



CFPB Readiness Series: Chief Compliance Officer Responsibilities

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This information is not intended to be legal advice and may not be used as legal advice. Legal advice must be tailored to the specific circumstances of each case.

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It is not intended to be a full and exhaustive explanation of the law in any area, nor should it be used to replace the advice of your own legal counsel.



Who is KirkpatrickPrice?

KirkpatrickPrice is a licensed CPA firm, providing assurance services to over 250 clients in more than 42 states, Canada, Asia and Europe. The firm has over 10 years of experience in information assurance by performing assessments, audits, and tests that strengthen information security, and compliance controls.



KirkpatrickPrice Services

- Compliance Management System
 - Program development and consulting
 - Policy & procedure drafting
 - Risk assessment guidance
 - Internal audit plan development
 - CFPB Readiness Audit
- Information Security Audit
 - Guidance and audit services:
 - PCI DSS 3.0
 - SSAE 16
 - SOC 2
 - FISMA
 - ISO 27001 / 27002



Welcome

Jessie Skibbe is a former Chief Compliance Officer with 10 years of ARM industry experience. As Director of Compliance Services for KirkpatrickPrice, she is focused on assisting clients in meeting regulatory compliance & information security objectives.

- ACA Certified Credit & Collections Compliance Officer (CCCO)
- ISC2 Certified Information Systems Security Professional (CISSP)
- DBA Certified Receivables Compliance Professional (CRCP)
- PCI SSC Qualified Security Assessor (QSA)



Overview

- CFPB Publications
 - CFPB Examination Procedures for Debt Collection
 - Module 1: Internal Structure, Controls and Compliance Management
 - #7: Review the entity's general compliance management system using the compliance management review section of the *CFPB Supervision and Examination Manual*
 - CFPB Supervision and Examination Procedures
 - Page 34: Compliance Management Review
 - Page 885: Compliance Management Review Template



Welcome

Brit Suttell is Director of Compliance for Burton Neil & Associates, P.C., located in West Chester, Pennsylvania. Ms. Suttell is an attorney who has been with the Firm for 8 years. She handles all client and regulatory compliance as well as oversight, implementation and creation of her Firm's CMS which includes drafting and updating Firm policies and procedures. Ms. Suttell is a member of ACA International as an Attorney Member, Pennsylvania Bar Association, American Bar Association, and NARCA where she serves on the Conference Planning Committee.



Chief Compliance Officer

- Chief Compliance Officer
 - Key Component of the over all Compliance Management System
 - Required role within the organization
 - Title vs. Role
 - Appropriate qualifications and experience.
 - Collection Law Firms
 - Debt Buyers
 - Collection Agencies



Board/Management Oversight

- Identify the Chief Compliance Officer
 - Organizational Chart
 - Chief Compliance Officer Bio
 - Policy
- Review the Role of the CCO
 - Job Description
- Authority and Accountability
 - Appointment of Authority
 - Policy approved by Board/Management



Compliance Function

- Identification of new regulatory requirements
 - Policy and Procedure
 - Resources
 - ACA International: [Guide to State Laws & Practices](#)
 - ACA International: [Fastfax](#)
 - Ballard Spahr LLP: [CFPB Monitor](#)
 - Moss & Barnett, PA: [The Debt Collection Drill](#)
 - Maurice & Needleman: [Consumer Financial Services Blog](#)
 - InsideARM: [CFPB Resources](#)
 - CFPB: [Newsroom](#)
 - Process of incorporating relevant updates



Compliance Function

- Review processes for development and implementation of new consumer financial products or services.
 - Involvement of the CCO sooner vs. later.
- Documented Compliance Program
 - Policies and Procedures
 - Training
 - Monitoring and Corrective Action



Policies and Procedures

- Designated Authority for Approval
- Board/Management Involvement
- Outdated Content
- Address compliance with Federal consumer financial laws.
- Reference for employees in their day – to – day activities.



Training

- Evidence of Board / Executive Management Training
 - Training materials
 - Log of training session attendance
- Consistent with policy and procedure
 - Training designed to reinforce documentation
- Compliance professionals have access to training necessary to administer the program.
 - Annual Training Plan
- CCO's role in the development of training materials
 - Selecting, reviewing or delivering content



Monitoring and Corrective Action

- The Chief Compliance Officer's role
 - Policy & Procedure
 - Monitoring
 - Testing
 - Corrective Action
 - Maintain a monitoring and testing schedule
 - Coverage of service providers
 - Compliance Analytics



Consumer Complaint Response

- The Chief Compliance Officer's role
 - Ensure complaints are promptly addressed
 - Categorized appropriately
 - Review of complaints
 - Analysis of complaints
 - Identify weaknesses in the compliance management system
 - Challenges



Compliance Audit

- Audit program must maintain sufficient independence, reporting to the board/management.
- Compliance and unit managers should receive a copy of audit reports
 - Chief Compliance Officer
- Audit results lead to appropriate, timely corrective action.



Conclusion

- Chief Compliance Officer Responsibilities:
 - Maintain Operational Independence
 - Direct Access to the Board of Directors/Executive Management
 - Overall Responsibility for Compliance with Consumer Financial Protection Laws
 - Management of the CMS Lifecycle



Compliance Management System



Compliance Management System

- KirkpatrickPrice CFPB Readiness Audit
 - Review of the overall design
 - Policies, Procedures & Documentation
 - Review of operational effectiveness
 - Testing of controls to ensure compliance with CFPB Examination Procedures



Thank you for attending our Webinar

Q & A

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