

Workshop: Why Awareness, Training and Compliance Programs regarding Corruption make the difference?

The Relevant Features of an Ethics and Compliance Program



Relevant Features of an Ethics and Compliance Program

- A. Risk assessment**
- B. Policies and Procedures**
- C. Training and Communications**
- D. Confidential Reporting and Investigation Process**
- E. Third Party Management**
- F. Mergers and Acquisitions**

Relevant Features of an Ethics and Compliance Program

A. Risk assessment

- Detect particular types of misconduct most likely to occur in your company's line of business and complex regulatory environment, taking into account a.o. the location of your company's operations, the regulatory landscape, potential clients and business partners, transactions with governments and authorities, payments to officials, use of third parties, gifts, travel and entertainment expenses, charitable and political donations
- Risk management process and risk tailored resource allocation;
- Updates and revision of risk assessment, including type of misconducts

Relevant Features of an Ethics and Compliance Program

B. Policies and Procedures

- Give both content and effect to ethical norms
- Aim at reducing spectrum of risks and related misconduct your company faces
- Encompass Code of Conduct and your company's policies and procedures
- Are reinforced by internal control system and monitored by key gatekeepers

Relevant Features of an Ethics and Compliance Program

C. Training and communication

- Foster proper understanding of Ethics and Compliance Programme through training, especially risk - based training for employees in relevant control functions, high-risk employees and supervisory employees
- Communicate clearly on your company's position concerning misconduct, including descriptions of the type of misconduct that leads to termination or other discipline of employees

Relevant Features of an Ethics and Compliance Program

D. Confidential Reporting and Investigation Process

- Take proactive measures to create a workplace atmosphere without fear of retaliation, with appropriate processes for submission of complaints and with processes to protect whistleblowers
- Establish processes for handling investigations of such complaints, including routing of complaints to proper personnel, timely completion of thorough investigations and proper follow- up

Relevant Features of an Ethics and Compliance Program

E. Third Party Management

- The third party management process should correspond to the nature and the level of the enterprise risk identified by your company
- It should demonstrate the appropriate business rationale for the use of third parties;
- A risk - based due diligence of your company's third party relationships should demonstrate the proper understanding of the qualifications of third-party partners, including agents and consultants

Relevant Features of an Ethics and Compliance Program

E. Third Party Management

- The relationship with third parties should be strictly managed and monitored.
- Real actions should be taken and consequences accepted in case of red flags or infringements of compliance issues

Relevant Features of an Ethics and Compliance Program

F. Mergers and Acquisitions

- A thorough Ethics and Compliance due diligence process should be focussed on and aligned with the Risk Management Process
- Integrate the Compliance function into the M&A process
- Provide for an effective and timely tracking and remediating of misconduct or risk of misconduct
- Provide for an effective and timely process of implementing compliance policies and procedures in the target