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Social Media and Compliance

Doug Cornelius
Chief Compliance Officer
Beacon Capital Partners, LLC

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Thanks.
Intro if needed.

I have a bunch of slides, but they are mostly images.

Feel free to ask questions along the way.
I certainly have questions for you.

These are the topics I want to cover.
Are their any others you want to cover

I think these are some exciting tools for compliance professionals, but they also create some new risks.

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Lets start off with what is Social media - You will also hear the term Web 2.0

The barriers for creating content on the internet have fallen.

You used to need some real technical knowledge, know html and spend a bunch of money to create your own webpage. You could only read a webpage.

That has changed. It easy to create a website.
Many sites allow you to add your content to their website.

Lets group them a little to have a better understanding.

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When you think of Web 2.0 and Social Media, blogs is one of the first things that comes to mind.

Blogger, Wordpress and TypePad are the three big commercial blog platforms.

In minutes, you can have a website up and begin creating content, with no web development knowledge.

Poll audience for users
[_] anyone here have a blog?

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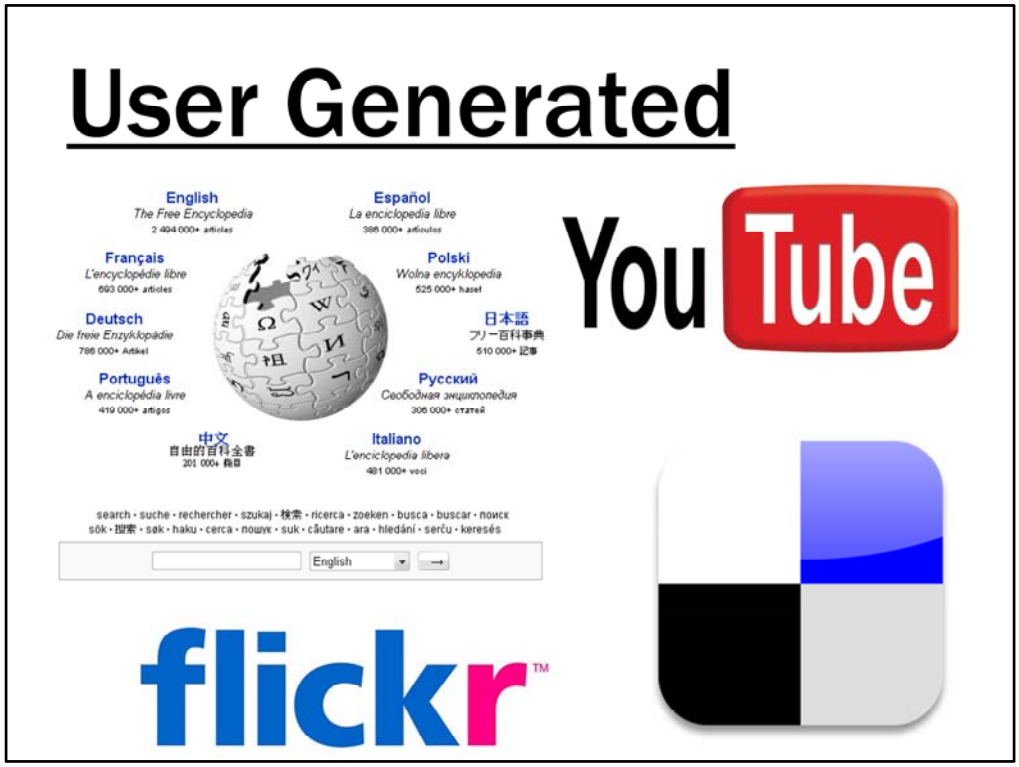

These Websites create framework to host your content. They don't create anything on their own. They are just a collection with tools to help your organize your content and find other interesting content.

Poll audience for users

☐ Anyone use these to find information?

Wikipedia has over 2.5 million articles. That several time larger than Encyclopedia Britannica

YouTube – Its audience during prime time is often larger than on some of the big four broadcasting networks.

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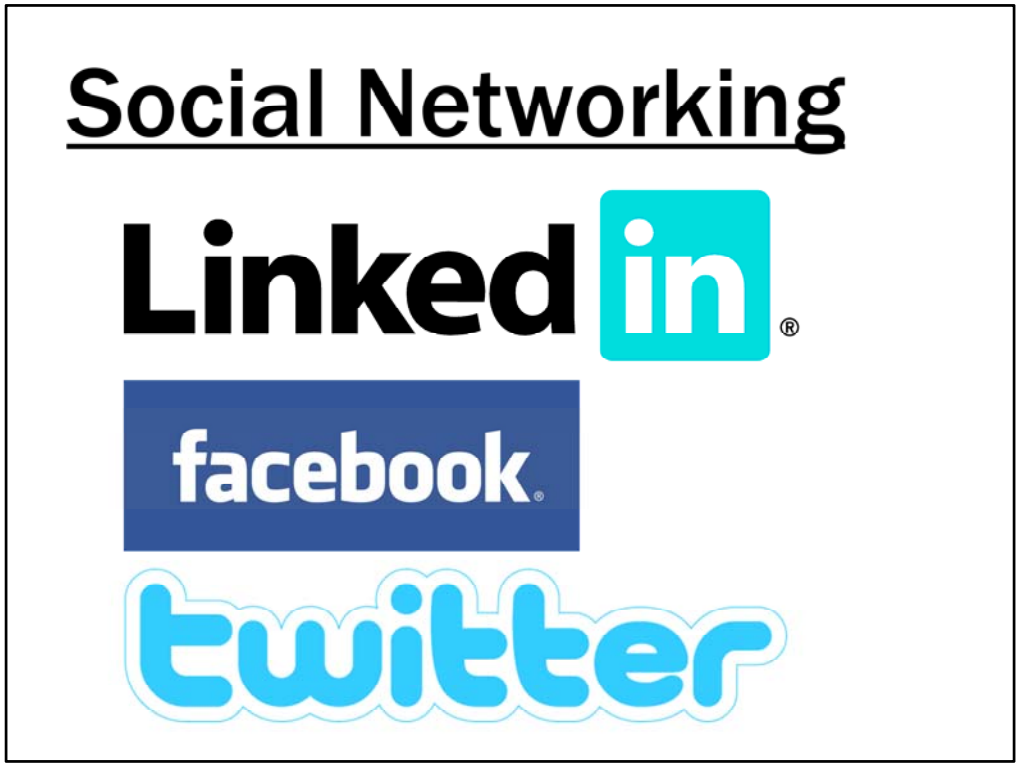

These are the hot now. Media darlings. Astronomical growth.

Currently the three most relevant of these platforms are LinkedIn, Facebook and Twitter.

Focus is on connecting people

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Mainstream media

Blogs, user generated content, and social networking are all being used and combined into traditional mainstream media website.

Even though I grouped them, the boundaries are very gray.

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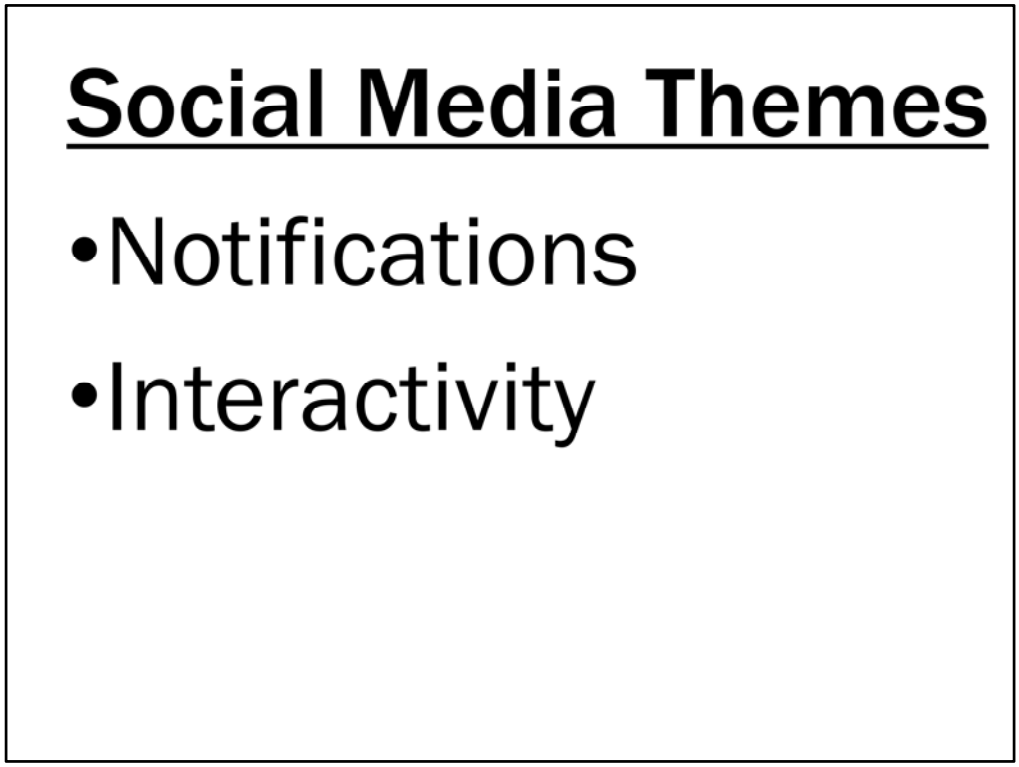

There are some common themes that you can see in these tools.

What makes something go from web 1.0 to web 2.0

Two aspect:
Notifications and Interactivity

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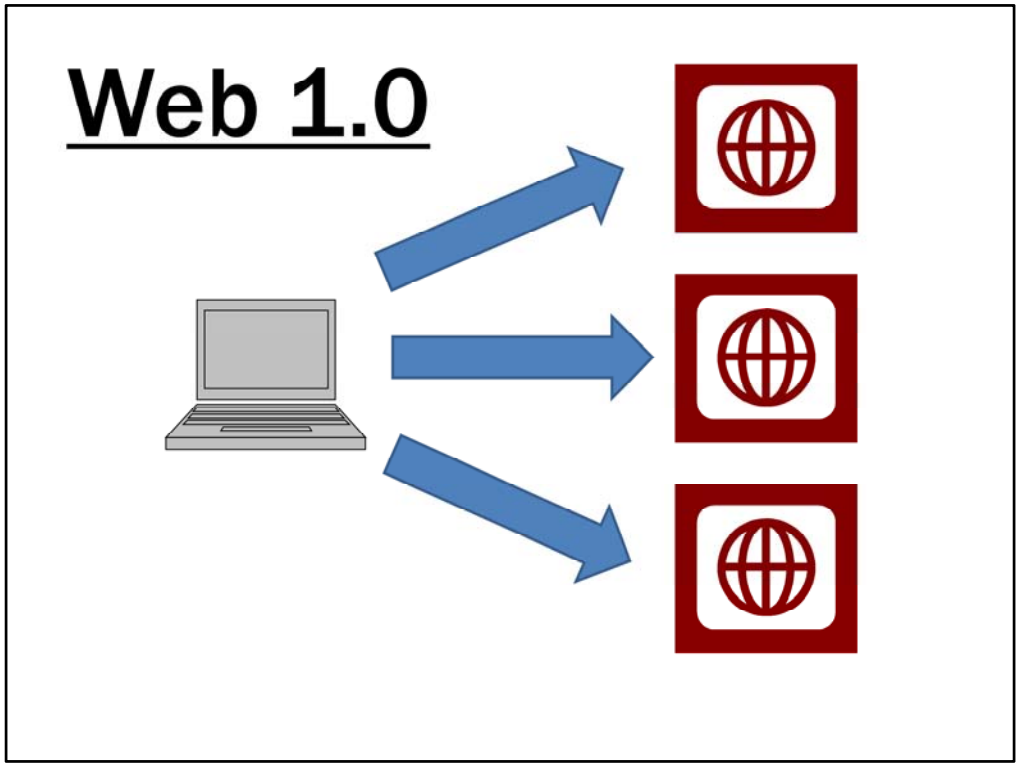

Lets focus on the notifications

In the web 1.0 world, you had to go to websites and find the information you wanted.

Web surfing

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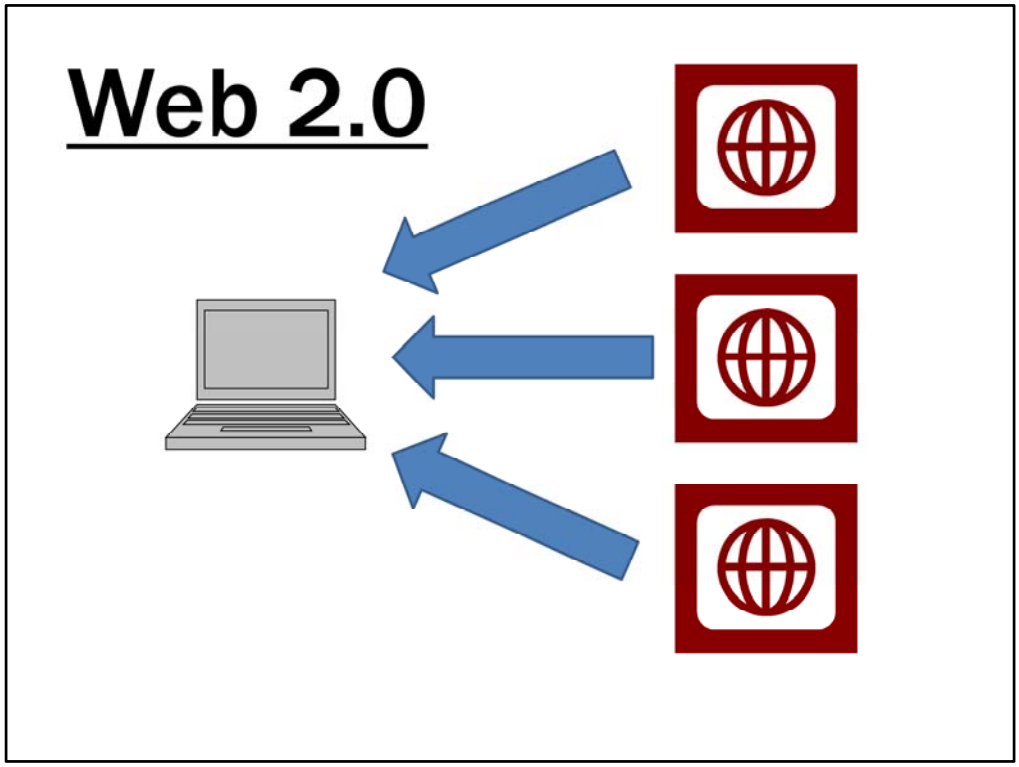

In the Web 2.0 world, the information you want is sent to you. Websites will send a notification to you when there is new content. Some may even send you the new content.

That notification can be by email

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But a more powerful tool is RSS.

Instead of sending the information to your email inbox, it goes to a separate application.

[_] Who here does NOT get enough email?

RSS is way to get more information and organize better.

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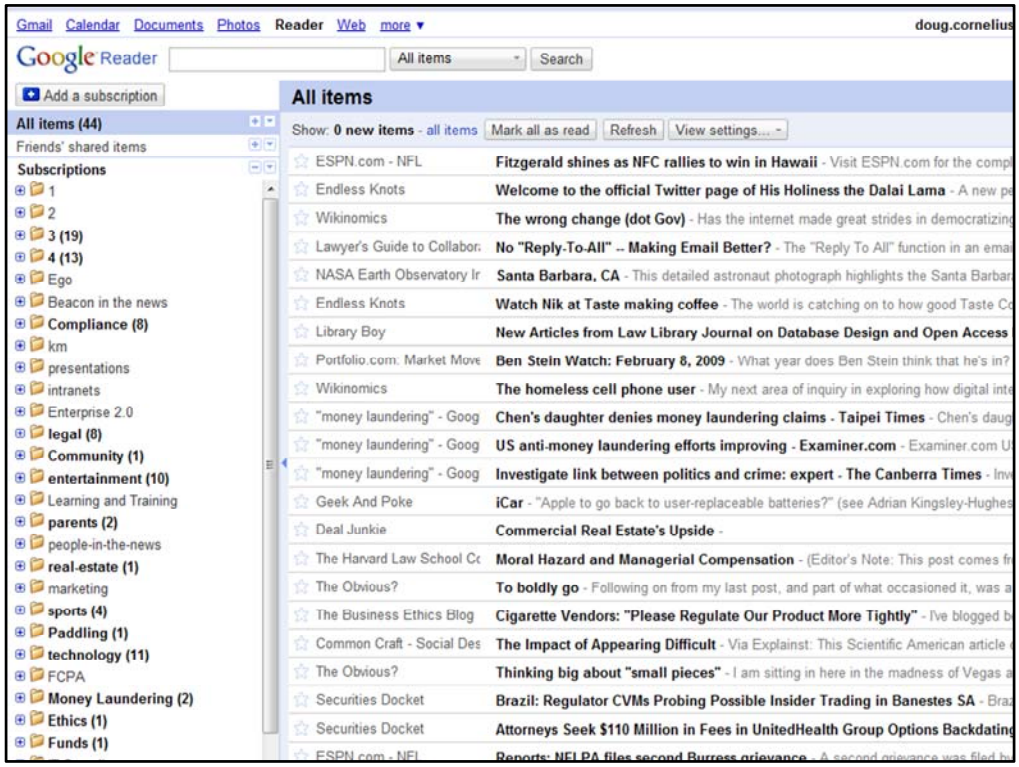

Instead of email, you RSS feed reader. It is the application that receives the update notification and allows you to read and organize the feeds.

It is much like an email in-box. In fact Outlook 2007 has one built in.

But the most popular reader is Google Reader (and its free and web-based so you do not have to install anything on your computer.) You can also get it through your mobile device.

This is a snapshot of my RSS feedreader. I organize my feeds around priority and topic. The feed reader lets you know how many new items are in each.

I subscribes to over 400 sources. Some publish several times a day. Some once a day, others are once a week or even more sporadically.

Saves me time by not having to go to the sites. They come to me.

[_] Anyone use a feed reader

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With INTERACTIVITY, the stories are not just static.

There may be a big box for you to supply your comments.

(this is my website: Compliance Building)

Animation: page scrolls up

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THE WALL STREET JOURNAL.

WEDNESDAY, MAY 20, 2009 · VOL. CCLIII NO. 117 ★★★★ $2.00

DJIA 8474.85 ▼29.23 -0.3% NASDAQ 1734.54 ▲0.1% NIKKEI 9290.29 ▲2.8% DJ STOXX 50 2132.80 ▲1.2% 10-YR TREAS ▼ 9/32, yield 3.243% OIL $59.65 ▲$0.62 GOLD $926.30 ▲$5.00 EURO $1.3637 YEN 96.04

SAT's Math Problem: Costly Courses

Q: Are test-prep programs worth it?
A. Yes
B. It depends
C. No
D. None of above
See page D1 for the answer

What's News—

Business & Finance

The Senate approved, in a 90-5 vote, sweeping restrictions on credit-card companies that would ban extra fees and fluctuating rates, and arm consumers with more information on their debts. The measure is likely to pass the House in coming days and Obama is expected to sign it into law next week. A1, A2

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World-Wide

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Credit-Card Fees Curbed

Senate Approves Sweeping Restrictions, House Passage Seen; Limiting Interest Hikes

By Sudeep Reddy

Sweeping new restrictions on credit-card companies would ban extra fees and fluctuating rates and arm tens of millions of consumers with more information on their debts.

Starting in February 2010, a Senate bill passed Tuesday would ban practices such as charging consumers to pay by phone and sudden surges in interest rates. Payments above the minimum due would be applied to balances with the highest interest rates. Information once relegated to tiny print must be made clearer, and consumers will soon be told how long it would take to pay off a balance if they pay only the minimum due.

