



Case Report

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| 1 | Case Number | 0027/11 |
| 2 | Advertiser | iSelect Pty Ltd |
| 3 | Product | Insurance |
| 4 | Type of Advertisement / media | TV |
| 5 | Date of Determination | 09/02/2011 |
| 6 | DETERMINATION | Dismissed |

ISSUES RAISED

2.2 - Violence Other

DESCRIPTION OF THE ADVERTISEMENT

A fictitious office with actors portraying staff and an actor as an implied manager. The lead character poses questions to various staff specifically “are we a health fund”. The final interplay is with a female character where she interrupts to correct him with regard to her actual name.

THE COMPLAINT

A sample of comments which the complainant/s made regarding this advertisement included the following:

I take personal offence to the behaviour of the older man portrayed in the ad because I am experiencing similar behaviour directed at me at my work place (as part of over a year of victimisation and bullying against me and others (to which a complaint has been initiated - and ignored)). As a general complaint that behaviour is bullying and demeaning to the girl in the ad and if you really wanted to stretch the issue one could say he is picking on her because she is also chubby. The offence is that it seems one person in the call centre is being picked on and this ad seems to reinforce the idea that picking on people and treating them like garbage is a source for amusement. It's not clever its old outdated and simple minded and most likely came from the mind of someone who thinks setting their farts on fire in a conference is hilarious. Its not political correctness I am after I just disagree with people being treated like they don't exist and have no value for whatever reason.

I feel this ad demoralises this woman and all woman particularly those of larger build and not 'pretty' woman. It demonstrates work place harassment/bullying and his little regard for

her feelings is made light of on national television. This type of treatment is unacceptable in workplaces and should not be used to advertise a product. Every time I see this ad I am appalled by it.

Scene is of an office manager walking through the office ask staff if the company is a health fund.

The part that I condone is when a staff member points out that the office manager has the person's name incorrect. The office manager then tells the staff member that it is her name therefore indicating to the staff member that he is in charge a call her by whatever name he wants. The office manager then goes on to inform people that when they call in they may be talking to this person and then goes on to referring to this staff member by the incorrect name therefore demonstrating to the viewer that he is openly ignoring this staff member is in control.

The camera also focuses on this staff member and the staff member's expression is that she is not happy with the situation but feels she can do nothing about the situation as she may be desperate to keep her job.

This advert has undertones of workplace bullying to which we are trying to tell the world that this is not acceptable in today's society.

Please can this be removed from the TV as it could possibly demonstrating to play ground bullies that this is acceptable behavior.

If this advert is not removed and deemed acceptable I request that I am advised as to why.

THE ADVERTISER'S RESPONSE

Comments which the advertiser made in response to the complainant/s regarding this advertisement include the following:

The premise of the advertisement is to illustrate and inform the consumer that iSelect is a comparison service offering a range of Private Health Insurance products. The TVC communication is set in a fictitious office with actors portraying staff and an actor as an implied manager. The lead character poses questions to various staff specifically "are we a health fund". The final interplay is with a female character where she interrupts to correct him with regard to her actual name. This element is purely comedic in intent and execution and designed to appear to throw the actor off his lines and plays on his nervous demeanor. The interplay was created to appear to interrupt the actors focus on delivering the message. Again this element is designed to add comedy, cut through and curiosity to the advertisement. It is not iSelect's intention in the 'We are not a health fund' 30 & 15 sec TVC communications, to portray people or depict material in a way which discriminates against or vilifies a person or section of the community on account of race, ethnicity, nationality, sex, age, sexual preference, religion, disability or political belief.

Further to this, the interplay between "Mr. iSelect & Holly" detailed in the complaints is not intended in any way to condone or promote workplace bullying or indeed harassment. Nor is it in anyway representative of an iSelect workplace or staff interaction. The interplay between the actors as mentioned is purely comedic and included solely as an entertaining element of the communication's core message that "iSelect is not health fund and that's why you should call us".

THE DETERMINATION

The Advertising Standards Board (Board) considered whether this advertisement breaches Section 2 of the AANA Advertiser Code of Ethics (the "Code").

The Board noted complainants' concerns that the advertisement depicts and condones workplace bullying.

The Board noted section 2.2 of the Code which requires that 'advertising or marketing communications not use violence unless it is appropriate in the context of the advertised product or service.'

The Board noted the advertisement features an iSelect male manager calling a member of female staff the wrong name and telling her she is wrong when she attempts to correct him.

The Board noted the advertiser's response that the intent of the advertisement was to inject some humour in to the information the male actor was imparting. The Board noted that the female member of staff tries to correct the manager when he gets her name wrong, and considered that whilst the man reacts confidently that he is right and the woman is wrong, the impression from the advertisement is that the man is not very intelligent.

The Board noted that the man gets the names of two other members of staff correct (one male, one female) and considered that the most likely interpretation for not correcting himself over the name he gets wrong is to give the impression that he knows all the members of his staff. The Board considered that the woman looked perplexed as to why the man told her she didn't know her own name and that this suggested surprise and not harassment.

The Board noted that the woman whose name is not remembered is larger than the other staff but considered that this is not a suggestion that the man does not remember her name because of her weight.

The Board determined that the advertisement did not breach section 2.2 of the Code as it does not depict or condone workplace bullying.

Finding that the advertisement did not breach the Code on other grounds, the Board dismissed the complaints.

