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# Insights and Updates: The ISO 37001 Anti-Bribery Standard

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# Today we will discuss:

- Latest trends in anti-corruption
- Overview of ISO 37001
- Government adoption of the standard and Corporate uptake
- State of accreditation bodies
- Resources and BELA Benefit

# Advancing Business Integrity for Competitive Advantage



## Connecting Senior Leaders

- Key regions – global chapters
- Private roundtables, global summits, mentoring



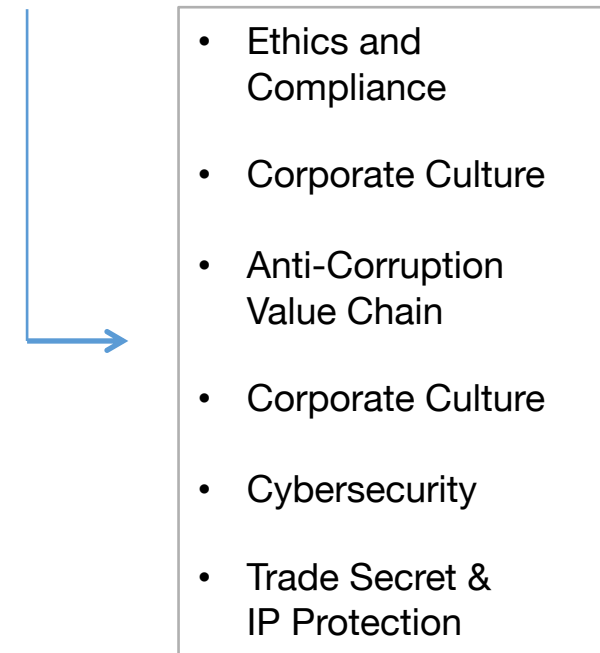
## Codifying Best Practices

- Actionable data, insights
- Centers of Excellence
- Multiple modalities



## Mapping to Top Frameworks

- Capability building
- Maturity-based assessments
- Benchmarking, improvement plans

