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### Be heard! Getting the top to deliver your message

By Amii Barnard-Bahn, JD, CCEP, CCEP-I

**Amii Barnard-Bahn** ([amii@barnardbahn.com](mailto:amii@barnardbahn.com)) is Managing Director at Barnard-Bahn Coaching & Consulting, based in San Francisco, California, USA.

- [linkedin.com/in/amiibarnardbahn/](https://www.linkedin.com/in/amiibarnardbahn/)

On a good day, it can be challenging to get leaders to speak with a unified voice around doing the right thing—in other words, running an ethical business that is productively serving its customers, shareholders, and employees. In times like these, when world events like a global pandemic and racial injustice are on everyone's mind, it is anything but business as usual. In a crisis, organizations may have a tendency to fall into fear-based decision-making and make a push for profit at all costs, which can lead to brand damage, low morale, key talent departures, and regulatory enforcement when business goes bad.

How does this change or put a spotlight on the work of a compliance officer, when employees are concerned for their safety in every way, industries are undergoing exponential change, layoffs and furloughs are becoming routine, and we can't even physically get together for a meeting to connect?

The stewardship, clear thinking, and insight that compliance and ethics brings to the CEO has never been more critical. We need to react quickly and thoughtfully. Here are five things you can do right now to equip yourself in influencing the tone at the top, on good days and bad.

#### Exert your influence in the C-suite

Does your leadership team listen to you? Are you asked to advise on relevant key decisions? The executive team needs to view you as an equal business partner critical to the organization's success.

To exert influence, you must first build strong relationships with your key stakeholders; your boss, peers, team, and core internal customers are critical to your ability to influence actions, investments, and messaging across your organization. Based on behavioral research, you must connect and listen to other people *before* they will listen to you.<sup>[1]</sup> People won't be influenced by you if they don't feel you are a partner.

Conduct a quick self-audit of your relationships to assess whether you have a strong influence network and evaluate how much influence you currently have in your role:

1. Write down the top 10 people that help you get your job done. Grade each person from one to five on how much you depend on them. If someone is critical to you getting your job done, give them a high score. Think broadly; include factors such as mentoring, daily work support, moral support, and organizational power/authority.
2. Grade each person on a scale of one to five: How would they rate you on the same factors? How much do they depend on you (give it your best guess)?
3. Audit your results. Are there any red flags? For example, **are you taking more value from your key network than you're giving (i.e., did you rate them more highly than they would rate you)?** Is your list diversified, or is it overly concentrated in one department, geographic location, or team?

Based on your results, consider whether you need to improve your influence scores. Where you're out of balance, consider meeting more frequently one-on-one to learn about and help others reach their goals.

## **Focus on your key priorities**

Very few businesses have been untouched during the global crises of the past several months. So if you haven't already, update your compliance program's strategic plan to ensure that you are matching resources to your risk profile, which should shift and increase in crisis (e.g., an increase in the need for remote work will increase privacy and security concerns; supply chain disruptions may heighten corruption concerns; the pressure to cut corners to keep companies profitable will increase the risk of fraud). At the same time, when you have risks increasing, resources tend to be reduced, leading to a perfect storm. So, what's a compliance officer to do?

We've never had the resources we've needed to prevent all risk. And while a few industries may experience a windfall of growth (and those should continue to grow their investment in compliance), most companies suffer in crisis by definition. If your C-suite colleagues are making cuts, compliance will be expected to do its share.

I strongly recommend taking a long view. Verify your priorities and pick your top three areas of focus. It's always important to do, but especially when everyone is cutting back, you run the risk of making everything seem less urgent if you have too many priorities; eventually your asks will become background noise. As one Fortune 500 CEO put it to me recently, "I know compliance is important, but it's only 20% of what I need to worry about." It's a common perspective I hear from the executive team. When chief compliance officers make everything seem urgent, this often reflects to leadership an inability to prioritize.

To avoid being viewed as out of touch or not a team player, keep it simple. Consider where you could potentially cut back without sacrificing essential functions and be ready with your "crisis plan" (e.g., temporary cutback) proposal. Have this plan in your back pocket so if cost reductions are necessary, you can be proactive and ensure you have a voice in the decision.

For example, one of my clients recently negotiated with his executive team to delay a major compliance implementation by six months in exchange for an airtight promise that it would be in next year's budget.

## **Make a clear business case**

Once you've established your influence and priorities, it's time to advocate for them. Engage your key stakeholders in a discussion of your core strategy and incorporate their feedback and concerns, with the ultimate goal of gaining their sponsorship (especially the chief financial officer—keeper of the corporate purse, and human resources—critical steward of corporate culture).<sup>[2]</sup> Place the organization's compliance priorities in the context of the overall business strategy. Stay abreast of industry news, emerging risk, and how your compliance priorities will enable your business to focus on execution without the negative disruption from costly enforcement and reputation risk actions. To substantiate your business case, where helpful, you may leverage some of the new US regulatory standards issued last year,<sup>[3]</sup> which focus scrutiny on workplace culture, middle management, root-cause analysis and dedicated resources.

When presenting and communicating your plan, make sure you speak and write concisely and in words that your stakeholders understand. Mirror the language your executive team uses when speaking about compliance.

Companies that have not had a crucial compliance-related moment (such as a corporate integrity agreement, data processing agreement, or other regulatory enforcement penalty) often lack the depth of experience to simply heed your warning at face value and provide support. They need convincing.

