

COMPLIANCE & ETHICS PROFESSIONAL

SPECIAL EDITION 2018

# CEP

MAGAZINE

A PUBLICATION OF THE SOCIETY OF  
CORPORATE COMPLIANCE AND ETHICS

## SPECIAL EDITION

HIGHLIGHTS FROM THE  
2018 COMPLIANCE &  
ETHICS INSTITUTE



**LOOK INSIDE**  
FOR HIGHLIGHTS FROM  
THE 2018 CEI AND  
LEARN HOW *YOU* CAN  
TAKE PART NEXT YEAR!



SCCE™

by Jay Rosen

# Compliance buyers and outside providers agree: RFPs stink

**F**or the past three years (2015–2017), I was honored to have moderated an Advanced Discussion Group entitled, “From Bangkok to Bogotá and Boston to Brussels, Global ABC and FCPA Benchmarks, Best Practices and Boot Camps: One Size Does Not Fit All.” This year I needed a new topic. In collaboration with Mary Shirley from Fresenius, we came up with “Secrets from In-house Ethics & Compliance Buyers: How to Keep the Gate and Your Sanity.”

Many in-house compliance officers (COs) and personnel feel that they are consistently bombarded by vendors. Things got so bad for one CO during the Compliance & Ethics Institute coffee breaks, she would speed through the exhibit hall, eyes down, careful not to draw the attention of any of the booth personnel. No matter how many tchotchkes or iPad raffles, this CO did not have product needs or was happy with her current vendor.

In our session, we had attendees from in-house counsel (COs and support staff), outside counsel (who in this case are vendors), and solutions providers representing ethics and compliance training, case management, and hotline solutions. Although the vendors were in the minority, they held

their own and presented their side of the story. One said, “Of course we do not expect to develop a best-friend relationship immediately. This takes time. What we are looking to do is to build trust with our potential client over time, and if the need arises, then we have a foundation to work from.”

One CO from a global energy company shared that he needs to have global vendors in place before a situation occurs, so it is critical for him to not only have ongoing vendor relationships, but also have contracts in place and vendors engaged in advance of a problem arising.

Both the in-house buyers and solution providers agreed that the RFP process is cumbersome, exhausting, and often requires gathering information that does not speak directly to in-house needs. Finally, the room agreed that for the most part, their vendors observe the proper etiquette, but sometimes a few bad apples ruin it for the whole profession.

In closing, I asked everyone to remember that sometimes we’re the buyer and (in the case of an in-house counsel going back to the big law firm), sometimes we are the solution provider. As Mark Knopfler said in a song, “Sometimes you’re the windshield; sometimes you’re the bug.” \*