# 7 Steps To Sell Corporate Leadership On Privacy Compliance

By **Liisa Thomas** (January 28, 2025)

Tuesday marked the 17th Data Privacy Day, an international event on Jan. 28 each year that has become a tool privacy and data security compliance professionals use to remind companies of the importance of compliance in the privacy realm, and to work with leaders to get funding and other support for their initiatives.

Often those requests go unanswered. It might be because of competing demands, low budgets, lack of interest, a belief that the company has no or low risk, or perhaps because those who hold the purse strings believe that the organization is already in compliance. The list of reasons why compliance professionals are told "no" is endless.

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What steps can you take if this is the reception that you have received? Especially if you believe that your organization does need to take steps to address its privacy and data security compliance obligations?

Below are seven steps to take you beyond the default, and hopefully get you to a "yes."

But first, what is the default? Requests are usually based on legal obligations and risks. They point to laws or regulatory guidance that call for, as per the U.S. Department of Justice's September sentencing guideline update, well-designed, well-funded and functional programs.[1] These are programs that fully assess the risks facing a company and have appropriate policies and procedures in place, including employee training and deficiency reporting mechanisms, managing and overseeing third-party vendors, and are continually evaluated and assessed for efficacy.

They are also programs that have leadership commitment and are well resourced. Outlining obligations and risks is one thing. Getting leadership on board and in support of funding is a different story.

Fortunately, organizational change professionals have been studying the issue of leadership buy-in, and how to get it, for decades. This includes seminal research from John Gabarro and John Kotter,[2] and more recent work by Ethan Burris, Raymond Sheen and Amy Gallo, as well as Ian Gross and Samir Ranavat.[3] Privacy lawyers and compliance teams would be well served to borrow from their learnings.

## 1. Connect your request to your organization's mission and strategy.

There has been significant research in the social science of organizational change indicating that change is more likely if it is tied to an organization's underlying mission and strategy.

For example, Kotter lists as a potential approval pitfall not linking the change to the underlying corporate culture, norms and mission.[4] Similarly, Sheen and Gatto note that leaders want programs that fit with the organization's mission, and are "likely to reject those that don't."[5]

The vision and mission may be expressly stated — or more likely, it may be implicit norms.

To tie your compliance program change to your company's mission, according to Kotter and many who have adopted his approach, show how the change will make real improvements for the organization.

At its core, privacy and data security compliance is, in fact, change. Without taking these steps, and otherwise being thoughtful about one's change strategy, the research has shown that the majority of change initiatives fail.[6]

Thus, when designing your request, think about what your organization is trying to achieve. Is it to be a flexible provider of bespoke solutions? Compliance is something, then, that can support that need. Is it to be a place of trust for consumers? Address this value when describing your compliance efforts.

**2. Understand leadership's needs and motivations.**

When looking at a significant compliance gap, it is easy to get lost in the implementation weeds.

Someone drafting a request for a project might outline all of their concerns, like that "there is highly sensitive unstructured data" or "the marketing team has launched a texting initiative without appropriate consents, and we are facing multiple class action lawsuits." They may then follow with steps to address those concerns ("we need to do data mapping right away!" or "we have to immediately stop sending text messages"). These requests may fail if they do not consider the concerns of the leadership team.

To put it in the words of Sheen and Gallo, make sure to identify the business's underlying needs, understand your stakeholders and tell a compelling story. Related to this, make sure that you clearly understand the problem, and how your program will alleviate that problem.

How can you do this? Before developing your pitch, think through your leaders' concerns. What are they trying to accomplish? What pressures are they facing, and from whom? On what metrics are leaders measured? Is the cost of noncompliance something that is a significant concern for them? Or do they have different worries?

Are they facing a decline in revenue? Or perhaps the texting campaign is bringing in significant income? Or are they trying to keep another leader, who is heavily invested in the status quo, happy? Or maybe, they were a strong proponent of the current system, and they fear a change might threaten their role?

A related set of questions surrounds the leaders' personal style. Do they need facts in advance, that they can think through and judge? Do they want verbal input first? Do they prefer stories? Or facts?

**3. Recognize your personal style and bias.**

The other side of understanding your audience is understanding yourself.

What biases or preconceived notions are you bringing to the table? Are you swayed by stories, but get bogged down and bored with a litany of facts? Do you shy away from confrontation? Or do you thrive in contentious environments?

A clear understanding of your biases can help you compare it to the rest of the leadership team. You can use that understanding to balance your request. While, as Gabarro and

Kotter note, it is not necessary to change oneself, the raised awareness can give you the tools to make the discussion more effective.

For example, you may be very worried about the fact that irrespective of how often employees are told not to click the link, they keep clicking suspicious links. This has, in our fictitious example, resulted in multiple data incidents in the past several months, and you may fear — rightfully so — regulatory scrutiny over the sufficiency of your training measures.

The solution to this issue, you have determined, is to change your training process at no insignificant cost, coupled with increased firewall protections — also very costly. You may feel comfortable with confrontation and be personally persuaded by facts. Your chief financial officer, to whom you are making a request for funds, on the other hand, does not like confrontation. She also needs to have requests presented as stories, not a list of facts.

By recognizing her approach and needs, and keeping your own biases in check, you will use a different approach than if you were trying to convince yourself. It is the "platinum rule" — do unto others as they would want done unto them — rather than the "golden rule," doing unto them what you would want.

