



Co-Chaired with:



BELA ASIA PACIFIC VIRTUAL ROUNDTABLE | HOSTED BY GE





IN PARTNERSHIP WITH:



Thursday, June 17, 2021 (SGT)

Agenda

THANK YOU TO OUR PRESENTERS



NOKIA

**MORRISON
FOERSTER**

Topic 1: Creating an Effective Compliance Policy Framework

Session leaders: : Ritu Jain, Global Governance and Assurance; Andrea Clavijo – Compliance and Deputy Human Rights Leader, GE; and Ellen Proctor – Compliance Training & Communications Leader, GE

GE will share how its Compliance function revamped its global policy framework in line with the Company's strategic priorities

- Insights into re-alignment of code of conduct to make it more accessible and employee-friendly;
- Creation of Enterprise Standards applicable across the company to enable common minimum standards while allowing operationalization by business units; and
- Adoption of global policy framework at region level to incorporate geographical nuances and local regulatory aspects.

Comments on the research report on culture by Ethisphere – Working Committee Leaders: Nokia, Johnson Controls, and EY

Topic 2: Managing Risks in Execution: The What and the How of Managing Risks Post- Winning the Deal

Moderator: Ruchika Dhamija, APAC Compliance Leader, GE Renewable Energy

Speakers: Dr. Mona Dange, Global Head of Market Compliance, **Nokia**; and Dan Levison, Partner, **Morrison & Foerster**

- Speakers will define the demarcation between risks at the stage of acquiring business (Anti-corruption; Competition; IP; Privacy etc.) and risks post-winning the deal/contract and explore how leading companies are managing compliance risks in the operational phase;
- Share best practices for assessing and analyzing execution risks like regulatory compliance, oversight on third parties, contractual obligations etc.; and
- Take a closer look at building mechanisms to manage these risk components in partnership with support functions, front line teams, supply chain and operations.



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TOPIC 1:

Creating an Effective Compliance Policy Framework



RITU JAIN

Global Governance and Assurance, **GE**



ANDREA CLAVIJO

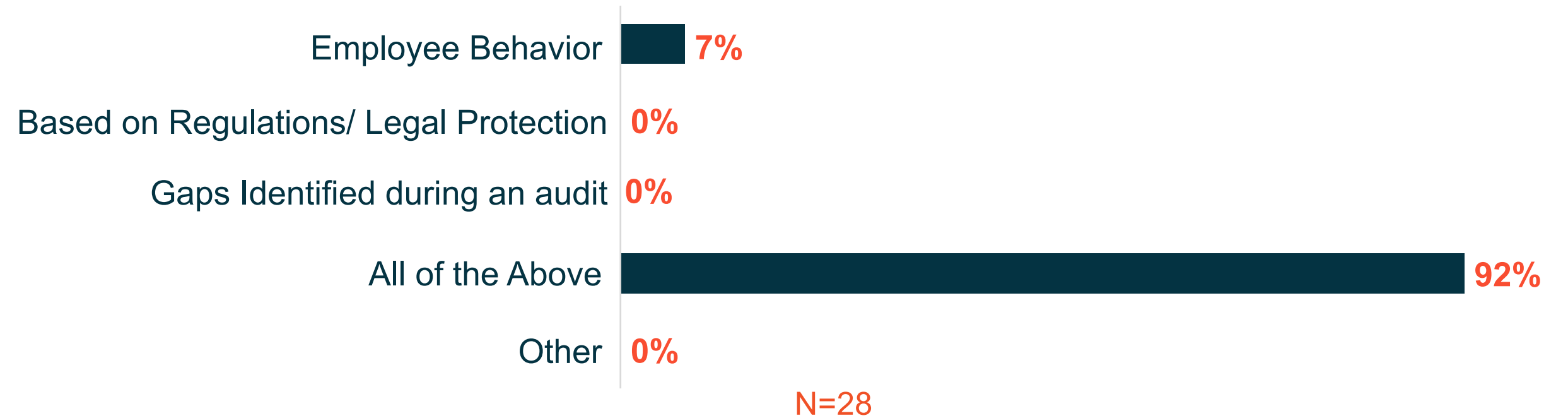
Compliance and Deputy Human Rights Leader, **GE**



