

IMPLEMENTING GLOBAL COMPLIANCE STANDARDS AT A LOCAL LEVEL CAN BE DIFFICULT FOR CLIENTS - EVERSHEDES NICEA

Posted on 18/09/2015



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“Culture is a big aspect of compliance,” according to María Hernández, a partner at Eversheds Nicea in Madrid. “Compliance is increasingly an international and cross-border consideration so it is not always enough just to know the rules but also how they are implemented at a local level.”

Hernández says that many multinationals have been trying to consolidate their compliance structures in a pan-global system and, while this helps in terms of consistency, there needs to be much more understanding of how such processes work practically.

“After establishing a global compliance standard, companies then have to deal with countless local regulations and customs when it comes to realising that standard,” she continues. “It is easy to look at the rules in terms of Spain, the US and the UK but in other parts of the world, whether Latin America or Asia, there is a very different approach.”

Hernández says that businesses and their employees need knowledge of local processes and procedures, such as how to interact with the authorities, reporting obligations and how to handle

"red flags". She believes it can be harder to get the cultural aspect of the equation right. "A legal and a cultural approach is needed for compliance," Hernández adds. "A critical part of that is training, ideally 'live' training – if you are able to have compliance experts on the ground working with local units then that helps bridge the gap," she says. "Likewise, having the regional director talking about compliance and explaining how things will work locally is also an immense help." She concedes that this may not always be practical for companies with a presence in many different locations around the world and says that – for the purposes of cost effectiveness – online training can be a decent substitute.