

Export Controls Training

“Elementary, my dear Watson” – The Adventures of Sherlock Holmes

Training is a tool used by companies, across various disciplines and topics, to:

- Create awareness,
- Provide instruction,
- Expand knowledge,
- Further personal development,
- Highlight senior-level commitment,
- Prevent complacency, and
- Assign responsibility & accountability.

Training assists with continuous development and connects all parts of the business with the export controls internal compliance programme.

What types of training are there?

There are numerous types of training for export controls. The first thing to consider is, who is receiving the training?



Those responsible for export controls within the business require certain types of training, which will be different from those within the business with specific compliance processes (i.e. screening, end-use checks, red flags, classification, etc).

I am responsible for export controls, what training should I receive?

For export controls compliance personnel (and their back-ups), varied and continual external training is recommended in order to keep up technical skills and enhance practical and legal knowledge. Though many compliance personnel start a training schedule which remains the same over a number of years, it is important that training requirements are analysed and addressed regularly to ensure that any particular technical aspects are covered as

particular technical aspects are covered as needed, such as ECCN classification, end-use controls, sanctions, incoterms, other jurisdictions, etc.

For compliance personnel who are new to the role or have been promoted to a new level of responsibility, on-the-job training can provide a forum of practical and interactive training based on their specific role and responsibilities. This type of training provides one-to-one experience training which can contribute not only to technical development but also improved confidence to handle new and different situations with a safety net present to refer to and bounce ideas off of. Additionally, those with sign-off, managerial oversight, and government communication should receive adequate training to perform their responsibilities.

Typically, personnel within the business are trained by the export controls compliance team, but this could be provided by external providers if needed due to time, language, or technical requirements or constraints.

Personnel within the business are provided with export controls training for four main purposes:

- Annual awareness training,
- Departmental-specific training,
- Technical aspects training, and
- (Re)training as part of a corrective action.

What about the rest of us in the business?

How do I know what I am supposed to do?

Annual awareness training are the general awareness modules personnel complete at least annually, usually alongside other compliance training such as ethics, health and safety, anti-bribery, etc. This can be conducted either in-person or virtually, in line with how other awareness training is delivered. In addition to the annual general awareness training, it is recommended that each department receives specific training appropriate to their responsibilities, such as Red Flags, due diligence, screening, etc.

Alongside the export controls personnel, others within the business may be assigned particular technical roles, either directly or indirectly, related to trade compliance such as classification,

licensing, assignment of incoterms, etc. These personnel should receive the required regular technical training relating to their responsibility.

If there are budget and/or time restraints within the business to have various personnel attend external training, an option to consider is “train the trainer”. One or a few personnel attend the training programmes of interest and then provide the training to the rest of the personnel that were unable to attend. We recommend that you rotate who gets to attend the external training in order to support all personnel development as well as improve/maintain their training (re)delivery skills.



If these points ring alarm bells it is time to find training!

What considerations should I keep in mind?

Whilst there is no prescriptive “to-do” list for export control training, it needs to work for you and your business, but there are considerations you should keep in mind regarding which training you choose to attend or deliver.

For externally-provided training for your export control compliance personnel:

All export control compliance personnel should be required to attend regular training as part of their personal development and responsibilities procedures

Attend training from different sources and styles of delivery

- Variety can help to ensure a comprehensive education
- Understand different perspectives and interpretations of legal requirements in practical situations
- Training should include both legal and practical elements

In-person training is usually the preferred option, but determine whether:

- Virtual training options are available (saving travel time and costs), or
- If training can be performed in-house (must be cost-effective – could you share the costs with others in your area or wider business?)

Keep in mind that conferences are not training programmes

- They can be expensive to attend with little educational benefit
- They can be good for networking opportunities with others in your industry or with government officers/representatives (do your research into potential benefits and ask around!)

You should be provided an official record of attendance as well as copies of any materials used during the training for your future reference

If possible, try to attend or arrange tailored training for your type of business, business practices or particular risks/concerns

Be wary of “accreditations”

- Many training programmes do not provide officially-recognised accreditations – especially those recognised by government authorities
- Research any potential accreditations you are interested in to understand their validity and potential government endorsement, and potential benefit(s).

Look into training programmes that are provided by export control government authorities

- Not all governments provide these, but many do
- These provide an opportunity to learn from the source, ask direct questions and meet government officers/contacts face-to-face

If you feel you have nothing more to learn – it's time to find a new profession

For internally-provided training for departmental personnel:

Tie your training programme into your ICP which is supported by senior management commitment

Include internal training requirements within the HR and export controls procedures

- Track completion of the required training & retain records of attendance in accordance with recordkeeping procedures (incorporating mindful of data privacy requirements)
- Include the penalties for non-completion within the procedures (like with any other required training programmes such as ethics, health and safety, etc)

Training slides should be tailored to the specific audience, topic and jurisdiction (translated to all applicable languages as required)

- All training packs should be dated from creation/publishing
- All training should be updated regularly as outlined within the relevant procedures or as legal regulations or government interpretations are updated, or business needs or procedures change
- All training should include legal and practical business requirements
- For larger businesses, it might be helpful to leverage training packs across the business with the required changes (and preventing the need to create slides from scratch)
- Include testing with a required pass rate to help prevent "clicking through" in virtual training or a lack of attention for face-to-face training

For face-to-face training, make it fun!

- It is important to establish a rapport with the attendees (no one ever wants to take time out of their day for training – don't take it personally)
- All topics covered should be relevant to the audience
- Don't get too technical – highlight practical requirements tied to procedures and when and who to escalate issues
- Establish "safe harbour" so that personal feel they have a safe space to ask questions and discuss potential or real concerns/risks/violations

If training is being delivered as part of a correct action, the above recommendations all still apply (this is a time for knowledge enhancement through "lessons learned" – not a blame game)

At Customs Connect, we assist companies to:

Determine the type(s) of training required

Design / Draft training policies & packs

Deliver various training programmes

Provide follow-on & ad-hoc support

If you are interested in learning more about export control training or how we could assist you, please visit our website <https://customsconnect.co.uk/> or give us a call on +44 (0)845 519 0878.