

ISO 37001 Certification

How we got there...
and why it's worth it!

Diana Tuck
Chief Compliance Officer
Spektrum Inc.

Mark Speck
Managing Partner
Spektrum Inc.



Worried that your compliance
program isn't good enough?

Are bribery and corruption
concerns keeping you up at
night?

ISO 37001 certification can
help.



Mark Speck

- Founder and managing partner of Spektrum
- Former CCO of CPA Global; led the company to ISO 37001 certification in May 2017
- Thought leader on third party due diligence solutions
- Published by SCCE, Managing Intellectual Property, GAN Integrity, Navex Global, Legal Strategy Review
- Invited speaker, seminar and training leader covering compliance, audit, finance, SOX, and risk management for ACL, Kelley Drye & Warren LLP, SCCE, Sprint University, Radical Compliance and CPE Inc.





Diana Trevley, J.D., CCEP-I




- Head of Global Services at Spark Compliance
- ISO 37001 Expert
 - Accredited lead auditor, lead consultant and trainer for ISO 37001 and ISO 19600
 - Member of the ISO/TC 309 US TAG Group responsible for ISO 37001 revisions
- Former attorney at Gibson, Dunn & Crutcher, specializing in anti-corruption and white collar crime





- What is ISO 37001?
- Why should I care about ISO 37001?
- How do I get certified?
 - Preparing for certification
 - Surviving the certification audit
- But what about....?



What is ISO 37001?

“ISO 37001 - Anti-Bribery Management Systems”

- First global anti-bribery standard
- Created by ISO, an NGO designed to facilitate global trade
- Certifiable if all requirements are met

ISO/PC 278 - Anti-bribery management systems



iso Key ISO 37001 Requirements



- | | |
|--|--------------------------------------|
| ✓ Bribery Risk Assessment | ✓ Raising and investigating concerns |
| ✓ Leadership - Tone from the Top | ✓ Program evaluation |
| ✓ Anti-Bribery Policy | |
| ✓ Anti-Bribery Controls | |
| ✓ Awareness & Training | |
| ✓ Financial & Non-Financial Controls & Commitments | ✓ Corrective Action |
| ✓ Due Diligence | ✓ Continuous Improvement |
| | ✓ Proper documentation |

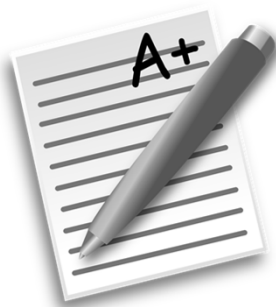
Key Takeaway: ISO 37001 Requirements are comprised of already established best practices

reviews

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Why Should I Care About ISO 37001?

Know Your Program Meets Best Practices



- ✓ Independent certification that program reaches a high standard
- ✓ Certification audit = periodic performance benchmarking
- ✓ Can be used by Internal Audit to test key controls





A Fantastic Asset for Compliance Officers

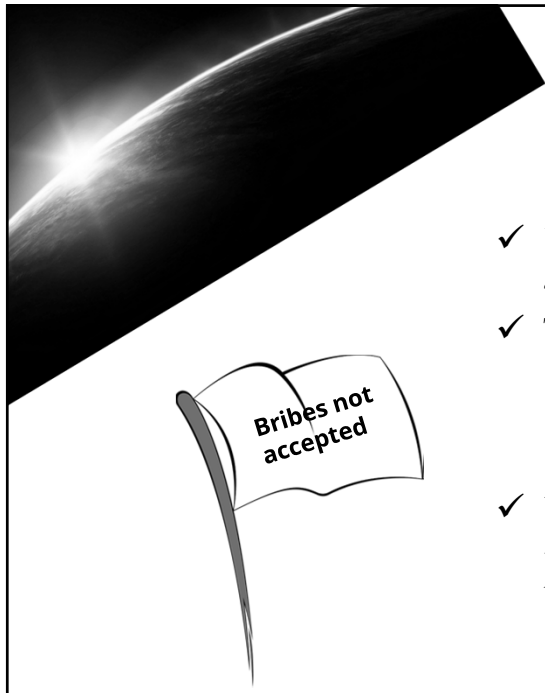
- ✓ Get – and KEEP – leadership buy-in
- ✓ Ensures sufficient resources
- ✓ Compliance becomes a company-wide effort
- ✓ Most requirements strengthen your entire compliance program, not just anti-bribery



