

## CEP Magazine – November 2022



Jochen Vankerckhoven ([hello@jochenv.me](mailto:hello@jochenv.me), [linkedin.com/in/jochenvankerckhoven/](https://www.linkedin.com/in/jochenvankerckhoven/)) is the founder of Compliance Explained in Antwerp, Belgium.

### An audience-driven view on compliance

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By Jochen Vankerckhoven

Many compliance programs fail to inform, engage, and instruct the intended audience. A traditional compliance program is built around legal risks. But it still needs to bridge the gap with its audience.

Bridging that gap is simple, but it's not necessarily easy.

It's simple because we know how to approach audiences thanks to compliance professionals, marketing colleagues, and behavioral science experts. The tools and knowledge are in front of our noses.

But it's not easy to stitch it all together in a way that works best for our audience, so let's explore the front-end design of a compliance program.

#### The audience-driven future of compliance

The claim that compliance should be audience-driven isn't pulled from thin air. It's what most expect to happen in the next few years. Compliance professionals stated that 75% of their core competencies are risk-focused skills:

- Technical regulatory understanding (38%)
- Risk management ability (28%)
- Business/product knowledge (9%)

The focus on audience-driven skills is as low as 25%:

- Stakeholder management (15%)
- Communication skills (6%)
- Influencing skills (4%)<sup>[1]</sup>

But according to the surveyed professionals, the importance of audience-driven skills will rise to a whopping 63% (coming from 25%). That is impressive. It indicates a strong awareness among compliance professionals that the focus will shift. But where does this come from?

Over the last decades, the focus has been placed on the structure and the “why” of compliance. But as compliance matures, the effect becomes more important.<sup>[2]</sup> Not to say the least, because of the *Evaluation of Corporate*

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*Compliance Programs* from the United States Department of Justice.<sup>[3]</sup> To quote some questions in this guidance:

- “Has the training been offered in a form and language appropriate for the intended audience?”
- “What resources have been available to employees to provide guidance relating to compliance policies?”
- “What communications have there been generally when an employee is terminated or otherwise disciplined for failure to comply with the company’s policies, procedures, and controls (e.g., anonymized descriptions of the type of misconduct that leads to discipline)?”

In a more general sense: Has every compliance aspect of your business been offered in a form and language appropriate for the intended and relevant audience and made accessible to this audience?

So how do we achieve this? Do we improve our training materials? Take a behavioral approach? Rewrite our policies and code of conduct? Nurture conversations between employees and stakeholders?

We must do all these things together.

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