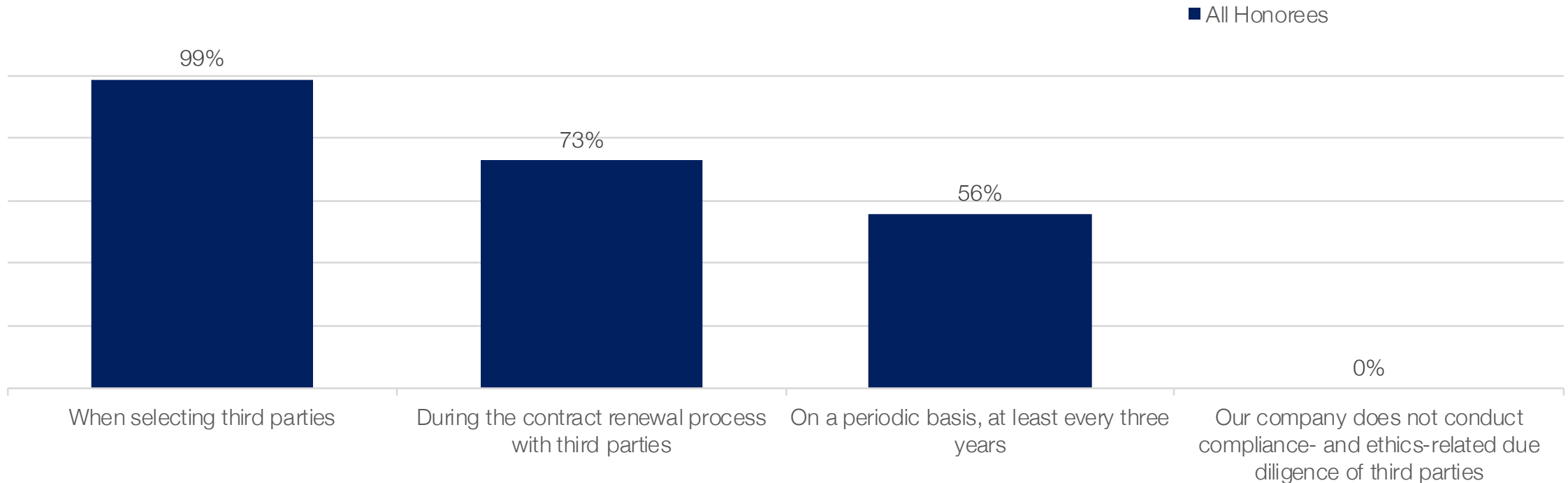


# Latest Trends in Anti-Corruption

# Risk Assessment, Monitoring & Auditing

## *Review Third Party Diligence Processes*

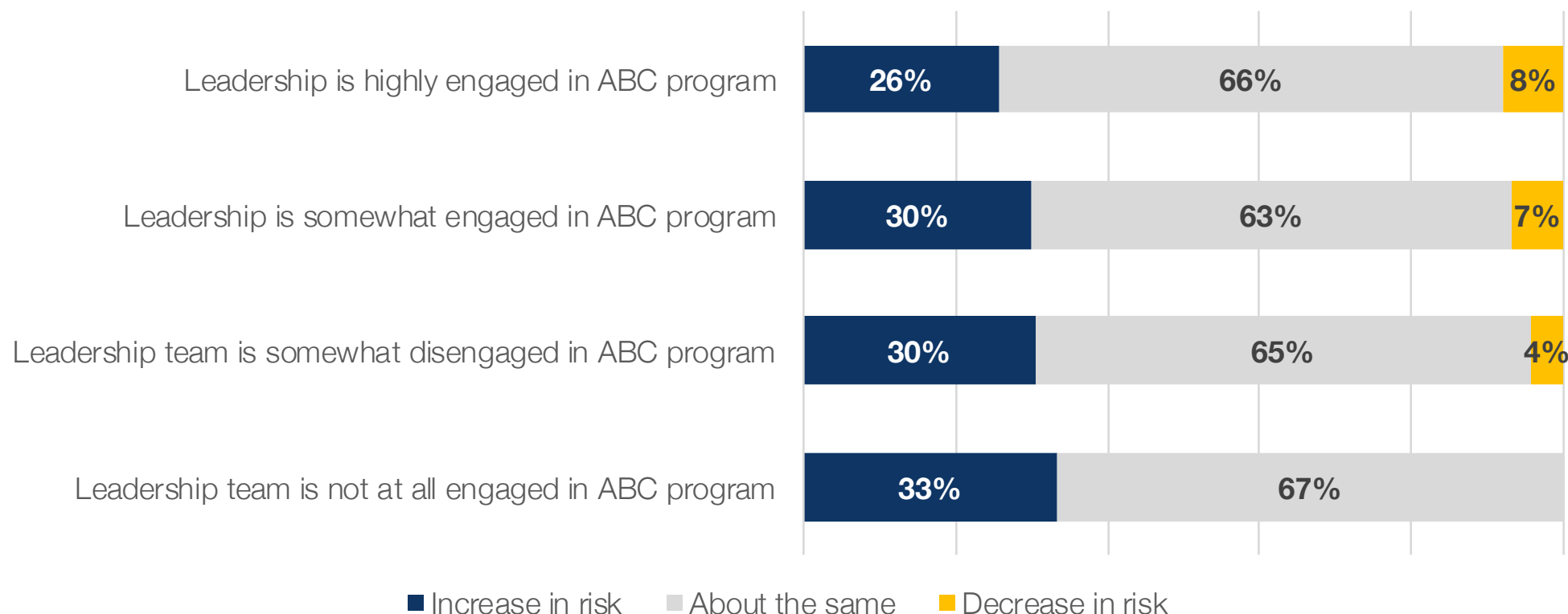
**EQ 4F.15 When do you conduct compliance and ethics due diligence of third parties that pose a material compliance, ethics, and/or reputation risk? (Multiple select)**