Evidences a Commitment to Compliance

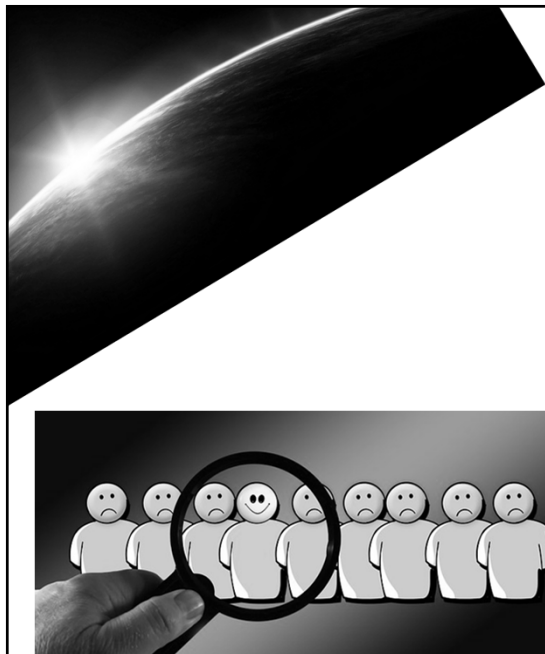
- ✓ Demonstrates to stakeholders dedication to ethical business practices
- ✓ Ensures documentation sufficient to show anti-bribery efforts is maintained
- ✓ Can serve as mitigating evidence in the event of an investigation and/or prosecution





Mitigates Bribery Risk in a Reasonable Way

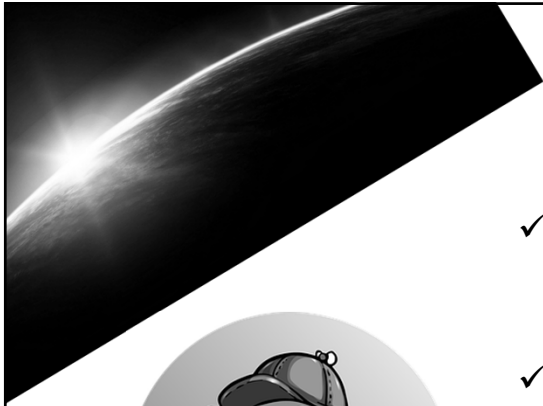
- ✓ Requires processes and controls to be *reasonable* and *proportionate* to the risk
- ✓ The certification itself mitigates risk
 - Companies who make it clear they don't take bribes aren't as likely to be asked for bribes.
- ✓ Using ISO 37001 as a guide, companies set the expectation for their vendors and business associates



A Market Differentiator

- ✓ An indicator of the company's dedication to ethical business practices
- ✓ Provides a competitive advantage, particularly in regions and industries with high bribery risks
- ✓ Some countries are considering requiring ISO 37001 certification for government contractors





