WHITEPAPER

"Good Planning Is Half the Battle"

How to create and maintain relevant and engaging ethics and compliance training with thoughtful program planning

We are living in an era of constant change; a time in which companies are facing ever-increasing demands. National, international, and corporate requirements and regulations are continually evolving, more and more ethical dilemmas are emerging, uncovered scandals are taking on ever greater proportions — not least due to social media coverage — and the pressure on companies to act in a compliant and ethically correct manner at all times is growing.

Ethics and compliance training for employees in companies of all sizes is more important than ever — and yet it only serves its purpose if it is actually accepted and embraced by the workforce. On the following pages, you will discover how to plan training programs your employees will enjoy participating in and, most importantly, will retain the gained knowledge over the long term.

IN THIS WHITEPAPER YOU WILL LEARN:

- Which topics should be communicated to which groups of employees
- Which departments within a company are involved in selecting topics
- Ways to design courses to encourage acceptance and retention

PROGRAM PLANNING: WHAT IS COMMUNICATED TO WHOM – AND WHO DECIDES?

When it comes to program planning, a distinction is made between **standard topics** that affect employees throughout the company and **specific topics** that are only aimed at a certain segment of the workforce, for example, in risk-relevant areas.

Standard topics in training planning include:

- A company's code of conduct, as well as its ethics and culture
- Anti-corruption and anti-bribery
- Data protection and information security

Responsibility for these topics traditionally lies within the compliance department. The question of how often these training courses should ideally be repeated will be discussed later.

WHAT ABOUT CURRENT OR SPECIFIC TOPICS?

In our fast-moving world, requirements, regulations and laws change on a regular basis. Responding promptly and appropriately to such changes and educating employees about new developments often presents companies with major challenges and often introduces other stakeholders to the conversation.

RECENT EXAMPLES:

On March 3, 2023, the Criminal Division of the U.S. Department of Justice (DOJ) revised its Evaluation of Corporate Compliance Programs or ECCP for the first time since June 2020. This update of the ECCP affirmed earlier versions and clarified DOJ expectations around risk-based training that organizations should assign, specifically that training be specific ("tailored") for employees in high risk and control functions (for example sales, marketing, purchasing and logistics). The ECCP also says that organizations should focus training specifically on known problem areas, as well as special training for supervisory employees that goes above and beyond ("supplementary") what others receive. Last, but perhaps most importantly, the ECCP says that organizations should on a regular basis do analysis "to determine who should be trained and on what subjects."

Outside the U.S., the German Supply Chain Due Diligence Act (SCDDA) came into force on January 1, 2023, and initially applies to companies based in Germany with 3,000 or more employees. The aim of the SCDDA is to protect human rights in global supply chains. This is achieved, for example, by preventing child and forced labor. It also includes reducing environmental risks by banning substances that are hazardous to humans and nature. This means that it is no longer just the compliance department that is affected, but also the legal department, the purchasing department and the HR department.

Which departments are involved varies from topic to topic and from company to company. However, the most important departments include:

- Management
- Human Resources
- Finance
- Purchasing
- Data Protection Officer
- IT
- Legal department
- Research and Development

Tip: If you are faced with the challenge of developing training on a new topic, approach the other departments involved as early as possible. Inform them about your plans and give them the opportunity to contribute with their own content or requests. This ensures widespread support in the company and a smooth roll-out of the training courses. Timely and open communication also prevents overlaps, questions that arise can be clarified at an early stage, and in the best-case scenario, you can even save on costs.

In addition to the compliance department, a Governance, Risk and Compliance (GRC) Committee can also be created. Patrick Eichhorn, Compliance Professional at the Schaeffler Group, a long-standing client of SAI360, shares what has worked well for his organization. *"In the GRC Committee, the CEO, CFO, and heads of various governance functions regularly come together to discuss topics related to risk management, internal control, and compliance management systems from a holistic perspective,"* explains Eichhorn. *"The committee provides an overview of the completeness of the coverage of relevant GRC requirements — including new ones, such as those set out in the SCDDA. At the same time, the committee steers the appropriate, effective, and consistent implementation of these requirements within the company."*

In addition, the Group Chief Compliance Officer and their team are responsible for ensuring a consistent approach to the design of management systems in accordance with recognized international standards in the compliance focus areas of business integrity, human rights, export control, tax, technical compliance, and information and cyber security including data protection. Some of these areas are the responsibility of various departments. In the case of interdisciplinary topics, such as the SCDDA, the first step involves defining who is responsible for what. *"It is then important for the individual departments to exchange ideas and work hand in hand,"* says Eichhorn.

