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BUILDING A RESILIENT COMPLIANCE PROGRAMME IN 2026

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JAN-MAR 2026
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BUILDING A RESILIENT COMPLIANCE PROGRAMME IN 2026

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Patrick Wellens brings 30-plus years' experience in governance, risk and compliance in the pharma, FMCG and manufacturing industries. For the last 11 years, he has worked at a large pharma company as country compliance officer, country data privacy officer and global divisional compliance officer, where he designed and implemented the compliance management system, designed and implemented global third party risk management system and participated in numerous global compliance projects. Mr Wellens is the chairman of Ethics and Compliance Switzerland.

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Dr Anita Schieffer began her professional career as a lawyer in the legal department of Siemens AG in international contract law and IT law in 2002. In 2008, she moved to the compliance department and was involved in the investigation of the corruption scandal and the implementation of the Siemens compliance system. She held various management positions in the Siemens compliance organisation, including in the areas of antitrust compliance and anti-money laundering.

R&C: What defines resilience in a modern compliance programme?

Kenny: Modern compliance programmes that are resilient are adaptable to regulatory change. We work in a volatile regulatory environment, and it is important to have agile frameworks that can quickly incorporate or adapt to new laws, guidance and enforcement trends. They also involve integrated risk management that breaks down silos between functions such as legal, compliance, human resources and operations. These integrated functions then can drive integrated policies training and risk assessment. A modern compliance programme should also have a process for continuous monitoring and continuous improvement which seeks to evolve compliance in the context of a good understanding of risk maturity.

Wellens: Resilience in a modern compliance programme is defined by its capacity to anticipate risks, integrate compliance into daily operations, leverage data intelligently, respond swiftly to incidents and continuously improve – all anchored in a strong ethical culture. A resilient compliance programme is built on continually updated risk assessments. It adapts to changes in business models, regulatory expectations, geopolitical

environments and technology. It also requires frequent programme effectiveness reviews, internal audits and benchmarking to continuously improve.

> **"Compliance management software centralises documentation for due diligence, training and reporting, ensuring consistency across regions."**

Anita Schieffer,
Siemens Energy

Schieffer: Resilience in a modern compliance programme means it can adapt to changing regulations, business environments and emerging risks. Recent examples include the war in Ukraine, which led to rapid changes in sanctions, and supply chain risks from the current geopolitical situation. A resilient programme includes proactive risk assessment, continuous monitoring and agile response mechanisms. It fosters a culture of compliance where employees are engaged and informed. Furthermore, resilience integrates compliance into the organisation's strategic objectives, making it a fundamental aspect of the

business strategy rather than just a checkbox exercise.

R&C: How can compliance be embedded into daily operations without creating friction?

Wellens: Embedding compliance into daily operations without creating friction is achievable when it becomes a natural, streamlined part of how people work. The key is to integrate compliance into processes, tools and decision making in a way that is intuitive, automated and supportive rather than obstructive. Policies should be easy to find, visually attractive and written in short, plain language. Compliance should be built into processes, such as including compliance clauses in standard contract templates. Systems can provide tooltips and embedded checklists, so employees receive guidance when they need it, rather than reading lengthy policies. Approvals should be reduced where possible, with tiered approvals applied based on risk, and tasks should be automated wherever feasible. Performance reviews and key performance indicators (KPIs) should reinforce compliance and ethical decision making, making compliance part of normal behaviour through metrics and rewards. Finally, compliance should

be embedded directly into cross-functional project teams.

> **"Companies must change their mindset around compliance. It should not be viewed as being a hinderance – rather, it should be considered as a business enabler."**
>
> *Anthony Kenny,*
> *GSK*

Schieffer: Organisations should integrate compliance processes into existing workflows instead of adding extra burdens. This can be done with user-friendly tools and training that highlight compliance's role in achieving business goals. Regular communication and collaboration between compliance teams and operational units help create a shared understanding of compliance requirements. Leveraging technology to automate compliance tasks reduces manual effort and minimises friction. This allows employees to focus on their core responsibilities while ensuring adherence to regulations.

Kenny: Compliance can be embedded into daily operations by integrating compliance requirements within operational processes so that compliance can become part of an organisation's DNA. Additionally, artificial intelligence (AI) and other tools can be used to automate tasks that are viewed as administrative or repetitive, such as monitoring or reporting or evidence gathering. Companies must change their mindset around compliance. It should not be viewed as being a hinderance – rather, it should be considered as a business enabler. As well as protecting the value of the business by protecting its reputation, the compliance and risk management functions can help unlock efficiencies and drive growth.

R&C: What role does culture play in sustaining long-term compliance effectiveness?