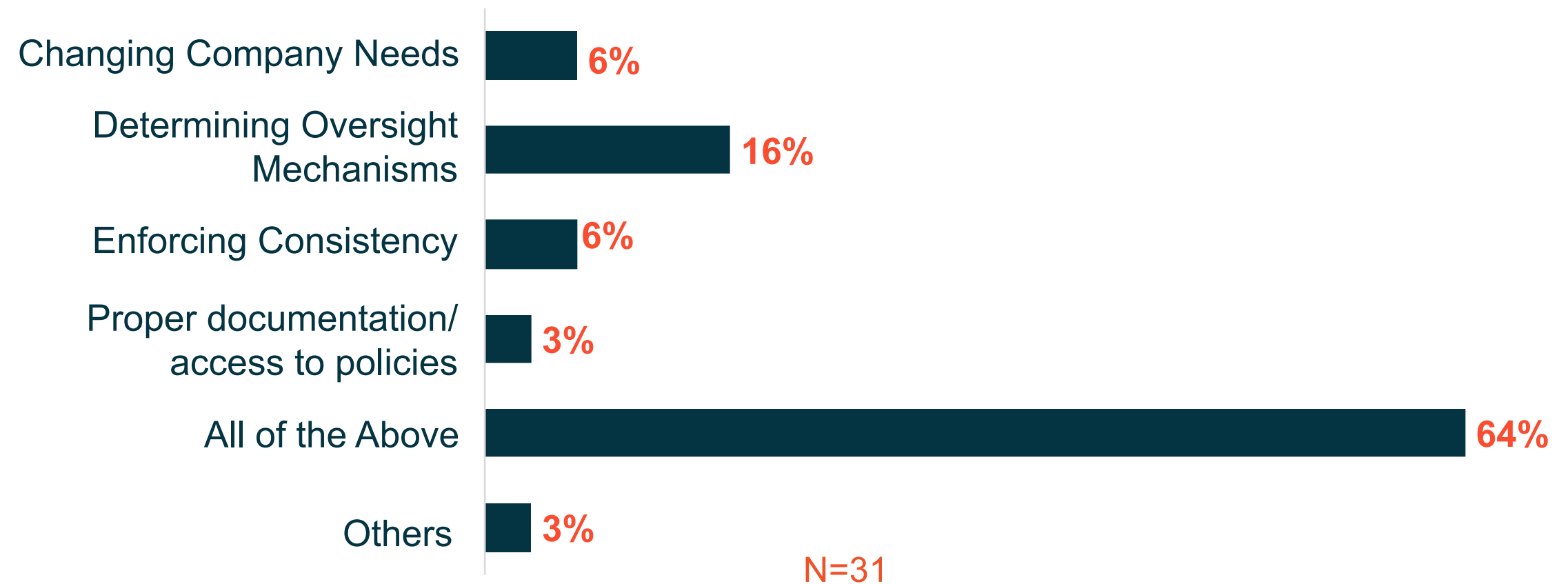
ELLEN PROCTOR

Compliance Training & Communications Leader, **GE**

Given the switch to a virtual and remote setting within the last year, how do you identify the need of a policy? (Single Choice)



What are some common challenges with creating an effective compliance policy framework? (Single Choice)



DISCUSSION NOTES

[View GE's presentation on the BELA Asia Pacific Member Hub](#)

Creating an Effective Compliance Policy Framework

- The GE Journey: What triggered this process was: a shift in a way GE is organized and the way the company operated. As a large multinational, we have 6-7 core lines of businesses around the globe. In the past 2-3 years we were operating as a hybrid model between what got done at the central corporate level; and business/ regional level. Corporate would support all the lines of the business and they will then add on based on their unique risk areas. In doing this, we had a complex structure with policies, procedures, guidelines, references—we had all of these documents and they overlapped. When GE shifted from the hybrid/ corporate support model to moving the responsibility of every functional area, including compliance—we were left with rethinking the role of GE Corporate, which was to ensure good governance. To make sure there's the right foundation in terms of programs and policies – and there the businesses could build their own programs and policy structure. We took on a simplistic view:
 - The Code of Conduct was revamped “[The Spirit and the Letter](#)”
 - Clearly set out expectations
 - Segregated policies and procedures: For example, procedures are supposed to be what the name stands for and it outlines the step-by-step operating requirement, how it is done and what tools should be used
 - Policies are the *why* we do something, standards is *what* should be done to meet requirements; and procedures are *how* you can go about meeting requirements



