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Compliance management systems - Guidelines for competence management

Systèmes de management de la conformité — Lignes directrices pour la gestion des compétences

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Contents

Page

Foreword	iv
Introduction	v
1 Scope	1
2 Normative references	1
3 Terms and definitions	1
4 Competence management	2
4.1 General.....	2
4.2 Objectives of competence management.....	2
4.3 Determining competence needs.....	3
4.3.1 General.....	3
4.3.2 Organizational competence.....	4
4.3.3 Governing body and top management competence.....	4
4.3.4 Compliance function competence.....	4
4.3.5 Management competence.....	5
4.3.6 Risk-exposed personnel competence.....	5
4.3.7 Third parties' competence.....	5
4.4 Assessing the current state of the competence and development needs.....	6
4.4.1 Status needs of competence.....	6
4.4.2 Risk assessment in relation to determination of status needs of competence.....	6
5 Competence development	7
5.1 General.....	7
5.2 Planning.....	7
5.3 Program structure.....	7
5.4 Activities.....	8
5.4.1 General.....	8
5.4.2 Competence development activities.....	8
5.5 Roles and responsibilities.....	9
6 Evaluation of competence management program	9
6.1 General.....	9
6.2 Evaluating competence management.....	10
6.3 Maintaining and continuous improvement of competence management.....	10
Annex A (informative) Competence portfolio	12
Bibliography	18

ISO/DIS 37303:2024(en)

Foreword

ISO (the International Organization for Standardization) is a worldwide federation of national standards bodies (ISO member bodies). The work of preparing International Standards is normally carried out through ISO technical committees. Each member body interested in a subject for which a technical committee has been established has the right to be represented on that committee. International organizations, governmental and non-governmental, in liaison with ISO, also take part in the work. ISO collaborates closely with the International Electrotechnical Commission (IEC) on all matters of electrotechnical standardization.

The procedures used to develop this document and those intended for its further maintenance are described in the ISO/IEC Directives, Part 1. In particular, the different approval criteria needed for the different types of ISO documents should be noted. This document was drafted in accordance with the editorial rules of the ISO/IEC Directives, Part 2 (see www.iso.org/directives).

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Any trade name used in this document is information given for the convenience of users and does not constitute an endorsement.

For an explanation on the meaning of ISO specific terms and expressions related to conformity assessment, as well as information about ISO's adherence to the WTO principles in the Technical Barriers to Trade (TBT) see www.iso.org/iso/foreword.html.

This document was prepared by Technical Committee ISO/TC 309, *Governance of Organizations*.

Any feedback or questions on this document should be directed to the user's national standards body. A complete listing of these bodies can be found at www.iso.org/members.html.

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Introduction

A compliance management system enables an organization to demonstrate its commitment to comply with relevant laws, regulatory requirements, industry codes and organizational standards, as well as standards of good governance, generally accepted best practices, ethics and the expectations of the interested parties. It has become an integral part to any organization that aims to be successful and sustainable in the long term. A compliance management system is notably made sustainable by creating a compliance culture in the organization and by establishing common standards in behaviour and attitude affecting its compliance. International standard ISO 37301:2021 sets out the requirements and provides guidelines for establishing, developing, implementing, evaluating and improving competence necessary to ensure the effectiveness of the compliance management system. This document provides guidance to support the implementation of the requirements in ISO 37301:2021 related to competence and training, mostly expressed in clause 7.

Competence management is a fundamental factor of an organization's compliance management systems and activities. Competence management support an organization to recognize and determine the necessary competence requirements of the personnel doing work under its control to achieve the intended results of its compliance management system. Competence management ensure that persons doing the work under the organizations' control are timely qualified with knowledge, skills and experiences to fulfil the relevant compliance obligations based on appropriate education, training, or experiences by practice.

Competence management is tailored to the context of the organization, the roles and responsibilities, the planning and support activities and the operations of the compliance management system and can support the organization to evaluate and determine the necessary competence needs including relevant knowledge, skills and experiences. It is also the key to ensure that the organization complies with its compliance obligations, integrates compliance management into the organization's business processes and operational links, and develops a compliance culture. Competence management can also improve the overall efficiency and productivity of the organization's compliance management system and make an important contribution to enhancing personnel competitiveness and contribute to achieving the strategic direction and expected results of the organization.

Compliance competence is managed through the systematic process of the compliance management system following the "Plan" (P), "Do" (D), "Check" (C) and "Act" (A) method.

This document provides guidance to organizations in addressing issues related to competence management within their compliance management systems. It can also be used as a general guide in the area on competence management within other management systems standards. It can also be used as a general guide in the area on competence management within other management systems standards.

This document provides guidance on fully integrating competence management within a compliance management system. [Figure 1](#) outlines this process.