Kenny: Creating a robust compliance culture is critical. It is the foundation of a strong compliance enterprise risk management system. Having a strong compliance culture can move an organisation from being a rules-based operation to a values-based operation. Compliance should not just be about policies. Rather, it should be about creating an environment based on ethical behaviour. A strong compliance culture aligns organisational values with legal obligations. Company leaders should set the tone. It is important that leaders consistently demonstrate ethical decision making and visibly champion compliance and risk management. Employees must feel that compliance is a part of their path to business success, not a tick-box exercise. Psychological safety is key to success. A strong compliance culture is rooted in trust and openness. Employees must feel safe speaking up. Linked to this, employees must be engaged in risk management and compliance.

Schieffer: Culture is essential for long term compliance effectiveness, as it shapes employee attitudes and behaviours toward compliance. A strong compliance culture promotes ethical decision making and encourages employees to prioritise integrity. This is supported by tone from the top and transparent communication. When employees feel valued and understand compliance's importance, they are more likely to report concerns and follow policies. Organisations can use regular employee surveys to measure their compliance culture. Specific questions assess employees' identification with the compliance programme, trust in reporting channels and confidence in ethical decision making. Over the past five years, compliance culture has received excellent ratings. Positive culture builds trust, reduces risks and contributes to an organisation's overall success. Regular messaging from the board

and senior managers, such as town halls and video messages, reinforces the tone from the top.

Wellens: Culture is the foundation that makes compliance sustainable. Culture is the single biggest determinant of long term compliance effectiveness. Controls, policies and technologies can fail, but a strong culture ensures people make the right choices even when no one is watching. As companies grow and become more complex, or go through digital transformations or restructuring, policies cannot cover everything, but strong culture helps. If the company culture does not value integrity and compliance but rather focuses on business growth, revenue or other internal parameters, then employees will look for ways to circumvent policies or controls. In companies with a strong culture, employees are equipped to push back against

pressure from business partners, customers or internal targets to bend the rules. Ideally, leaders act ethically and reinforce the importance of ethics and compliance in their decision making.

R&C: How should chief compliance officers measure and report programme performance to the board?

Schieffer: Chief compliance officers should measure and report programme performance using a combination of quantitative and qualitative metrics. KPIs, such as training completion rates, case statistics and risk development, provide valuable insights into compliance effectiveness. Additionally, qualitative assessments, including employee feedback and case studies, can illustrate the programme's impact on organisational culture. Regular reporting to the board should highlight trends, successes and areas for improvement, ensuring that compliance is viewed as a strategic priority. Engaging the board in discussions about compliance risks and initiatives fosters accountability and support for the programme.

Wellens: Boards have limited time and want clarity on whether the organisation is compliant today, where it may fail tomorrow, and how confidently the compliance programme can prevent or respond to risks. Reporting should therefore be structured to cover programme effectiveness by flagging

weaknesses and explaining corrective actions, cultural indicators such as survey results, speak-up trends, and major incidents, as well as risk exposure through heat maps and geographical, product or third-party risks. It should include independent assurance on programme effectiveness through external benchmarks, peer comparisons and internal audit reviews. Boards also need visibility on the top five risks that could materially impact the organisation, how compliance risks are addressed in strategic initiatives such as market expansion, M&A or product launches, and how the compliance programme mitigates these. Finally, reporting should outline upcoming priorities, including areas for improvement, required investments and progress on enhancements already underway.

Kenny: Effective measurement and discussion of risk and compliance issues should involve the measurement of output metrics and outcome metrics, covering topics such as training completion rates and engagement with policies and the tools provided, as well as records of incidents and risk assessment outcomes. Risk management and compliance boards and audits, both internal and external, can provide key indicators of emerging issues. Employee surveys are also important indicators of the strength of a company's compliance culture.

R&C: What are the most effective ways to encourage employee reporting of suspected non-compliant activities?

Wellens: Organisations should make it easy for employees to report – avoid long, complicated forms or reports and offer multiple channels, such as confidential hotlines, web portals, mobile apps and direct channels to compliance, so employees can choose what feels safest and explain the investigation process after reports have been made. To build trust in the reporting process organisations should share in anonymised form examples of issues raised, actions taken by the company and how the company protected the reporter. Organisations should create psychological safety to remove the fear of speaking up. Organisations should have strong non-retaliation policies. Senior leaders should openly reaffirm non-retaliation, conduct retaliation risk assessments after each report and, if applicable, discipline retaliators visibly so that employees see that such behaviour is not tolerated. Furthermore, compliance departments should analyse cultural surveys and identify countries, divisions or business units with low speak-up numbers and identify root causes.