DISCUSSION NOTES

[View GE's presentation on the BELA Asia Pacific Member Hub](#)

Creating Employee-Friendly Policies

- GE Performed a “surgery” on each policy. Each line was reviewed and agreed upon and while doing this, the team asked if the responsibility is meant for an employee to follow or the business? Here are some findings to consider when reworking policies:
 - Consistency matters: Policies are often authored by different lines; and during different times
 - Solicit employee feedback on policies: For example, cold-calling new hires and collecting their ideas
 - Shorter policies resonate better with all stakeholders
 - Policy language/easily digestible: Employ Microsoft readability scores to assess how difficult a document was to read or not (this is an example from Eli Lily)
 - Use data to assess opportunities
 - Buy in from partners: A policy owner wants their policy to be read, understood, and complied with—that is the overall goal
 - Re-organized structure of documents: Consistent sections, bullet points on how to comply: Tip > start with an action verb on what employees should do to live out the expectations
 - Get help section: This contains a reminder on GE's hotline, who to raise concerns to, links to additional resources



DISCUSSION NOTES

[View GE's presentation on the BELA Asia Pacific Member Hub](#)

Creating Employee-Friendly Policies

- One way to animate a policy is it can focus on a real compliance story, or focus on a quick tips video. Each policy has a video, practical guidance, where can employees get more help, etc.
- Policies can be more user/ mobile friendly, where a reader can interact with embedded videos or can increase the font size.
- How to strike the right balance with policies? (Simplification)
 - Invite employees into the design process of the policies
 - Create employee focus groups in different regions to collect their initial thoughts and concerns about a current policy
 - Solicited volunteers at the businesses and at the regional levels. They nominated folks to volunteer an hour of their time to read early draft of policies—this came after applying simplified language, and employed best practices
 - Sent volunteers surveys to evaluate each policy. The survey contained qualitative and quantitative questions. Open text boxes were also included to promote the sharing of ideas
 - This data was downloaded and shared with the policy owner
 - Tip: Avoid asking legal/ compliance folks to get involved in these focus groups. This approach helped in eliminating bias



What techniques do you employ to encourage readership of the Code of Conduct? (Single Choice)

Incorporate into mandatory online training

86%

Require managers to review with their teams

13%

Provide hard copies

0%

Provide mobile versions

0%

Other

0%

N=23

RECOMMENDED BELA RESOURCES



Ritu Jain on Policy Simplification: In the 2020 BELA South Asia Magazine, Ritu Jain, Global Governance & Assurance at GE shared more about building and sustaining a robust policy framework: <https://bela.ethisphere.com/wp-content/uploads/BELA-SA-2020-Magazine-0718.pdf> (Page 50)

GE on Policy Simplification Global Ethics Summit Showcase: Andrea Clavijo shared the work she and her colleagues have done around policy simplification during the Global Ethics Summit in April. Please reach out to us for access to this session: https://app.canapii.com/e/global-ethics-summit/session/session-1616867234508_c893af2c2e90

GE's Communication Piece on Company Code: BELA-member, GE shared their introduction to the policies and code of conduct with the communications piece The Spirit and The Letter. This piece provides an overview of the compliance and ethics policies at GE. Each policy topic is explained in three consistent sections: Our Policy, Your Role, and What You Should Know: <https://bela.ethisphere.com/resource/communications-piece-on-company-code/>

Policy on Messaging Apps and Ephemeral Communications: Shared by a BELA member, this is an anonymized version of a policy on the use of text messaging and other ephemeral communications technology for business communications: <https://bela.ethisphere.com/resource/policy-ephemeral-comms/>

