The Critical Point of ESG Integrity Governance: Addressing Challenges Today for a Sustainable Tomorrow

The Importance of Responsible ESG Integrity Governance

As highlighted in our first blog regarding Environmental, Social, and Governance (ESG) Integrity, ESG considerations have transitioned from nice-to-have to must-have criteria. Both corporates and financial institutions are now compelled to implement robust ESG governance frameworks. However, incorporating ESG governance is complex, with distinct reputational, civil liability and criminal risks often managed by different teams. This fragmentation can obscure the holistic view needed to drive genuine change and manage risks effectively. In addition, business opportunities and input for transitions can be missed.

ESG Standards and Regulations Catalysing ESG Integrity Governance

Moving into the regulatory framework, to thrive in a sustainability-focused world, both corporates and financial institutions are tasked with excelling in ESG governance. The European regulatory landscape for ESG requirements is complex, interdependent, and rapidly evolving, and is on top of requirements resulting from voluntary commitments, policies, and targets and last but not least own ambitions. Regulations include among others the EU Taxonomy Directive, the Sustainable Finance Disclosure Regulation (SFDR), the Corporate Sustainability Reporting Directive (CSRD), and the Corporate Sustainability Due Diligence Directive (CSDDD). These regulations and commitments, which are overlapping and complementary in requirements, have a multi-point impact throughout the whole organisation. Given this complexity, clear and effective governance is essential for steering and decision-making, particularly as multiple departments across the organisation are involved in the successful implementation and execution of these ESG regulations.

Building on regulatory foundations, the regulatory and voluntary commitments drive a shift towards responsible ESG governance, compelling companies to consider their broader impact and integrate sustainability into their strategies. Financial institutions are pushed to assess investments with an ESG lens, and corporates are encouraged to adopt sustainable practices, necessitating board-level oversight.

Overcoming ESG Integrity Governance Challenges

As we delve into the practical challenges, several issues obstruct the path to robust ESG governance, including the collection of reliable data and achieving transparency in disclosures and we see even the most mature organisations struggle. While frameworks such as the CSRD and that of the Task Force on Climate-Related Financial Disclosures (TCFD) offer reporting requirements and guidelines, the diversity in interpretation of these standards across multiple regions can result in inconsistent application and reporting. Organisations also face difficulties in adapting existing business models to align with ESG principles, often encountering internal resistance when making complex strategic decisions, such as determining the timing and approach for discontinuing business with high-emission sectors. Additionally, the compartmentalised nature of ESG initiatives across departments can lead to inefficiencies and a fragmented strategy. For instance, data collected for fulfilling one regulation's requirements could also be beneficial for meeting other regulations or could serve as input for transition pathways or target setting.

The Consequences of not Managing ESG Integrity Risks Effectively

Continuing from these practical challenges, not properly managing or even neglecting ESG risks exposes financial institutions and corporates to possible difficulties in obtaining assurance on disclosures, regulatory sanctions, reputational risks, and litigation risks. In addition, enhanced oversight could reveal deficiencies in Anti-Money-Laundering and Countering the Financing of Terrorism (AML/CFT) controls, especially those related to environmental crimes such as money laundering, greenwashing, or concealing ESG-related criminal activities in sustainability reporting. Moreover, ESG considerations are increasingly integrated into credit risk assessments, affecting lending and capital allocation decisions, potentially prompting a reassessment of an institutions or company’s stability and market standing.

Steps to Strengthen ESG Integrity Practices

To address these challenges and seize the opportunities of robust ESG practices, several steps are crucial:

1. **Assessing Governance Structures:** Begin with a thorough assessment of your current ESG governance structure. Identify gaps and benchmark against best practices, for example, through supervisory guidance, good practices, and new legislation. This can strengthen the foundation by ensuring that ESG considerations are integrated into business-wide strategy and operations. To enable efficient steering and to the reap the benefits for long-term decision making, it is also crucial to clearly define and document roles and responsibilities, and that there is sufficient oversight over ESG initiatives.

2. **Facilitating Adaptation:** Seamless integration of ESG governance into daily business functions requires a clear understanding of goals and pathways. It's vital to align managing ESG integrity risks with transition planning and other strategic priorities. Training employees well and implementing requirements in policies, processes, actions, and targets that align with the new regulatory landscape and stakeholder expectations will enable smoother adaptation to ESG principles.

3. **Transformation Programs and Culture:** A comprehensive transformation program that considers a company's culture can help embed ESG principles deeply within the company's fabric. Embedding regulations into governance and processes is crucial, but real change will not occur unless the culture aligns with the company's objectives. Remuneration and performance objectives, crucial components of any implementation process, can significantly influence the required cultural change.

4. **Work in Progress:** Governance is a work in progress since one size does not fit all. Creating customised management solutions and frequently evaluating them is essential. Governance solutions should be tailored to meet the unique challenges and opportunities of each organisation, ensuring that sustainability goals are met with precision and align with the values of the organisation.

The Urgency for Action

As we look towards the future, the message is clear: the time to strengthen ESG governance is now. The journey towards robust ESG practices is complex and ongoing, but it is also filled with opportunities for innovation and leadership. Organisations that act today will be well-positioned to meet the challenges of tomorrow head-on, where proactive ESG governance safeguards our enterprises and contributes to a more sustainable and equitable future. By taking informed actions and employing strategic foresight, we can adeptly navigate the complexities of the regulatory landscape, enhancing ESG governance through effective collaboration.

ESG Integrity Blog Series

In our next blog, the third in this series, we will explore further aspects of ESG Systematic Integrity Risk Assessments (SIRA) for financial institutions. Subsequently, the fourth blog will focus on relevant ESG challenges for corporates. Additionally, here you will find our solution on managing and mitigating ESG integrity risks.

Maarten Rijssenbeek
Partner
Tel: +31650170915
Email: mrijssenbeek@deloitte.nl

Stefanie Citroen
Director
Tel: +31650018084
Email: scitroen@deloitte.nl