The credit-card overhaul is set to become the first major legislative change to financial regulation outside housing since the emergency bank bailout enacted last fall, and it's not the last expected this year. Tuesday's 90-5 vote followed pressure from the White House on card issuers to improve fairness and transparency for the three-fourths of U.S. households that use credit cards. The measure is likely to pass the House in the coming days, and President Barack Obama is expected to sign it into law next week.

For consumers, the legislation aims to change habits— perhaps leading them to make fewer big-ticket purchases with credit cards—by clarifying the cost of using card debt. Several provisions in the legislation are geared toward forcing consumers to recognize how much they're paying in interest. Card issuers would also have to provide information on consumer-counseling and debt-management services.

Consumers also wouldn't face a retroactive interest-rate increase on existing balances unless payments are 60 days overdue. Even after that rate increase, a con-

Please turn to page A2

■ What changes mean for you A2
■ Advanta cuts up card business ..C2
■ New oversight of financial products is weighed A2

The Fine Print
The law would require new information to be added to credit-card statements (examples in red)

PAYMENT SUMMARY
NEW BALANCE: $1,000
MINIMUM PAYMENT: $35
PAYMENT DUE DATE: 03/22/10 (would require 21-day notification)
MONTHS BEFORE BILL IS PAID OFF IF ONLY MIN. PAYMENTS MADE: 49
INTEREST PAID OVER TIME IF ONLY MIN. PAYMENTS ARE MADE: $667
Note: Figures are rough estimates

The Missing Link? Scientists Say Fossil Is 'Our Great-Great-Great-Aunt'

Lets use the Wall Street Journal as an example of NOTIFICATION and INTERACTIVITY.

The paper edition arrives with a thump in the morning, letting you know its there.

You could browse through it and see what interests you.

I bet many of you have a stack of unread or half-read newspapers and magazines lying around

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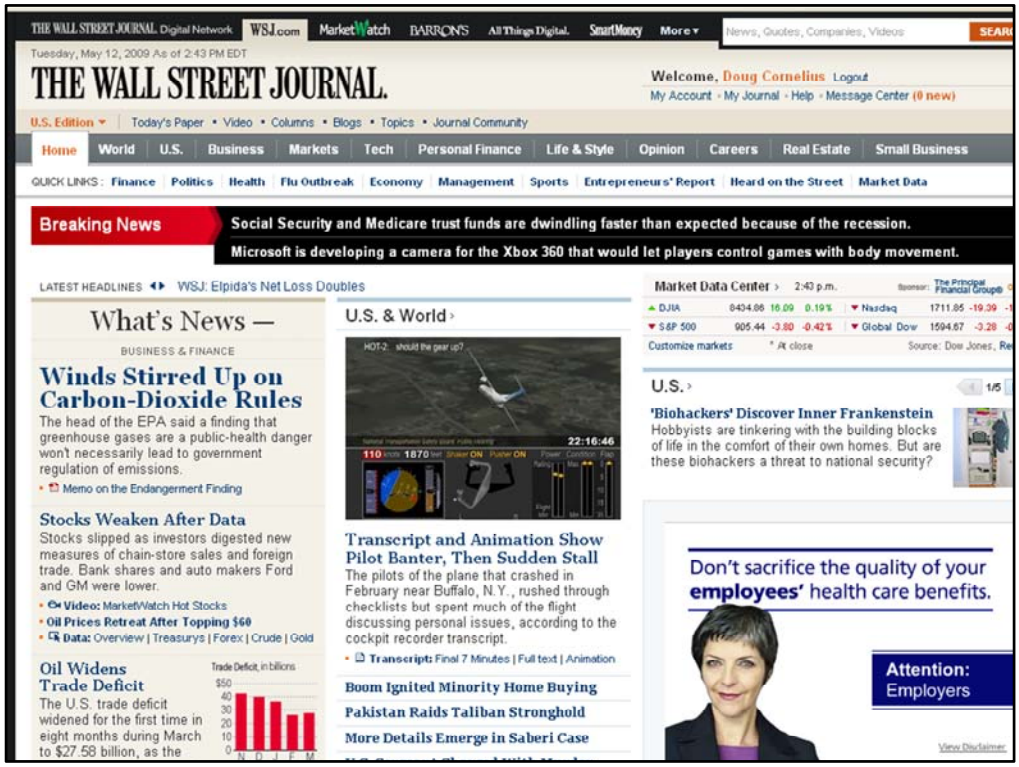

You can go to the online version and browse for the stories that interest you.

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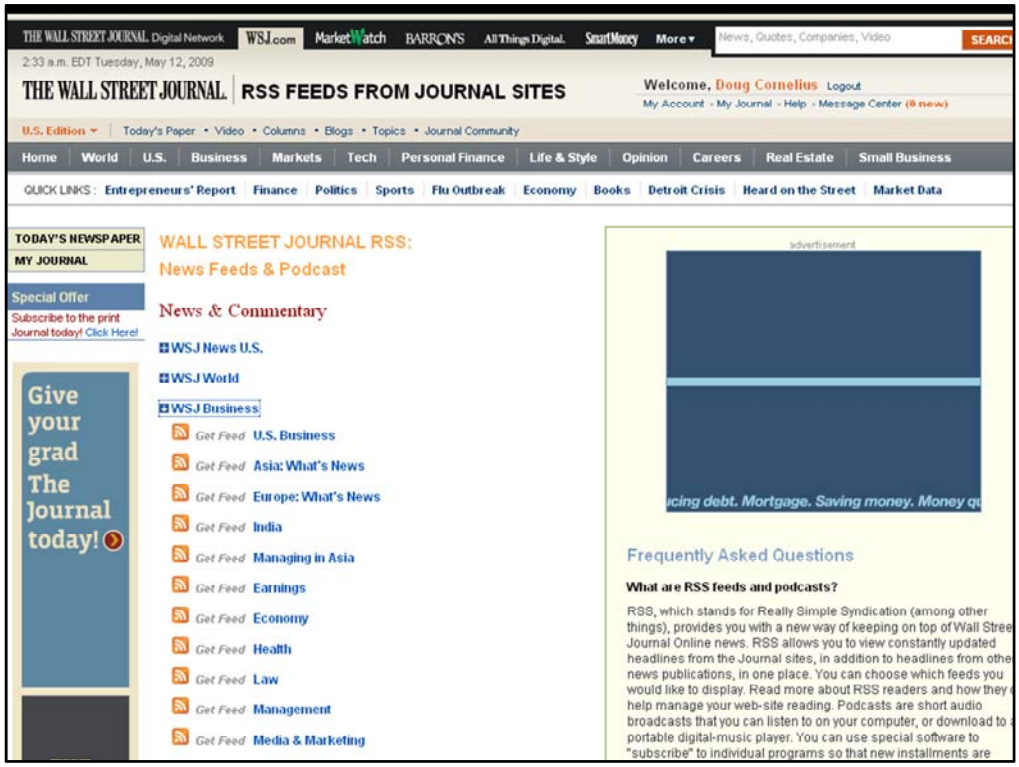

The online version is also full of RSS feeds, so they will send you new stories as they are published to the website.

That thud of the newspaper hitting your front step is replaced with the ping of a new item in your feed reader.

But it allows you to focus in on news and information that is more relevant to you. Subscribe to areas of interest instead of the whole paper.

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Note: Figures are rough estimates

The Missing Link? Scientists Say Fossil Is 'Our Great-Great-Great-Aunt'

There is also interactivity

With Web 1.0, like the newspaper.

You needed to go to it to read it.

And it was read only.

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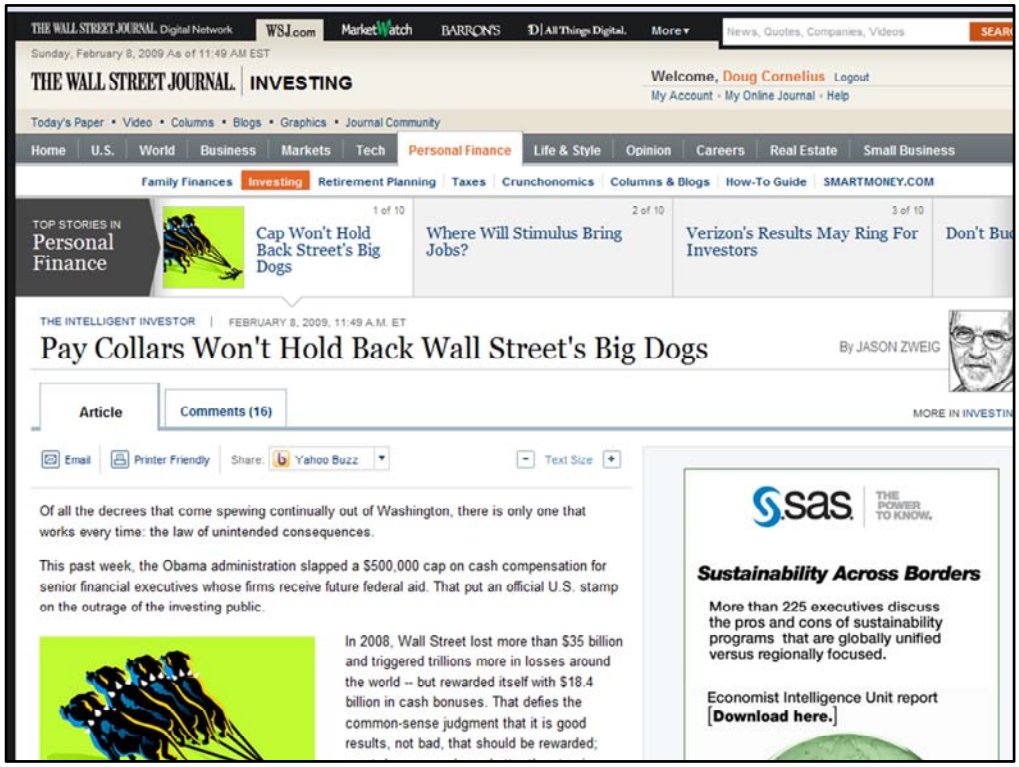

Now when you go to a story on the wall street journal on line

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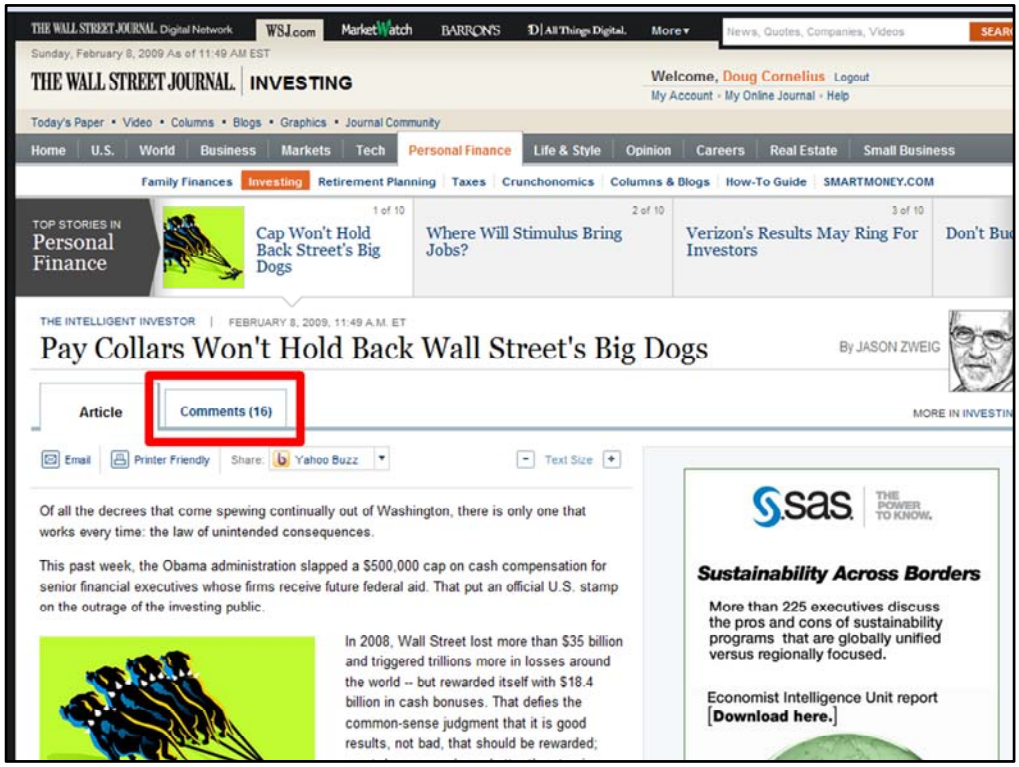

There is a collection of comments about the story

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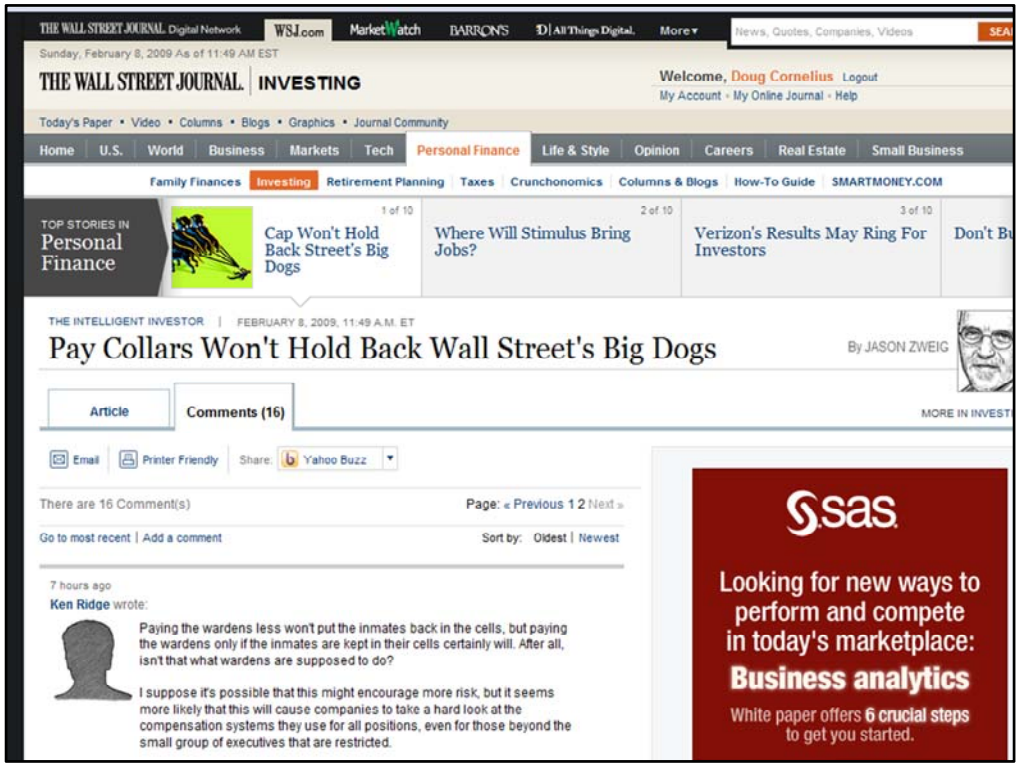

From the readers of the article.

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When I was talking about blogs, it is a fuzzy line between a story on the WSJ and blog,

They allow for quicker publication,
they all for comments and interactivity
They send you notices of new content

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There are plenty of people who collect and publish information relevant to compliance professionals in their websites using a blog platform.

There is my site, Compliance Building

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There are plenty of others.

Securities Docket by Bruce Carton, a former SEC enforcement lawyer

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Integrity at Work

Bill writes on ethics industry trends and EthicsPoint-related news.

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My Latest Favorites:

Food

Mint Love Letters - Babbo (and B&B Ristorante, Las Vegas)

Music

Galactic – New Orleans Funk featuring my wife's favorite drummer, Stanton Moore

New Mastersounds – Awesome funk /jam band from Leeds, UK

New Orleans Jazz Fest –Amazing variety of music, fantastic food, and a chance to help the New Orleans economy.

Books

Omnivore's Dilemma, by Michael Pollan – Admittedly, I read this a while ago, but it had a profound impact on my life (as the vendors at

Wednesday, May 6, 2009

EthicsPoint 2009 Best Ethics and Compliance Portal Winners!

It is with great pleasure that I am able to announce, honor and celebrate the 10 winning companies in the **EthicsPoint 2009 Best Ethics and Compliance Portal** contest. These portals were chosen from among our more than 2000 customers, and were judged based on a number of factors, including clarity of message, quality of reporter experience, effective integration within their overall governance, risk and compliance (GRC) strategy and innovative use of technology.

ethics•point

Top 10 Ethics & Compliance Portals 2009

presented to:

<COMPANY NAME>

In Recognition of Your Superior Efforts to Foster a Culture of Integrity, Trust, and Transparency

Please join me in congratulating this year's winners:

- AkzoNobel
- AstraZeneca
- Catholic Healthcare Partners
- The Coca-Cola Company
- Diocese of Cleveland
- FMC Technologies Inc.
- Integrys Energy Group
- Staples
- Toyota Financial Services
- University of California System

To view a screenshot of these winning portals or learn how we can work with you to improve your portal, visit our site

About Me

Bill Piwonka
Sr. Director of Marketing

LinkedIn Email Me

Sites I Read

Compliance Building
Corporate Compliance Insights
Corporate Integrity
Ethisphere
FCPA Blog
Knowledge @ Wharton
OCEG - GRC 360
The Art of Marketing
The Business Ethics Blog

Blog Archive

Bill has a blog

Writing about ethics industry trends and his company

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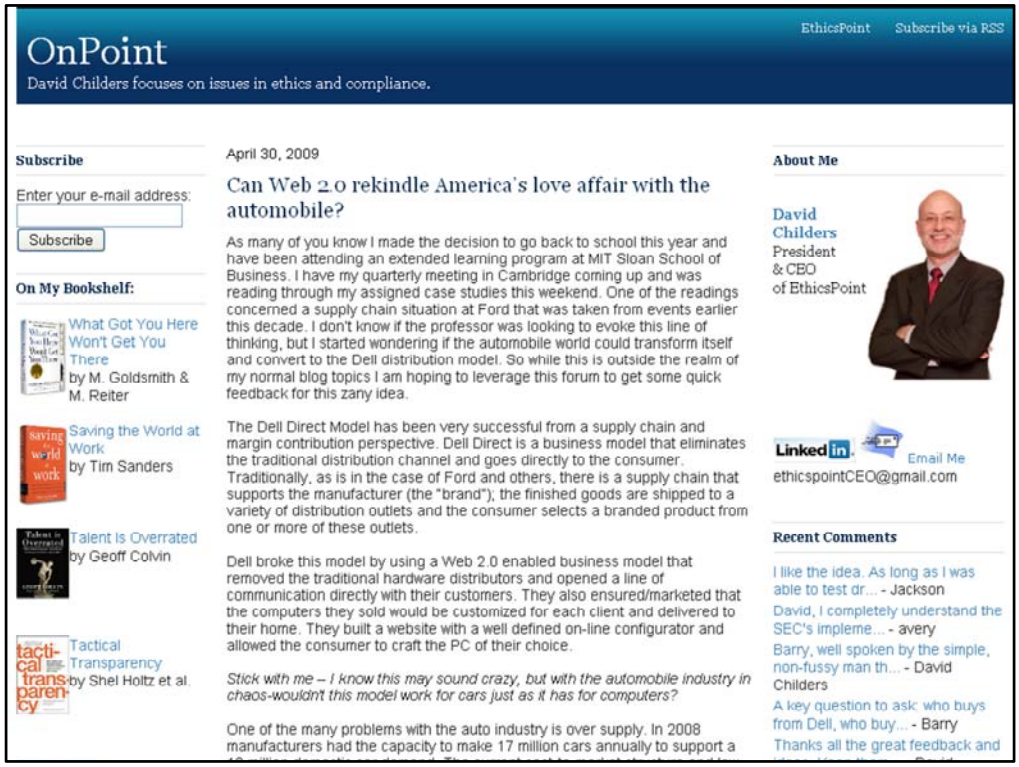

OnPoint

David Childers focuses on issues in ethics and compliance.