Policy on Policies Template and Example: a policy on policies and associated templates was developed by the experts at Ethisphere. Included in the document are: sample policy on policies; template for creating a policy on policies; guidelines for drafting policies; and template for a policy implementation plan: <https://bela.ethisphere.com/resource/ethisphere-policy-policies/>



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BELA ASIA PACIFIC RESEARCH PROJECT

Preliminary findings as of June 14th, 2021



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Comments on the BELA research report on culture, cybersecurity, and more – Working Committee Leaders

[TAKE THE SURVEY](#)



SONALI NARASIMHAN

Regional Head of Compliance, Asia Pacific,
Johnson Controls



RAMESH MOOSA

Asean and Singapore Forensic & Integrity Services Leader,
EY

Overview

2020-2021 RESEARCH PROJECT: MEASURING CULTURE AND INTEGRITY

A common challenge identified by the community over the course of the year was a lack of meaningful benchmarks and data associated with Asia Pacific—specifically around culture and integrity program practices. In an effort to address this growing need for data, we scoped out a research project with the AsiaPac community.

Driven by leaders from **Johnson Controls**, **Nokia** and **EY** – the findings from this project will be shared in July. The resources and data collected will be used to support medium and large companies with a significant presence in Asia Pacific. *This tool will be free and publicly available.*

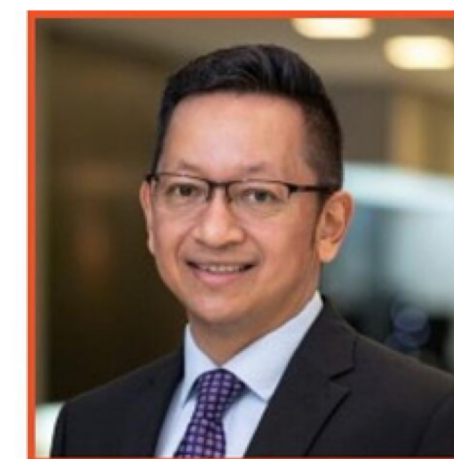
WORKING COMMITTEE LEADERS:



Mona Dange
Global Head of Market
Compliance, **Nokia**



Sonali Narasimhan
Regional Head of Compliance,
Asia Pacific, **Johnson Controls**



Ramesh Moosa
Partner, Forensic & Integrity
Services, Asean & Singapore
Leader at **EY**

Reminder:

YOUR RESPONSE REQUESTED: BELA ASIA PACIFIC 2021 SURVEY

BELA Asia Pacific Survey: Measuring Culture and Integrity across Asia Pacific

Based on the feedback received from BELA APAC leaders, measuring culture remains a topic of significant interest and relevance.

