

Compliance Today – February 2021 The board report

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The board report: A chore that every compliance officer needs to face periodically. I have heard many compliance officers complain that they don't feel like their board gives the report as much attention as they put into writing it. Every board I have worked with is different. Different in the way they want their material written, different in the way they want the material presented, and very different in what they tend to focus on and to discuss. The key for a compliance professional to engage the board with their report is to understand the nature of their board (or compliance committee). I reported to one board that restricted reports to 10 pages with no less than 12-point font and a presentation of no more than 10 pages with a minimum of 16-point font. I also worked with a board that preferred fairly verbose reports, with reports that typically exceeded 25 pages, and a board that wanted no written reports, only 10-minute PowerPoint presentations highlighting key program activities. Whatever the preferred format, it is important that your compliance report provides the board with the information they need to help them appropriately govern the organization.

I am not particularly fond of using only dashboard, scorecard, or summary metrics reports. Though dashboards are helpful in quickly highlighting certain trends, I don't believe they provide sufficient detail or context for the board to make decisions. Dashboards or summary reports require some written detail for boards to fully grasp your compliance issues, activities, and risks. The following is the content I typically include in my reports:

- Significant investigations (coordinated with legal counsel);
- Government audits, investigations, or other contacts;
- Work plan status and department activities;
- Audit reports and findings;
- Metrics:
 - Hotline reports,
 - Policy distribution,
 - Education, and
 - Monitoring trends;
- Enforcement trends, regulatory changes, and/or other educational materials.

Regardless of how the material is presented, it is vital to keep in mind what it is the board needs to know to

perform their vital oversight function. Keep the report focused on ensuring they have the information they need to govern the organization and assess the effectiveness of your compliance program. Using a risk rating can be helpful for you to prioritize the information that should go into your report.

If you are like most compliance officers, you will have limited time with the board. I find it helpful to assume the members have read your report in advance. Use your time to engage in discussion rather than a recitation of the report. This will allow the board to use their expertise and give you their best advice and insight.

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