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On My Bookshelf:

What Got You Here Won't Get You There by M. Goldsmith & M. Reiter

Saving the World at Work by Tim Sanders

Talent Is Overrated by Geoff Colvin

Tactical Transparency by Shel Holtz et al.

April 30, 2009

Can Web 2.0 rekindle America's love affair with the automobile?

As many of you know I made the decision to go back to school this year and have been attending an extended learning program at MIT Sloan School of Business. I have my quarterly meeting in Cambridge coming up and was reading through my assigned case studies this weekend. One of the readings concerned a supply chain situation at Ford that was taken from events earlier this decade. I don't know if the professor was looking to evoke this line of thinking, but I started wondering if the automobile world could transform itself and convert to the Dell distribution model. So while this is outside the realm of my normal blog topics I am hoping to leverage this forum to get some quick feedback for this zany idea.

The Dell Direct Model has been very successful from a supply chain and margin contribution perspective. Dell Direct is a business model that eliminates the traditional distribution channel and goes directly to the consumer. Traditionally, as is in the case of Ford and others, there is a supply chain that supports the manufacturer (the "brand"), the finished goods are shipped to a variety of distribution outlets and the consumer selects a branded product from one or more of these outlets.

Dell broke this model by using a Web 2.0 enabled business model that removed the traditional hardware distributors and opened a line of communication directly with their customers. They also ensured/marketed that the computers they sold would be customized for each client and delivered to their home. They built a website with a well defined on-line configurator and allowed the consumer to craft the PC of their choice.

Stick with me – I know this may sound crazy, but with the automobile industry in chaos-wouldn't this model work for cars just as it has for computers?

One of the many problems with the auto industry is over supply. In 2008 manufacturers had the capacity to make 17 million cars annually to support a

About Me

David Childers
President & CEO of EthicsPoint

LinkedIn Email Me
ethicspointCEO@gmail.com

Recent Comments

I like the idea. As long as I was able to test dr... - Jackson

David, I completely understand the SEC's impleme... - avery

Barry, well spoken by the simple, non-fussy man th... - David Childers

A key question to ask: who buys from Dell, who buy... - Barry

Thanks all the great feedback and

Bill's boss has a blog

David Childers, the President of EthicsPoint, blogging on ethics and compliance

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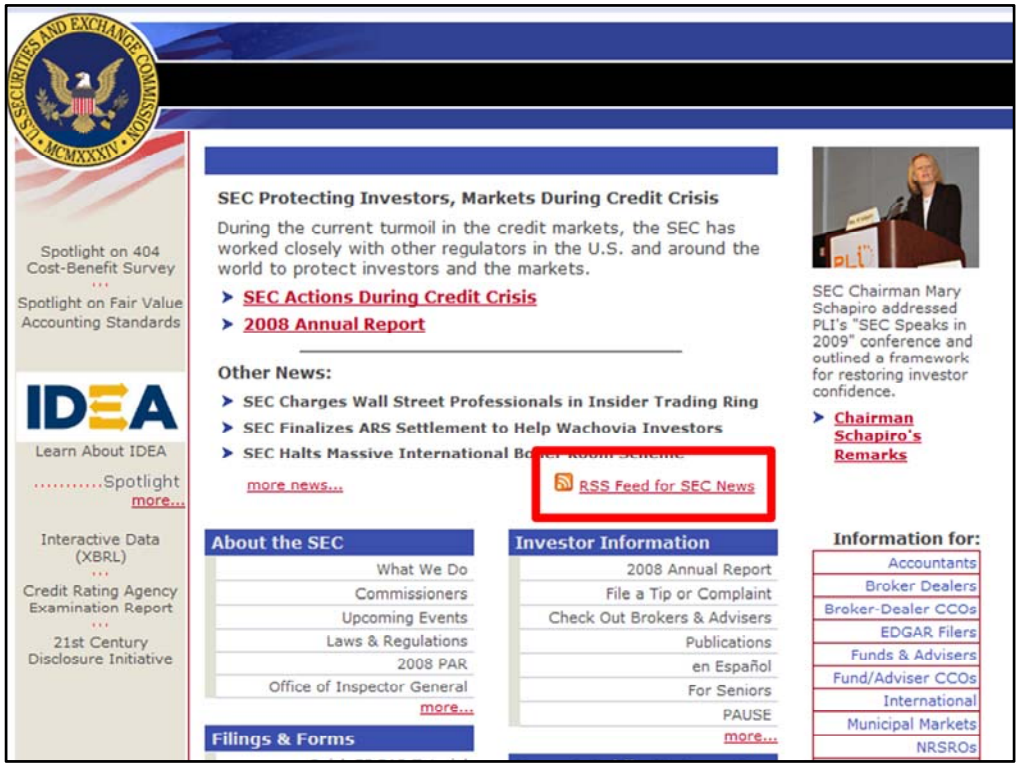

The SEC publishes alerts and updates through RSS feeds on their website. Very blog like.

Animation: red box appears

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I am seeing lots more of social media and 2.0 tools in government

We now have a Web 2.0 president.

There were many news stories about how President Obama used Web 2.0 as part of his campaign. He has now included it as part of communication as president.

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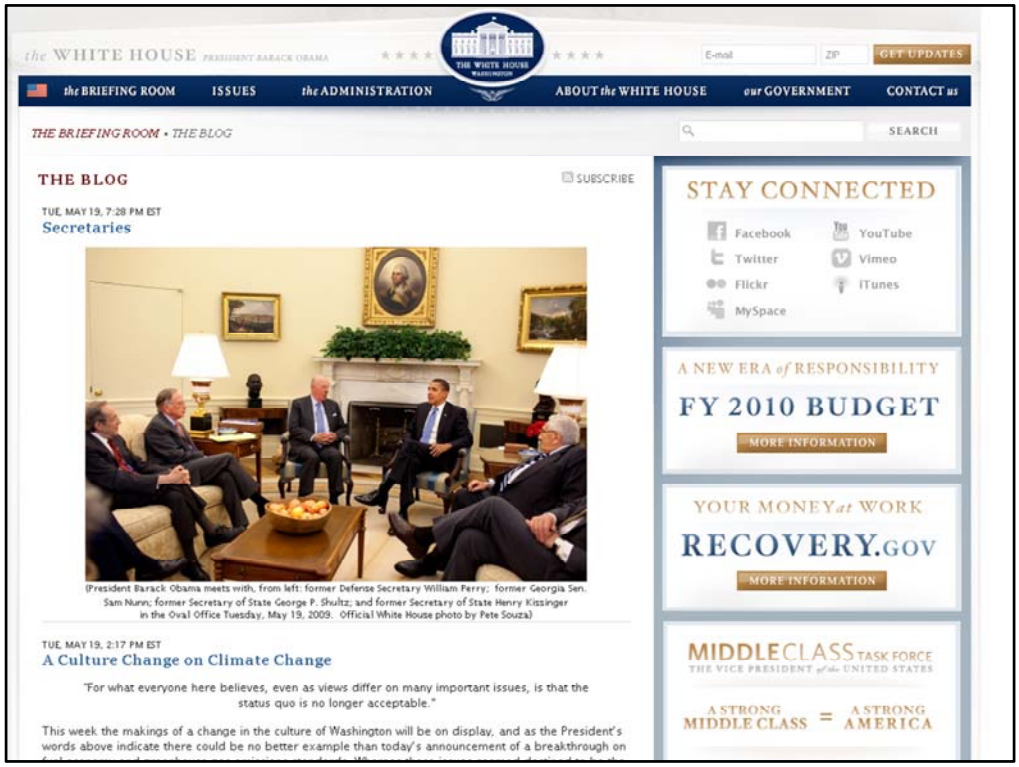

The White House is publishing news stories through their blog.

Also,
Facebook
Twitter
Flickr
YouTube
Vimeo
iTunes
MySpace

There is a big push by the government into using social media.

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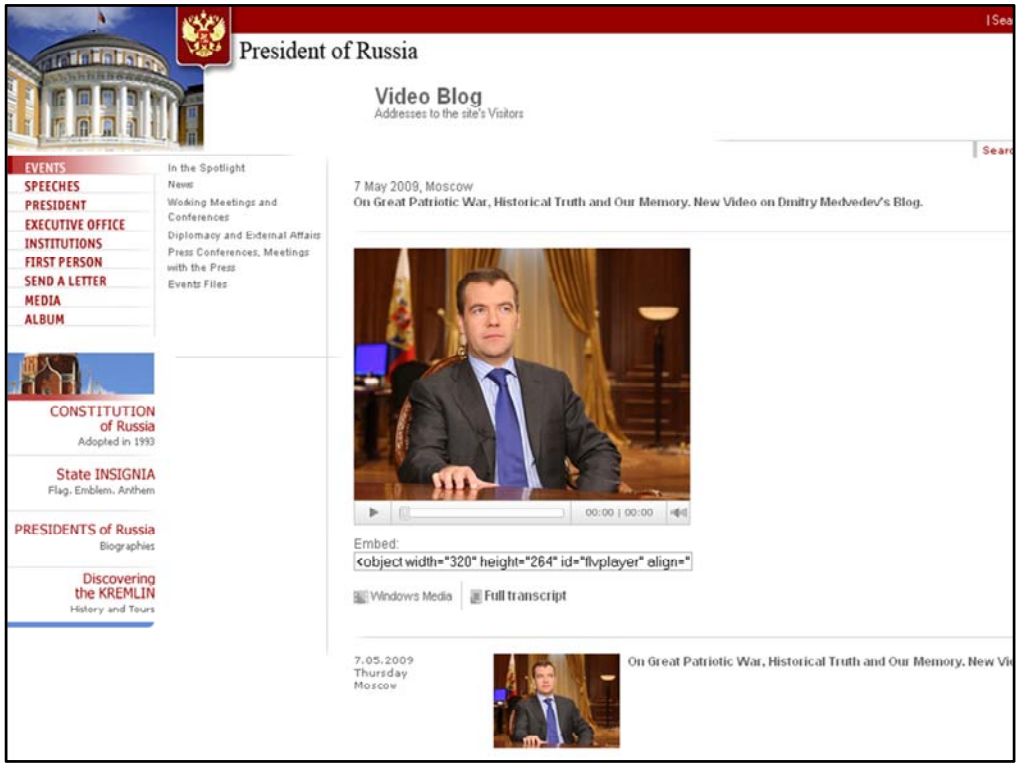

Not to be outdone by the US,

the President of Russia also has a blog.

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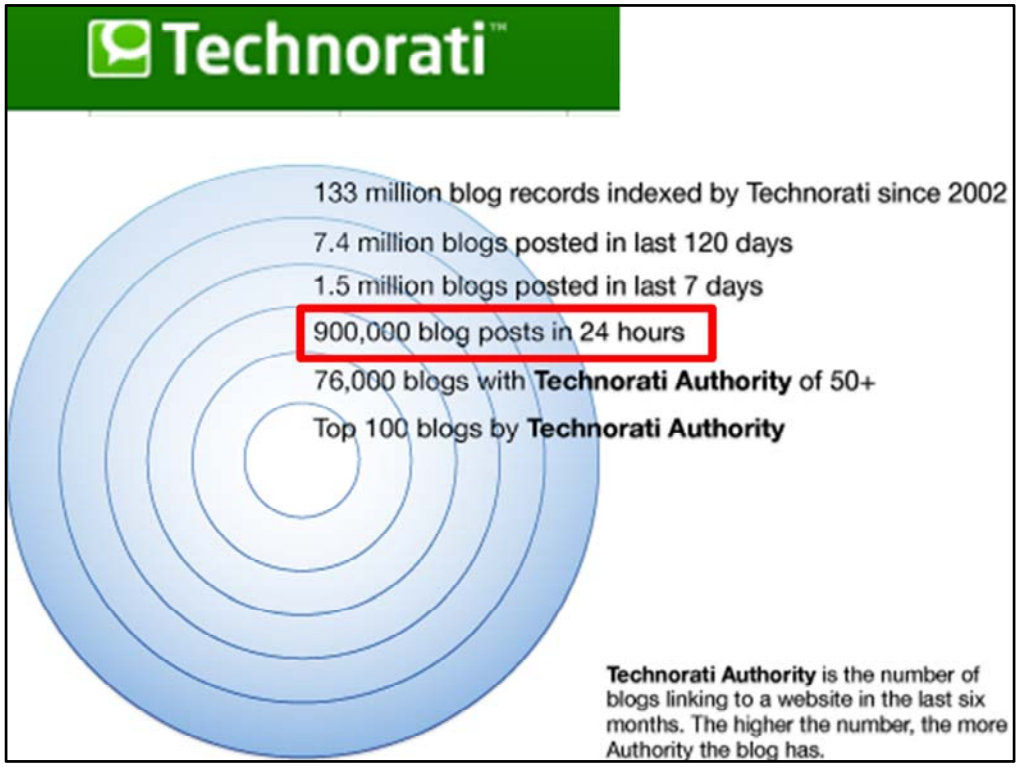

Technorati is blog tracking service and just released their 2008 State of the Blogosphere with some startling numbers.

Animation: Red box appears
This is the one that really catches my eyes: 900,000 blog posts every day

There is a lot of great content out there. Content that is very useful for Compliance professionals

Our profession is subject to enormous change as new rules, laws and regulations are constantly coming into effect. It is hard to keep. These tools can help you with that. It allows you to narrow your focus on issues related to your job.

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Another key is staying connected with your industry peers. Find out what they are doing

That's where social networking comes in.

I think we just saw that blogs have become mainstream. Social networking sites are newer

These are sites focused around the individuals instead of information sources.

Currently the three most relevant of these platforms for professionals are LinkedIn, Facebook and Twitter.

Are they for real? Are they a fad?

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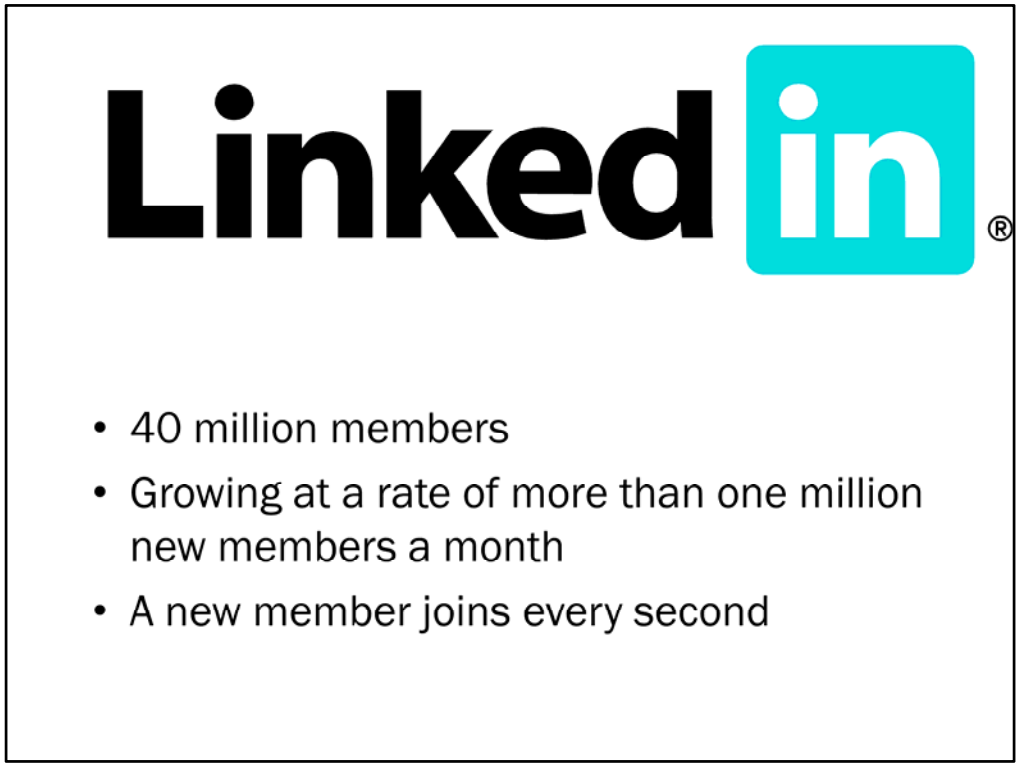

LinkedIn focuses on being a professional social network site

Poll audience for users

[_] Who here has a profile in LinkedIn

(My search of attendees was about ½ of you had LinkedIn Profiles)

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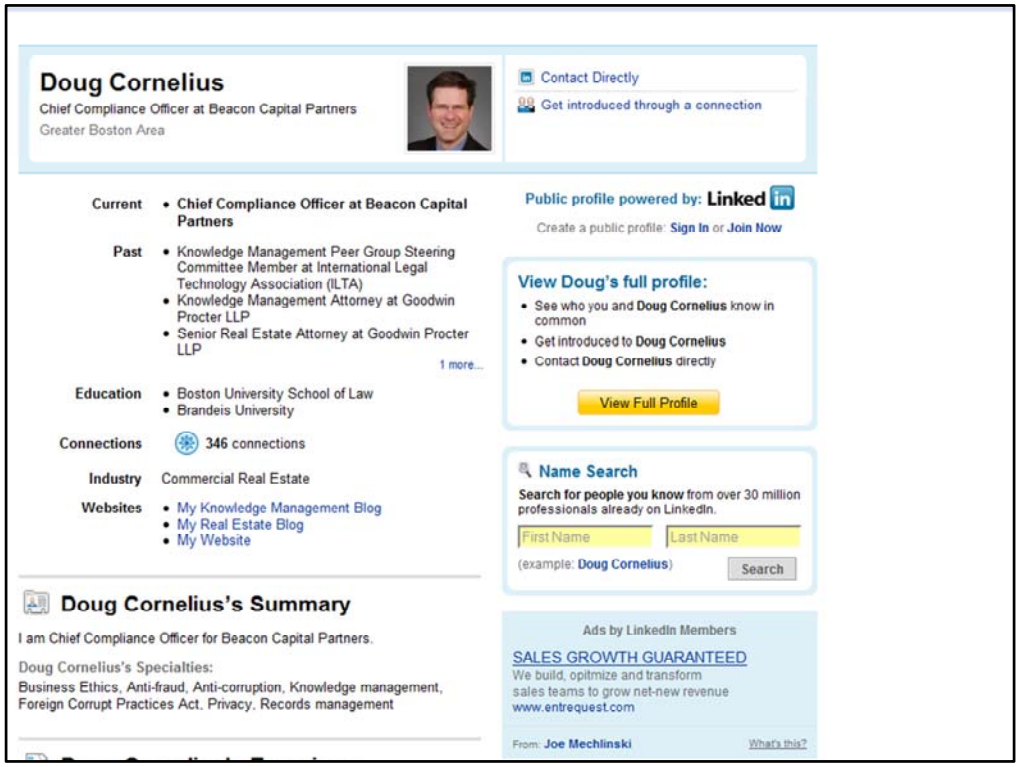

My profile in LinkedIn.

Effectively it is an online resume.