DEFINING CLEAR TARGET AUDIENCES

In addition to the classic topics that are relevant to everyone, there are also specific topics of concern to certain roles. A production employee, for example, must be trained differently in terms of occupational safety than an office employee. Training courses for this purpose must be developed individually and it is worthwhile to define exactly what content is actually relevant for which employee group before the training is rolled out.

At first glance, it may seem easier and less costly to create learning content once and simply deliver it to all employees, rather than identifying specific groups first, but this is a mistake — especially in the long term. Dr. André Uhlmann, Chief Compliance Officer at TK Elevator explains, *"In the past we followed the motto 'the more the better' and simply rolled out training courses to the masses. This did not contribute to acceptance among our employees."*

In addition to conflicting with the DOJ's recent ECCP as described above, it was discovered that the learners found these training courses tiring and were less willing to participate. Ever since SAI360 client TK Elevator decided to only teach specialized topics to carefully selected groups within the company, acceptance of the training courses and subsequent positive feedback have increased considerably. *"This shows that the extra initial effort of very precisely defining the target audience is definitely worthwhile in the long term,"* says Uhlmann.

HOW DO YOU KEEP YOUR TRAINING INTERESTING?

A short disclaimer in advance, there is no "right" or "wrong" in the planning of your training programs. There is no one-size-fits-all solution that works equally well for all companies and employees. For more than 25 years, SAI360 has been helping companies around the world create appropriate ethics and compliance training programs, and we know that what constitutes "appropriate" training must always be decided based on the individual case. Nevertheless, we have identified some best practices that have proven to be particularly useful and effective.

THE LEARNING CONTENT MUST MATCH THE TARGET AUDIENCE

"Content effectiveness is based on how well the content speaks to the target audience."

– Maria Broberg

The example of TK Elevator has already made it clear how important it is for your employees to accept the training. And they will only do so if they feel that the content is really meant (and made) for them. How does that work?

IDENTIFY EMPLOYEE GROUPS

The more employees a company has, the more complex it is to allocate them to **specific small groups**. Who can help with this? Open communication and exchange with the HR department and department managers. Working with these stakeholders, it is possible to develop characteristics that can be used to identify employees with the same training needs. Examples may include:

- Job title
- Risk profile
- Business unit
- Location and more

CONDUCT AUDIENCE-SPECIFIC PREP

After the target audiences have been successfully identified, **target-audience-specific preparation** of the training courses is another step that should not be skipped. Twentieth-century German writer Kurt Tucholsky already knew, "If you want to have an effect on others, you first have to talk to them in their language." This can relate to using the native language of learners, but also to using language that will help learners to understand the content.

IDENTIFY VALUE FOR LEARNERS

Another important factor in ensuring acceptance of training courses is identifying the **real relevance and practical benefits** for the learners. Why should employees use up their own, often already tight working hours for training courses that offer no added value to their own daily work? The content of training courses that are as appealing as possible will be discussed in more detail later in the whitepaper, but at this point, it is worth noting that **specific examples** from the actual day-to-day work of employees should always be included.

REFRESHER TRAINING IS NEEDED – BUT IN THE RIGHT AMOUNT

"Humans should learn, only oxen cram."
– Erich Kästner

AVOID REPETITION

If you wish to maintain your employees' acceptance of training courses over the long term, **avoid repeating the same training courses too frequently**. There is nothing more boring than hearing things you already know get repeated and presented in the same format each time.

It is better to develop **training campaigns consisting of multiple stages**. Instead of rolling out the same training courses to all employees year after year, one option is to use quizzes to determine who is still up to date and who needs refresher courses in which areas.