A Game Changer for Due Diligence

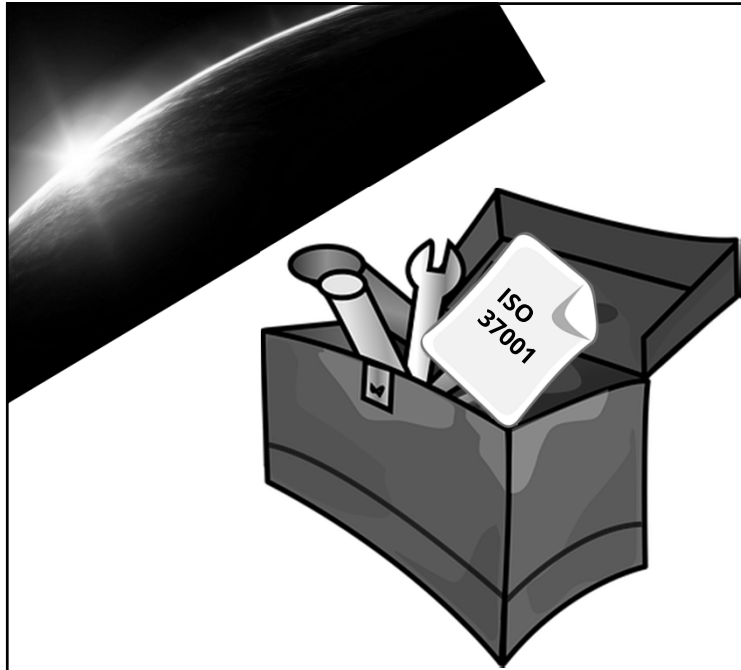
- ✓ Responding to DD Requests
 - Provides additional assurances to prospects and customers
- ✓ Conducting DD
 - Does the third party adhere to best practices?
 - Is the third party certified?
 - Do they have the documents required under certification?



Part of the Global Fight Against Corruption

- ✓ The FCPA, UK Bribery Act and other laws do have some global reach – but they don't always have global impact
- ✓ ISO 37001 seeks to put everyone on the same page
- ✓ Adopting ISO 37001 = Joining the Fight Against Corruption






Whether or Not
You Seek
Certification

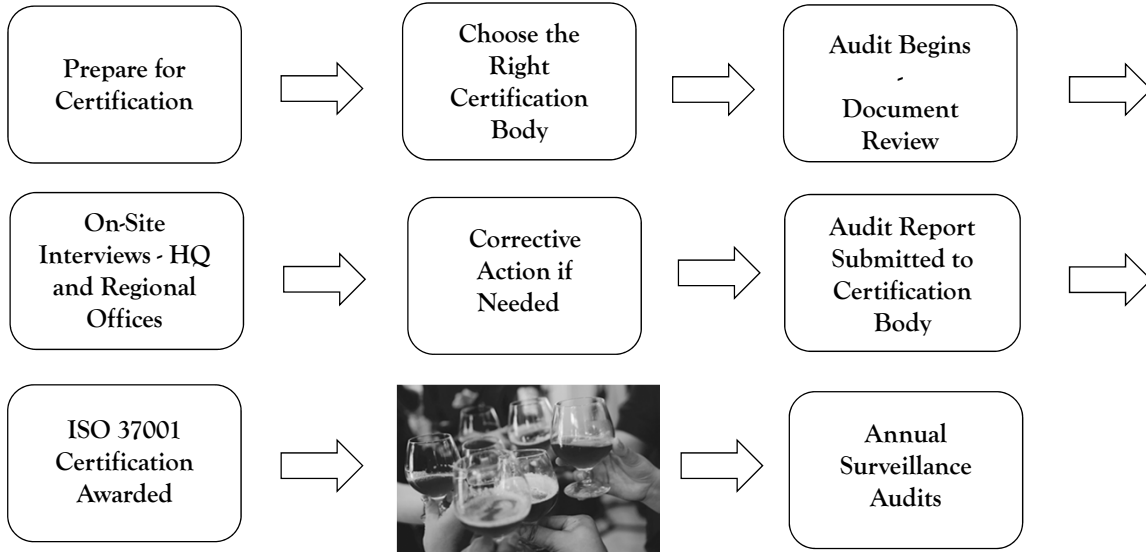
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ISO 37001
Should Be in
Every Compliance
Officer's Toolbox



How Do I Get Certified?