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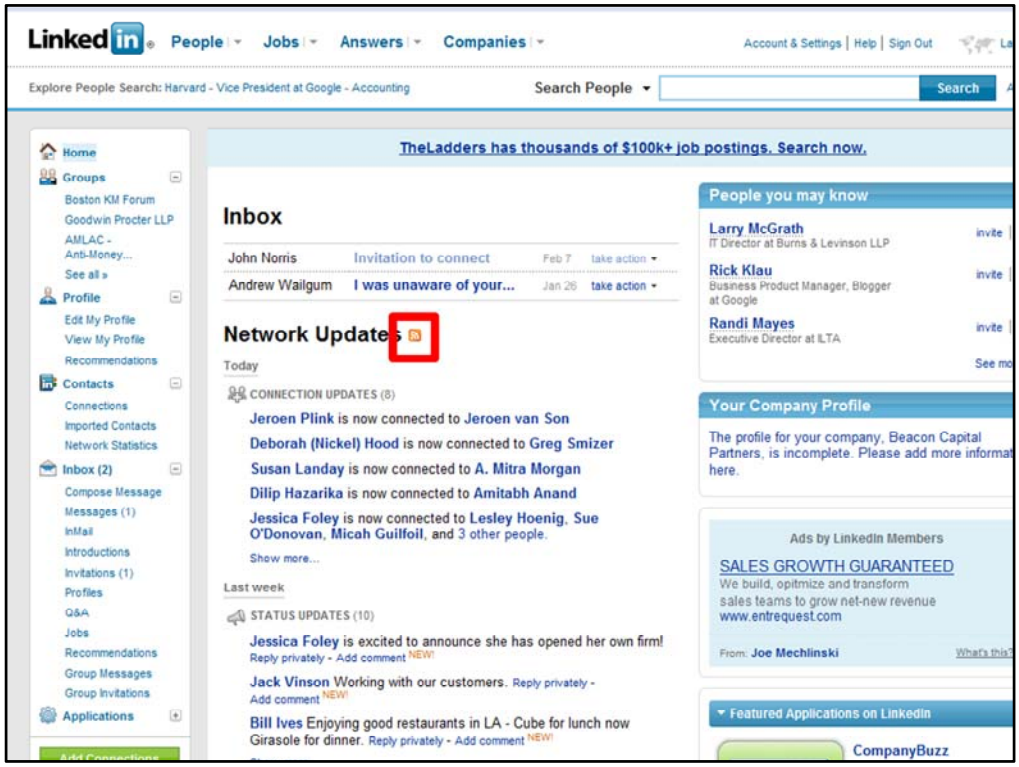

LinkedIn allows you to connect with people you know

Home page that has a summary of the changes to those connections, to the people in my network

There is that RSS symbol, so you can get alerts when there are changes to the people in your network.

One takeaway from today should be that everyone of you that does not have a LinkedIn account, create one. Those that already have one, update it. Connect with me.

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Twitter is currently a media darling.

Oprah joined last month.

Poll audience for users

[_] Who here has a twitter account

There is a lot of focus on the 140 character limit.

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Can you say anything meaningful in 140 characters?

They did.

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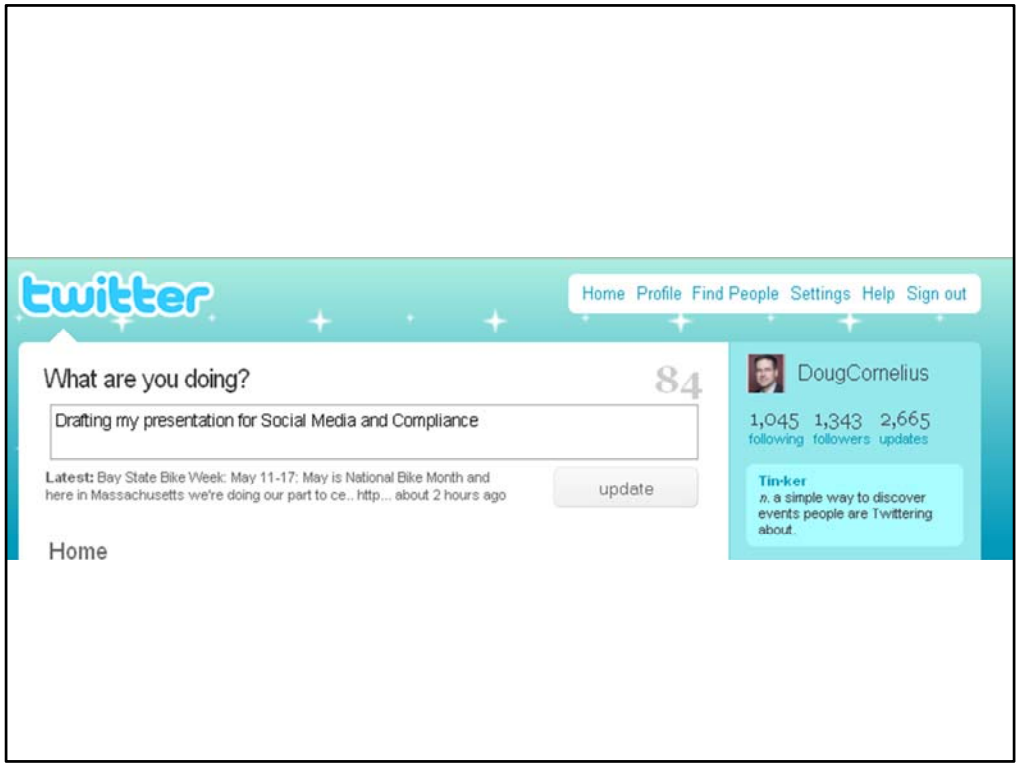

Twitter just asks a simple question: What are you doing?

It has evolved into a strange communications tool.

And search tool. Lots of information being created here.

It's a great way to stay in touch with colleagues and peers.

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Twitter has explosive growth.

Blue line is Twitter
Orange Line is the Wall Street Journal.com
Green Line is the New York Times.com

Last month the number of visitors to Twitter exceed the online versions of the NY Times and the Wall Street Journal

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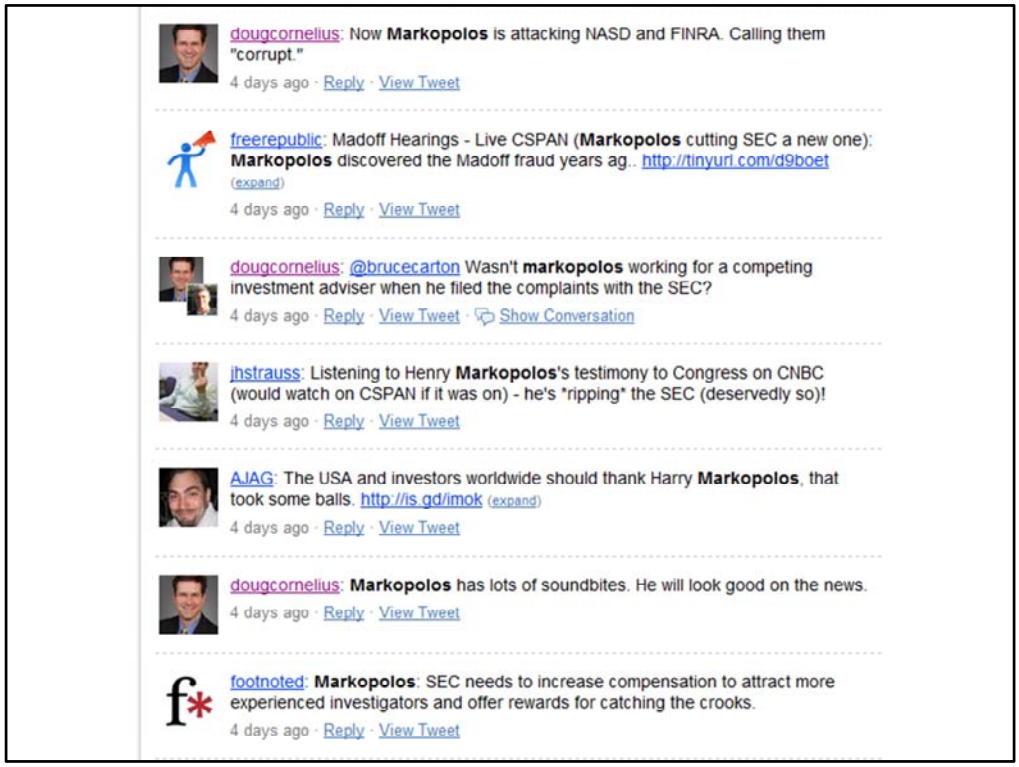

Example of the use of Twitter

When Harry Markopolos was testifying in front of Congress about how he had uncovered Bernie Madoff and the SEC ignored him. I happened to be on Twitter and so was Bruce Carton, who publishes Securities Docket we were sending messages back and forth across Twitter, along with many others reacting to his testimony and the testimony of the SEC officials.

Bruce ended up on Fox news and used part of the twitter conversation in his interview

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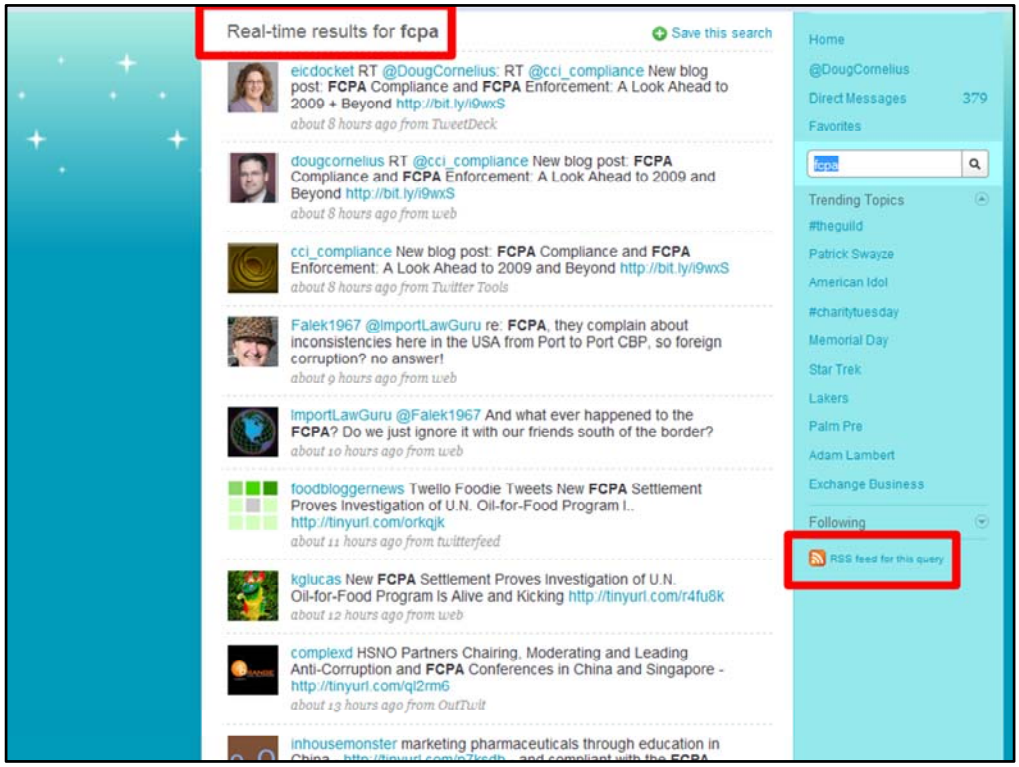

Twitter is also really interesting in how it has evolved as a search tool.
I routinely run searches in Twitter.

It allows you to find people, posts and articles on the topic

Once again, there is an RSS feed that you can supply you updates.

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Animation: Red box appears

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Facebook
Huge site.

Poll audience for users

[_] Who here has a profile in Facebook

2/3 of facebook users are not in college

Fastest growing demographic is people 35 and older

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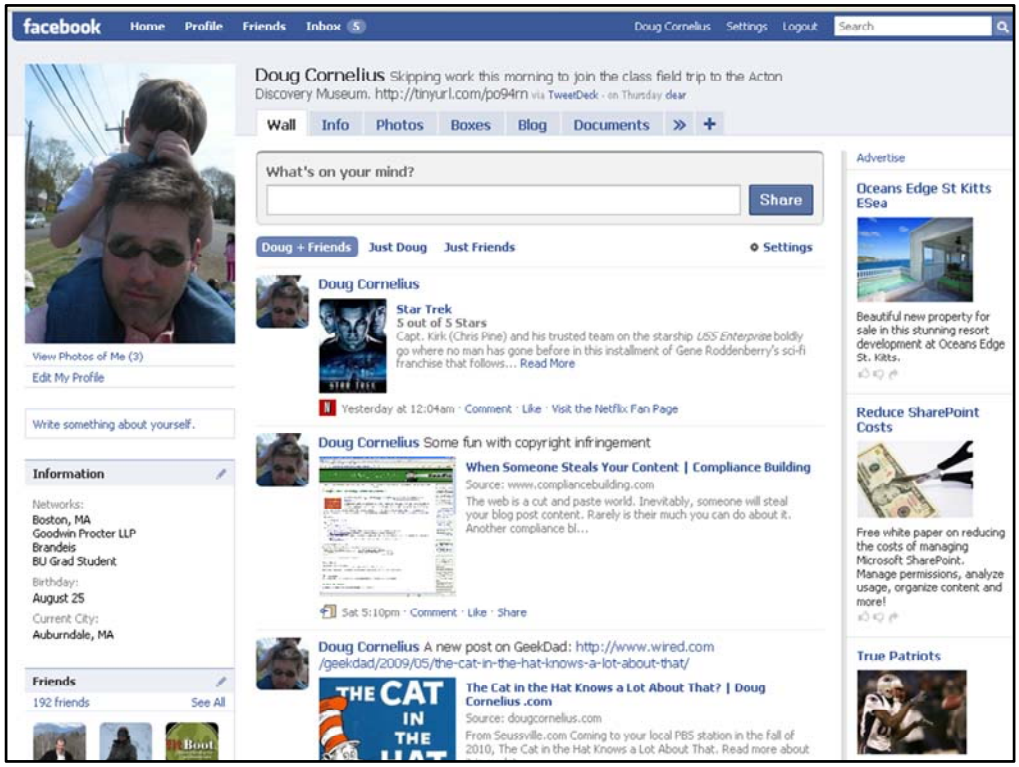

This is my Facecbook page.
In the center is the stream of my updates.
There are tabs for a profile, pictures and other tools.
It allows me to connect with other people in Facebook

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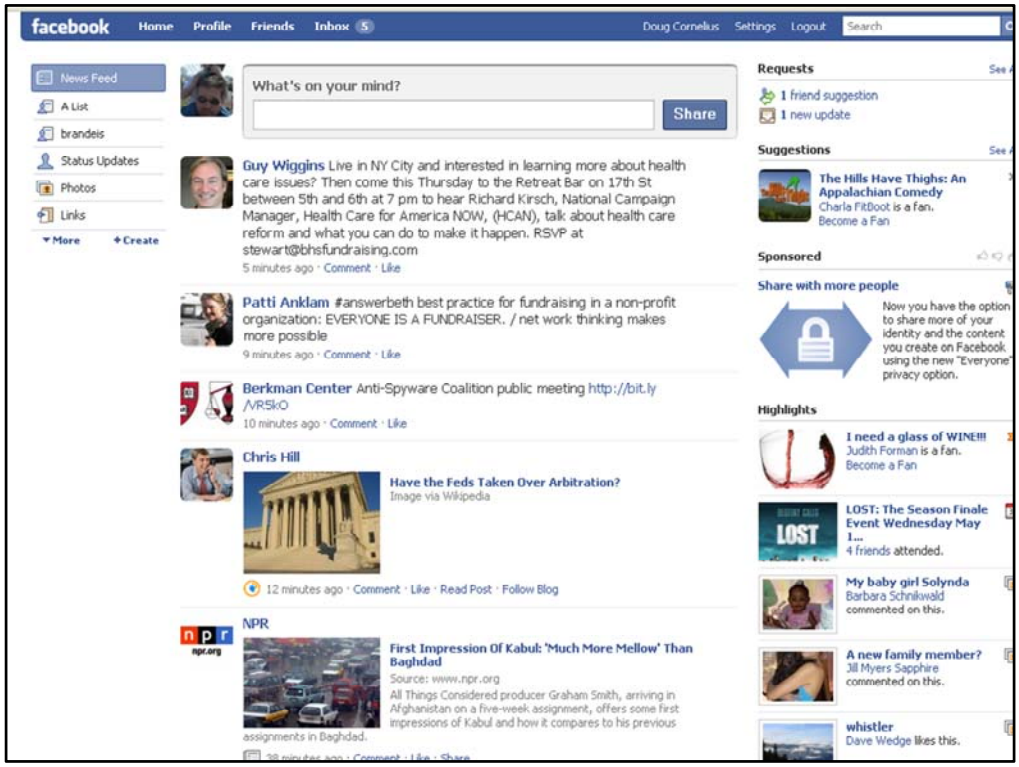

I then get a stream of updates from those connections in Facebook.

It is a really powerful communications platform.

For Me I use facebook mostly to keep in touch with friends and family. Increasingly, also my kids' friends' parents.

But friends include co-workers and professional peers.

The line between personal and professional is very gray.

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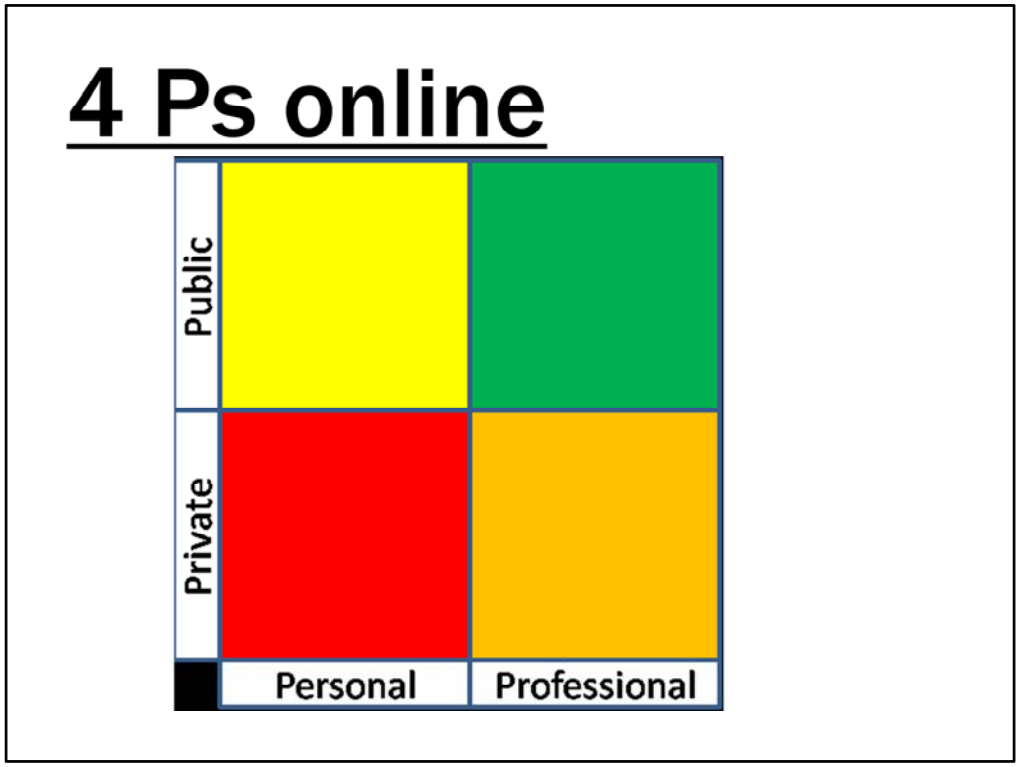

Actually, I don't even think that is a line between personal and professional. You also need to include public and private in the analysis.

For most people there is a bunch of public, professional information that they would like to have findable. Think about how some of the things we talked about today could help you. This green zone of information.