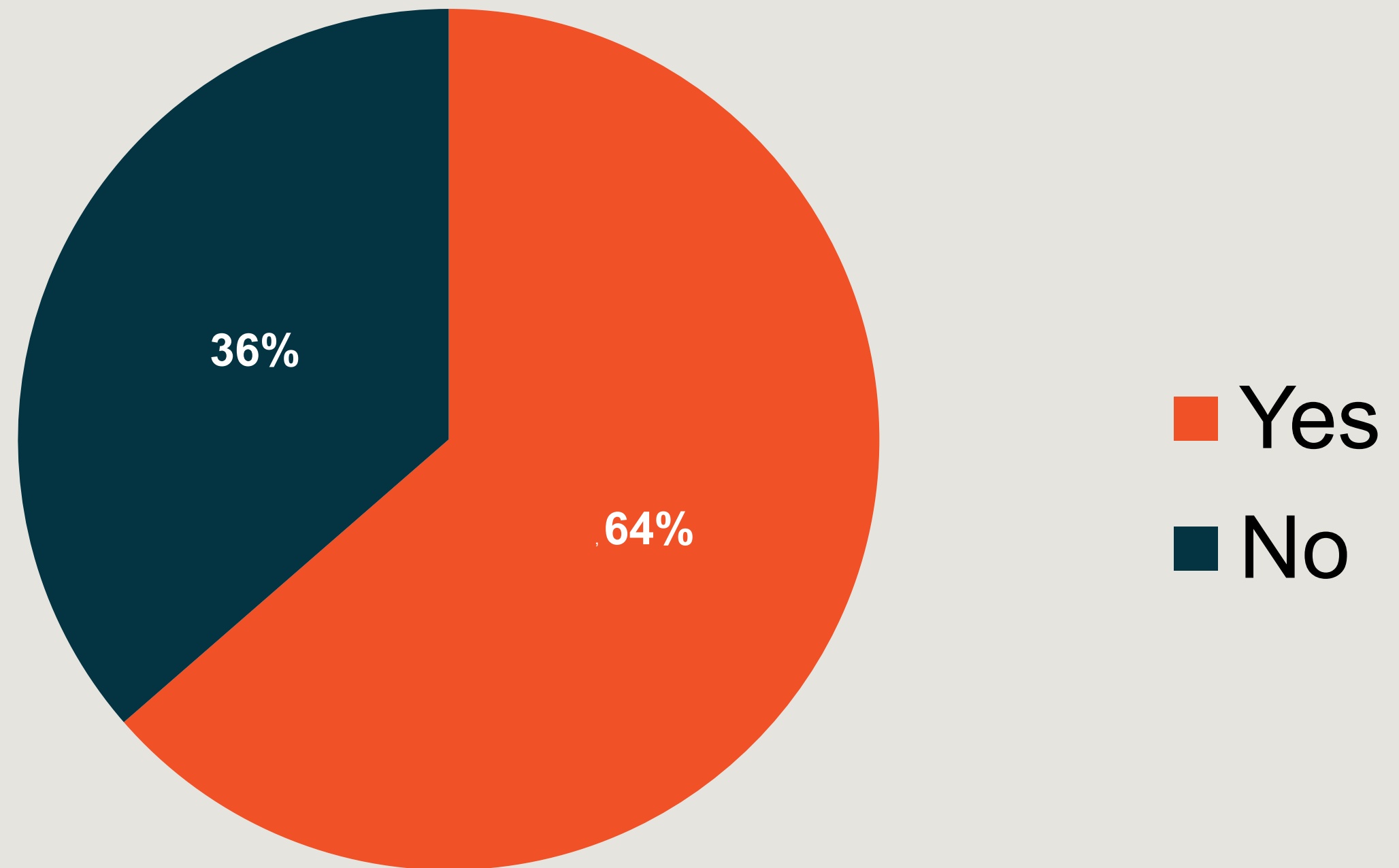
Under the direction of our Asia Pacific members: **Johnson Controls**, **Nokia**, and **EY**, we have developed a short, 20-25-minute survey, designed to evaluate culture, integrity, emerging practices, misconduct reporting, investigations, and much more. It covers the following regions: Australia, China, Japan, Korea, Philippines, Singapore, and Thailand.

All participants will receive a complete report of the survey's findings in July.

