

Compliance - General Concepts and Audit

General Objectives:

For some time now, Audits of organizations have greatly expanded the scope of their work and the complexity of their activities, and as a result they face an ever-changing and increasingly complicated regulatory environment. Added to this, recent cases of negative exposure of the image of companies generated by facts related to ethics, corruption, moral harassment, fraud, environmental impacts and other various Compliance failures lead regulators, investors and the general public to pay more attention than ever to corporate practices aimed at meeting regulatory issues.

The objective of this Course is to make participants aware that Compliance Failures can also result in litigation, financial fines, regulatory restrictions and reputational damage. For many organizations, outsourcing part or all of the Compliance function is the most effective way to achieve high performance in this area. Outsourcing all or part of the Compliance area allows for greater added value, cost reduction and reallocation of trained resources to strategic areas of the organization.

Specific Objectives:

At the end of this Course participants will know how to:

- Define and establish the need for a Compliance Department;
- Avoid personal responsibilities: duties and obligations of "high managerial agents";
- Define risk profiles among employees;
- Manage legal issues in compliance;
- Detect alarm and protection mechanisms;
- Establish the fundamental elements of a compliance program;
- Apply compliance standards to your business;
- Measure the efficiency of a compliance program;
- Systematize critical compliance indices;

- Incorporate compliance into operational procedures;
- Adapt the conduct of internal investigations;
- Perform program maintenance and improvement;
- Be able to deal with shareholders in case of internal investigation;
- Prevent money laundering through compliance;
- Assess the impact of the Board of Directors and the Chief Executive Officer on the compliance culture;
- Turn compliance into a competitive advantage.

Recipients:

This Course is intended for: Auditor; Compliance Manager/Officer; Legal Advisor; Risk Managers; Lawyers; Managing Director; CEO; Administrator.

Duration:

60 Hours

Content Program:

Module A – Concepts

Module I - Fundamentals of Compliance

- Management, risk management and compliance;
- Compliance in management;
- How to avoid personal liability: duties and obligations of "high managerial agents";
- Beyond the law: reputational risk and other intangibles.

Module II - Why a compliance department is needed

- Where the need for someone to carry out compliance functions comes from;
- Role of the compliance department and its Director;
- How to start from scratch;
- What is the best compliance model for your organization;
- How you can benefit from previous projects.

Module III - What are the functions of the Compliance Department?

- Risk assessment;
- Definition of a compliance program;
- Monitoring, measurement and analysis of the compliance program;
- Defining risk profiles among employees;
- Is there really a compliance profession?

Module IV - The Legal Framework of Compliance

- The legal landscape of compliance and ethics programs;
- Managing legal issues in compliance:
 - Compliance as a mitigator of penalties;
 - The use of professional legal privilege;
 - How due diligence issues are handled;
 - Conflict of interest issues;
 - Disclosures;
 - Alarm and protection mechanisms.

Module V - How to establish a Compliance Program

- Basic framework for establishing a compliance program;
- What are the key elements of a compliance program;
- What are the key strategies and best tactics to implement and maintain a compliance program;
- How to base a compliance programme on ethics, legality and productivity of operations while minimizing business risk;
- How to apply compliance standards to your business.

Module VI - The Effectiveness of Compliance Programs

- How to achieve an effective compliance program;
- Procedures that can be adapted to achieve compliance results;
- How to measure the effectiveness of a compliance program;

- How assessments are carried out;
- Who these reviews are aimed at;
- Establishing meaningful measures of compliance performance;
- What is the possible link between compliance and remuneration Critical compliance systems:
 - Complaint tracking and handling, document archiving;
- What are the compliance resources:
 - Manuals, job aids, sources of advice;
- How can compliance be incorporated into operational procedures.

Module VII - How to carry out Program Maintenance and Improvement

- Training and updating;
- Other visible tools;
- Internal Audit and Review;
- Ways to "rock the boat":
 - Simulations;
 - External audits.
- Other oversight bodies;
- Agreements with regulators.

Module VIII - Internal investigations

- What are the best practices for properly conducting internal investigations;
- Internal investigations at the request of the Board of Directors;
- How to deal with shareholders in the event of an internal investigation;
- How to "complicate" an internal investigation;
- What are the most common mistakes in conducting an internal investigation.

Module IX - The Relationship of Anti-Fraud Programs with Compliance Programs

- The Sarbanes-Oxley Act and compliance programs;
- How to prevent Money Laundering through compliance.

Module X - How can a Multinational implement an effective Compliance Program, worldwide, adapted to the specificities of each Country?

- Update on the requirements to ensure compliance of a multinational worldwide;
- Best practices for global ethics and compliance programs.

Module XI - What is the Relationship of Boards of Directors with Compliance?

- Impact of the Board of Directors and the Chief Executive Officer on compliance culture;
- What are the means for the Board to know if a compliance program is efficient:
 - How to check the efficiency of a compliance program;
 - How to carry out the efficiency assessment process;
 - The assessment process should be internal or external;
 - Reporting to the Boards of Directors;
 - How to prepare the answers to the questions that will be asked by the Boards.
- How to protect yourself with the compliance function?
 - How to protect yourself;
 - Why protect yourself;
 - How to move, where to move and when to move.

Module XII - How to turn Compliance into a competitive advantage and how to deal with crises

- Can a compliance program improve the efficiency of your organization?
- How to deal with compliance crises?:
 - What regulators want;
 - Shareholder management;
 - Using non-compliances with the law for business improvement.

Module B – Audit

Module I - Why a Compliance Audit?

- To meet the objectives and interests of the various stakeholders (interested parties), as well as to allow Auditors from different areas of activity to use auditing techniques in order to provide evidence of the organization's compliance with the laws or regulations applicable to the company;
- Difference between Internal Audit and Compliance.

Module II - Structure of a Compliance Audit

- Audit types, scope and others.

Module III - What are the benchmarks for a Compliance Audit? What is the role of Internal Auditors in a Compliance Audit? Knowing the Auditee

- Assess the compliance risk and how it is managed;
- The existence of compliance risk monitoring mechanisms.

Module IV - Skills and Training of Internal Auditors

- Multidisciplinary view of internal auditors;
- The guiding principles of the compliance auditor;
- Objective view of the anti-corruption law in relation to the changes that should be assessed and implemented in the corporate environment of companies;
- The Profile and Conduct of Internal Auditors.

Module V - Tools and Methodologies for a Compliance Audit

- Software for execution and management of compliance audit;
- The logistics and working methods for carrying out the audit.

Module VI - How to plan Compliance Audits

- Criteria to consider to plan the audit.

Module VII - How to design a Compliance Audit Program

- Objectives, scope, testing and other audit procedures.

Module VIII - How to write a Compliance Audit Report

- The sense of timing;
- What types of effective reports and writing (Objective reports with writing focused on finding the cause of deficiencies in processes and preventive internal controls);
- Reports as a generator of preventive and corrective actions.