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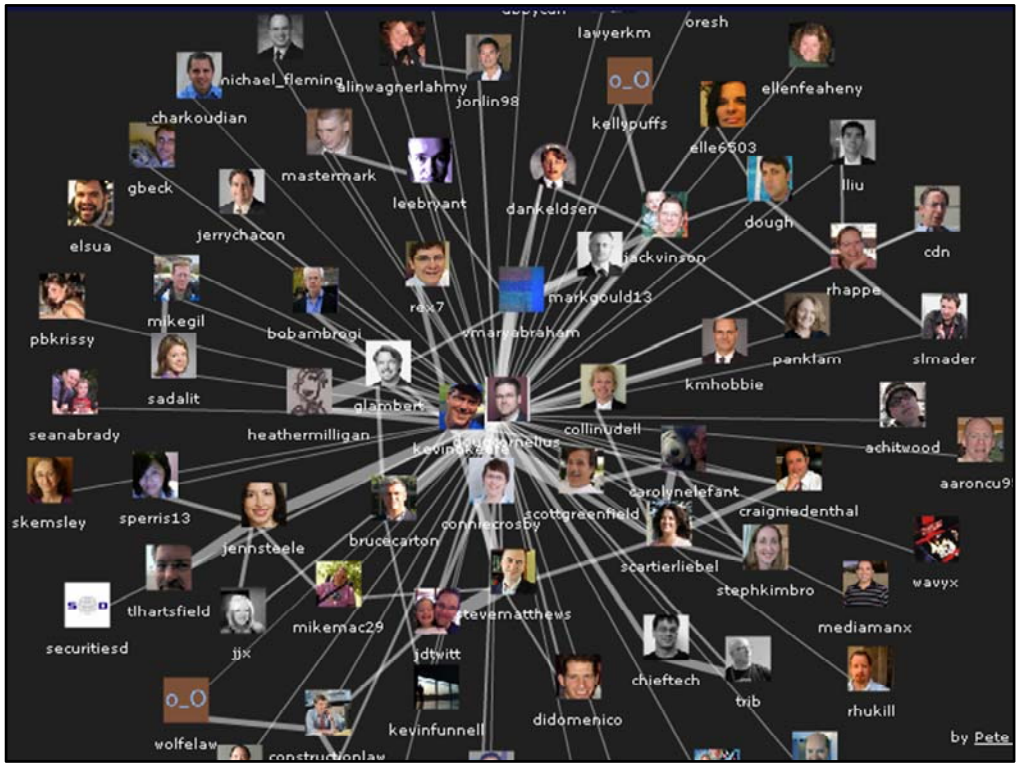

Social media allows you interact and communicate using the web.
To discover and maintain relationships.

As professionals in this room, it is important to stay connected with your peers.

To learn of new information that affects your job.

You came here today to learn, to meet peers. I assume you may want to maintain this connection

Attending events like this is expensive. Not just out of pocket expenses, but travel and time away from work are expensive. These tools can help maximize value.

Find information about people attending events. Find ways to connect with people after the event. Its great to have a business card. You have a piece of information.

But its even better to maintain the connection. With LinkedIn, I will see when you change jobs. With Twitter I get short burst of information when I have time. With a blog I can see what you are thinking about.

(Image was generated by http://twitter.mailana.com)

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http://www.flickr.com/photos/johnspooner/2304341915/

The old expression
If a tree falls in the woods and no one is there to hear it does it still make a sound?

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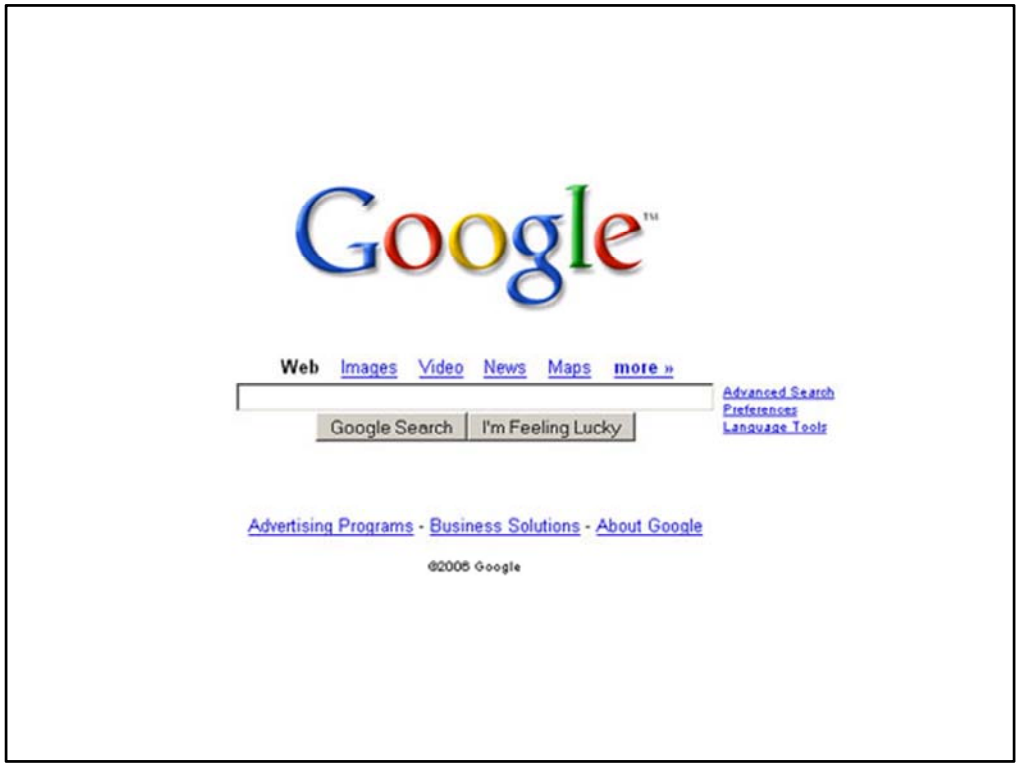

Google has changed that expression.

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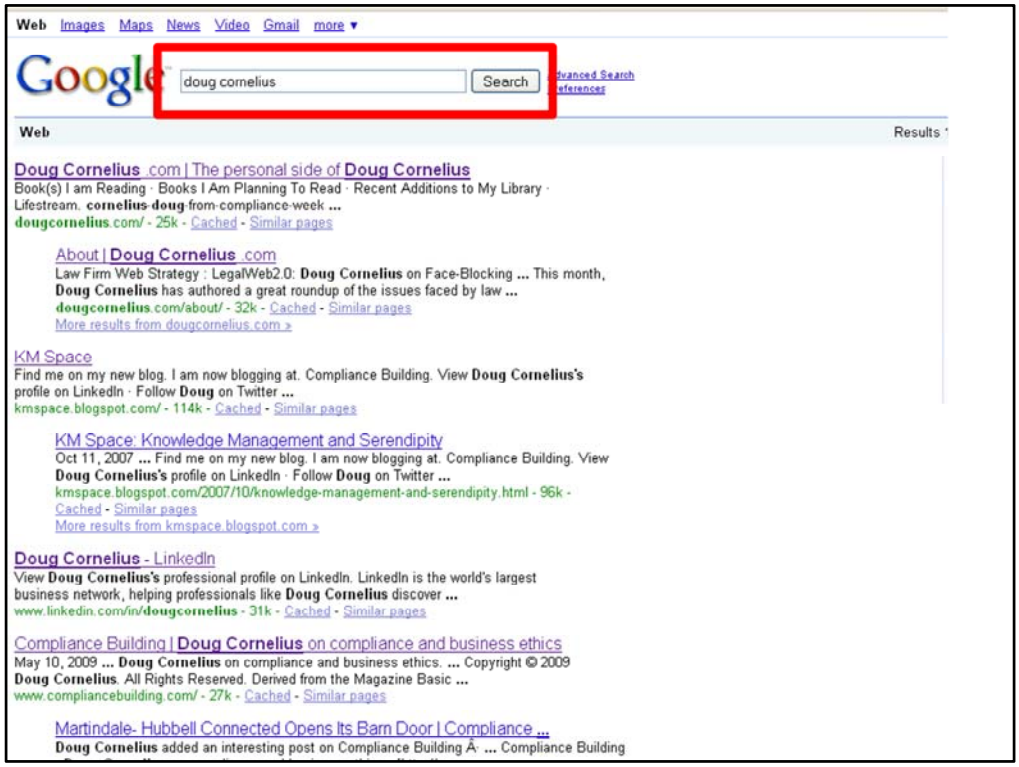

I now think that has changed to:

If I search for you and don't find you in Google, do you exist?

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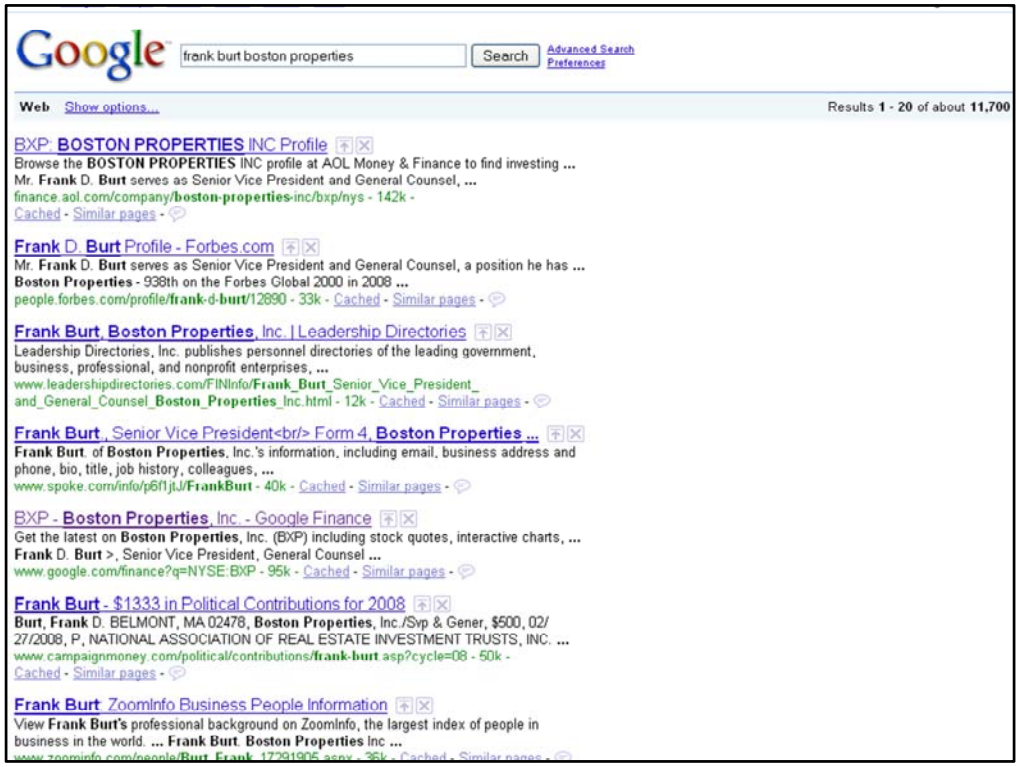

Frank is this what you want people to see about you

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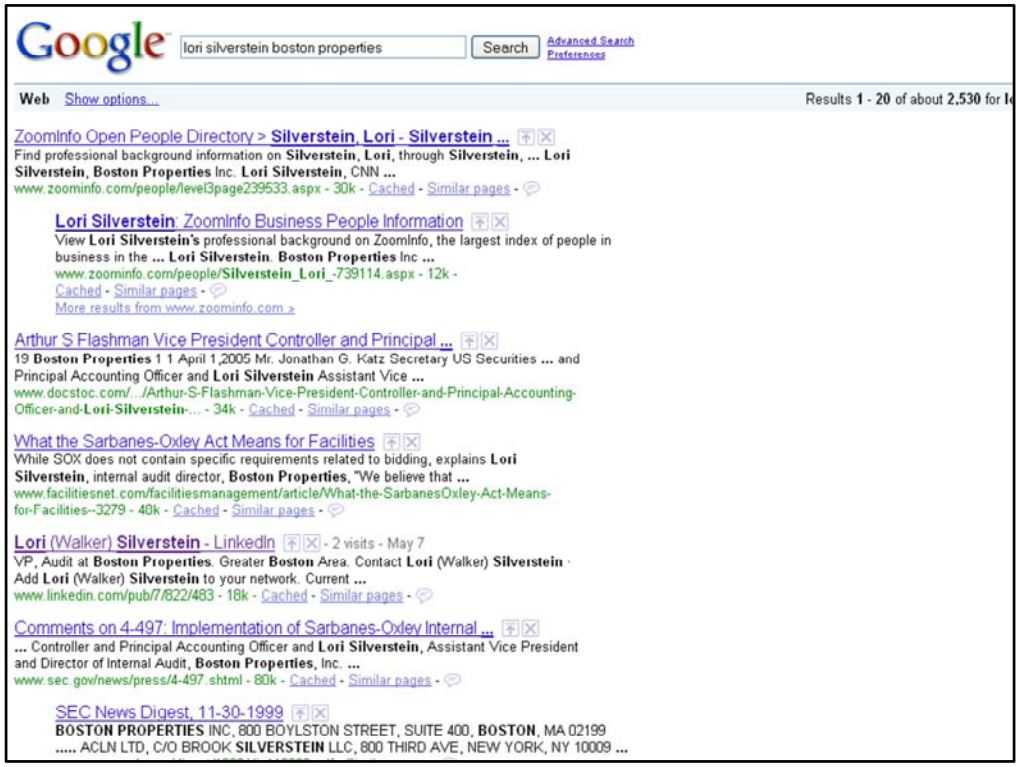

How about Lori?

I see that you have a LinkedIn profile

Most of these are really good at working with search engines so profiles on them end up very high in search results.

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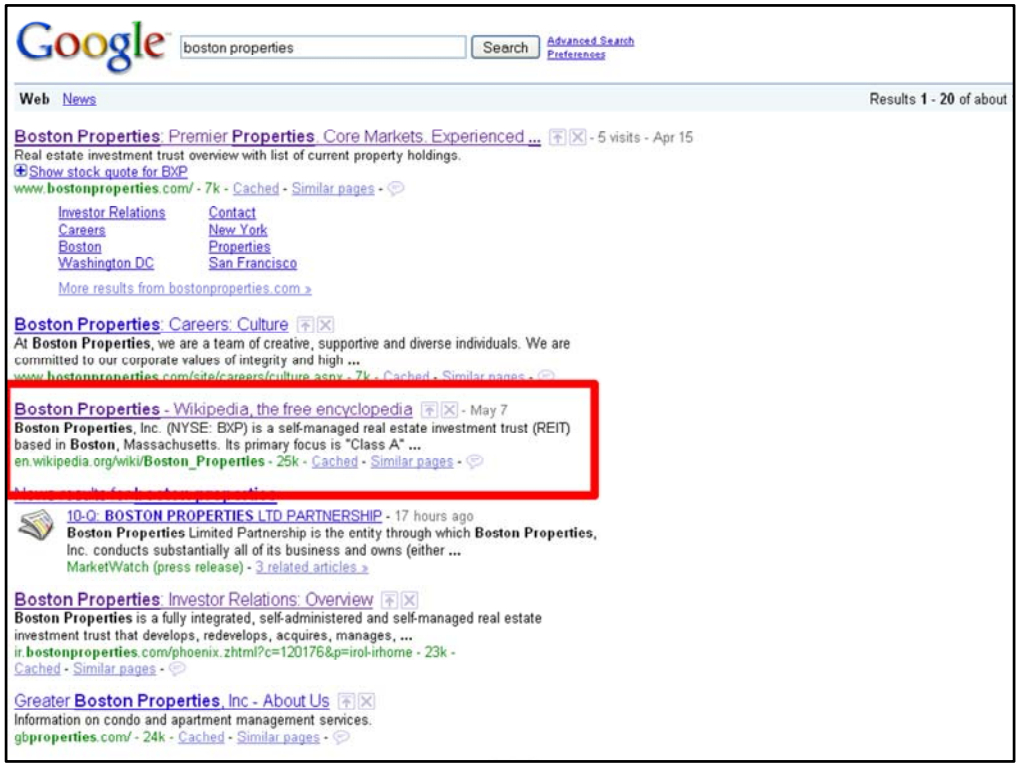

What about your company?

In a Google search for Boston Properties, the Wikipedia entry comes up in the top five.
User Generated Content.
The company does not control the site.

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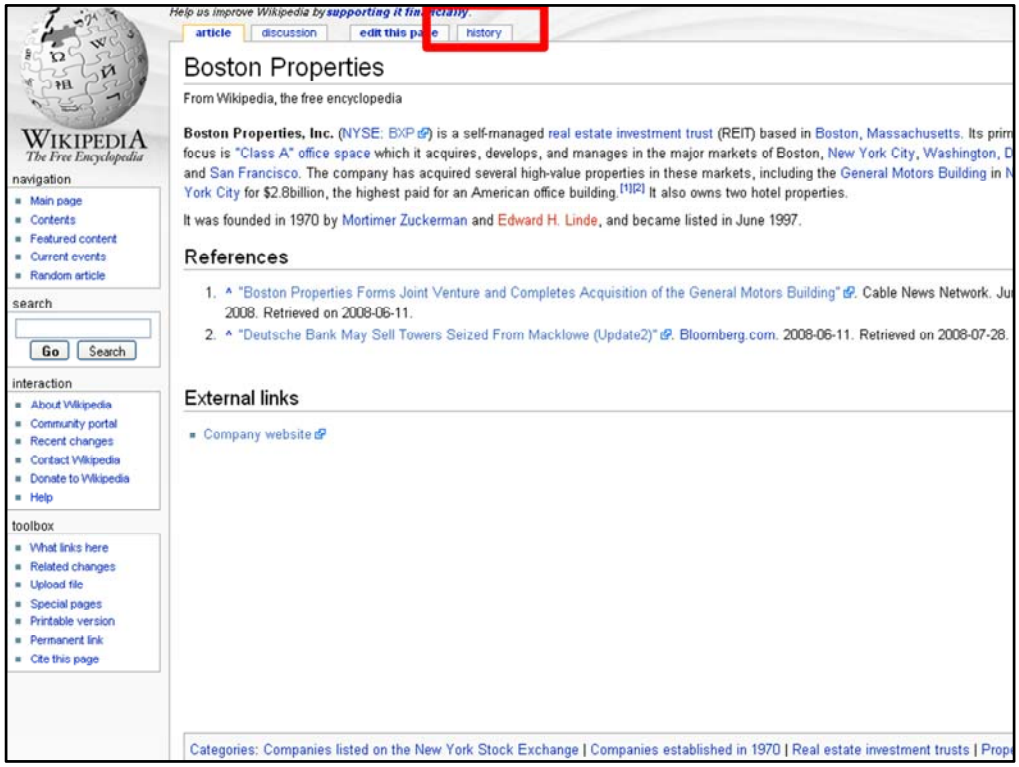

What's there?

Not much. BXP is publicly traded so you need to make sure you aren't violating SEC Rules

You cannot control Social media.

BUT You can monitor it and react to it.

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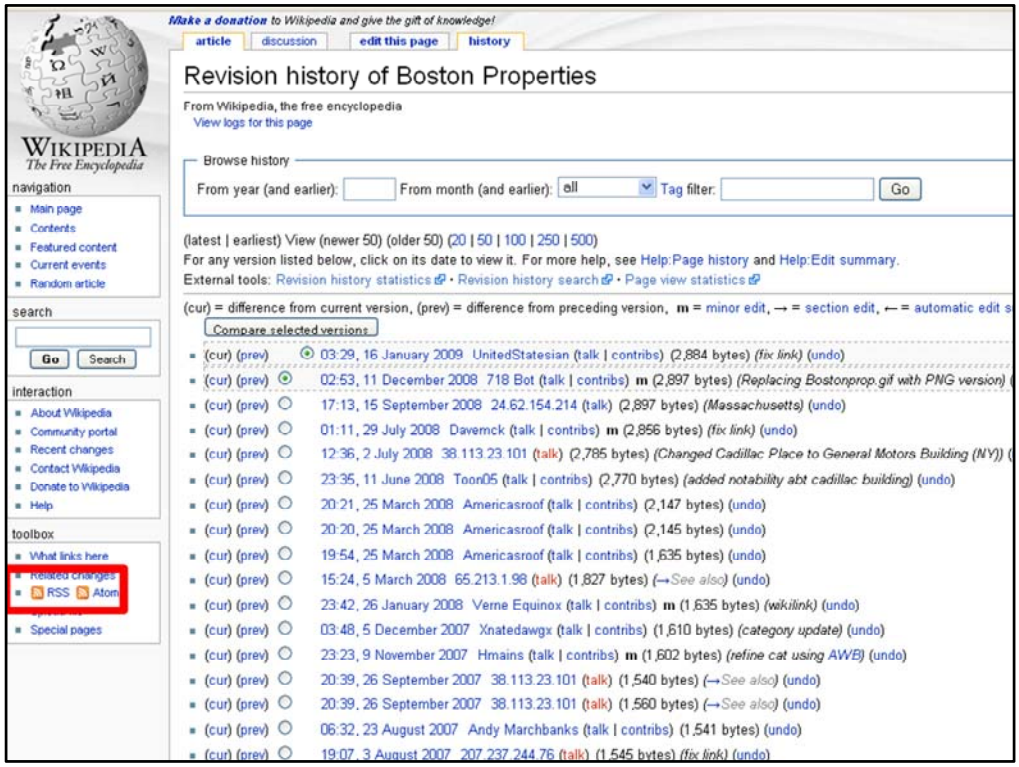

You can see the history of the wikipedia entry, by selecting the history tab on the page.

