

**LEARNING UNCUT EPISODE 20:
DEMISTIFYING TAX LAW USING MICROLESSONS – SIMON PATON**

Michelle Ockers: Welcome to another episode of Learning Uncut. I'm Michelle Ockers.

Karen Moloney: And I'm Karen Moloney.

Michelle Ockers: And today we're talking to Simon Paton from the Australian Taxation Office about helping technical writers to communicate decisions clearly and demystify tax law. Welcome, Simon.

Simon Paton: Thanks for having me.

Michelle Ockers: It's lovely for us to have you join us. Simon, this is a really interesting little case study and probably for many of our listeners being not familiar with the public service environment. The team you work with is the Public Advice and Guidance Editorial and Skilling Unit, which is quite a mouthful. I understand the unit was set up two years ago in the Australian Taxation Office, the ATO, with a very specific and very strategically important role. Can you tell us a little bit about why the unit was set up and its purpose?

Simon Paton: Look, in essence, a few years back, the commissioner decided that there really needed to be a closer focus on the law message that we were sharing with the community. The simple fact was tax law's complicated. It's complicated for a lot of people in a lot of parts of the Australian community, not just at the individual's level where many people try to sort of struggle, and they do struggle with the whole challenge before them each tax time. But of course business does as well. So, the decision the commissioner made with the support of the Second Commissioner for Law, Andrew Mills, was to make sure that wherever we could, we would make the delivery of ATO law decisions simpler and more streamlined.

Now, the simplicity statement is easy to say. But in fact, when you transform law and the view of the law in a way that makes sense to the community, a lot of work has to be done. So, whether it's the delivery of simple tax determinations about whether or not you can claim dry cleaning expenses or claim car expenses, through to complex matters of trusts and have business relationships exist between parties. The reality is if you're going to undertake that task, you really need a unit that totally focuses on it.

Michelle Ockers: So, many of the people listening, those in our Australian audience will of course be taxpayers and at some stages will have had some communication from the tax office. So, it makes sense to make that simpler and clearer from our perspective. What are the benefits of the ATO was hoping to achieve from clearer written communication of decisions and what changes have you seen in the two years since the unit was established?

Simon Paton: Look, fundamentally what we're trying to do is encourage compliance because compliance is what we're here for. We want to make sure that the systems that exist, that taxpayers are expected to work around, are as straightforward as they can be. What we've done in the last two years is, and my particular focus in the Public Advice and Guidance team is to look at public advice. There's private advice delivered to individual requests and then there's public advice, where we assess the need to deliver a broad message. And public advice, of course has to be written in a way that meets the needs of whichever taxpayer audience looks at it.

And so our charter and our mantra has always been to make sure that we deliver our complex law decisions and views in a way that are as clear as possible for the audience that we're targeting. And this by the way includes of course the professional law audience as well, because we actually assist them by avoiding overcomplicated language. So, it's as much for individual taxpayers as it is for the law firms.

Michelle Ockers: And how does the ATO benefit from those decisions being communicated more clearly?

Simon Paton: Well, look, fundamentally what we're looking for is more certainty in the compliance arrangement. In other words, that more people understand what their obligations are more often. So, the simple way to deliver that is to ensure that if you're going to ask people to comply with their legal obligations and of the tax law, then you need to deliver it to them in as clearer way as you can.

Michelle Ockers: And what specifically then is your role in this transition to clearer communication and who are the people in the organisation that you help?

Simon Paton: Oh, right. Look, fundamentally, our team was orientated towards what we call the tax technical audience. So, the tax technical audience is an audience of many of whom are lawyers, some of whom have masses of tax expertise, but all of them bright with vast amounts of knowledge about the tax act and about the various legislative instruments and legislative elements that we work with.

So, this is an audience that's very, very familiar. I would argue the most familiar group of lawyers and tax technical experts who understand tax law in the country. So, this is a group that's so familiar with the nuances of the act, that their capacity to deliver information from the act is second nature. And that can be dangerous because when you are technically expert, you may not necessarily realise that something you write that's highly complex, that's a long convoluted sentence or that's a substantial paragraph, might actually be misunderstood. Although it may be technically from the language perspective sound, it might be just too much to ask of some people. So, the reality is, we have to really look at everything we write and say, "Is this as straightforward as it could be?"