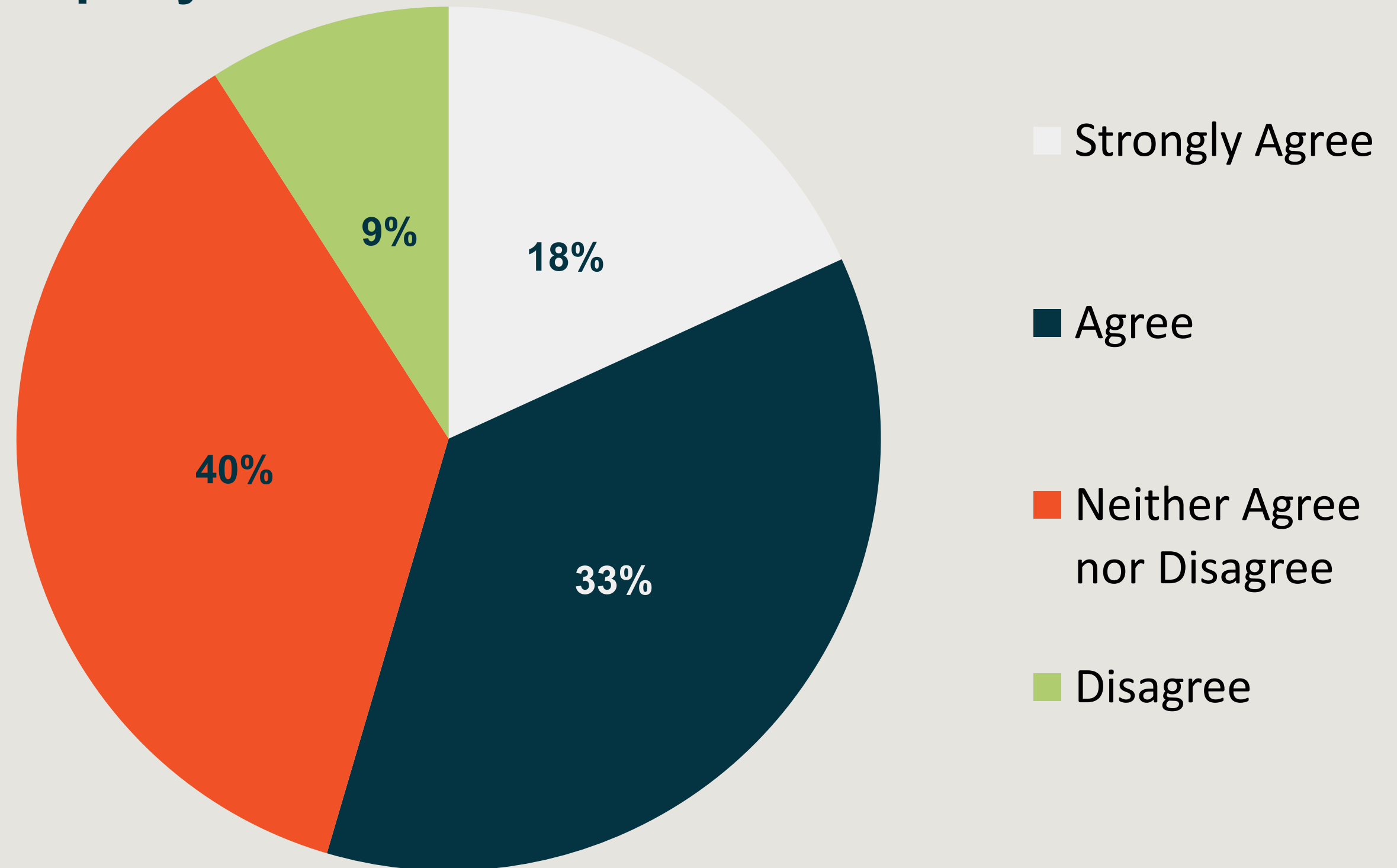
[TAKE THE SURVEY](#)



A year into the pandemic, have you seen an uptick in workplace bullying and harassment claims?



In the remote setting, I am confident that employees know how to report concerns about cybersecurity lapses or the leak/loss of confidential information at our Company.





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TOPIC 2:

Managing risks in execution: The What and the How of managing risks post winning the deal