This will show you when it was edited.

There is even that RSS symbol. Wikipedia will send you notices when there are changes to the page.

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Lets shift the conversation from how this can help you, to how these affect each of your organizations.

As with email 10-15 years ago, companies are expressing concern about how these sites will negatively impact their companies.

Hopefully we showed you some of the great things these sites can do for you. They are powerful.

And you should focus on telling the people within your organizations what they should do and what they should Not do with these tools.

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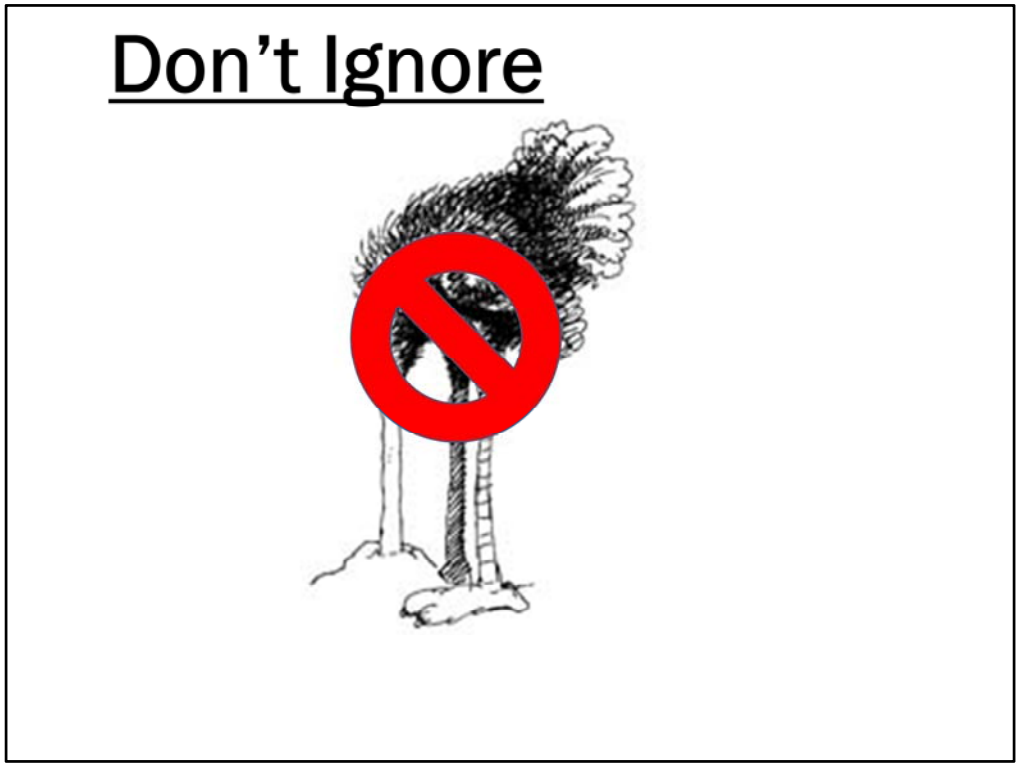

Ignoring the presence of Web 2.0 and putting your head in the sand is not a good approach.

People in you organization are using these tools to consume information. And very likely they are also using these tools to produce information.

A sizable chunk of the people in your organization use Facebook on a regular basis.

Someone in your organization has a blog.

These are mainstream tools

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Blocking is Bad Policy

Dealing with Web2.0 by blocking is poor policy choice.

There are lots of companies that just deny access to Web 2.0 sites.

I ran an informal study of law firms and found that 1/3 block access to some popular Web2.0 sites like Facebook, YouTube and MySpace.

Hopefully, you saw that Web 2.0 is a good thing

It blocks access to good information

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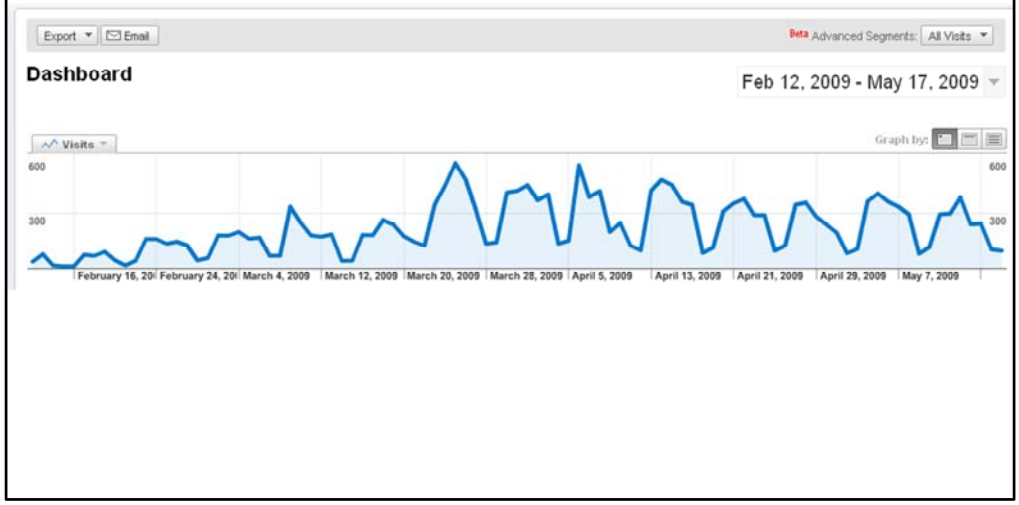
Workday Consumption



HERE'S AN EXAMPLE

This is a traffic report for my blog: Compliance Building

See the peaks and valleys.

[_] Anyone want to guess what causes the valleys?

The valleys are the weekends and holidays, the peaks are workdays.
This content is being consumed as part of people's workday.

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Blocking is Not Effective

Blocking is not effective

Employees do not need the office to access the internet.
You can access these sites mobile devices

There are many ways for your employees to connect and use Web 2.0 sites.

Cheap internet access is available in most homes.

If they identify themselves as an employee of your company, that affects you. Even if they do not identify themselves as an employee of you company, people may still know the link of find the link. Anonymity often gives people a false sense of security that has them say things they would not say if it was clearly associated with them.

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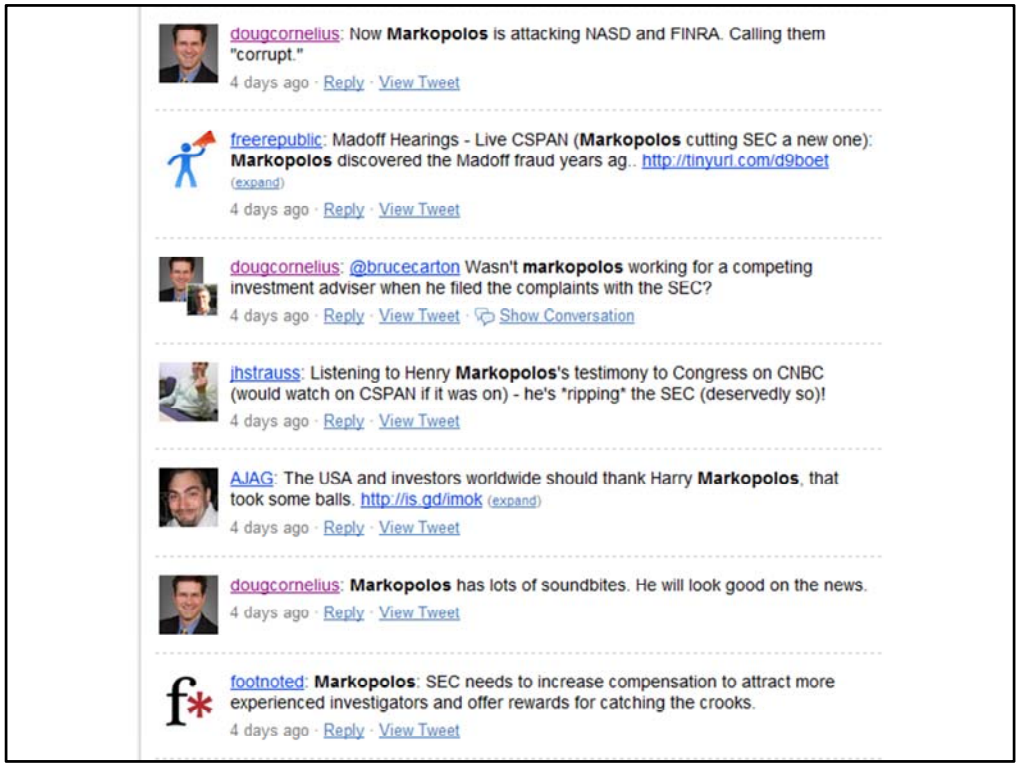

Example of problems and why you want a policy.

This is the Twitter stream about the Markopolos testimony in front of Congress about how he uncovered the Madoff ponzi scheme.

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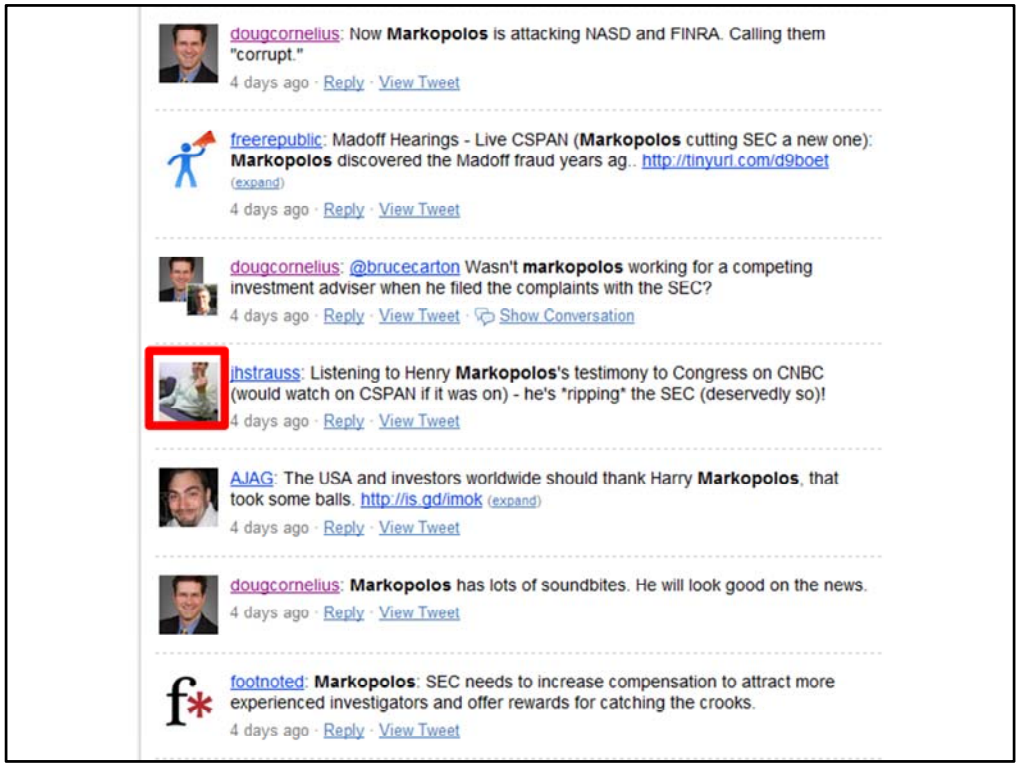

Lets take a look at this guy here.

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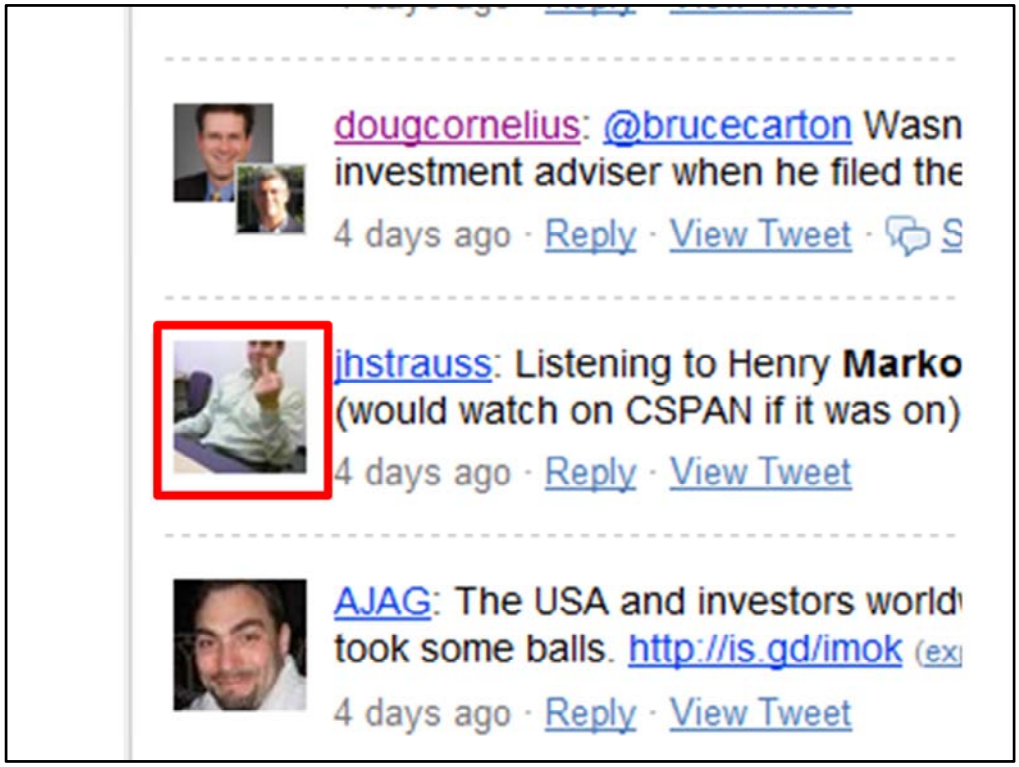

Zoom in

You can see that twitterer expressing his displeasure by raising his middle finger.

Probably not what you want to do with Twitter or your employees doing with Twitter.

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Even if you don't have a policy or a plan for social media. At a minimum you should claim your brand.

If you look for ethicspoint in Twitter. You can see they have an account.

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If you look at Staples, someone is squatting on the name.

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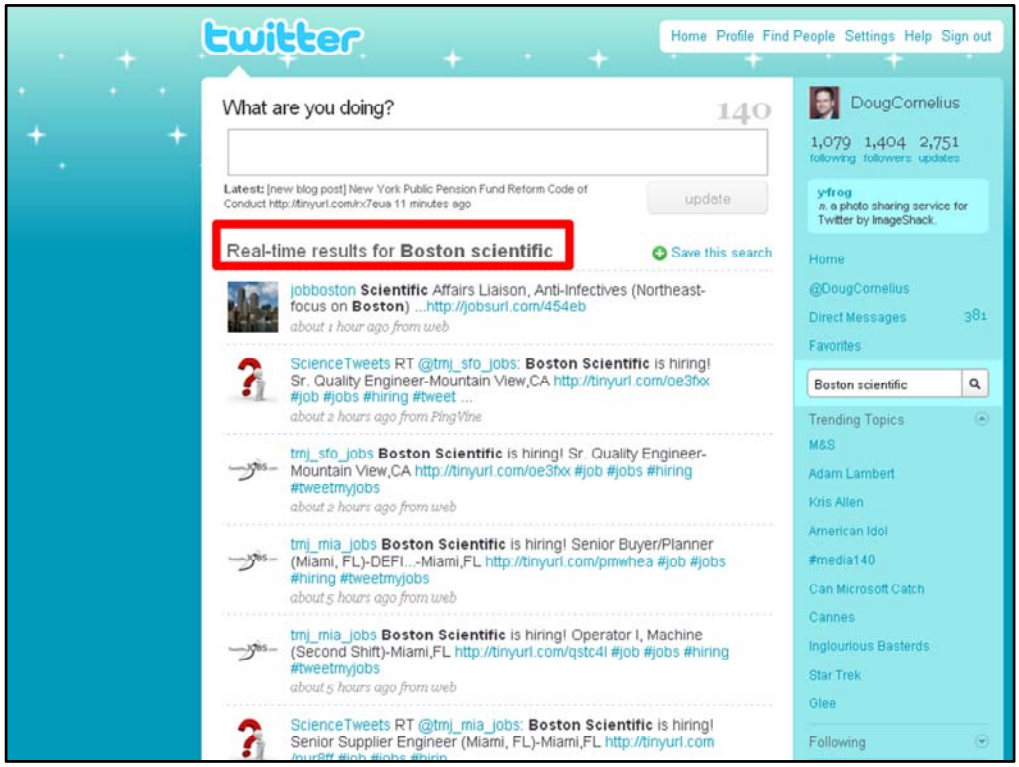

Monitor your brand. People are saying things about your companies.

