxes on a standardised form?

You could be forgiven for thinking that hospitals were places where patients are looked after. Once again, the public have been relegated to the status of administrative issue and treated with jargon-heavy contempt.

We don't need 36 emotionally-detached experts to 'sort the issue out' with yet another badly-designed form. We need clear, open, caring communication between the medical staff, the patient and the patient's family. Without that, patients are devalued and families are denied civilised, respectful treatment.

Before the NHS introduce the form, surely a rethink is needed. We understand how hard NHS staff work and how this might save time and effort. But in this case, it's no over-estimation to describe the situation as life or death. A badly-written and confusing multiple-choice form isn't good enough.



In particular, how will the changes affect the organisation as a protector of consumer rights?

What will now happen to those banks who failed to clean up their act regarding clearer information?

The FCA is described by the Financial Times as 'rudderless' (and has no acting head). This may well mean that many of the organisations criticised for using too much jargon and small print will continue to do so unchecked.

And what of the many emerging smaller banks? Will they be monitored properly and effectively as they try to establish their position in the market?

The same issues remain with the worst offenders. There's still far too much small print, and too much impenetrable jargon clouding vital information. There's no justification for failing to adopt the initial FCA guidelines.

And, on the worst banking and financial organisation websites, what excuse is there for small, densely packed text when space isn't an issue?

Also, many websites still use text and background colour combinations that don't provide enough contrast, particularly for those of us whose eyesight is not as great as it once was.

We hope that the FCA mess is cleared up quickly – if it isn't, banks and financial organisations may feel they can return to the bad old days of questionable products and gobbledegook designed to befuddle.

Recent noises made by the FCA suggest that they're 'ready' to go after banks that use confusing terms. We will see if that's the case.

Since the pensions overhaul, many pensioners have drawn out large lump sums, and they're now a potential focus of another mis-selling fiasco. The FCA will have a huge role to play in either watching that unfold or stepping in to help avoid it.

FCA influence softening

Last summer, we highlighted a call from the FCA (Financial Conduct Authority) for banks and financial organisations to use plain English.

While some took those suggestions on board, many didn't. And with well-publicised and worrying recent changes at the FCA, there's every chance old bad habits could be set to return.

The Chancellor has decided to adopt a 'bank friendly' approach. In the aftermath of the economic crash, and following the PPI disaster that came shortly after, lessons seemed to be learnt. Now, with George Osborne apparently keen to aid recovery and encourage investment, he has been accused of lessening the influence of the FCA. The Shadow Chancellor, John McDonnell, suggested as much with the following statement.

"The chancellor has been moving towards an ever more soft touch approach by reducing the bank levy and cutting corporation tax, selling publicly-owned banks off at a loss, and only last week he sat by while the watchdog he set up watered down its review into the sector, only six months after he replaced the head of the FCA for issuing large fines to banks."

For those of us wanting to see customers looked after, this is obviously bad news. When we heard about the turmoil at the FCA, and their sudden decision to end a high-profile banking inquiry, it prompted a few questions.

An exclamation point

The Department of Education has clearly got a lot of time to waste. At a recent Standards Testing Agency briefing, their exam bosses told teachers and moderators that an 'exclamation sentence' must start with 'how' or 'what', and must be a full sentence.

So, under those new rules, 'What a load of old nonsense this new rule is!' works but 'Incredible!' doesn't.

Who came up with this and why? Yes, rules are often extremely useful, particularly to pupils. But what is the wisdom behind this one?



There's a suggestion that it's been put in place to discourage 'text-speak' from creeping into the classroom. If that's the justification behind the move, it's weak.

There's a way of limiting the use of exclamation marks – Elmore Leonard

suggested they should be used sparingly, if at all. Surely that sound advice is less drastic and more sensible than the rule changes being brought in? Why not simply recommend, as Leonard suggests to would-be writers, that students use a maximum of one exclamation point every paragraph?

Our spokesperson Steve Jenner joined a discussion on this subject on the BBC Breakfast couch.

As Steve pointed out, exclamation points are all about context. You can't simply change the rules, particularly for such a tenuous reason, and expect them to make much sense.

Exclamation points depend on the effect the writer wants to achieve – that's what they're there for. They indicate shock, surprise or bafflement. To suggest that their use can be restricted to 'how' or 'what' sentences is ludicrous.

And education chiefs can meddle with their arbitrary rule system as much as they want to – they won't convince us that a one-word sentence such as 'Wow!' or a three-word sentence such as 'Look at that!' isn't legitimate. They are! Such sentences can be a crucial means of emphasising a point.

Referendum farce

The Government recently spent £9.3 million of taxpayers' money on a referendum leaflet titled 'Why the Government believes that voting to remain in the European Union is the best decision for the UK'.

