RIGHTSIZING COMPLIANCE PROGRAMS

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Presenters

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Roadmap to Compliance

- Design
- Implementation
- Incident Response

Design

- Risk Assessment
- Training & Communication
- Reports
- Third-Party Management
- Mergers & Acquisitions
Risk Assessment

The “critical factors in evaluating any program are whether the program is adequately designed for maximum effectiveness in preventing and detecting wrongdoing by employees and whether corporate management is enforcing the program or is tacitly encouraging or pressuring employees to engage in misconduct.” JM 9-28.800.

3 I’s
• Informed by stakeholders
• Identify gaps
• Initiatives & program priorities
Policies & Procedures

The Compliance Department is responsible for the maintenance of written standards – policies, procedures, guidelines


Policies & Procedures

- Storage
- Standard
- Schedule
Training & Communication

- Owner
- Method of Delivery (LMS)
- Content
  - Required
  - Optional
Keep it Fresh

- Monthly Newsletter
- Anecdotal Stories

Reports

- Helpline
- Anonymous
- Ethical Advocate, Navex, etc.
- Anti-retaliation
Third-Party Management

- Incorporated in vendor management, procurement
- Controls
- Training
- Compensation/incentives
- Track red flags
- Common problems in FCPA

Mergers & Acquisitions

- Compliance needs seat at the table
- Due diligence
- Embedded before and after M&A
Implementation

Committed Leadership

- Servant leadership
- Support and empower
- Stand behind principles

Autonomy & Resources

Incentives & Discipline
Annual Leadership & Compliance Conference

• Theme
  ✓ Next Level Leadership: Soaring to New Heights

• Breakout Sessions
  ✓ Tailored to the needs of the specific subsidiary audience

• Servant Leadership
• Fireside Chat with the Executive Team
• Recognition Dinner with Awards

Autonomy & Resources
A Resource for Subsidiaries

- Compliance Leads
- A conduit to each subsidiary
Incentives & Discipline

• FY 20 Incentives
  ✓ High Character Leadership Award given at the Leadership & Compliance Conference
  ✓ Weekly prizes for timely completion of training

• FY 20 Discipline
  ✓ Internal Investigations in conjunction with appropriate subsidiary personnel
  ✓ Work with Human Resources, Legal and Management, if applicable, to resolve unethical behavior quickly
Incident Response

Continuous Improvement

Remediation

Investigations

• When
• Who
• Scope
• Ensure independence, objectivity, appropriate, and well-documented
• Funded appropriately
• Timely
Respond, Remediate & Assess

- Root cause
- Vulnerabilities
- Accountability lapses
- Appropriate, timely discipline
- Prior indications
- Monitor and document
- Use results as metrics

Continuous Improvement

- The Compliance Department is dedicated to continuous improvement in all areas of compliance so that compliance can support the strategic plan for BBNC today and in the future
  - See U.S. Federal Sentencing Guidelines §8B2.1(c)
Thank You!