Michelle Ockers: Yeah, so I think, Karen, we've had a few conversations on Learning Uncut about working with subject matter experts and some of the challenges for experts stepping back a little bit from the detail of their expertise.

Karen Moloney: Totally. They just want to share everything they know.

Michelle Ockers: Yeah, absolutely. And in this case, it's not just providing what they know to someone else to apply it as a skill, but to help them understand a decision.

Karen Moloney: Absolutely.

Michelle Ockers: the other aspect that I'm curious about, Simon, is this is a public service environment as well as a very legal environment that you're working in. Not being that close to the public service environment, is there something particular about the characteristics of public servants or the environment that you think impacts how you approached supporting them to develop skills?

Simon Paton: When we started, we adopted a fairly traditional approach to capability developments. So, we tended to use half day workshops or full day workshops sometimes to develop skills.

And it struck me when I started teaching in this space with these technical experts that one of the biggest challenges I would face would be the sheer reality that when you place before people an obligation to attend, then their demands on their time are such that it has to be incredibly dynamic, and they need to be completely wedded to the value of the training to participate. And I concluded that when you're doing half day sessions, which do anticipate an interest and an enthusiasm for the topic which is equal to your own, it's a bridge too far for many who can't necessarily grasp that upfront.

Do you know what? In the APS, in the public service ... And when I say APS, I mean the Australian Public Service. When you're in this environment, training is deeply appreciated because there is not the amount of money that many in the community would imagine to assist in supporting professional training for a lot of public service. It's very expensive, as you know, to train, and to have people out of the office.

So, the opportunity to teach in-house is very, very powerful. But more importantly, the opportunity to teach in a way that blends in with the work environment and with the work pace of our technical experts was a very important element that I learned quite early on in the growth of this particular unit. So, what struck me was we needed to craft a different sort of training activity that met their needs.

Michelle Ockers: So, I think everything I heard there is probably relevant in most private sector organisations as well, in terms of people being busy, struggling to make time to

attend face-to-face training, if that's the preferred mode of delivery, being distracted potentially.

Michelle Ockers: I guess one of the things that struck in the preparation discussions, which maybe we haven't kind of gotten to the essence of yet in our conversation, is how a bigger shift is going on within the ATO in trying to change the relationship that you have with the public and that this is a key part of that. So, it felt when we were talking in the preparation discussions before the podcast episode that you were being given a lot of license and a lot of flexibility, and that there was a strong strategic imperative about this connecting with a shift in the way the ATO engages with the public and the perception the public have and the relationship with the public.

Simon Paton: That's absolutely right. I mean, everything we do now, whether it be online, whether it be face-to-face or whether it be in the traditional correspondence, all is orientated now towards better respecting that relationship. Building trust with the taxpayer is fundamental to where we're looking to go. So, if you're going to want to build trust with an audience, the key component is that they understand you. And that's where I really ... That's where the nub of everything I do comes from is this notion that if trust is what we're looking for from the wider Australian community, then the only way you can build trust is in a communications environment, which is conducive to doing that.

Michelle Ockers: Yeah, absolutely. So, maybe we explore, Karen, how Simon's going about helping to create that clearer communication and contribute to building trust.

Karen Moloney: Yes, I'm interested to dig into this as I can see lots of challenges in this space. And I think one of the ones in particular is thinking about those people that you were talking about. They're all very well educated people, they're subject manager experts. They know their stuff. And like you say, they have a tendency sometimes to over-communicate and make that a bit more complicated than it needs to be.

But I think even outside of that, I'd imagine if you ask anybody in a business organisation how well they think they communicate, whether it's face-to-face or in writing, they probably think that they're pretty good at it. That's in my experience. So, how do you deal with the challenges, getting people to buy into attending your sessions when you're dealing with some very smart people?

Simon Paton: Karen, what I concluded early on was that I needed to break the mould of traditional training. When you're dealing with professionals who are competing and making a decision, do I attend this meeting or do I go to this guys training? Of course I understand this because I'm a tax officer myself, so I understand exactly what the demands on each of our time is. I concluded that the micro-teaching was probably a better way of not just meeting their time scheduling challenges, but also giving the digestion. And one of the points I made right at the beginning there when I said I used to teach in the traditional three hour half day sort of environment, was that I might teach seven or eight different topics,

or seven or eight different issues. And when I go back later and crosscheck their knowledge, they'd remember one or two of them. I'd think, "Okay, so." And I'd give them the notes, but of course notes are lost on a desk and whatever. People sort of file them on their computer.