Whilst the Government may well have good grounds for believing that remaining in the EU is the best option, isn't the point of a referendum to put the question to the electorate to let them decide?

Why are the leaflets, sent to every home in the UK, so lenient? Why didn't the Government instead produce a leaflet explaining the pros and cons of exiting the

European Union? Shouldn't a referendum brochure cover the unbiased facts: what we would lose or gain by staying, and what we would lose or gain by leaving?

What we need as voters as we consider our decision for which way to vote is a set of impartial, clear details, not spin. Pollstation, an impartial online observer of referendum issues, has carried out its own take on the contents of the referendum leaflet. Pollstation's findings suggest that the information the Government has provided is often inaccurate.

In which case, the leaflet is partly pointless persuasion. What we need is hard facts and balanced information, not massaged opinion and bias.

SATS chaos

You know all about the SATS controversy: teacher frustration, parent demonstrations, child misery.

We've had plenty of contact from teachers and irate parents in particular. And the evidence – in this case the actual SATS questions, as sent in to us – suggest they've got plenty to be upset about.

Here's one particular SATS question, which is pitched at 10-year-olds.

"Tick the option that shows how the underlined words are used in the sentence.

My baby brother was born in the hospital where my father works.
As a preposition phrase?
As a relative clause?
As a main clause?
As a noun phrase?"

Some suggest this is a reasonable question for such an age group, and that we should expect more from our children. They say the only way to raise standards is to push our children to their limit until they improve.

Far more suggest that the question is completely inappropriate for such an age group and will more likely demoralise the kids than encourage 'development'. And we've heard many personal testimonies that back up such a suggestion.

When former teachers are taking the test and failing it, it's hard to understand the point of SATS. Who is ultimately deciding on the nature and complexity of the questions, and to what end?

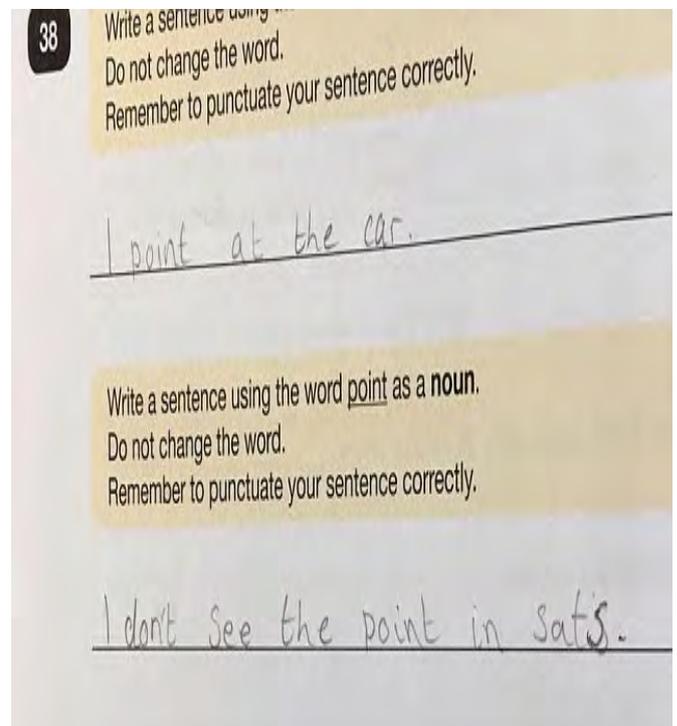
The tests must surely either be completely revised and rewritten or scrapped. There's no harm in wanting to improve standards, but there are ways of doing that. If adults are struggling to successfully complete the tests – and it'd be interesting to see how well MPs did with them – we shouldn't expect our kids to fare any better.

There is plenty to suggest that SATS are far more damaging than useful, and the Government is facing serious questions. Their answers, if they provide any, will be interesting.

SATS point well made

When asked to 'Write a sentence using the word point as a noun' on their SATS paper, one Year 6 pupil's correct and withering response quickly became a media sensation.

The pupil's answer – 'I don't see the point of SATS' – was taken as a bit of fun by thousands of people online.



But it's also yet another in a long line of embarrassments to the Government regarding the tests. We doubt Nicky Morgan found the answer particularly amusing.

We can thank the pupil's understandably amused teacher, Damith Bandara, for bringing the perfectly reasonable observation to light.

We've already made our thoughts on SATS very clear. We also don't see the point of SATS – other than as a way of unearthing potential future comedians. Gold star!

Government alcohol guidelines

The Government's new guidelines on healthy drinking are useful. But there's still an issue for many when it comes to figuring out exactly how much they've drunk.



We all know that, if we fall over or start singing whilst stood on a table, we've had more than enough. But it's not always easy to know precisely how much we've had, in terms of alcoholic units, or what other factors might affect our individual intake.

The Government suggests we drink no more than 14 units a week. So, in theory, that's 14 25ml shots of spirits or seven pints of lager or small glasses of wine a week.