The ISO 37001 Certification Process




Lessons from the CCO: Preparing for Certification

- Selecting a certification readiness partner
- Value of a Readiness Partner
 - Selling ISO 37001 value to c-level suite and board
 - Conducting a Gap Assessment
 - Setting the Timelines
 - Addressing Missing Formalities
 - Preparing Staff, C-Level Suite, and Board for Audit
 - Advocacy during Audit
- Preparing the Organization

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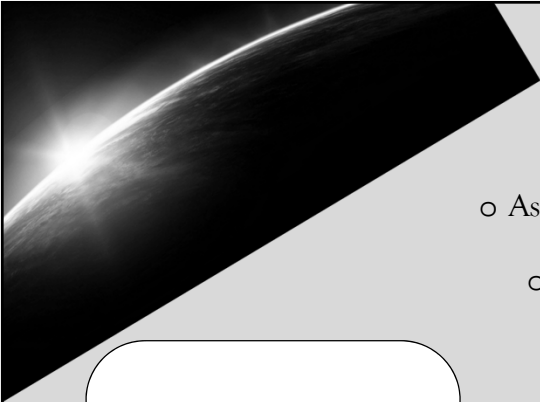




Advice from the Auditor: Preparing for Certification



- ✓ Mind the gap
- ✓ Preparation is a company-wide endeavor
- ✓ Shall or May. It matters.
 - A requirement (shall) is not a suggestion.
 - A suggestion is a suggestion. Review the Appendix of the standard for guidance.
- If you do it – document it!



Choosing the Right Certification Body

- Ask:
 - Is the certification body accredited or are they seeking accreditation? From what country?
 - What other work do they do besides ISO 37001 certification?
 - Do they adhere to ISO 17021-1 and ISO 17021-9?
 - What are the auditors' qualifications?

**Choose a reputable
certification body with
a quality process.**

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Lessons from the CCO: Surviving the Certification Audit

- Coordinate-Coordinate-Coordinate
- Preparing staff
- Sit in interviews
- Assess level of Finding as it arises
 - Know difference among: Major and Minor Non-Conformances, Observation, Opportunities for Improvement
- Pick your Fights
- Track Findings as they are cited: Makes Remediation Planning Easier

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Advice from the Auditor: Surviving the Certification Audit



- ✓ Have your interviewees come to their interviews prepared
- ✓ The auditor must follow the written requirements of ISO 37001
- ✓ Use the audit process as a learning opportunity – for you and the entire company
- ✓ Failure is not fatal
 - You have the opportunity to correct non-conformities



But what about...?

It's just a paper program!

Just because a party is certified doesn't mean it isn't corrupt!

We already have the UK Bribery Act!

You have to buy the standard so it must be no good!

These requirements are impossible to meet!

Anyone can certify!

It's nothing new!

Why isn't _____ required?

The DOJ hasn't endorsed it!

We already have the FCPA!

Does it guarantee that there will never be bribery in an organization?


These requirements are too easy to meet!


Certification isn't worth the paper its written on!

I read somewhere in a blog once that it wasn't good!

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It doesn't require measuring or gathering analytics!

A central graphic consisting of a dense pile of white triangles, each containing a black question mark. The triangles are overlapping and scattered across the middle of the slide.

The Spektrum logo, featuring a stylized globe icon and the text "SPEKTRUM" followed by a small "59" in a circle.



Key Takeaways

- ✓ ISO 37001 is a global standard designed to be part of the global fight against corruption
- ✓ There are many benefits to ISO 37001 certification
- ✓ ISO 37001 should be in every compliance officer's toolbox, whether or not they pursue certification
- ✓ If you want to pursue certification, remember:
 - ✓ Certification is a company-wide endeavor
 - ✓ Do your research and choose a reputable certification body
 - ✓ Use the audit as a learning experience



Diana Trevley
Head of Global Services
Spark Compliance Consulting

Office: +1 310 299 0955
Mobile: +1 310 435 5130

DianaTrevley@SparkCompliance.com
www.SparkCompliance.com

Mark Speck
Managing Partner
Specktrum Compliance Consulting,

Office +1 (877) 270-0005
Mobile +1 (703) 348-0169

mark.speck@specktruminc.com
www.specktruminc.com