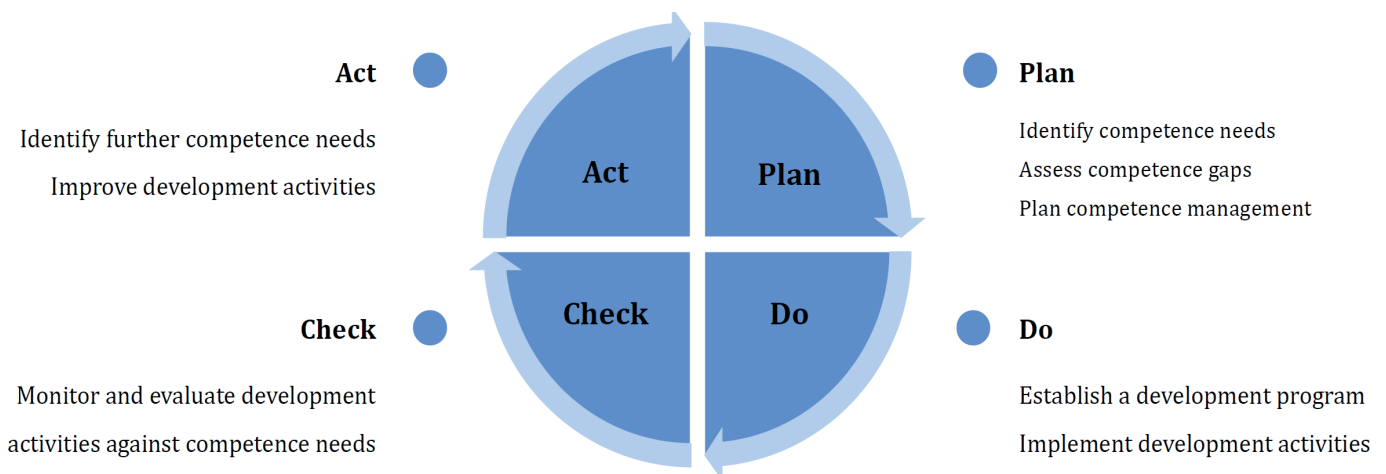


Figure 1 — Managing and processing the process for competence management

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In this document, the following verbal forms are used:

- “should” indicates a recommendation;
- “may” indicates permission;
- “can” indicates a possibility or a capability.

Information marked as “NOTE” is for guidance in understanding or clarifying the associated requirements.

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Compliance management systems — Guidelines for competence management

1 Scope

This document provides guidelines for the determination and development of competencies necessary to achieve an organization's compliance management systems objectives. It provides guidance for establishing the adequate level of competencies of certain internal functions and third parties.

This document is applicable to all types of organizations regardless of the type, size and nature of the activity, as well as whether the organization is from the public, private or non-profit sector.

It does not add to, change or otherwise modify requirements for compliance management systems or any other standards.

2 Normative references

The following documents are referred to in the text in such a way that some or all of their content constitutes requirements of this document. For dated references, only the edition cited applies. For undated references, the latest edition of the referenced document (including any amendments) applies.

ISO 37301, *Compliance management systems — Requirements with guidance for use*

3 Terms and definitions

For the purposes of this document, the terms and definitions given in ISO 37301 apply.

ISO and IEC maintain terminological databases for use in standardization at the following addresses:

- ISO Online browsing platform: available at <https://www.iso.org/obp>
- IEC Electropedia: available at <https://www.electropedia.org/>

3.1

competence

ability to apply knowledge and skills to achieve intended results

[SOURCE: ISO 37301:2021, 3.09]

3.2

knowledge

human or organizational asset enabling effective decisions and action in context

[SOURCE: ISO 30401:2018, 3.25, modified — The notes to entry have been removed.]

3.3

skill

learned capacity to perform a task to a specified expectation

[SOURCE: ISO 30401:2018, 3.30]

ISO/DIS 37303:2024(en)

3.4

competence management

systematic approach to identifying, determining, assessing and continuously improving competencies needed within an organization to ensure that individuals have the required *knowledge* (3.2) and *skills* (3.3) to meet organizational objectives. It also encompasses the strategic planning and oversight of competencies at an organizational level and encouragement of person(s) to acquire new or advanced *competence* (3.1) by creating learning and training opportunities with circumstances to deploy the results that have been acquired.

3.5

behaviour

way in which someone acts, reacts and interacts with others in a certain situation

Note 1 to entry: Behaviour can be shaped by personal values, beliefs, habits and social norms and reflects a person's attitudes and feelings such as emotional intelligence, ability to remain calm in a crisis, ability to maintain concentration during monotonous work and ability to work cooperatively within a direct team and across the organization or with customers etc.

4 Competence management

4.1 General

The organization should identify, determine, assess and improve the necessary competence needs of person(s) doing work under its control that affects its compliance performance. Competence requires knowledge and skills, which applied over time will build experience so that person(s) can perform their function(s) in such ways that supports the objectives of the compliance management system.

The organization should determine competency criteria in respect to the development, implementation, monitoring and continual improvement of the compliance management system, as well as for compliance risk areas in relation to relevant compliance obligations.

The necessary competence criteria should be determined for all relevant functions that are assigned roles and responsibilities in the compliance management system, such as governing body, top management, compliance function, management and risk-exposed personnel and third parties doing work under the control of the organization that can affect its compliance performance.

The organization should determine the expected and common standard of ethical and professional behaviours and conduct related to the relevant compliance obligations that is required to encourage and support compliance.

The organization should review and update the competence needs for each function periodically or as necessary, to ensure personnel meet the competence needed to fulfil the compliance obligations and objectives of the compliance management system.

Documented information should be maintained and retained as appropriate to support and demonstrate:

- determination of competence needs at the organizational, governing body and top management, compliance function, management, risk-exposed personnel and relevant third parties' level;
- results of individual qualifications, performance and appraisal;
- achievements of development programs and other initiatives, e.g. training;
- evaluation of the impact of competence management and associated actions.

4.2 Objectives of competence management

The intended result of compliance competence management is to ensure the organization and its personnel have the necessary and relevant knowledge, skills and experience and to create an environment that