Schieffer: Encouraging employee reporting of suspected non-compliance requires a safe and supportive environment. For example, violations of the law or business conduct guidelines can be reported to the employees' managers, to compliance or to the human resources department. In addition, anonymous reporting channels, such as a speak-up hotline, allow employees and external parties to report violations 24/7 in multiple languages. A secure system, hosted by an external provider, ensures confidentiality and compliance with legal standards. Clear communication about the importance of reporting, and training on recognising non-compliance, further empower employees to speak up. Additionally, employees can contact the ombudsperson or an external lawyer for confidential support regarding suspected violations. Reports made in good faith are protected against retaliation, fostering a culture of transparency and accountability.

R&C: How can technology be leveraged to scale compliance across global operations?

Kenny: Technology is an increasingly important and necessary tool for scaling compliance across global organisations. Global organisations face fragmented regulations, such as the European Union's General Data Protection Regulation, and environmental, social and governance disclosures, higher operational complexity and enforcement that is escalating in terms of harshness with the linked increase in reputational risk. Tools that can be used

include AI, particularly agentic AI, which can be used to drive predictive analytics, continuous monitoring and automated updates to policies.

Schieffer: Technology enhances the scalability of compliance efforts across global operations – automating processes, standardising procedures and enabling real-time monitoring. Compliance management software centralises documentation for due diligence, training and reporting, ensuring consistency across regions. Data analytics tools help identify trends and potential risks, allowing for proactive responses. By leveraging technology, organisations streamline compliance efforts and reduce manual workloads. This ensures compliance standards are upheld consistently across all locations.

Wellens: Technology can scale compliance across global operations by making controls consistent, automated, data-driven and embedded directly into business workflows. Global platforms enable standardised compliance processes and workflows, while real-time monitoring and analytics provide insights through consolidated dashboards, regional heat maps, and training completion rates. High-volume, low-judgment tasks can be automated, and

compliance controls can be embedded directly into operational systems such as enterprise resource planning and customer relationship management, ensuring compliance is integrated seamlessly into day-to-day activities.

> "Embedding compliance into daily operations without creating friction is achievable when it becomes a natural, streamlined part of how people work."

Patrick Wellens,
Ethics and Compliance Switzerland

R&C: What lessons can be learned from recent enforcement actions and failures?

Schieffer: Recent enforcement actions and failures highlight the critical importance of proactive compliance measures and the need for a robust risk management framework. Organisations must prioritise thorough risk assessments and ensure that compliance programmes are dynamic and adaptable to evolving regulations. Transparency

and accountability are essential, thus companies should foster a culture where ethical behaviour is encouraged and non-compliance is addressed promptly. Additionally, the significance of effective communication and training cannot be overstated, as employees must be well-informed about compliance expectations. Learning from these cases can help organisations strengthen their compliance programmes and mitigate future risks.

Wellens: When examining global enforcement actions, corporate scandals and compliance failures, several recurring themes emerge. Often the compliance function lacks proper standing within the organisation – it is not independent, lacks authority and resources, and its advice is ignored. The tone at the top is frequently missing, with management and boards failing to lead by example. Ethics and integrity take a back seat when business objectives and sales targets dominate, and incentive structures reward risk-taking and cutting corners. Compliance is also not sufficiently operationalised, with policies and codes of conduct existing on paper but not embedded into systems and processes, leaving controls ineffective in practice. Inadequate due diligence on third parties is another common issue, as many corruption, sanctions and human rights cases stem from poor monitoring of intermediaries and limited visibility into supply chains. Oversight must be risk-based and continuous, not just at

onboarding. Finally, risk assessments and controls often fail to keep pace with organisational changes such as rapid expansion, entry into high-risk markets, new business models, digital transformation and M&A activity, resulting in compliance processes and systems lagging behind, and creating vulnerabilities.

Kenny: As was vividly demonstrated by the recent Post Office scandal in the UK, the tone at the top and compliance culture, or lack thereof, is critical. Enforcement cases show that weak oversight and unchecked leadership are often the root causes of systemic compliance failure. The lesson we can take away is to beef up governance frameworks, ensuring there is clear accountability, independent oversight and initiative-taking risk monitoring. Another feature of the Post Office and other scandals such as the Blood scandal and Volkswagen emissions fraud, is the tendency to take ethical shortcuts. Sadly, such ethical shortcuts can have a devastating impact on people and create financial and reputational damage. To counter this, we can embed ethics into our decision-making processes and reward integrity over short-term gains. The Boeing scandal is a harsh reminder of what can happen when a speak-up culture and whistleblower protection is mismanaged. It is important to create and demonstrably maintain trusted reporting channels that protect whistleblowers. **RC**