## Engagement Results in a Reduction in Perceived Risk

An Increased Level of Engagement by Senior Leaders in Compliance Efforts Is Shown to Reduce Perceived Risk in the Future

*Perceived change in anti-bribery and corruption risk compared to engagement level of Board in ABC program*



# Overview of the ISO 37001 Anti-Bribery Management Systems Standard

## **Purpose:**

- Help organizations establish, implement, maintain, and improve an anti-bribery compliance program or “management system”
- Organizations can seek certification or use as guidance

## **Includes:**

- Measures/controls representing internationally-recognized anti-bribery practices

## **Addresses:**

- Foreign and commercial bribery
  - Inbound and outbound
  - Direct and indirect

## **Applicable to:**

- Public, private and non-profit sectors
- Organizations regardless of geography, size or nature of activity



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- The image shows a stack of three ISO 37001:2016 standards documents. The top document is the 'Anti-bribery management systems — Requirements with guidance for use' (ISO 37001:2016). The middle document is the 'Anti-bribery management systems — Requirements with guidance for use' (ISO 37001:2016) in French. The bottom document is the 'Anti-bribery management systems — Requirements with guidance for use' (ISO 37001:2016) in Chinese. The documents are stacked and slightly offset, showing the front cover of each.

## Within Companies

- Global benchmark
- Third party certification as a credential
- Give assurance to boards, management & investors
- Reduce or avoid certain program costs
- Evidence for regulators of effective compliance

## With Third Parties

- Measure/evaluate anti-bribery programs using a single “yardstick”
- May be easier to “sell” an international standard
  - Non-U.S. entities may resist perceived FCPA-based procedures
- Set expectations of qualifications or eligibility requirements

# What is new about ISO 37001



- Builds on existing best practices
- Applicable globally
- More detailed than other tools
- Flexible and risk-based
- Includes comprehensive guidance document
- Certifiable

# ISO 37001: Third Party Certification

## Voluntary

- Not required; other assessment methods are valid
- Some governments *may* require certification for public contracting

## The Process

- Respond to questionnaire to determine eligibility for certification
- Provide required documentation
- On-site audit with interviews
- Time with vary with size and scope of organization

## Duration

- Certification is valid for three years, with an annual surveillance audit

# Government Adoption of the Standard and Corporate Uptake

- More than 100 (and counting) companies have achieved certification, including:
  - Legg Mason (U.S.)
  - Alstom & Credit Agricole (France)
  - Mabey & CPA Global (UK)
  - Bosch Middle East (UAE)
  - Petronas (Malaysia)
  - China International Marine Containers (China)
- Microsoft and WalMart have announced certification plans
- Several governments agencies have achieved certification
- Others are encouraging adoption
- None are requiring certification to date

# State of Accreditation Bodies

- Slow start but numbers are growing
- UK – Bureau Veritas, Intertek
- US – BASC Peru, Global Standards SC (Mexico); Standards Institute of Israel
- Dubai –CRI Certification
- Italy – RINA, SGS Italia



- Not all CBs are created equally; evaluate several before selecting
- When evaluating, determine whether the CB:
  - Is accredited to ISO 37001-specific auditor competency requirements (ISO/IEC 17021-9:2016) not required but does provide independent confirmation of competence
  - Is recognized globally
  - Has experience in your industry and with organizations of similar size, structure, and geographic presence
  - Will share auditor resumes to assist in your evaluation of CB experience & capability
  - Is willing and able to provide meaningful, relevant feedback on your organization's ABMS, in support of improvement objectives

To find an accredited CB, visit the International Accreditation Forum (IAF).