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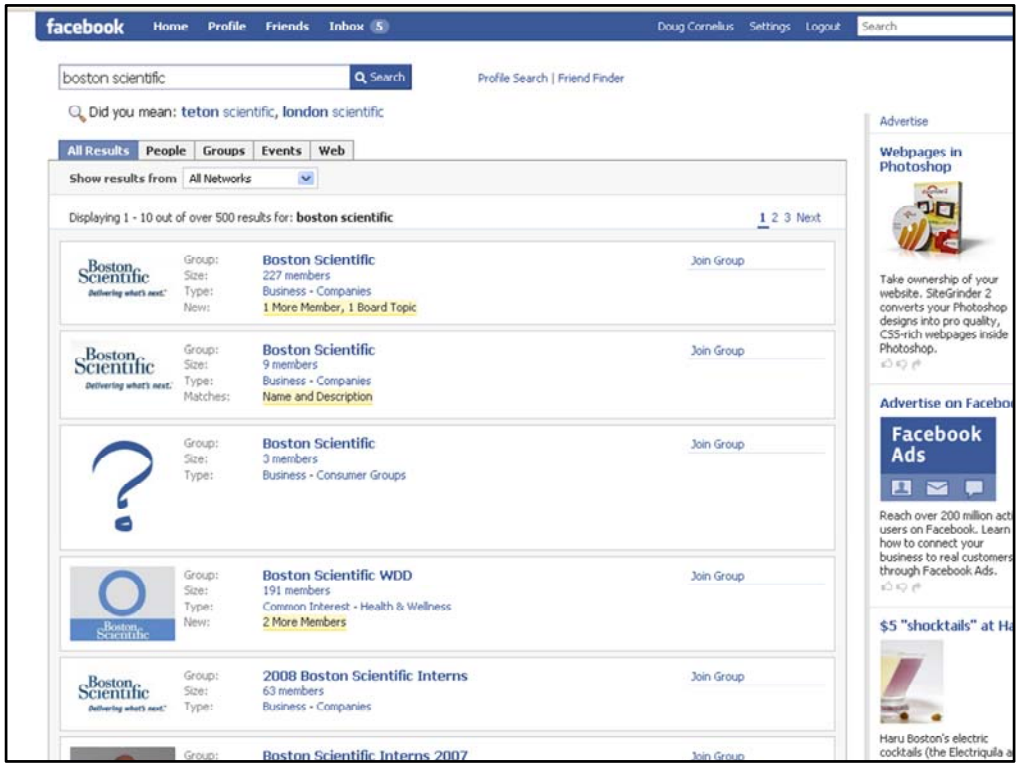

Your employees are using these tools

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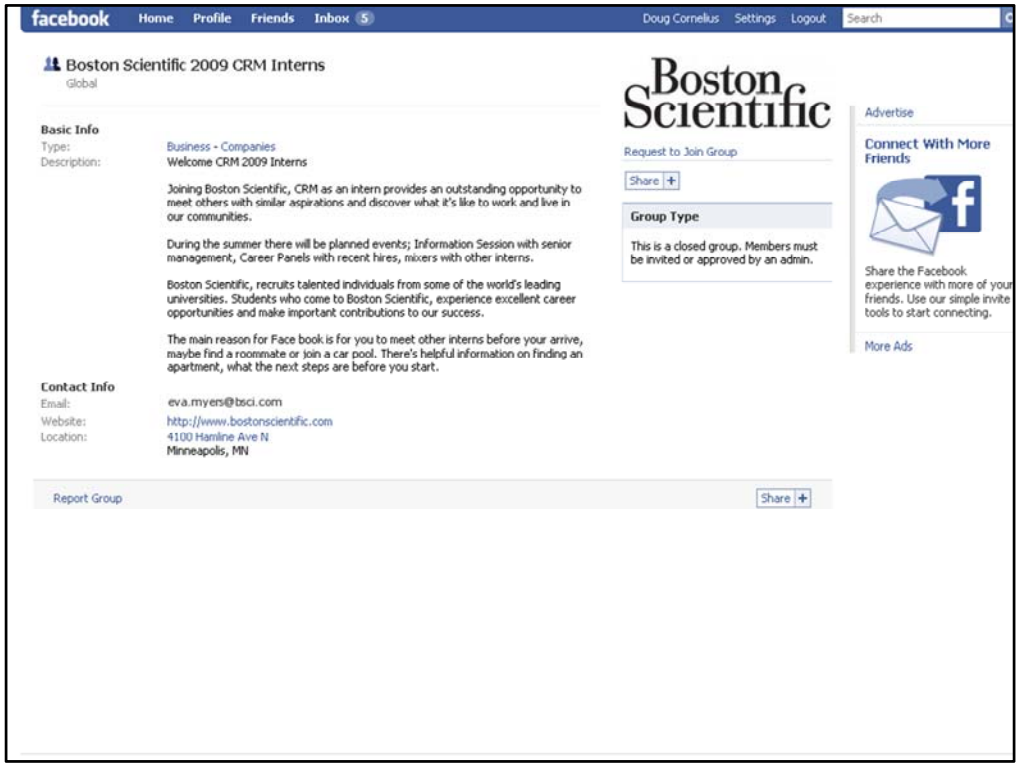

Make sure your company grabs control.

Boston Scientific established this Facebook group and decides who gets in and out.

Monitor your trademark and enforce.

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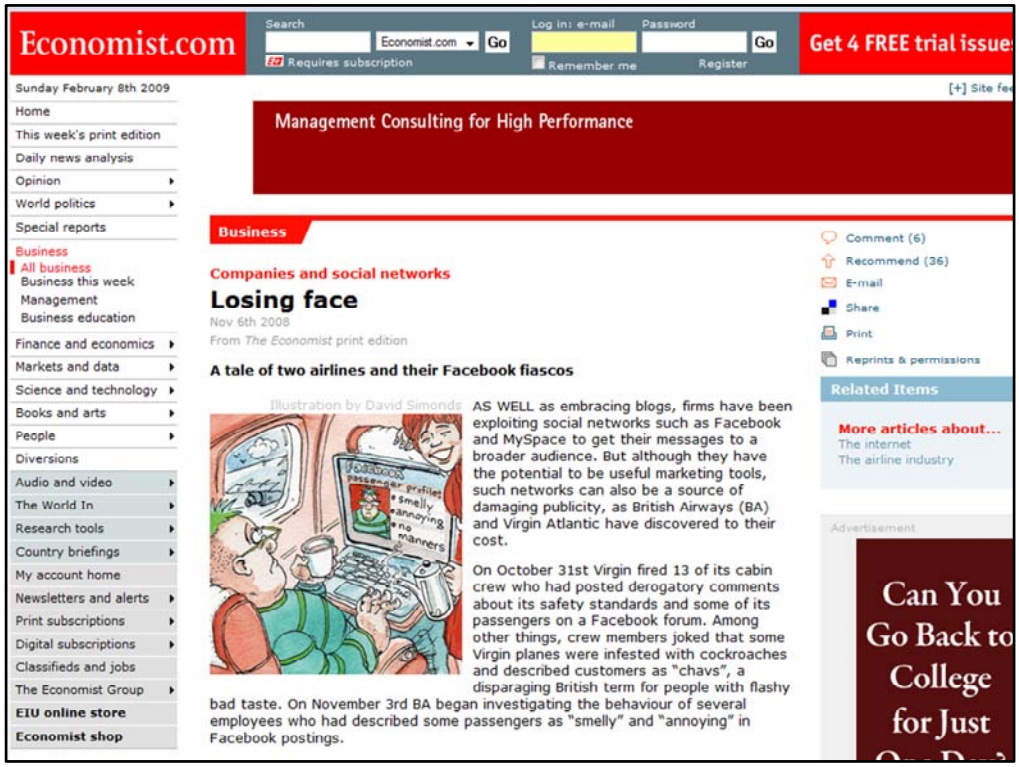

Another example of a failure of policy and education.

This past fall, flight attendants for British Airways complained that their passengers were “smelly” and “annoying” on Facebook.

Separately, employees of Virgin Atlantic posted derogatory comments about safety standards for the airline and described their customers as “chavs.”

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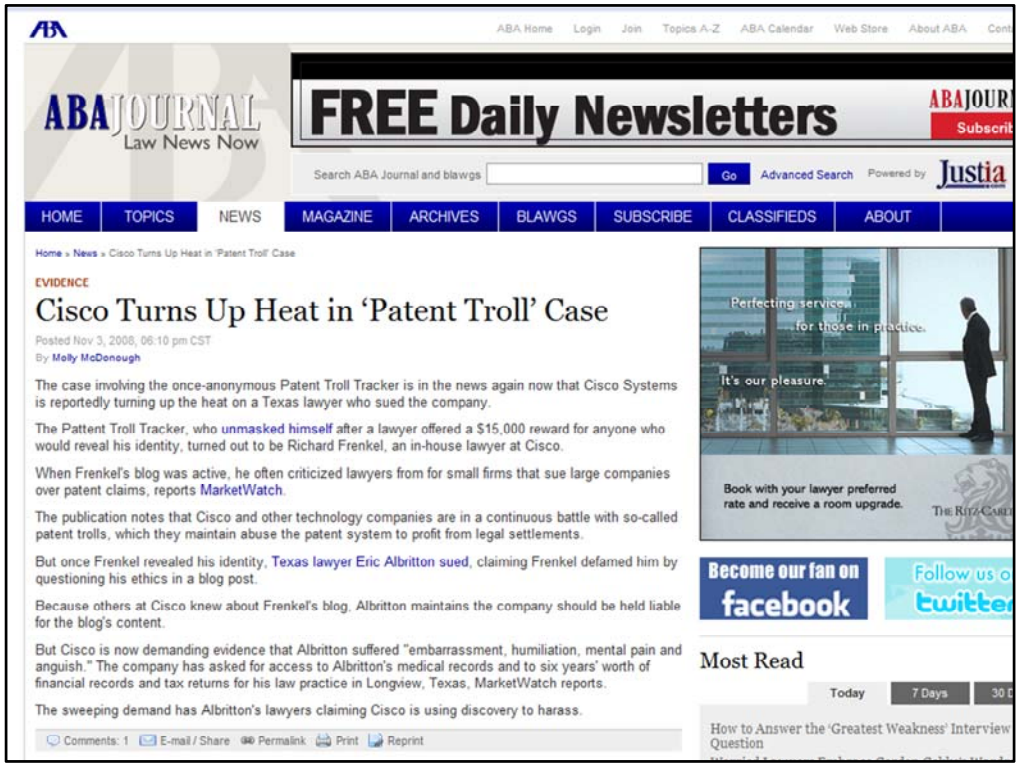

Another example is the previously anonymous blogger on the Patent Troll Tracker blog. The blogger anonymously attacked law firms and companies that he thought abused the patent system.

The blogger finally got unveiled as an employee of Cisco. That caused a bunch of legal action on Cisco.

By the way Cisco embraced the blogger and had a great web 2.0 policy. They decided to change the policy and stop anonymous blogging.

You may also notice that the ABA Journal, the main publication for the American Bar Association, has a presence on Facebook and Twitter.

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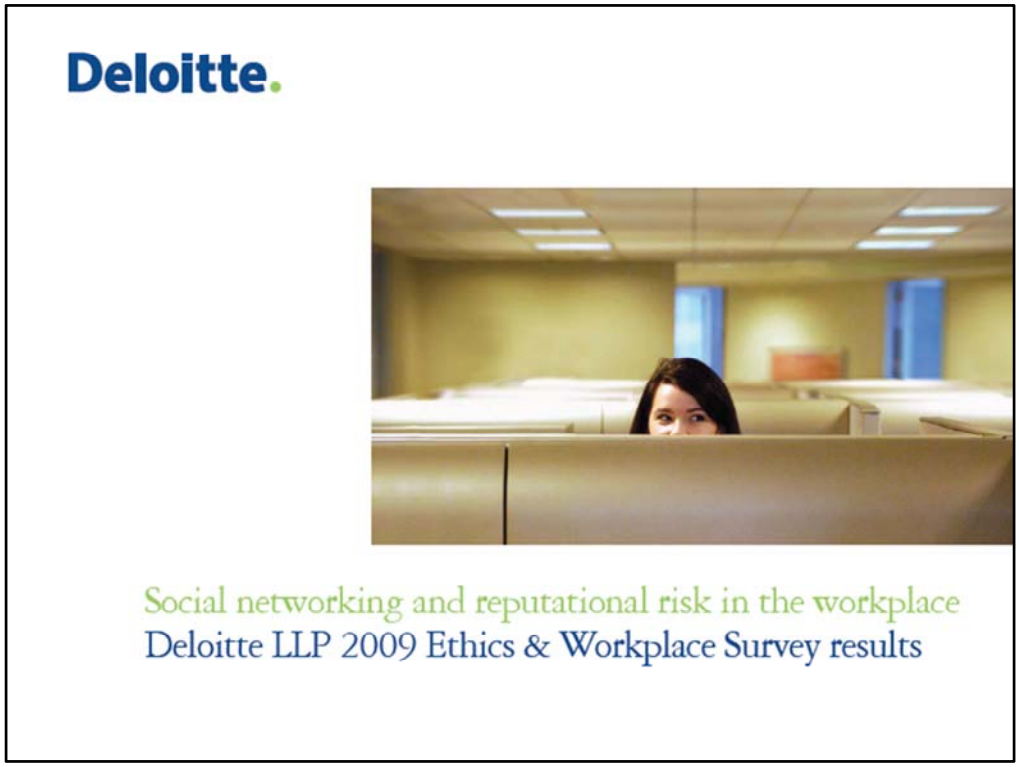

Deloitte just came out with an interesting survey on social networking in the workplace

Thanks to Bill who sent it to me first. (through Twitter)
It has also popped up in some other blogs and social media sources.

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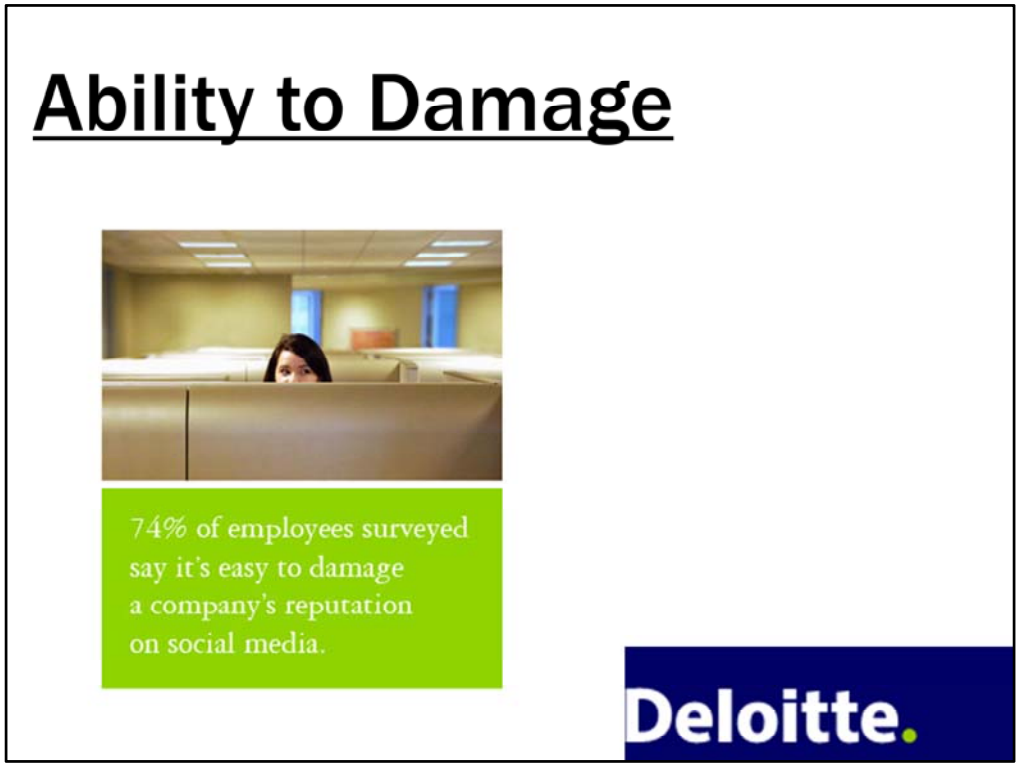

74% said its easy to damage a company's reputation on social media.

I am more concerned about the other 26% that think they can't cause damage.

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One of the key findings that I saw is in the area of governance?

Anyone want to guess the percentage? How many think it is greater than 25%, 50%, 75%

58%

What I really found interesting is the follow-up question. [Animation]

Anymore guesses 25% over/under

One of the problems is where do these tools lie. Are they marketing tools, are they professional development tools, are they investor relations tools?

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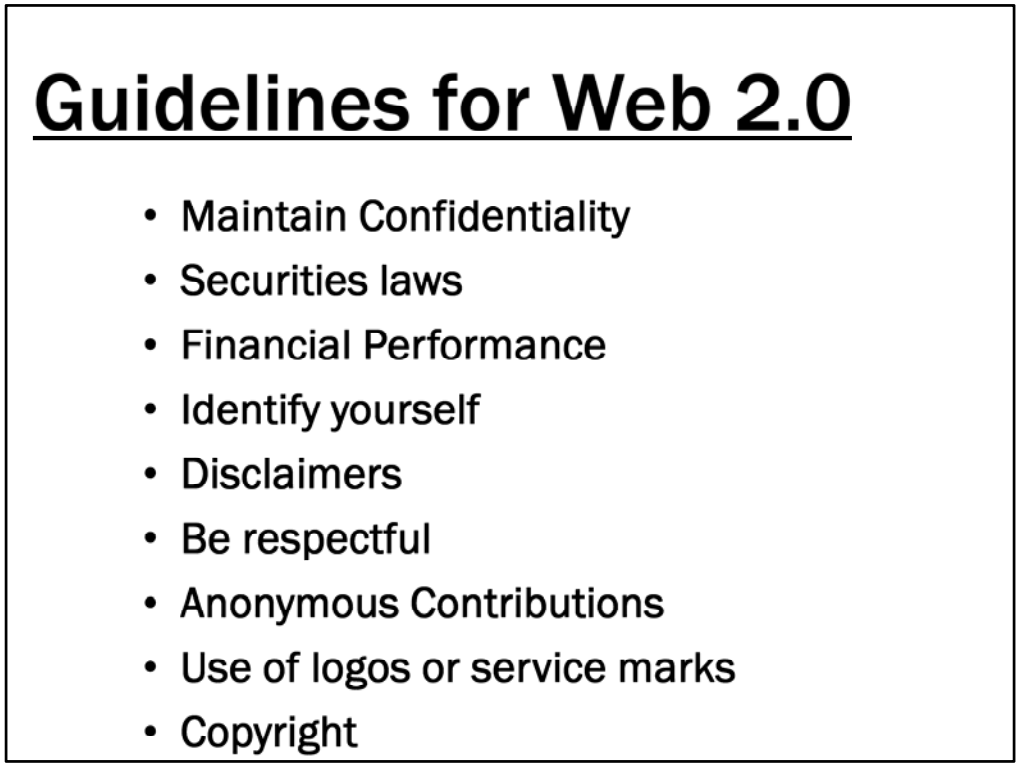

Here are some guidelines when creating and/or publishing content online:

Maintain Confidentiality. Identities of our investments, investors and business partners must be held in confidence to the extent appropriate for that relationship.

Securities laws. It is very easy for these types of communication to violate securities laws.

Financial Performance. Do not make statements about the financial performance of the company.

Identify yourself. If you are commenting or publishing on topics related to your job, identify yourself as an employee of the firm.

Disclaimers. You should make it clear that you are expressing views that are your own and not those of the Company.

Be respectful of your colleagues, the Company, and our competitors. Rumors and gossip spread like wildfire on the Internet. Do not contribute anything that violates the Company's sexual harassment policy or similar human resources policies.

Copyright. Comply with copyright laws. "fair use" doctrine is rarely a useful defense in the commercial contesxt

Use of logos or service marks. The company's logo or service mark cannot be used without the written permission of the General Counsel.

Anonymous Contributions. The same cautions and restrictions on communications apply to supposedly "anonymous" blogs, comments, or posts, since there almost nothing is truly anonymous on the internet.

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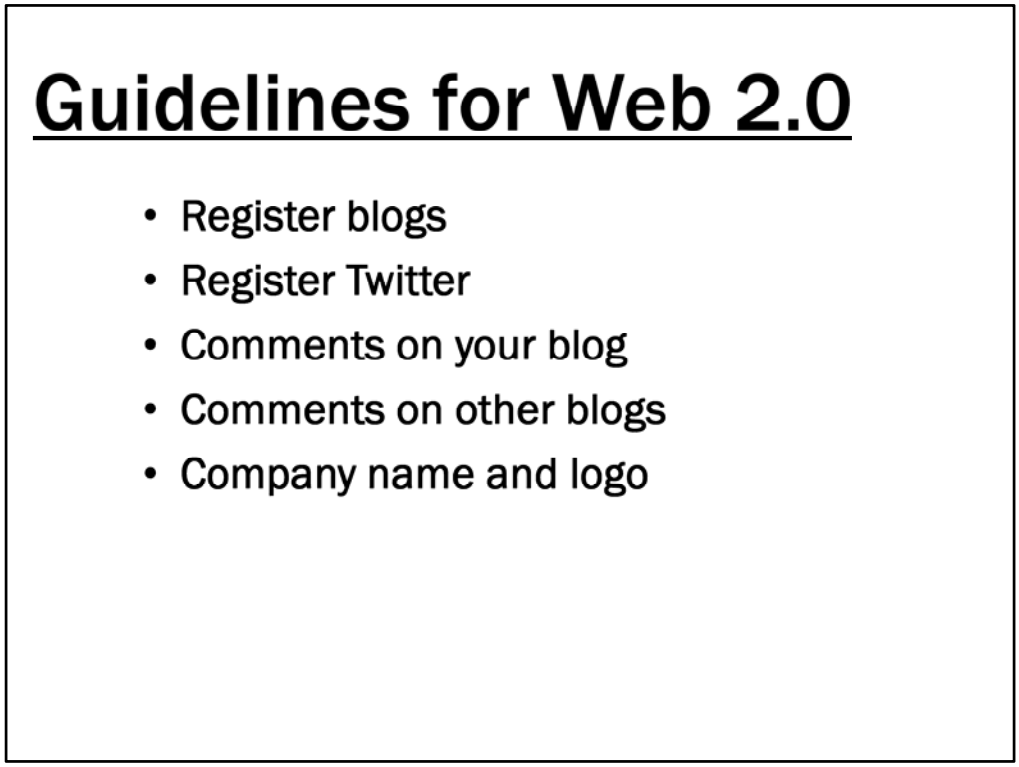

Here are some guidelines when creating and/or publishing content online:

Register Blogs. Particularly if the bog content is related to their job, the company or the industry. Up to you if its approval process. What you really want is to know it exists. Have someone in legal or compliance subscribe and make sure it is complying with your policies.