**4. Be positive or negative, but not both.**

Those of us who have gone to law school, or who have siblings or children, are very familiar with the concept of developing your argument. But if you are reading this article, you are aware that the methods you use do not always work.

Why not? We can look to some recent research for clues. But first, what is our default? Often we begin with a serving of terrible, like, "if we don't do this, we will face a huge lawsuit!" or "the fines will be astronomical." And then we round it out with a dollop of benefits, like "after we implement the process, consumers will trust us."

Research by Burris has suggested that people are persuaded by a negative argument or a positive argument. But not, in fact, by a combination of both. Why is this? According to their research, when presented with both benefits and negatives, people spend more time focusing to understand the recommendation. And when they spent more time focusing, they became more critical of the proposal and are less likely to adopt it.

Burris recommends selecting the approach, whether positive or negative, that resonates more with your audience. If the leader focuses on the future, and talks about things like "playing to win," then go with the benefits. If, on the other hand, they worry about the downsides or talk about remaining vigilant against attack, this is someone who may be more swayed by the negative.

**5. Make it simple.**

Beyond merely explaining your idea and request in simple language and using either a positive or a negative pitch — but not both — think through how easy will it be for the program to be adopted. If it is hard to implement, it may be hard to get approval.

Also think about the possible hiccups that might arise during implementation. Similarly, what will it look like if the program is adopted, or if it is not adopted? Explain with specificity the problem you are trying to solve, your assessment of the risks facing the company, and how your compliance program will (1) address those risks, (2) the leadership's needs and

(3) solve that problem.

We can learn from trial lawyers and their opening arguments. This is where they address the other side's argument for the jury head-on. Recognize what might go wrong and explain how you will avoid that outcome.

As part of simplification, think also about the organization's overall project approval process. This includes budget approval timing, formats for requests, and proposal and supporting documentation norms. If your organization resists large projects at the outset, consider potential phased approaches. Perhaps you can review critical websites that have significant information collection activities in phase one, and more passive sites as phase two, or even phase three.

Finally, avoid overwhelm. In making your business case, think about how you will introduce your concerns and provide enough background without getting bogged down in the weeds. Chris Anderson, curator of TED Conferences, gives several helpful tips.[7] These include appropriately framing the issue and following a "detective story" outline, i.e., presenting the problem, searching for the solution and then presenting the "a-ha."

## 6. Find your allies.

There is strength in numbers. Are there others in your organization that support your initiative? That share your fears? Have you started a soft launch of the program and found that users like this approach and want more of it?

For example, do you have a new process for vetting the frequent new websites launched by marketing, which has resulted in a faster approval process for those sites? And perhaps what you are seeking is funding to hire another person to review the sites? Maybe the chief marketing officer will support your request. Or perhaps you are worried about unstructured data, and want to see data mapping conducted. Does the chief information officer or chief information security officer share your concerns?

Similarly, look to your leadership team for potential allies. There may be individuals on the leadership team that will benefit from your program. Or, who share concerns similar to yours. Consider a series of separate meetings in advance to build support. These meetings can also help identify potential pain points.

## 7. Don't give up.

The organizational change literature is full of examples of efforts that fail. They have several elements in common. One of them is that the requestor makes one request, and then gives up. If you have followed the steps above and not received funding, you have learned some valuable lessons. What didn't work? What can you tweak? Can you approach it in a different way?

Does this still not give you comfort to ask again? Then consider conducting a pre-mortem.[8] Pretend your efforts to get funding has failed, and ask yourself in the comfort of the hypothetical why it failed. Be honest. What could you have done differently?

Think, too, about whether you can move forward even if your full effort was not funded. Perhaps there is a pilot or interim version you can launch. In the words of Sheen and Gallo, a stealth program where you can gather more data points. Or, perhaps you can execute on the first phase, get additional support, and then launch subsequent phases.

**Conclusion**

It is my hope that these seven steps give you the tools and the hope to move forward with your compliance efforts. Ask for funding. Seek support. The expectations from regulators and courts are real, and the legal risks are not insignificant.

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[1] US Department of Justice, Criminal Division, "Evaluation of Corporate Compliance Programs," Updated September 2024. Available at https://www.justice.gov/criminal/criminal-fraud/page/file/937501/dl.

[2] Gabarro, J.J. and Kotter, J.P. (2005). "Managing Your Boss," *Harvard Business Review*.

[3] Burris, E. (2022). "How to Sell Your Ideas Up the Chain of Command," *Harvard Business Review*; Sheen, R. with Gallo, A. (2015). *HBR Guide to Building Your Business Case*; Gross, I. and Ranavat, S. (2022). "Managing Up When Leadership Is Stuck in the Weeds," *Harvard Business Review*.

[4] Kotter, J.P. (1995). "Leading Change: Why Transformational Efforts Fail." *Harvard Business Review*.

[5] Sheen, *HBR Guide*, p. 17.

[6] Burnes, B. (2011). "Introduction: Why Does Change Fail, and What Can We Do About It?" *Journal of Change Management*, Vol. 11, No. 4 (445-450).

[7] Anderson, C. (2013). "How to Give a Killer Presentation." *Harvard Business Review*.

[8] Klein, G. (2007). "Performing a Project Premortem." *Harvard Business Review*.