# When is certification awarded?

- All requirements of the Standard must be met
  - Auditor cannot base report on anything not in the standard
- Certification awarded provided no “major nonconformities”
  - Failure to meet a requirement
  - Failure of a process
  - Several minor non-conformities related to one requirement or process
  - Minor non-conformity not fixed for next audit
- 90 days to fix after initial audit concluded
- Certification can be awarded with minor non-conformities
  - Organizations must remediate before surveillance audit

**Resources**

**+**

**FREE Offer for Business Ethics Leadership Alliance  
(BELA) Members**

# FOR BELA Members: **FREE ASSESSMENT** Aligning to ISO 37001



A Community of 225+ Companies Committed to Solving the Big Challenges of Business Integrity. **Together.**



## CREATE ▶ Leading Practices *For Anti-Corruption*

A practical way to assess the weaknesses and strengths of anti-corruption and anti-bribery controls across your company – or that of your third party partners – and implement a road map for improvement.

- ▶ **Benchmark** to leading standards or the ISO 37001 Anti-Bribery Management Systems Standard
- ▶ **Develop** reports to show program maturity to Boards, C-suite and others
- ▶ **Calibrate** programs across an enterprise and with third party partners

# Assessment Based on ISO 37001 Requirements

**References to specific language in the standard for each requirement**

**Uploading of documentation for record-keeping and verification**

SELECT LANGUAGE

2018-06-27 1:52:58 PM

CREATE

Leading Practices

Mary Rhodes  
Computer Manufactures

← CREATE Leading Practices for Anti-Corruption > Standard View > Context of the Organization > Anti-Bribery Management System

DASHBOARD

INSTRUCTIONS

MY DOCUMENTS

ANTI-BRIBERY MANAGEMENT SYSTEM

Question 1 of 2

4.4-1: The following best describes our ABMS:

Supporting Information

REFERENCESDOCUMENTSCONTRIBUTORCOMMENTS

Instructions: Optionally select a primary reference to support your answer. To use a reference to support your answer, make sure it is selected when you "Submit".

ISO 37001:2016

4.4

A.3.1

A.3.2

Title: 4.4: Anti-Bribery Management System

The organization shall establish, document, implement, maintain and continually review and, where necessary, improve an anti-bribery management system, including the processes needed and their interactions, in accordance with the requirements of this document. The anti-bribery management system shall contain measures designed to identify and evaluate the risk of, and to prevent, detect and respond to, bribery.

Note 1: It is not possible to completely eliminate the risk of bribery, and no anti-bribery management system will be capable of preventing and detecting all bribery. The anti-bribery management system shall be reasonable and proportionate, taking into account the factors referred to in 4.3.

Note: 2 See Clause A.3 for guidance.

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Answers: Select one

☐ We have documented and implemented an ABMS that is reviewed occasionally but may not be aligned with our risks.

☐ We have a written anti-bribery policy, but we do not have a written set of procedures or controls (e.g., a management system) to support it.

☐ We have documented and implemented a comprehensive, ABMS based on evaluated risks, that undergoes a regular process of monitoring, review and, where necessary, continual improvement.

☐ We have documented and implemented a comprehensive ABMS that is regularly reviewed based on evaluated bribery risks.

☐ We only have an informal, undocumented policy or policies to address bribery.

SUBMIT

**Five-level maturity matrix enables calibration and identification of gaps**

Proprietary and Confidential

Assessment ID: 0084

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## Available on Ethisphere.com

- ***Anti-Corruption Guideline Reference***  
– Outlines elements of an effective program with corresponding top international guidelines

## Available in the BELA Hub: [www.bela.ethisphere.com](http://www.bela.ethisphere.com)

- Tools
- Whitepapers, eBooks & articles
  - Top Takeaways of ISO 37001
- Webcasts and slides

### Anti-Corruption Compliance Guideline Reference

The Anti-Corruption Guideline References (Guideline Reference) summarizes leading international standards and guidelines for developing or benchmarking an effective anti-corruption program. It is organized around the seven business process categories that CREATE Compliance uses to assess anti-corruption programs through its service, CREATE Leading Practices for Anti-Corruption.