Where refresher courses are required to meet an acute training need (for example, in the case of compliance dilemmas) or to offer support in a stressful situation (such as before a visit to a trade fair or an important negotiation), **microlearning courses** are a great solution. In microlearning courses, the content is as short and concise as possible, which not only makes it easier to remember but can also increase the motivation of the learners to complete the training.

In general, no one can remember everything at once. **Prioritize topics and vary training intervals**. You can also get **feedback** from your employees: Find out whether your employees prefer to do more extensive training less often, and possibly on several topics at once, or whether they prefer more frequent training on individual topics.

TECHNOLOGY MAKES IT POSSIBLE

"Technology is not a silver bullet, but it should be a tool."
– Priscilla Chan

Online training is a great way to train your employees on many topics. However, this is only true if you make full use of the possibilities offered by technology.

INTERACTIVE

For successful online training, it is not enough to simply digitize existing learning content and make it available online. Instead, use different formats, such as video, audio, and interactive training content. This variety breaks up the training courses, making them more fun and preventing fatigue from setting in.

Confucius taught, *"I hear and I forget. I see and I remember. I do and I understand."* True to this quote, interactive elements in your training courses can be very useful — especially after theoretical knowledge about a new topic has been communicated. The interactive elements can be quizzes, cloze exercises, or drag-and-drop tasks. Simulations can also help to further enhance the training effect. Simulated scenarios with appropriate branching, i.e. different routes through the content based on decisions made by the learners, deepen the understanding of new learning experiences. Practical application of what has been learned results in improved retention of the content over the long term and can increase the learners' level of attention during the training courses.

TAILORED

In order to make learning content more appealing and achieve better learning outcomes, courses can be personalized and tailored to the appropriate target audience. One way of doing this is through the use of "authoring tools." Authoring tools enable companies to independently and flexibly adapt existing courses to their company branding, the demographics of their workforce, regional differences or even new legislation.

CONVENIENT

Some people are better at absorbing information in the morning, while others are more receptive to new information just before the end of their working day. With online training, your employees can learn when and where they want to and using their preferred device. This self-determination gives learners more freedom and increases their autonomy.

MEASURABLE

Another advantage of online training is the analytic feedback. In addition to the standard audit trail evaluations, online training allows you to access the statistics of the learning platforms. The data collected during the training courses can be used to analyze how individual training topics were received by the workforce, to identify the topics for which there is still some catching up to do, and to assess how risk-prone individual employees are. This data also offers important inspiration for identifying future topics.

HOW DOES IT WORK? AN EXAMPLE FROM SAI360

The SAI360 “Know Your Risk” training allows you to determine the competence and confidence of employees in individual risk areas. The “Know Your Risk” learning model provides insights into your company’s core risk areas and includes pre-training and post-training knowledge tests, the results of which are fed into the course’s data analysis. The courses are designed in such a way that both the knowledge and the confidence of the participants are assessed before and after the training. This enables training success to be directly and demonstrably measured, and helps to better understand the risks of the company and to convert what has been learned into appropriate behavior. The courses’ data analysis dashboards provide data that goes far beyond normal training course data (such as course completion, time required per task, percentage of correctly answered questions). The “Know Your Risk” courses are also platform agnostic, meaning that companies can implement this learning model both on their own in-house platform and on the learning management system provided by SAI360.

CONCLUSION

“The only thing worse than training your employees and having them leave is not training them and having them stay.”

– Henry Ford

As the global market leader in ethics and compliance programs, SAI360 has over 25 years of experience helping companies create engaging training programs. We believe a well-thought-out training program provides the ideal foundation for compliance officers to work in a time-saving and efficient manner in collaboration with relevant departments.

That being said, we know it can also be challenging to develop a program that meets the needs of the company, compliance department, and employees while also remaining flexible enough to respond to change, including emerging issues. Ultimately, we believe it is worth the effort, because employees that struggle with or reject the way in which content is shared ultimately remain untrained. For additional information on how to achieve this balancing act, please reach out **HERE** to speak with an expert in ethics training.

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