

Steve Sabol, NFL Films and the Look and Feel of Compliance-Authenticity

Today we note the passing last week of Steve Sabol, who together with his father Ed Sabol and John (The Voice of God) Facenda, created the phenomenon known as NFL Films. In the late 60s and 70s, before HBO, before ESPN and certainly before the proliferation of all things NFL on television; we were treated to weekly NFL Highlights and the NFL Game of the Week, produced by Steve and Ed Sabol, narrated by The Voice of God. The production values were superb, the action pounding and they even introduced someone from central Texas to Dvorak's Ninth Symphony with their theme music. It hooked a generation of us and we continue to be fans today. So Steve, I can't wait to see your next set of broadcasts from the great hereafter and a most heartfelt thanks.

I thought about the authenticity NFL Films brought to the viewing public in connection with a panel I moderated on translating legal risk into business reality, which included as panelists Rajinder Sharma, Director Corporate Affairs & General Counsel – South Asia at E.I DuPont India Pvt and David Blanco, Senior Legal Counsel, Bayer CropScience K.K. at the Corruption and Compliance, South and Southeast Asia Conference, hosted by Beacon Events. Both panelist are veterans of large multi-national compliance programs and they both knew their stuff. One of the questions that I posed to them was what does compliance look and feel like in an organization? One of the things that both panelists emphasized as being critical was the instilling of compliance into the DNA of the employee base. In other words, the authenticity of your company's compliance regime is driven by how well your employees buy-in doing business in a compliance manner.

In thinking about their suggestions I saw in a recent article, entitled "*Leadership Never Looks Prepackaged*", in the Corner Office section of the Sunday New York Times (NYT) where reporter Adam Bryant wrote about his interview of James Hackett, President and Chief Executive Officer (CEO) of Steelcase Inc. In the interview, Hackett said that one of the key things that aided his development as the leader of his company was to recognize that you know who you are as a leader and what you stand for as a leader. Moreover, a leader must be authentic in who he or she is; one must never be "prepackaged".

Authenticity

I thought about this concept of authenticity in the context of a compliance program and how you might inculcate the values of ethics and doing business in a compliant manner, into your employee base. More than simply 'tone-at-the-top', authenticity means that your compliance program should be a part of how your company conducts its business. Employees have to see that not only is compliance accepted but it is embraced and celebrated in your company. Both panelists Rajinder Sharma and David Blanco said that their companies have a dedicated portion of their annual discretionary bonuses to a compliance review. They both believe that not only

does this help shape and drive behavior but it emphasizes to employees how seriously the company wants to accentuate compliance.

Integrity

Within the context of leadership, if you want to have your employee's trust, you must lead with integrity. Hackett, who played football at the University of Michigan under Bo Schembechler, said the coach taught his players not to win by cheating. Hackett uses this lesson when he talks to someone about integrity. You must practice it at all times so when the rubber meets the road and your integrity is tested, you won't fail the test. Hackett said, "To say it another way, people tend to double down and do bad things under the most extreme pressure."

He cited the example of a person who is "inches away" from losing his job. This person has experienced one bad quarter of numbers and is expecting another one coming down the pike. To overcome this second consecutive quarter of bad earnings they think "I have to do the right thing but no one will know if I don't" and if I don't do the right thing I will make my numbers. Hackett says that you have to "tell yourself right then, before you get there, that you can only do one thing." Hackett believes that you should "practice that and it actually works because you have conditioned yourself when the stakes are altered."

As a compliance professional, you can use such resources as the RESIST White Paper, "*Resisting Extortion and Solicitation in International Transactions*", as the basis for training. It is a practical tool to help companies train employees to respond appropriately to a variety of solicitations. In addition to the 22 scenarios which discuss solicitation of bribes, in the context of project implementation and in day-to-day project operations, RESIST provides an Annex entitled "Guidance on Generic Good Practice Related to Extortion and Solicitation." The Annex is designed to provide an overview of generic responses to demands for these types of payments, as well as addressing major aspects of these individual risks. The Annex sets out, for the compliance practitioner, a spectrum of practical actions to avoid or combat solicitation or extortion scenarios. Training on these scenarios would give employees an opportunity to practices doing business with the integrity that Hackett believes is important.

Strategic Plan

At the end of his interview, Hackett spoke of a target that he keeps in his head. It has three concentric circles going outward and getting larger. Each circle is named and it starts with 'Now', then 'Near' and, finally, 'Far'. Hackett challenges himself to analyze his calendar to determine how much times he spends in each of these zones. He said, "What I've argued is that you have to train yourself to work in all three dimensions simultaneously. Its human nature to get pulled into the now, and the reward systems are built that way. You have to think of it in terms of making good on this notion that if you're really a great leader, you're going to be noted for it long after you've gone. That's because you actually reached out and imagined things in the future."

This sounded, to me, a lot like my colleague Stephen Martin's 1-3-5 year strategic compliance plan you should have in place for moving forward. As a compliance practitioner, we often get tied up in doing the day-to-day slog work of compliance. However, just as Stephen Martin believes, it is important to have a 1-3-5 year plan in place as a road map for both internal resourcing and external regulators who may come knocking, James Hackett advocates spending time working on all areas of your business.

I found Hackett's ideas on authenticity to be very useful in the compliance context. I especially liked his thoughts on doing business with integrity. Both of my panelists Rajinder Sharma and David Blanco believe that you must have employee buy-in of integrity to move your compliance program to level where it is a part of your company's DNA. Hackett also believes that the more you practice something the better you get at it and doing business in a compliant manner is no different.

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