Moderator

RUCHIKA DHAMIJA
APAC Compliance Leader
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DR. MONA DANGE
Global Head of Market Compliance,
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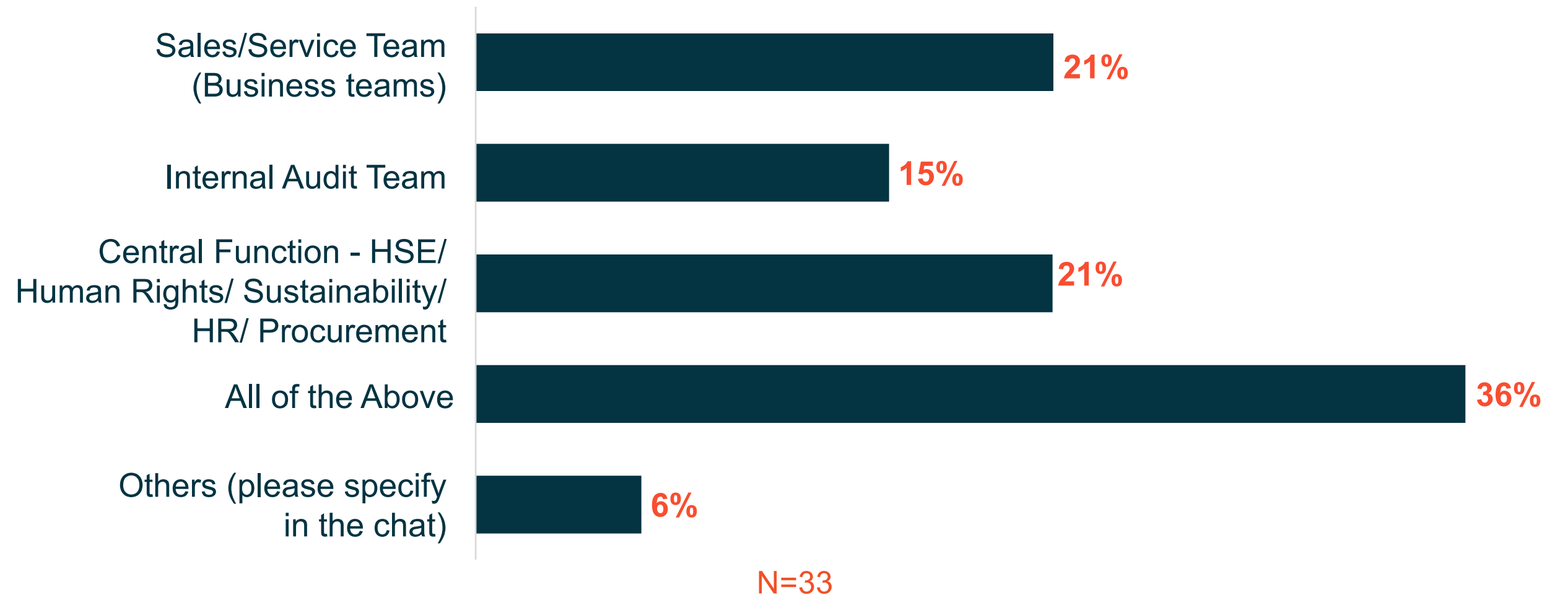


DAN LEVISON
Partner, Morrison & Foerster
(Singapore)

In your role, are you seeing (or experiencing) a shift in risk profile? (Single Choice)



Which functions do you work most closely with? (Multiple Choice)



All of the Above

DISCUSSION NOTES

Learn more on the BELA Asia Pacific Member Hub

Managing Risks in Execution

- We have seen paradigm shift in risk profile. Up until a few years ago, our risk profile was limited to ‘going to the market’ which meant addressing standard risks like Anti-bribery; local law compliances; 3rd party onboarding and effectiveness. As the business is expanding into broader scope now involving civil, construction, financing, long term maintenance and performance, risk profile shifted dramatically, and risk continued from stage of conceptualization to negotiations to building deal structure with customer/end user and to execution phase. For e.g. now we must be familiar with the ongoing activities of 3rd party at sites.
- How often are companies are using the right to audit? And what’s your approach?
 - Include an audit rights clause in the contract
 - Our approach is to be intentional with these audits
 - We leverage our internal audit function
 - Avoid the surprise element: When auditing, be clear on why audit is coming in, and what they will be looking for when auditing
 - Suspicions on potential violations: Legal function is included, along with the licensing officer for that specific third party
 - More companies are taking on the responsibility to audit a third part or partner more frequently. Generally people cooperate

DISCUSSION NOTES

Learn more on the BELA Asia Pacific Member Hub

Managing Risks in Execution: Why Legal and Compliance Should have a Seat at the Table

- If you are engaging in a construction project, the form of the transaction can be a joint venture with a government agency or state enterprise that is sponsoring the project. This comes with all risks entering along with a joint venture. This can create a different dynamic. It's very important that the legal and compliance function understands the business—in a very technical way. It's hard to assess the risk when you don't have a full understanding. Often this happens ex post facto where you are trying to study or learn about the risk after the problem has already surfaced. This is a compelling reason as to why legal and compliance should have a seat at the table
- Pushing compliance responsibilities closer to the front lines of a business can help make the overall process of risk management at execution stage more efficient and less painful. Accordingly, a harmonized and integrated approach from risk assessment by clearly assigning compliance execution ownership and communicate compliance requirements in an effective manner to ensure proper execution followed at every level.
- As the complexity increases, risk identification, tracking and mitigation doesn't end at go to market phase but needs to be re-initiated at execution phase. It should be embedded in business processes and readily available for proactive checks and audits which can not be owned just by Compliance and accordingly it should be across the board in partnership with other support functions and leadership.