What I concluded was I need to be teaching one or two at the most in a micro-environment, which is easy to digest, easy to discuss, and easy for them to remember because there's this kind of layering of knowledge, but it's oriented around one topic. And that was very powerful. And so when I incorporated that into my training activities, I got a much higher motivation rate and return rate from most of the officers.

So, what I started to see was that not only were officers enthusiastic and giving us very positive feedback about the style, but also were coming back for more. That to me is a fundamental determinant of success is that when people say, "Look, we value what you taught us and we need to learn more.

I mean, there are lawyers in many firms who work on tax law, but our tax community, legal tax community, is highly knowledgeable. So, to work with that group to share with them insights on to improving the way they communicate is very, very important done in a subtle, but also respectful way.

Karen Moloney: Yeah. And I think you had an example we spoke about in the preparation discussions around, if not kind of scheduled, you put out an invitation one day, didn't you? About 3:00 PM to invite people to a session the next day. Could you tell us a bit about that?

Simon Paton: Yeah, I did. Look, I did it as a bit of a test one day, just to find out whether the audience was as ... I'd been away for a while, by the way. I'd come back from leave and I decided I'd just throw it out there. So, at 3 o'clock in the afternoon, I'd put out an invitation with 90 people to participate in some training the next day, exactly 24 hours later, which is-

Karen Moloney: And this is a voluntary thing, it wasn't part of a bigger thing. It was just a, hey I'm ...

Simon Paton: ... No, no.

Karen Moloney: ... All right.

Simon Paton: Because you see, the nature of my relationship with the thousands of students I now have are that when they get something from me, it doesn't matter if they don't come, because it'll be repeated somewhere else. But if they want to come, they know it won't waste their time and they'll learn something, which is, I think, any educators fundamental goal if you know what I-

Karen Moloney: The holy grail.

Simon Paton:

... It is the holy grail. It is. And so what I did was, as a test, I sent it to these 90 people and I had 75 participants 24 hours later. Now, to get that kind of pick up or response rate was extraordinary for me. And it proved that, I think, we've probably raised the bar when it comes to delivering a product and a service which actually is relevant to the audience and that's really vital.

So, how did we do it? That took, I suppose a couple of years. But it didn't take as long as you'd think. I mean, we'd built a very trusting base once we started adapting the Microlearning model. So, there are days when some of my training might extend to an hour, but I'm always mindful that I teach in bite size pieces. So, it's sort of every quarter hour, there's a different orientation so that there may be four elements of that hour, which all interconnect, but which they'd be able to go away and remember. Of course, we have a critique at the end which sort of reinforces that.

The other important thing, Karen, that I've done is I've also extensively used a Microsoft Communicator to engage. So, whilst I do do face-to-face training, most of my training, and that 75 people that I was just talking about, was all online. So, it's live training, delivered online at people's desks. The wonderful protection that provides, particularly in this space, is that when you're teaching people things like the best use of punctuation in a technical document, you'd hate to think that somebody might come to a professional lawyer, coming to a face-to-face session and feeling awkward because they didn't want someone to think they didn't know how to use a comma.

Now, online, it's sort of very secret. And I get all sorts of leaders, our senior executives write through to our executive level officers all the way through to our APS public service staff attending these events now. I often get the leaders coming along because they want their staff to see that they respect the training to a certain extent that they'll participate. So, that's a really important dimension of credibility.

Karen Moloney:

Okay. And just thinking about the program, the content, the format. Could you just take a step back? And thinking about the program itself, so it's not just random online sessions you're delivering for 10 minutes or an hour here or there, there is actually a bigger plan to that. Can you just talk us through what that looks like?

Simon Paton:

Yeah. Well, there's a foundation of about 10 different sections, which really do take users from a point of appreciating that the plain legal language isn't a foundation of importance to them. So, that's a historical study as much as any. And giving some context and looking at a point in time when the whole legal community started to unpick the notion of plain legal language right the way through to grammar and punctuation and everything in between.

So, what we'll often do is we'll sit down and we might look at a document. I'm currently teaching a group of lawyers in Perth online, and we're looking at a particular document we use, and we're unpicking it at every layer. It's almost

like cutting open an animal in a biology class. It's looking at every aspect of this paper from every angle objectively. What's so reassuring for me as a trainer is that I was provided with a paper, and by officers who wrote it and said, "Look, we're the authors of this document, but we would appreciate your insight."