Use these guidelines in any of the following ways:

- ▶ As a resource for developing or improving your own policies
- ▶ As a reference for strengthening your codes of conduct
- ▶ As a checklist for working with value chain members to ensure the effectiveness of their anti-corruption compliance efforts

Resource Name	Issued or adopted	Abbreviated name listed in guidelines	URL
<i>ISO 37001:2016 Anti-bribery Management Systems - Requirements with Guidance for Use</i>	2016	ISO 37001	<a href="https://www.iso.org/iso-37001-anti-bribery-management.html">https://www.iso.org/iso-37001-anti-bribery-management.html</a>
<i>A Resource Guide to the U.S. Foreign Corrupt Practices Act</i>	2012	FCPA Resource Guide	<a href="http://www.sec.gov/spotlight/fcpa/fcpa-resource-guide.pdf">http://www.sec.gov/spotlight/fcpa/fcpa-resource-guide.pdf</a>
<i>Transparency International Business Principles for Countering Bribery</i>	2009	TI BPCB	<a href="http://www.transparency.org/whatwedo/pub/business_principles_for_countering_bribery">http://www.transparency.org/whatwedo/pub/business_principles_for_countering_bribery</a>
<i>World Economic Forum Partnering Against Corruption – Principles for Countering Bribery</i>	2005	PACI Principles	<a href="http://www.weforum.org/pdf/paci/PACI_Principles.pdf">http://www.weforum.org/pdf/paci/PACI_Principles.pdf</a>
<i>Organisation for Co-operation &amp; Development Good Practice Guidance on Internal Controls, Ethics, and Compliance</i>	2010	OECD Good Practice Guidance	<a href="http://www.oecd.org/investment/anti-bribery/anti-bribery-convention/44884389.pdf">http://www.oecd.org/investment/anti-bribery/anti-bribery-convention/44884389.pdf</a>
<i>UK Bribery Act 2010 – Guidance</i>	2010	UK Bribery Act Guidance	<a href="http://www.justice.gov.uk/downloads/legislation/bribery-act-2010-guidance.pdf">http://www.justice.gov.uk/downloads/legislation/bribery-act-2010-guidance.pdf</a>
<i>2012 U.S. Sentencing Commission Guidelines Manual, Chapter Eight – Sentencing of Organizations</i>	2012	USSG	<a href="http://www.ussc.gov/Guidelines/2012_Guidelines/Manual_PDF/Chapter_8.pdf">http://www.ussc.gov/Guidelines/2012_Guidelines/Manual_PDF/Chapter_8.pdf</a>
<i>Summary of World Bank Group Integrity Compliance Guidelines</i>	2011	World Bank Guidelines	<a href="http://siteresources.worldbank.org/INTDOI/Resources/IntegrityComplianceGuidelines_2_1_11web.pdf">http://siteresources.worldbank.org/INTDOI/Resources/IntegrityComplianceGuidelines_2_1_11web.pdf</a>
<i>Asia-Pacific Economic Cooperation General Elements of Effective Voluntary Corporate Compliance Programs</i>	2014	APEC Elements	<a href="http://mddb.apec.org/Documents/2014/SOM/CSOM/14_csom_041.pdf">http://mddb.apec.org/Documents/2014/SOM/CSOM/14_csom_041.pdf</a>

- ISO 37001 Anti-Bribery Management System Standard  
Purchase: <https://www.iso.org/standard/65034.htm>
- ISO TC 309 - <https://www.iso.org/committee/6266703.html>
- ISO/IEC 17021-1:2015 - Conformity assessment - Requirements for bodies providing audit and certification of management systems  
Summary: <http://www.iso.org/iso/news.htm?refid=Ref1972>
- Detail: <http://www.iso.org/obp/ui/#iso:std:iso-iec:17021:-1:ed-1:v1:en>
- ISO/IEC 17021-9:2016 - Conformity assessment - Requirements for bodies providing audit and certification of management systems; Part 9: Competence requirements for auditing and certification of anti-bribery management systems  
Summary: <http://www.iso.org/iso/news.htm?refid=Ref1972>  
Detail: <https://www.iso.org/obp/ui/#iso:std:iso-iec:ts:17021:-9:ed-1:v1:en>



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**THANK YOU**

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