



ROUNDTABLE RECAP: November 6, 2019 Hosted by Peñoles, Mexico City

Participating Organizations

3M

Arcosa

Baker McKenzie

Bayer de Mexico

Casa Cuervo

Ernest Young

Eisai Laboratorios

Ernest & Young

GE

Grupo Bimbo

Home Depot

Honeywell

T-Systems

Magna International

Manpower Group

Morrison & Foerster

Nubank

Peñoles

Ryder System

Sertecpet

Stryker Corporation

The Coca-Cola Company

Wyndham

Topic 1: Cristobal Mariscal, Director de Cumplimiento, Peñoles and Edwin Garcia, Risk and Operations Manager, Peñoles both led a discussion on Inherent Risks in dealing with Third Parties in Mexico:

The discussion began with Peñoles approach to deal with the Third Parties Risks in Mexico:

- Peñoles described its Due Diligence process
- Best practices “Why Organizations should implement due diligence processes in Mexico”
- Focusing in doing business with Integrity
- Mitigating risks by having a well-defined Third-Party classification definition
- Enhancing awareness of the importance of compliance
- Performing Risk Assessments, focusing on what represents the most risk to the company
- Improving overall control environment and enhancing awareness of the importance of compliance

Related BELA Resources:

Third-Party Risk Management Resources and Examples from the BELA Center of Excellence <https://bela.ethisphere.com/centers-of-excellence/third-party-risk-management/>

Focused Facts Third-Party Due Diligence Requirements
<https://bela.ethisphere.com/wp-content/uploads/Focused-Facts-2018-Third-Party-Due-Diligence-and-Requirements.pdf>

Ethisphere Special Report on Third-Party Risk
<https://bela.ethisphere.com/ethisphere-third-party-risk-2/>

Code of Business Conduct for Suppliers (from BELA Member Coca-Cola)
<https://bela.ethisphere.com/coca-cola-supplier-code/>

Topic 2: Ruti Smithline, Partner, Morrison & Foerster and Gerardo Gomez Molvis, Associate, Morrison & Foerster led a discussion on Conducting Effective Internal Investigations, Workflow and the Pivotal Expectations for Investigator Roles

The session was interactive with the participants engaging in discussions about best practices in their organizations.

Some best practices included:

- Defining the investigator role
- Steps to conduct an effective investigation
- Investigation process best practices
- Importance of training to promote hotline awareness and usage
- Some participants discussed the independence of the investigations performed by investigators that do not report to ethics and compliance
- A discussion was held among the participants that shared their own experience in their organizations . to promote that a reporter must remain anonymous and non-retaliation policies.

Related BELA Resources:

Special Report on Latin America: <https://bela.ethisphere.com/special-report-on-latin-america/>

BELA Special Research Report on Root Cause

<https://bela.ethisphere.com/2018-bela-special-research-report-on-root-cause/>

Focused Facts report on Investigator Training

<https://bela.ethisphere.com/wp-content/uploads/Focused-Facts-2019-Investigator-Training.pdf>

Practical Skills Training for Investigators (from BELA Member Nokia)

<https://bela.ethisphere.com/nokia-investigator-training/>

Topic 3: Rene Gutierrez Garcia, Partner from Ernest & Young led a discussion on *Tendencias en Cumplimiento: Anti-soborno y Anti-corrupción*” (Compliance Trends: Anti-bribery & Anti-corruption).

The best practices included:

- [Ernest Young Fraud survey](#)
- Market Risk Perceptions in Mexico
 - Commercial Risk Areas in Mexico
 - Business Relationship with Government Agents

- Licenses & Permits
- Gift Entertainment & Charitable Contributions
- 2019 Changes in Mexican Laws
- Law LGRA article 7, prohibits public officials to receive anything of value (including gifts and meals)
 - Due to this recent change, is recommended when taking a public official out in Mexico for everyone pay for their own meals

Related BELA Resources:

Focused Facts – Gift and Entertainment

<https://bela.ethisphere.com/bela-data-slices-ge/>

Focused Facts – Third Party Management and Conflicts of Interest

<https://bela.ethisphere.com/focused-facts-2018-third-party-management-and-conflicts-of-interest/>

Webcast why and how to manage Gift and Entertainment Disclosures

<https://bela.ethisphere.com/webcast-why-and-how-to-manage-gift-and-entertainment-disclosures/>

Webcast Trends and Developments in Gifts and Entertainment Thresholds, Approvals and Tracking

<https://bela.ethisphere.com/webcast-trends-and-developments-in-gifts-and-entertainment-thresholds-approvals-and-tracking/>

Topic 4: Eduardo Lopez, Chairman and CEO, Sertecpet led a discussion on Sertecpet’s Journey to ISO 37001 Certification

The best practices included:

- Overview of Sertecpet’s Compliance Program and its journey to obtain the ISO 37001 Certification
- Sertecpet is the first company in Ecuador to get ISO 37001 Certification
- Why Sertecpet’s opt out to get the ISO 37001 Certification
 - Being certified is a competitive advantage
- Obtaining the certification made Sertecpet have even better reputation in the market

Related BELA Resources

Insights and Updates the ISO 37001 Anti-Bribery Standard

<https://bela.ethisphere.com/iso-37001-ethisphere-webcast/>

For additional guidance on the resources available to the BELA through the Member Hub, please contact

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