What this comes down to is now people are honored that their paper is being critiqued in a way that constructively helps them moving forward. So, it means that they can inculcate the insights into their next paper. And that's the goal.

Karen Moloney: And thinking just from an infrastructure perspective, I know that you've had some technical challenges, and I think this kind of material I think a lot of people would just dip straight to the, well, it's Microlearning, so we can do some videos and we can pop them online. And some of that hasn't been possible for you, but I think thinking about the working with what you have, and we talked to a couple of our guests about this, sometimes the simpler solution is the best solution and sometimes there are some great opportunities and advantages that can come from not having that technology at your fingertips. So, have you had any of those experiences and have you had some great opportunities come up from that?

Simon Paton: Look, very simply, I always deliver a PowerPoint slide pack to my students, even just for a short micro course. It might be just five pages, but they always receive that before the training starts. And then if the Microsoft Communicator thing fails, we're on a telecom, so there's a conversation taking place. And exactly this thing happened to me yesterday, where some people couldn't join. They were on the phone, but they couldn't join the Communicator environment. And I simply said to them, "Just go to page one, and we'll kick off and I'll just let you know when I'm turning the page." They loved that.

It's simple things like that can just change the whole tension environment, because somebody said, "Well, I came into this thing and I couldn't participate. It was a waste of time." And I hear this all the time from people in other parts of our business who are forced to use a particular technology which is not as fluid and flexible and respectful. So, that's what I try to do.

Karen Moloney: Yeah. And I'm thinking also as well from the opportunity to be face-to-face to people or live online with them as opposed to them doing it on demand. I mean, there are some opportunities that come out of that for you in terms of the content development, aren't there?

Simon Paton: Oh, totally. And of course most importantly, one of the fundamental things is that there's an opportunity to ask questions and to engage with you directly. And on Microsoft Communicator, we have that great opportunity where people can actually pen their thoughts while I'm speaking, and I can then come back to their thoughts, which is a wonderful ... It doesn't disrupt the conversation. It means that there is a respectful space where questions can be asked or where I can answer their questions over the course of the conversation.

Having said that, you did say that I had challenges with things like video. As a matter of fact, we have indeed recorded a number of our sessions which we retain on a video library, and which we see as a critical part of what we do, so it is factored in. I also started to include little podcasts within packages to meet the needs of audiences that would prefer to hear what I've got to say than read it. So, being mindful of people's communications preferences has certainly formed the basis of how I engage more effectively.

Michelle Ockers: Simon, it strikes me that you're much more than a trainer though. And I know you referred to training and to yourself as a trainer a couple of times, but you've also got this role almost of, you've got trusted relationship you've built up over time. You're embedded in the business. You're almost an internal consultant and there's opportunity when things come up to help people to explore what went wrong with the communication and how to improve it. Tell us a little bit about that aspect of your work as well.

Simon Paton: Look, I think at the end of the day, if you really want to engage effectively and build trust amongst your colleagues, you've got to be more than just a talking head that delivers in this vacuum. I've just written a course, for example, where the commissioner announced earlier this year a vision through to 2024 for the ATO. And this vision really does capture the priorities that we have as an organization, and that's been pretty profoundly promoted and activated in the last month here in the ATO. And so, I've written a course which orientates that priority, all of the aspirations that we have as an organization into my work so that I can draw a direct link between the commissioner's vision right through to why writing more clearly builds better trust and more authentic trust with taxpayers.

Now, I think if we can draw down corporate aspirations to practical application for every writer who can engage us with the taxpayers, then I think we've kicked a very important goal. So, one of the challenges in the public sector, I think, is there's aspirations and then there's practical reality for ordinary people. And I take a great deal of pride in ensuring that when I do build a product, it's actually orientated in such a way that it harks to whatever our priority might be, whether it be for the week, the month, or indeed looking forward half a dozen years.

Karen Moloney: That ties into the next question I had around ROI, because I can imagine that a program like yours is very difficult to track, the ROI of what you do. I mean, clearly there's lots of value in what you're doing. So, how do you measure the impact of the work that you're undertaking?