One client I coached had a rough start with her executive team. A global expert on acquisition strategy, she was brought in to transform the company's due diligence approach. By the end of her second year on the executive team, her business results were phenomenal by any standards, but her relationships were scorched and colleagues resisted working with her.

I was brought in as her coach, and through interviews, I discovered she had not taken the time to build relationships with her stakeholders (mostly engineers who had been with the organization for 20-plus years). Together we created a communication and engagement strategy to educate all relevant people in the organization on her due diligence method and how these changes would benefit the organization. Her efforts paid off. Employees felt like respected partners and more readily gave her the information she needed to vet the deal; anxiety was significantly reduced on both sides.

Sharing the business case is critical to efficient execution in compliance—to enlist support, you need to explain why it's important, how it will help, and understand how you are viewed. Give colleagues the big picture.

## **Attract followers to your message**

In a crisis, it's exceptionally valuable to be the inspirational leader that everyone wants to follow. In our compliance roles, it's critical because we know that to have an ethical culture, messaging needs to be carried forward and implemented by frontline management. From my experience, frontline employees are most affected by what their direct manager tells them to do and how they'll be rewarded.

To inspire others, do two things. First, using your key priorities and business case, share a clear, concise message that ties your purpose to the organization's. Then ask yourself: What problems do customers pay you to solve, and how is ethics a part of your brand promise? Employees need to connect with meaning in their work.

An important element of attraction is maintaining gravitas. Be aware of your presence<sup>[4]</sup> and its impact on others (emotions are contagious!<sup>[5]</sup>), and stay centered in the storm. You want to be the calm presence everyone gravitates toward.

Gravitas can be cultivated and nurtured. While we all experience stress in difficult situations at one time or another, recognize that you can't control what happens, only your reaction to it. Choose to be clear-headed, the calming voice of reason. And in times of extended crisis, publicly maintaining gravitas for long periods requires a foundation of mental fortitude and resilience. Commit to a personal strategy for refreshing your energy reserve through a deliberate practice of self-care.<sup>[6]</sup> Get up and move between meetings, take a lunch break with your partner or kids, cuddle with your cat, listen to your favorite music. Set healthy limits for you and your team, and don't allow your flow to get sapped from too many meetings.

## **Lead with gratitude**

Find the heroes—the employees doing the right thing when no one is watching—and express appreciation. Really look. Too frequently with my clients, I run into executives that genuinely find attorneys and compliance people difficult to relate to. We are trained to find everything that is wrong in a situation and are sometimes blind to the impact that this approach can have on others who do not share this professional mandate.

When you lead with gratitude and focus on positive intent, it demonstrates an intent to be helpful, and this helps others align with your leadership.<sup>[7]</sup>

## **Conclusion**

There will certainly be times when leadership is needed from the compliance and ethics team—and will likely be tested. Having influential partnerships, maintaining focus on a few key priorities, negotiating trade-offs when necessary, inspiring employees, and staying positive will help make sure your message and influence are carried through the organization, starting at the top.

## **About the author**

**Amii Barnard-Bahn** has been recognized by *Forbes* as one of the top coaches for legal and compliance executives. A former Fortune Global 50 executive, she is a leadership consultant, speaker, and fellow at the Harvard Institute

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of Coaching and guest lectures at UC-Berkeley.

## Takeaways

- In times of crisis, it is critical for organizations to make sure that compliance and ethics is an integrated part of the business sustainability strategy.
- Compliance professionals need to work in partnership with colleagues to be effective. Influence starts with investing in key relationships.
- In times of operational cutbacks, compliance may need to establish a few key priorities and align those with a solid business case.
- It is critical to have a purposeful message carried through the organization that attracts, inspires, and expresses gratitude for what is being done right.
- Take time to thank those employees who positively contribute to the organization and align with your messaging.

**1** Amy J.C. Cuddy, Matthew Kohut, and John Neffinger, “Connect, Then Lead,” *Harvard Business Review*, July 1, 2013, <https://s.hbr.org/3j8JafY>.

**2** Adam Turteltaub, “Amii Barnard-Bahn on Working with HR,” *Compliance Perspectives* (podcast), August 7, 2018, <https://bit.ly/38Zm7jp>.

**3** Elizabeth Simon, “Have you adapted last year's guidance to your program yet?” *CEP Magazine*, May 2020, <https://bit.ly/3fx2fq1>.

**4** Amii Barnard-Bahn, “The Key to Establishing Immediate Credibility,” Barnard-Bahn Coaching & Consulting, updated June 16, 2020, <https://bit.ly/2ZvSsLx>.

**5** Daniel Goleman, Richard E. Boyatzis, and Annie McKee, “Primal Leadership: The Hidden Driver of Great Performance,” *Harvard Business Review*, December 2001, <https://bit.ly/38W16pJ>.

**6** Amii Barnard-Bahn, “Ask Amii: 8 Tips for Working Smarter, not Harder,” Barnard-Bahn Coaching & Consulting, January 7, 2020, <https://bit.ly/32kdX3D>.

**7** Adrian Gostick and Chester Elton, *Leading with Gratitude: Eight Leadership Practices for Extraordinary Results* (New York: Harper Business, March 3, 2020), <https://amzn.to/2CyVhT5>.

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