

## Penny Milner-Smyth

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### MORE ABOUT ME

**Pick one cherished item from your office - why is it significant to you?**

It's a beautiful glass octopus – an iconic piece as it features in the first video-based anti-corruption awareness program I created which is called 'Don't Feed the Octopus'. I have found that people at every level find my octopus analogy useful for understanding the tricky legal concept of extra-territoriality.

**Where would you most like to live when you retire?**

Contributing to ethics and compliance in the complex and fascinating African context will be a life-long preoccupation which I will pursue most happily from home in Durban, South Africa.

**If you had a one-way ticket in a time machine, would you go back in time or forward to the future?**

I'd go back in time to Ancient Egypt and find out how the pyramids were built!

**What is your theme word or phrase for 2025?**

'Embrace All Unexpected Elements'.



## Asked & Answered

### THE SECRET SAUCE OF COMPLIANCE

**What is your secret sauce for compliance?**

My original post-graduate studies were in neuroscience and cognitive psychology, and insights from these fields strongly inform my ethics and compliance advisory and awareness work.

Today we talk more broadly of 'behavioral science', which integrates other fields of knowledge that must inform compliance, such as anthropology and economics.

All our diagnostic, recommendation and intervention design work must be evidence-based and behavioral science offers the credibility we need to be persuasive whether it is in the boardroom or on the shopfloor.

**What is the biggest misconception about the role of a compliance function?**

That it is a handbrake rather than a head start. It's often too far down the track for leaders to recognize the cause-effect relationship between a failure to heed compliance input and an adverse regulatory or reputational outcome.

**How are you approaching AI governance?**

Trying to find a balance between the fast and the slow – we have to run as if we are in a 100m sprint, yet this is a marathon filled with unexpected hurdles at which we will stumble. In time, AI will be just another tool integrated into our routine work.

Right now, as compliance professionals, we must pay special attention to being role models for the ethical use of AI in the organizations that we serve.

**What is a Compliance book/podcast/blog/website that you recommend as a helpful resource?**

We're spoilt for choice, compliance professionals are so generous with their insights! Tom Fox and Michael Volkov are my knowledge resource staples, and I love Great Women in Compliance.

If you follow the right people, LinkedIn is a rich source of daily compliance intelligence from around the world.

**As an independent ethics and compliance professional, what one opportunity would you say that companies are most often missing when it comes to enhancing compliance?**

In most companies you will find a number of strategic support functions, each of which is playing some form of guardian and gatekeeper role. This can include Finance, Human Resources, Internal Audit, Information Technology, Health and Safety, and even Facilities Management. The lost opportunity lies at the intersection of this group.

I regularly find that these functional heads seldom if ever meet as a collective outside of traditional executive management meetings. When I engineer a cross-functional workshop for all these guardians and gatekeepers in a business and we ask the simple question, 'how do we create a stronger culture of ethics and compliance in this organization?', the outcomes astound all concerned. For each of these specialists is holding a single shard of the mirror that we need to look into to truly understand and overcome non-compliance.

With the benefit of the fuller picture, I've seen IT specialists leap to offer solutions when they hear HR talking about compliance challenges, completely shocked to think that HR was struggling when they could so easily offer a 'fix'. In one instance, jaws dropped when the group realized that the professional in the room with the best handle on the shopfloor culture was the occupational health nurse. Now that Sister Marjorie is encouraging use of the speak up facilities when treating employees experiencing toxic leadership, she is delivering a result that no one else was succeeding at.

**What advice would you give to a new graduate starting in their first Compliance role?**

Achieving compliance in organizations is too important a priority to base your interventions on hunches – what would make sense to you. Remember that if you are attracted to this profession, your worldview – what counts for you – may be very different to that of the many people whose compliance you are seeking to secure. You have to be able to craft your approaches wearing the shoes of others and these may not be a comfortable fit. You need to become a lifelong learner on the subject of human and organizational behavior. It will be your ability to anticipate and cater for the irrational rather than the rational that will be the secret to your success.

## The Poll Results

### We asked

**Salary difference for those changing jobs and those staying in their job has narrowed considerably. What happened when you last changed job?**

Salary increased	58%
Salary stayed the same	15%
Salary decreased	21%
Haven't changed jobs	6%

**HIRING A COMPLIANCE OR PRIVACY PROFESSIONAL,  
OR LOOKING FOR A COMPLIANCE OR PRIVACY JOB?**

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