Simon Paton: Look, I think that's totally valid and quite obviously one of the fundamental areas that we've worked in, for example our objections area, I've done some intensive work around the country both face-to-face and online with this community. And some of it's about reconstructing correspondence and techniques of building correspondence with taxpayers that is more orientated towards that trusting relationship and that is less complex and more easy to

consume. And the feedback and the numbers of litigation cases that have dropped since we changed our mindset and its approach is extraordinary.

As you can appreciate, an organisation like ours that does litigate, there's a huge budgetary impact. But our litigation number have dropped off substantially in the last few years, partly because of the way we're engaging and partly in the way we're communicating. There's a variety of elements that surround this, not least of which of this is the fact that the tax officer has to have a different mindset about solving problems, about solving disputes. And the work I've been involved in has been really critical in that part of that business.

Michelle Ockers: I've got to say, as a taxpayer, I'm very glad to hear that the cost of litigation going down. [

Simon Paton: That's right. This commissioner, I mean, Chris Jordan has a strong view about this and this notion that litigating for the sake of it is not part of the construct. Genuinely helping taxpayers to understand what their obligations are is his biggest priority. So, I get that. As a trainer, as somebody who actually is engaged in this space, I clearly can digest what my role is in helping to craft a better communicate with taxpayers, whatever that might be.

Karen Moloney: One of our big goals to this podcast is to be very practical and help people try new things. So, [inaudible 00:34:24] really listening is keen to do more with those real time Microlearning sessions, what would be your key takeaway tips to help them get started?

Simon Paton: In a private sector environment, I think that the work I've done would easily translate. Whether you're working in a consultancy firm, or Apple for heaven's sake, any of these organisations could. If you know your work and know what your priorities are, then you can deliver in a simple form, in a variety of different ways, both in a written and an auditory form, and in a graphic form, an answer to a problem.

Because I think at the end of the day, you've got to know where your problems are. Once you've worked out what your problems are, then you know what your solutions are. But the key is, you've got to understand, you've got to be the master of your domain, so that you can help other people to understand where the priorities are. So, I think that's really important. You have to have the right people in the right place being able to deliver to that story, because if you don't have the right people doing that, they will struggle in communicating clarity, because clarity's essential to building trust.

Michelle Ockers: So, micro sessions, one problem, one solution. One point lessons, 10 minutes, you're on your way.

Simon Paton: That's right. And potentially, one of those slides I might even say to them, "Cut this out. Stick it on your desk. It's going to be very useful." So, sometimes some quite practical stuff comes out of it."

Michelle Ockers: So, Simon, there's one final question we like to ask all of our guests. Could you share with us the biggest thing you do for your own professional development?

Simon Paton: Look, I'm a big believer that you have to be constantly at the cutting edge of what's going on. You've always got to stay across your LinkedIn. I'm always watching everything you do, Michelle, because I think that I need to learn from everybody who's in this space. Everyone who does something different, something cutting edge, I need to look at it and go, "How could that apply to me?" I don't think in this day and age that if you're in this space, there's nothing stagnant, there's nothing static. You've got to be constantly reflecting.

And one of the things that I'm really thinking about at the moment is getting some software which will allow me to do some transformative graphic work with my training, because that's an audience that I struggle a little bit with communicating with is those people who need a picture to represent the change. And in tax law, as you can appreciate, the notion of the graphic to represent change is understood like a little box here and you've got a little arrow there. That's fine, but I'm talking about something much more sophisticated. So, that's the sort of thing I'm looking at and I know there's some decent stuff in this space and I'm going to be looking at a variety of different ways that I can incorporate that in the way I train because that will powerfully affect a particular group out there that historically, within the office as much as outside we struggle with, that graphic audience.

Michelle Ockers: Yeah. So, I'm hearing they're learning through the network watching what other people are sharing, learning, tapping into that and also very applied in your learning, taking something, solving a problem and improving your work with it and learning as you go.

Simon Paton: Absolutely.

Michelle Ockers: And speaking of LinkedIn, we're going to include a link to your LinkedIn profile in the show notes if anyone would like to get in touch with you to find out more about the topics we've discussed today. Thank you so much, Simon, for sharing your work and your insights with us today.

Simon Paton: Thank you, Michelle and Karen. It's been a real pleasure and it's great to have an opportunity to talk to fellow learning professionals like yourselves.

Karen Moloney: Thanks for coming on.