However, the 'one pint, one unit' comparison is clearly open to abuse. A 3.5% strength pint of lager is a very different proposition to a 5% one. Wine can generally run from 4% to 15%.

And we're all very different. Does a unit of alcohol really mean the same thing for a skinny 18-year-old that it does for a 20-stone pub veteran?

Another issue is the medical wisdom of such a guideline. There's such a huge amount of contradictory advice – most of it from extremely qualified sources – that it's hard to know what information to believe.

There is compelling evidence to suggest that Britain's Chief Medical Officer, Sally Davies, who announced the latest guidelines, is talking nonsense. Her suggestion that 'There is no safe level of drinking' has been widely mocked.

Tony Edwards, writing in *The Mail*, describes Davies as 'simply wrong' and goes on to list various studies that counter her suggestions. He cites numerous studies that suggest moderate drinking can be beneficial.

"Heart disease is the world's No 1 killer... and the No 1 medicine for preventing it is a moderate daily intake of alcohol, according to hundreds of medical studies," Edwards suggests.

Julian Baggini, writing in *The Guardian*, also responded to Davies' guidelines. Baggini suggested that the guidelines "ignore the numerous meta-surveys that have concluded that moderate drinking improves general health and life expectancy compared to being teetotal. Hence according to one such major study, drinkers are only at greater danger than non-drinkers once they are downing more than 4-5 units a day."

The Government guidelines, then, offer little more than a broad, overbearing suggestion that many medical experts dispute. The idea that more than one unit of alcohol is harmful doesn't stand up to serious scrutiny.

The guidelines are meant to increase awareness, and to help improve health. As it stands, they're not much use. The informed response to them, as is usually the case, suggests a more reasonable message might be: 'Everything in moderation'.

On another note, AB InBev, the company behind Stella Artois, Becks and Budweiser, will shortly include handy calorie information on their bottles. Such information can leave you with little excuse if your waistline expands. And, usefully, if you can no longer read said calorie information, you've probably had enough to drink.

Clearer train compensation

Rail operators have been told to use plain English in their compensation forms to make sure customers get the payouts they deserve.

The ORR (Office of Rail and Road) watchdog demanded newer, clearer forms and better training so train staff can deal with complaints properly.

The watchdog also suggested a national campaign to raise awareness about the issue to help many let-down passengers know how and when to make a claim.

Most train companies offer compensation if any of their services are hit by half-hour delays. However, a Which? survey of nearly 7000 passengers revealed that only just over a third (34%) of those eligible made a claim.

Which? made a 'super complaint' to the ORR about the issue at the end of last year. Richard Lloyd, Which? executive director, said: "The pressure is now on the train companies

to show they can bring about urgently needed basic improvements for their customers." ORR chief executive Joanna Whittington said the information currently available to passengers 'needs to be better and the process must be clearer'.

Whittington went on to say that the new recommendations will 'help achieve improvements straight away'. She also suggested that the ORR will make sure the recommendations are followed so train companies 'deliver for passengers'.

Paul Plummer, chief executive of the Rail Delivery Group, which represents train operators, said the industry is committed to improving the compensation system. He said there were already moves well underway to provide extra train announcements on trains, websites and social media.

While passengers shouldn't have to wait for 'super complaints' for changes to be brought in, we applaud the ORR for making their recommendations. We will certainly keep an eye on how well the train operators follow such recommendations.

New SSE energy bill

We recently got behind a move to simplify energy bills.

At Plain English Campaign, we probably receive more complaints about energy bills than anything else. And not without good reason – most of the examples sent in are shocking and easily avoidable.

Or they would be if the energy companies in question bothered to take our advice onboard. Npower were once fined £26m for 'billing system issues'. They, as with many other energy suppliers regularly fined for similar issues, got what they deserved for producing obscure, badly-designed, often incomprehensible energy bills.

SSE have provided a solution. They recently received a Crystal Mark for their energy bill template, which is a brilliant design that should make things a whole lot clearer for customers.

The design, which involved 8000 customers, the Design Council and Citizens Advice, puts information into bubbles that clearly divide electricity, gas and total amounts.

The SSE bill includes a box which explains how customers can save money, and the tariff they are on. It also features graphs to help the customer compare how much energy they've used over time.

It is, to say the least, a vast improvement on other energy bills we have seen, and we certainly hope all energy firms adopt it, or something very similar.

SSE group managing director Will Morris said: "Customers told us that they want to be able to find the information they need quickly and easily. They don't want the bills to be longer than two pages and they don't want unnecessary or confusing information (calorific conversions being a good example)."

ABI pensions guide

The ABI (Association of British Insurers) have, in partnership with the Government, consumer groups and financial experts, produced a guide to pensions. The guide aims to 'improve consumer understanding' following the recent pensions overhaul.