Register Twitter. Since twitter is micro-blogging, monitor the feed.

Comments on your blog. Some do not allow comments. I think they give great feedback. And allow you to connect with people interested in the topic.

Comments on other blogs. Treat comments on other blogs with the same policies as if the comment were a post on your blog.

Company name and logo. For blogs by individuals, you probably want to discourage using the company name in the URL of the blog and discourage use of the company logo. Employees come and go. You would not want an ex-employee (especially a bitter one) using your company's intellectual property.

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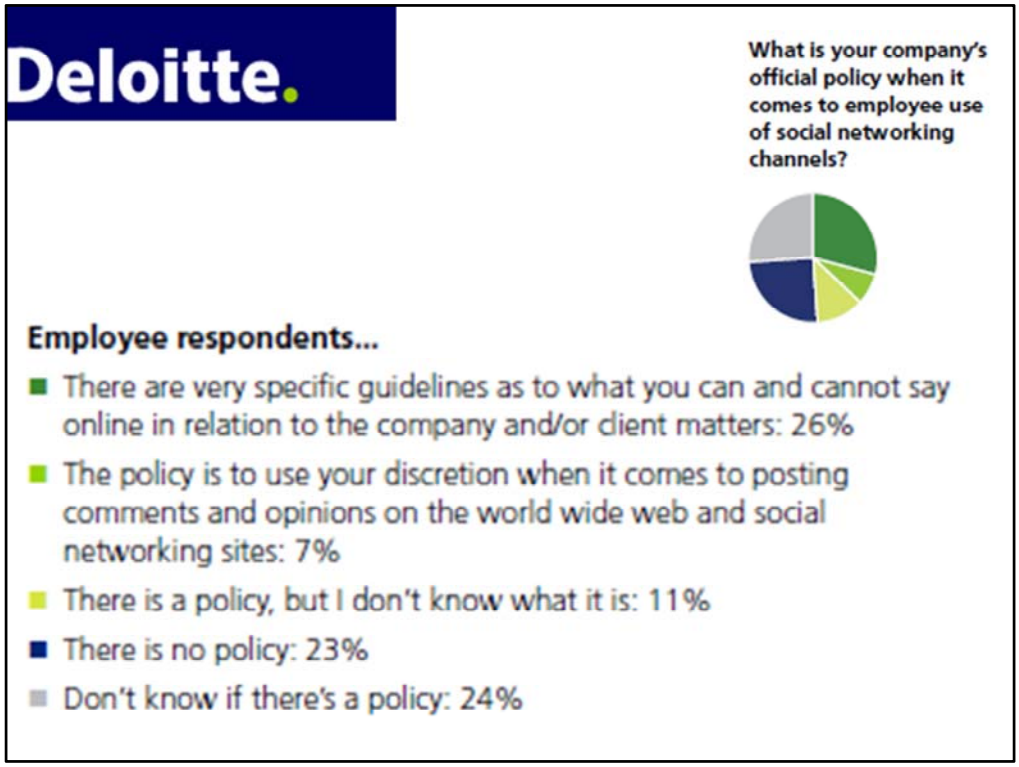

If you don't have policy, you are not alone.

A third have a policy.

I like that 10% knew there was policy but did not know what it is.
And 24% that did not know if there was a policy.

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Enterprise 2.0

- What happens when you bring these tools inside the organization?

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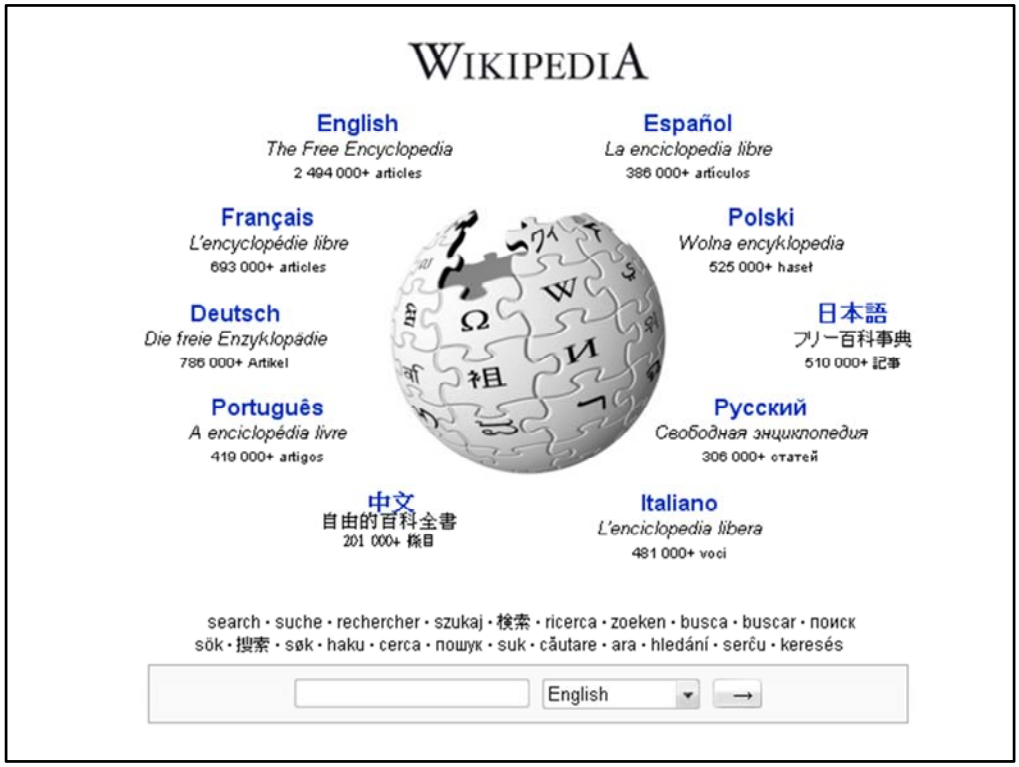

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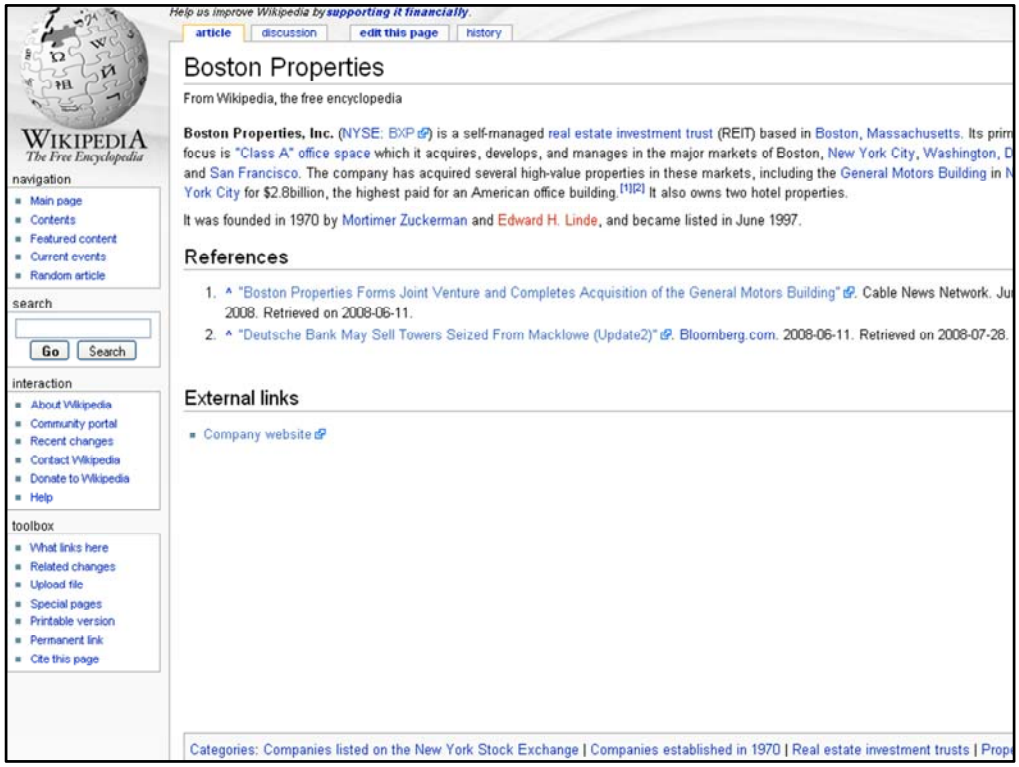

What's there?

Not much. BXP is publicly traded so you need to make sure you aren't violating SEC Rules

You cannot control Social media.

BUT You can monitor it and react to it.

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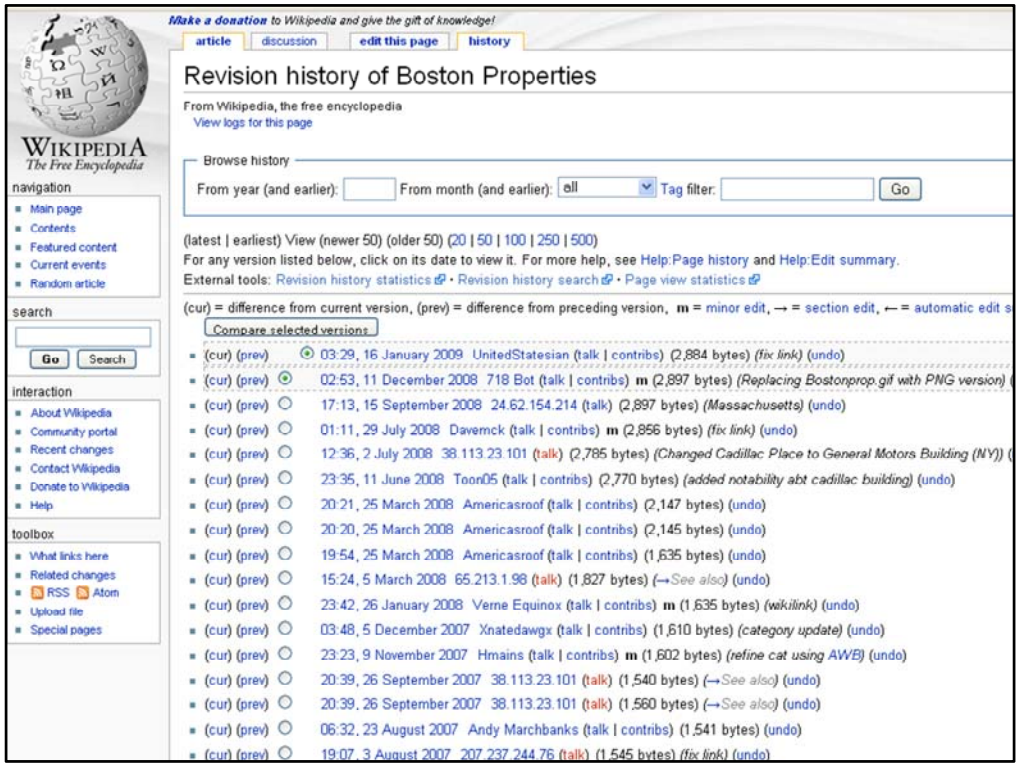

You can see the history of the wikipedia entry, by selecting the history tab on the page.

This will show you when it was edited.

There is even that RSS symbol. Wikipedia will send you notices when there are changes to the page.

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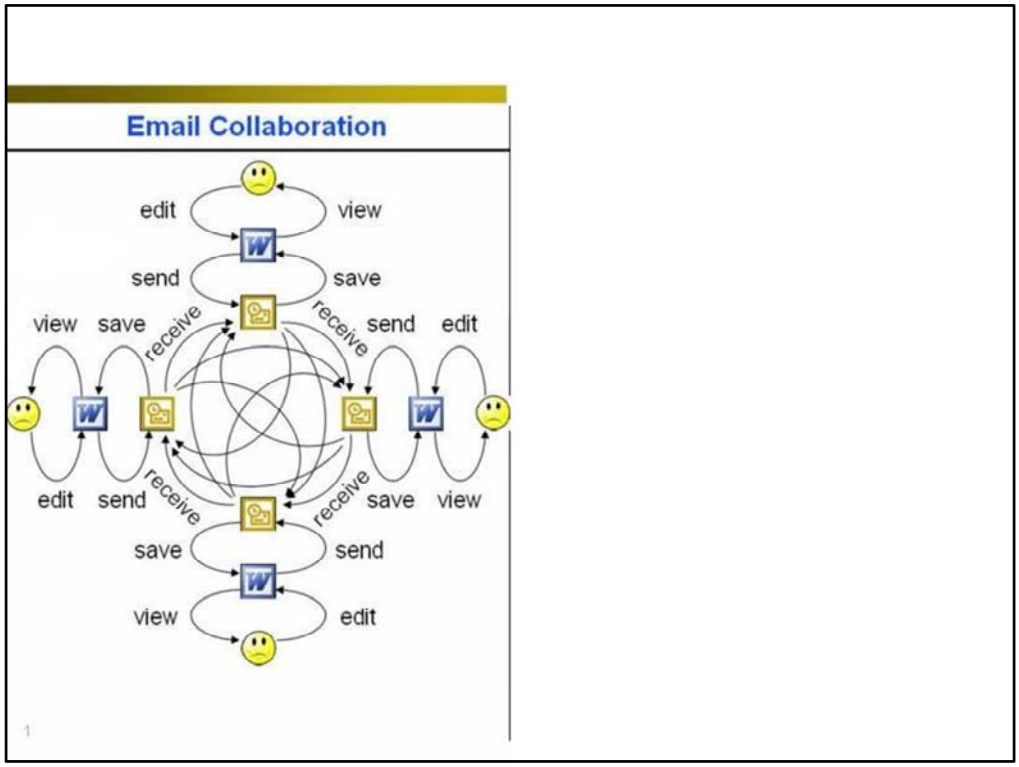

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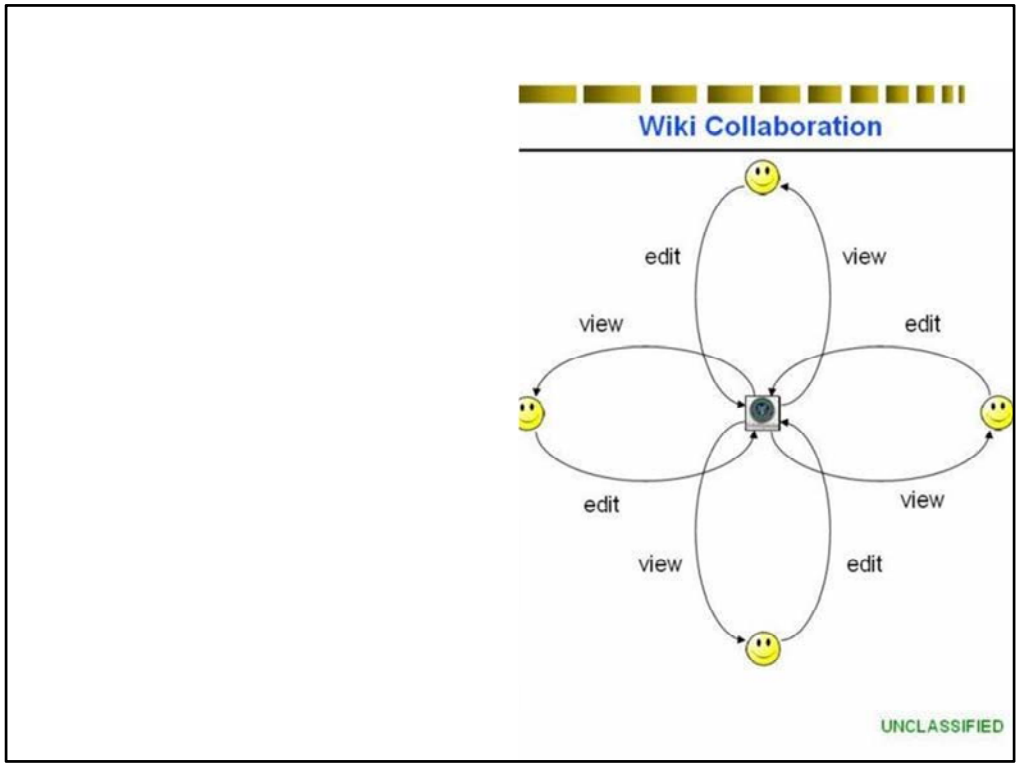

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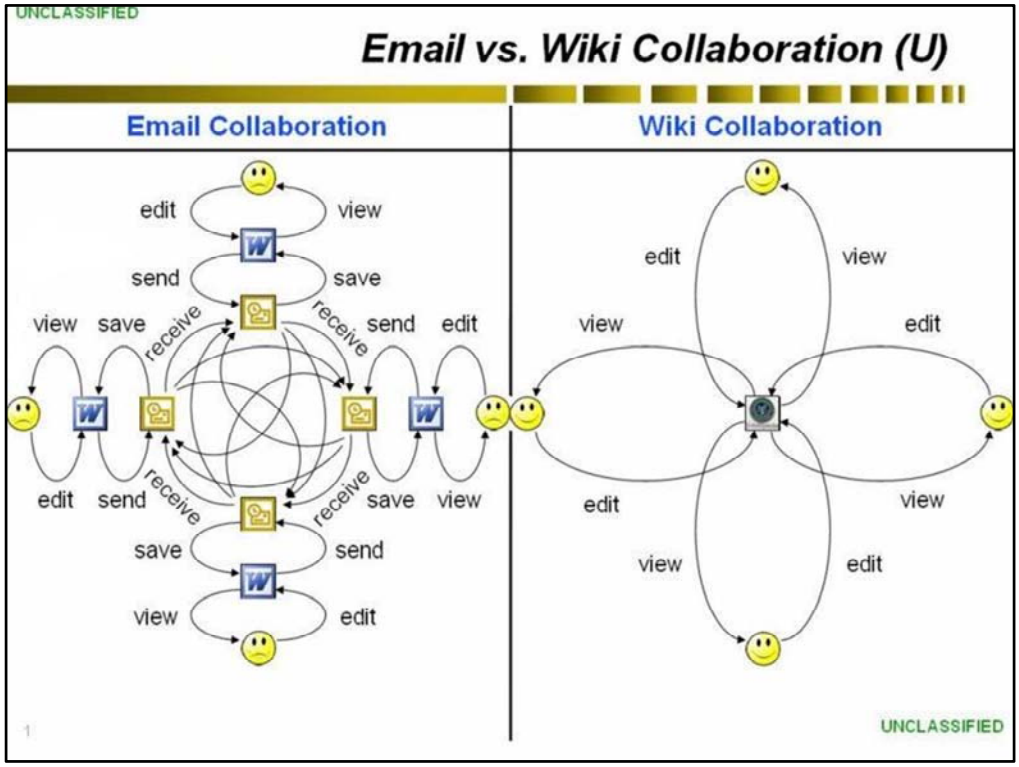

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