The Complete Compliance and Ethics Manual 2024
Essential Steps for Ethics and Compliance Program Branding and Marketing

Overview

If your company hasn't already taken the leap, now is the time to borrow a page from the discipline of marketing to improve ethics and compliance program success. Any good marketer knows that having an amazing product is worthless if no one knows about it, sees its value, can understand it, or can figure out how to use it. To ratchet up the success of its ethics and compliance program, your company needs to combine the powers of branding and marketing to build the attention your program deserves.

Branding is a critical need for businesses of all shapes and sizes and the departments that comprise them. Branding is an overarching element of communications and stakeholder awareness efforts for your ethics and compliance program. A strong brand is one of the most valuable assets a compliance program can have. A strong brand will inspire loyalty, trust, and higher employee engagement. Next, a marketing effort provides the ongoing recognition and awareness to reinforce the program's brand and keep leaders and other employees up-to-date with the program's strategy, operations, and activities. The combination of branding and marketing provides a potent formula for ethics and compliance program success.

Start with Branding

Often when compliance professionals are setting up their ethics and compliance program, or revamping an existing one, they make a big mistake. They go straight to sending out basic communications like emails, posters, and intranet posts without first developing a well-thought-out marketing strategy. They don't take the time to brand their department. Brands are created when there are customers who need to be served—and departments have customers, especially ethics and compliance departments.

The branding process should be strategic, focused on the big picture and long-term efforts that address the "why" behind the program. The marketing and communication efforts are more of the tactical, focused, and shorter-term efforts that address the "how"—the way the program works. Branding starts inside your department and marketing starts with your employees. A strong compliance brand will live in the hearts and minds of your employees. Your customers include groups such as employees, contractors, board members, and suppliers. The way your employees perceive your compliance program's brand has consequences.

When you start building your brand, ask yourself and your compliance team:

- What is your company's compliance department known for?

- What is the reputation of your program and do you like it?

- Do employees have positive or negative associations with the compliance department?

- Is the compliance department known as trustworthy, responsive, and innovative?

- Alternatively, is the compliance team known for being unresponsive and taking up employee time with meaningless "check the box" tasks?

These are important questions to ask yourself and your team, and it is critical that honest answers are given. If your program's brand associations are negative, then own up to the negativity. For example, if managers have a negative perception of the compliance department and see the team as a blocker to business, then they may intentionally ignore or avoid you. They are using the "ask for forgiveness" tactic rather than asking for permission and guidance. A positive brand association is critical to the success of your compliance program.

A well-known proverb is worth remembering: "It takes years to build up trust, and only seconds to destroy it." Your brand lives in the minds of your customers, including your employees. Your brand is meaningless if it does not positively resonate with your employees. And your brand will not resonate with your employees if they do not highly value what you are delivering to them.

Six Questions for Branding Your Compliance Program

Before you begin a branding effort, reach out and work with your internal marketing and communications teams. They will be an invaluable resource, and it will help you to engage them early rather than face their criticism later on.

When you are ready to brand or rebrand your compliance program, it's good to start by answering these questions. It will help you better understand what your compliance program brings to your customer—your employees and other key stakeholders.

1. **What is the current compliance experience?** Your brand is what people say it is—your goal is to eventually influence their thinking. Before beginning a branding effort, you need to understand your employees' and others' current perception of your ethics and compliance program. When your employees think about the compliance program, what comes to their minds? Is it good, bad, or somewhere in between? Does it match how you see the compliance program?

2. **What is your program's mission statement?** A strong mission statement (or program charter) will help spell out precisely what you're trying to accomplish (and what you're not), and you should align all your efforts around that goal. Your mission statement gives your compliance program a distinct identity and purpose and is something to which everyone can hold themselves accountable. Don't have a mission statement for the program? If not, this is a good early step.

3. **Do you have leadership buy-in?** Along with the support from your marketing and communications department, you certainly need the support of senior leadership. You want your leadership team to be authentic evangelists for your compliance brand. For your brand to be seen as trustworthy, it has to be embraced by all employees, and that goal must start with the top. Your employees need to see leadership's actions and words aligning with your compliance mission statement before they are willing to do the same.

4. **Who is the compliance department's primary target customer(s)?** More than likely your employees are your first-line customers, and you may define those customers by department, role, location, and exposure to risk. Great brands are stellar because they don't take a one-size-fits-all approach. They take the time to consider what all your customers, including stakeholders, have in common and what their unique needs are. For example, what are their most urgent and pressing concerns? Are those concerns consistent across all stakeholders, or do concerns vary based on regulations or policies? Do all your stakeholders use the same communication channels to report compliance concerns, or do they vary based on location or division? You must take the time to know your audience and their needs for your branding efforts to be successful. You cannot build brand loyalty if your efforts are not aligned with your stakeholders' needs and desires.

5. **What are the compliance program's core competencies?** The success of a compliance program and how your employees and other stakeholders perceive it is greatly influenced by the competencies of the compliance officer and his or her team. The core competencies of a compliance team are what bring the compliance program and brand to life and create a connection with employees. A compliance team's core competencies will help evoke traits such as trust, fairness, and transparency. Ultimately, these competencies enable you to keep the promises you make. Core competencies may include such items as:

   - Strong communication skills and the ability to put things into context

   - The ability to evaluate risk and deliver results with tact

   - Independence

   - Reliance on research and analytics

   - Innovative approaches

   - Strong moral compass; trustworthy

   - Fairness and transparency

6. **What benefits does compliance deliver to your employees?** What benefits do your employees receive when they use the services or products offered by the brand? For example, your compliance department may provide employees with a safe and secure place to share their concerns and ask compliance-focused questions without judgment. You may provide leadership and the board of directors with hotline cases, and training records that help illustrate how risks are being mitigated and an ethical culture is being fostered. It does not matter if the benefits your compliance program delivers are qualitative or quantitative if they are readily identifiable and valued by your primary target customers.

Remember, branding is not a trick. The goal of branding your compliance program is not to create an illusion of trust or pull a fast one on your customers. You are not selling "perception is reality;" instead, you are building a brand and taking the position that "reality shapes perceptions." It takes years to build a strong brand. And anytime you fall short on fulfilling a promise, you weaken the reputation of the compliance department, frustrate your employees, and foster a negative association with your brand. Remember, your brand is meaningless if it does not positively resonate with your employees, and your brand will not resonate well if they do not highly value what you deliver to them.

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