When we heard about their plans we contacted them to see if we could be of any help. They responded that the draft guide was finished but that our feedback would be greatly appreciated – so here it is.

The guide is a very good document. It doesn't cover everything but is a useful and easy-to-understand basic guide to pension terms.

The guide doesn't answer a lot of questions we still have about pensions. But it's unquestionably a very worthwhile resource for those unsure about the recent changes to pensions. The guide should clear up a lot of confusion about the different pension choices now available.

As the ABI said: "The new guide aims to make pensions language simple, clear and consistent in order to help customers better understand their options at retirement."

"Many people find the new retirement choices confusing, and across the long term savings sector, different terms are used to describe options.

"This guide aims to standardise the language used to describe options so customers can understand and compare products more easily without having to decipher technical terms."

Perhaps the ABI can extend the guide to answer some of those outstanding questions.

For example, why is a pension taxable if you die after 75 but not before? To deal with such issues would take a lot of time, but by doing so the ABI would turn a very useful guide into an essential one.

Staffordshire Bull Terriers

The 17-year battle to save a Staffordshire horse-riding route has led to an early Plain English Campaign Golden Bull Award frontrunner.

Campaigner John Bainbridge has been fighting to get Tory MP Philip Atkins to reopen the Clifton Campville route with no success. And Atkins's latest response – delegated to Jean Evans, his 'Head of Law' – is a four-page stream of nonsense well worthy of our Golden Bull award.

Clifton Campville residents have spent nearly two decades trying to get the riding route listed on Staffordshire County Council's 'Definitive Map'. Until then, nobody can use it. A local farmer, Stephen Bostock, has blocked the route – and the council continue to dodge the issue.

They've also made sure their position is incomprehensible. The jargon-heavy letter in question spends a lot of time making no sense, as well as failing to deal with the issue.

When asked about her atrocious letter, Jean Evans – who, remember, responded on behalf of Philip Atkins – delegated her response to Councillor Ian Parry. Mr Parry's response includes the following comment.

"The county council does try to communicate in simple language, but when writing about a complex legal subject which has already been the subject of correspondence, it is inevitable some of the phraseology will reflect that complexity."

We don't agree. There is never an excuse for resorting to impenetrable 'phraseology' and, in this case as in so many others, the language is not just complex – it's evasive.

We hope that Staffordshire County Council open up clear and simple lines of communication with Clifton Campville residents on this issue. It's clearly dragged on far too long. Whatever the council's response, Jean Evans' letter is currently number one on our list of Golden Bull contenders.

The Internet Crystal Mark – and why you need one

A website that puts obstacles in front of its audience is not doing its job properly.

Obviously, easy-to-understand text is very important. But what if that text is badly laid out, difficult to decipher or hard to find?

Our Internet Crystal Mark (ICM) review examines how well your website meets worldwide accessibility standards, and suggests improvements or changes needed.



Far too many websites look slick and expensive but don't do what they're supposed to. That's not necessarily the fault of those writing the text or creating the website. There may be confusion about what works and what doesn't.

We know exactly what a well-functioning website looks like.

As part of our Internet Crystal Mark assessment, we consider the following.

Is there enough contrast between text and background? (A surprisingly common problem, even on websites that have obviously had a lot of time, money and effort spent on their design.)

How well does your website print? Does it include undesirable features, such as blank pages, or print items that are meaningless on paper, such as menu items? Are there any technical problems with your site design, such as JavaScript problems? Do you know when technology you use is likely to create problems on certain platforms (for instance Flash on mobiles)?

With an Internet Crystal Mark, you'll know your message will reach your audience and they'll know you value them enough to make things easy for them.

Our awards are still some time away but you may be sitting on a potential winner. What's the worst jargon or gobbledegook you've heard so far in 2016?

Let us know and we may shortlist your suggestion. You've got plenty of time – our entry closing date is November 30 – to send us a possible Foot in Mouth or Golden Bull winner. You could yet win bigly as last year's bigly winner Donald Trump said...

Training dates for 2016 (open courses)

If you have any questions about our range of courses, please phone us on 01663 744409.

About our courses

In-house courses

Our trainers will come to your organisation's offices where your staff can take the course.

Online courses

We offer some of our training, including our business-writing course, online.

Open courses

We hold these courses regularly at various hotels around the country.

Plain English Diploma

This is a course that you take over a one year period.

London – Thistle Euston Hotel

Wednesday 27 July 2016 – plain English
Tuesday 20 September 2016 – Grammarcheck
Wednesday 21 September 2016 – plain English
Tuesday 22 November 2016 – plain English

Manchester – The Portland Hotel

Wednesday 24 August 2016 – plain English
Tuesday 18 October 2016 – Grammarcheck
Wednesday 19 October 2016 – plain English
Wednesday 14 December 2016 – plain English