

The Eight “Ps” for Effective Compliance Investigations

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The following are eight guidelines to prevent poor outcomes when conducting compliance investigations.

1. **Policies.** Developing and implementing written policies and procedures is very important. Policies should articulate the standards against which investigations are conducted. Enforcement actions may be taken on the basis of frequent violations of written policies. Organizations should also implement written procedures that articulate the process for conducting investigations.
2. **Purpose.** Complaints and allegations should be analyzed upon receipt to determine what information is needed to resolve them. That is, the purpose of an investigation should be established before any further action is taken.
3. **People.** All effective investigations rely upon properly trained personnel. A lack of this important resource will lessen the value of any investigation. Investigators need to know the goal of the investigation, how to achieve the goal, and what information is required for the final report.
4. **Plan.** One of the biggest mistakes organizations make is failing to plan the steps to be followed before initiating an investigation. The planning stage should include identifying the information that is known and that which needs to be discovered by the investigation. This process should not only define what is needed, but also specify how it can be found. Organizations should also identify the individuals to be interviewed and plan the methodology, location, and order of interviews.
5. **Professionalism.** To establish credibility, investigators must comport themselves in a manner that is respectful of all those involved in an investigation. Investigators must also demonstrate an understanding of the underlying issues and conduct interviews in a manner that elicits the optimal amount of information.
6. **Process.** Effective investigations result from following established and proven procedures for gathering evidence.
7. **Performance.** This is a matter of accomplishing the objectives of the investigation and obtaining all available, needed information in a timely and efficient manner.
8. **Presentation.** An investigation cannot be considered effective if the results are not memorialized in a report that includes actionable information for decisionmakers.

Investigators should prepare a clear and accurate report that presents content in a logical order.

Following these principles will increase the likelihood of positive outcomes from investigations. Failing to follow them is likely to result in poor investigative performance and the improper resolution of issues; the effectiveness of the entire compliance program may also be brought into question. The underlying best practice is to properly educate and train personnel who may be called upon to resolve complaints and allegations.

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