

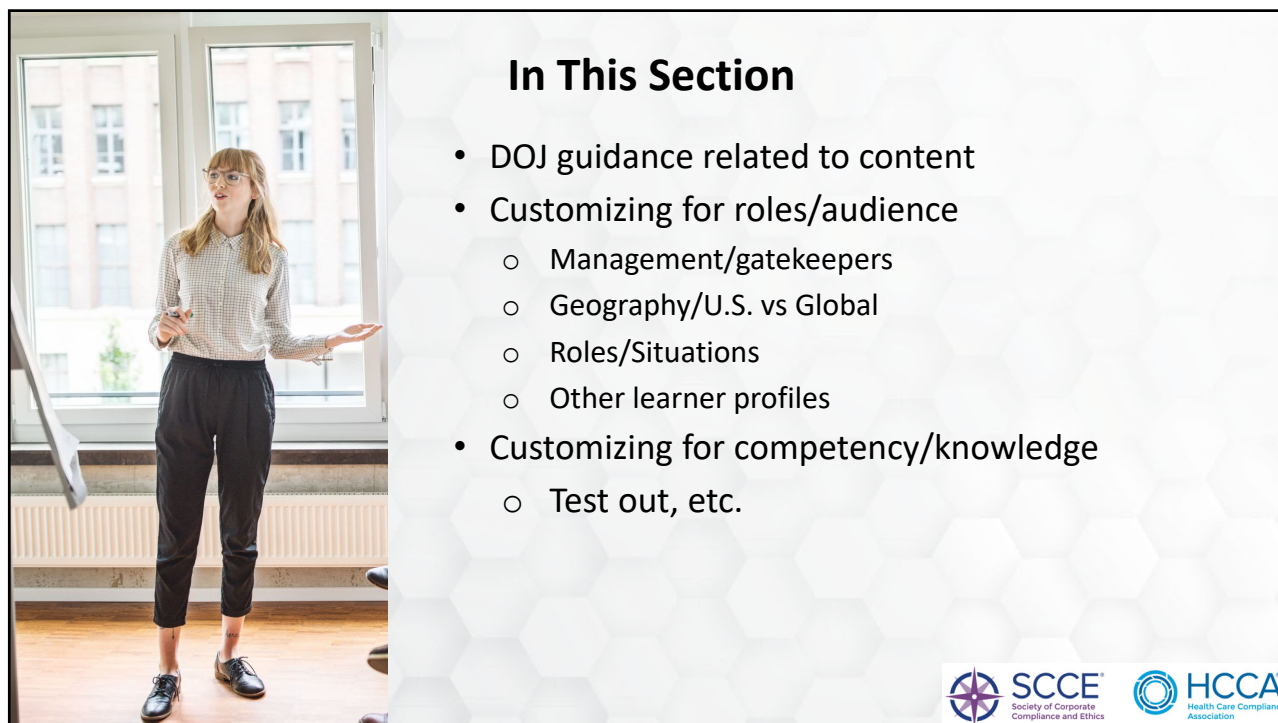
TAILORING YOUR COURSE

Making the Content Relevant for Your Audience

Section Five

Developing and Delivering Effective Compliance Training

1



In This Section

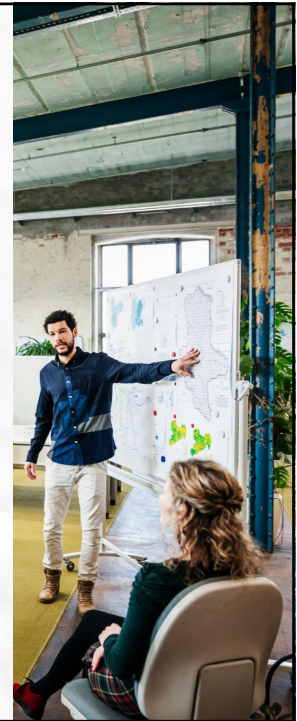
- DOJ guidance related to content
- Customizing for roles/audience
 - Management/gatekeepers
 - Geography/U.S. vs Global
 - Roles/Situations
 - Other learner profiles
- Customizing for competency/knowledge
 - Test out, etc.



2

2020 DOJ guidance on content

- Another hallmark of a well-designed compliance program is appropriately tailored training and communications.
- What, if any, guidance and training has been provided to key gatekeepers in control processes? Do they know what misconduct to look for? Do they know when and how to escalate concerns?
- Has the company provided tailored training for high-risk and control employees?
- Have supervisory employees received different or supplementary training?
- Has the training been offered in the form and language appropriate for the audience?
 - ...tailored to the audience's size, sophistication, or subject matter expertise.



3

Customizing for roles/audiences

- Is this a focused audience or general population message?
- U.S. only or global?
- Do the scenarios and hypotheticals match what they see every day?
- What is the general knowledge level — basic, intermediate, advanced, mixed?
- What's the overall learning goal — in-depth, general awareness?



4

Content aspects to leverage

- Terminology — Code of Conduct vs. Code of Business Conduct, employee vs associate
- Specific guidance
- Scenarios and hypotheticals
- Visuals — logo, colors, photos, brand



5

Example: Global Content Considerations

- Consider global audience from the start
 - Vernacular: Avoid American idioms
 - References: World Cup, not baseball/football; “authorities” not SEC/DOJ
 - Visuals: Clothing, light switches, offices
- Look for ways to introduce a global feel
 - Company pictures from around the world
 - Videos/messages in range of native languages
 - Stories set in specific countries/regions



6

Technology solutions

- Profiling — different people get different course content
- Branching — different learning paths, sometimes with similar teaching points, but different experiences
- Test out — shorter learning experience for those who show competence
 - There is some controversy about using test out in compliance learning

Prosecutors, in short, should examine whether the compliance program is being disseminated to, and understood by, employees in practice in order to decide whether the compliance program is “truly effective.”