DISCUSSION NOTES

Learn more on the BELA Asia Pacific Member Hub

Managing Risks in Execution: Why Legal and Compliance Should have a Seat at the Table

- Policies: These should be thoroughly reviewed. In one situation, when we went in and started looking at the policies—they were inconsistent and conflicting, then legal and compliance had another policy addressing the same concern but the requirements were different. A big part of policies is connecting it to the business
- As lawyers, we look at clauses that cover jurisdiction, anticorruption, etc., but given the shift, evaluating the risk profile is now much larger than that— and we need to look at other clauses there
- We are redoing our frame agreements with our subcontractors. Why? We have SOP, which says we expect something from our contractor we are transferring our policy into a contractual language, making sure it goes as far as this document
- Annual certification: High risk third parties are now sent an annual anticorruption certification. It's an investment. If the regulator comes to your doorstep tomorrow, its about the holistic program you are looking at
- Trainings are so critical: Make your training to what the team understands and not legalistic to what they are seeing
- Implementing a tracking mechanism is necessary as it plays a critical role of knowing what we agreed on and what we are doing on the ground.

DISCUSSION NOTES

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Managing Risks in Execution: Why Legal and Compliance Should have a Seat at the Table

- Permitting contractors: It's good practice to get a subcontractor whose only job is to obtain permits because you are limiting the cash flow when you get another contractor involved
- Compliance interview (also virtually): Good way to get the team on a call before they start the work to do trainings
- Subcontractors: In some countries, they would designate employees from their teams who are acting like managers on the ground— we draw a distinction there. Language remains an issue (being sensitive and language barriers exist)
- Annual check on due diligence

RECOMMENDED BELA RESOURCES



Supplier Training on Human Rights: AB In-Bev recently produced a training on human rights risks in supply chains in conjunction with the International Organization of Employers, the World Economic Forum, and Labyrinth Training:
<https://bela.ethisphere.com/resource/abinbev-supplier-training/>

Third Party Risk Scoring Matrix – Interactions with Public Officials: BELA member KLA shares this as an example of one of the risk rating and ranking score sheets that they reviewed when coming up with their own risk matrix:
<https://bela.ethisphere.com/resource/3prisk-officials/>

The Urgent Need for Supply Chain Cybersecurity: Ethisphere and Gallagher’s cyber experts came together to help members understand how a single cyber breach of one key supplier can compromise thousands of companies. They outlined the steps companies can take internally to protect an organization from cyber risk in the supply chain:
<https://bela.ethisphere.com/resource/cyber-webcast-gallagher/>

Third Party Red Flags: A list of likely “red flags” organizations may encounter when working with third parties at any stage in the relationship – contracting, auditing, or regular course of business dealings:

<https://bela.ethisphere.com/resource/third-party-red-flags-2/>

2020 South Asia Ethics Summit – How Are Third Party Relationships Managed Effectively During Local and Global Disruption? On this session featuring EY, Johnson Controls and Diageo India, leaders discussed and shared strategies around remotely managing third party Relationships: <https://bela.ethisphere.com/resource/saes-2020-third-party-day2/>



**BUSINESS ETHICS
LEADERSHIP
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ASIA PACIFIC**

Thursday, June 17, 2021

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THANK YOU TO
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BELA ASIA PACIFIC MEMBERS

Thank you to the following organizations for their support of the BELA AsiaPac Chapter

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Coca-Cola



Honeywell



Johnson
Controls 

 **Kimberly-Clark**

Marriott
INTERNATIONAL

 **Microsoft**

NOKIA

Uber

Western Digital

DIAGEO

KKR



Thank You!

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