

# Public consultation on the revision of the non-financial reporting directive

Fields marked with \* are mandatory.

## Introduction

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## Background information on the Non-Financial Reporting Directive

The [Non-Financial Reporting Directive – NFRD – \(Directive 2014/95/EU\)](#) is an amendment to the [Accounting Directive \(Directive 2013/34/EU\)](#). It requires certain large companies to include a non-financial statement as part of their annual public reporting obligations. Companies under the scope of the NFRD had to report according its provisions for the first time in 2018 (for financial year 2017).

The NFRD applies to large Public Interest Entities with more than 500 employees. In practice it includes large listed companies, and large banks and insurance companies (whether listed or not) – all providing they have more than 500 employees.

The NFRD identifies four sustainability issues (environment, social and employee issues, human rights, and bribery and corruption) and with respect to those issues it requires companies to disclose information about their business model, policies (including implemented due diligence processes), outcomes, risks and risk management, and KPIs relevant to the business. It does not introduce or require the use of a non-financial reporting standard or framework, nor does it impose detailed disclosure requirements such as lists of indicators per sector.

The NFRD requires companies to disclose information “to the extent necessary for an understanding of the development, performance, position and impact of [the company’s] activities.” This means companies should disclose not only how sustainability issues may affect the company, but also how the company affects society and the environment. This is the so-called double materiality perspective.

In 2017, as required by the Directive, the Commission published [non-binding guidelines for companies on how to report non-financial information](#). In June 2019, as part of the [Sustainable Finance Action Plan](#), the Commission published additional [guidelines on reporting climate-related information](#), which integrate the recommendations of the Task Force on Climate-related Financial Disclosures.

## Current context

The non-financial information needs of users, in particular the investment community, are increasing very substantially and very quickly. The demand for better information from investee companies is driven partly by investors needing to better understand financial risks resulting from the sustainability crises we face, and partly by the growth in financial products that actively seek to address environmental and social problems. In addition, some forthcoming EU legislation, including the [regulation on sustainability disclosures in the financial services sector \(Regulation \(EU\) 2019/2088\)](#), and the [regulation on a classification system \(taxonomy\) of sustainable economic activities](#), can only fully meet their objectives if more and better non-financial information is available from investee companies. The taxonomy regulation will require companies under the scope of the NFRD to disclose certain indicators of the proportion of their activities that are classified as sustainable according to the taxonomy.

The feedback received in the online [public consultation on corporate reporting carried out in 2018](#) in the context of a fitness check that is currently being finalised by the Commission services, confirms that the non-financial information currently disclosed by companies does not adequately meet the needs of the intended users. The following problems have been identified:

1. There is inadequate publicly available information about how non-financial issues, and sustainability issues in particular, impact companies, and about how companies themselves impact society and the environment. In particular:
  - a. Reported non-financial information is not sufficiently comparable or reliable.
  - b. Companies do not report all non-financial information that users think is necessary, and many companies report information that users do not think is relevant.
  - c. Some companies from which investors and other users want non-financial information do not report such information.
  - d. It is hard for investors and other users to find non-financial information even when it is reported.
2. Companies incur unnecessary and avoidable costs related to reporting non-financial information. Companies face uncertainty and complexity when deciding what non-financial information to report, and how and where to report such information. In the case of some financial sector companies, this complexity may also arise from different disclosure requirements contained in different pieces of EU legislation. Companies are under pressure to respond to additional demands for non-financial information from sustainability rating agencies, data providers and civil society, irrespective of the information that they publish as a result of the NFRD.

In its [resolution on sustainable finance in May 2018](#), the European Parliament called for the further development of reporting requirements in the framework of the NFRD. In December 2019, in [its conclusions on the Capital Markets Union](#), the Council stressed the importance of reliable, comparable and relevant information on sustainability risks, opportunities and impacts, and called on the Commission to consider the development of a European non-financial reporting standard. In addition, [ESMA recently published a report on undue short-term pressure on corporations](#) where it recommends the Commission to amend the NFRD provisions.

In its [Communication on the European Green Deal](#), the Commission committed to review the Non-Financial Reporting Directive in 2020 as part of the strategy to strengthen the foundations for sustainable investment. Meeting the objectives of the European Green Deal will require additional investments across all sectors of the economy, the bulk of which will need to come from the private sector. In this sense review of the NFRD is part of the effort to scale up sustainable finance by improving transparency.

The European Green Deal also stressed that sustainability should be more broadly embedded into the corporate governance framework, as many companies still focus too much on short-term financial performance compared to their long-term development and sustainability aspects. As part of the [Sustainable Finance Action Plan](#), work is being undertaken to prepare a possible action in this area.

In addition, to ensure appropriate management of environmental risks and mitigation opportunities, and reduce related transaction costs, the Commission will also support businesses and other stakeholders in developing standardised natural capital accounting practices within the EU and internationally.

The services of the European Commission have published an [inception impact assessment on the Review of the Non-Financial Reporting Directive](#). It summarises the problem definition, possible policy options and likely impacts of this initiative.

## Objectives of this public consultation and links with other consultation activities

This public consultation aims to collect the views of stakeholders with regard to possible revisions to the provisions of the NFRD. The principal focus of this consultation is on the possible options for such revisions.

This public consultation builds on a number of recent consultation activities, including:

- An [online public consultation on corporate reporting in 2018](#), in the context of the fitness check on the EU framework for public reporting by companies. That consultation enabled the Commission to gather data and views on the problems that need to be addressed with regard to non-financial reporting. Problem analysis is therefore not a principal focus of the current consultation strategy.
- A [online targeted consultation on climate-related reporting in 2019](#), as part of the development of the new guidelines for companies on how to report climate-related information. In addition, the Technical Expert Group on Sustainable Finance organised a [call for feedback on its recommendations with regard to reporting climate-related information](#). The results of these consultation activities, although specific to the issue of climate, are also useful when considering non-financial reporting more generally.

This consultation is one element of a [broader consultation strategy in the context of the review of the NFRD](#). In addition to this open consultation, there will also be targeted surveys addressed to SMEs, and to companies currently under the scope of the NFRD. The targeted surveys will collect more detailed opinions and data from companies on certain issues, including costs related to non-financial reporting.

In addition, the services of the Commission will soon launch an open public consultation on a Renewed Sustainable Finance Strategy, seeking for stakeholders' views in other Sustainable Finance related issues, including questions related to sustainable corporate governance.

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**Please note:** In order to ensure a fair and transparent consultation process **only responses received through our online questionnaire will be taken into account** and included in the report summarising the responses. Should you have a problem completing this questionnaire or if you require particular assistance, please contact [fisma-non-financial-reporting@ec.europa.eu](mailto:fisma-non-financial-reporting@ec.europa.eu).

More information:

- [on this consultation](#)
- [on the consultation document](#)
- [on the protection of personal data regime for this consultation](#)

## About you

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\* Language of my contribution

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- Danish
- Dutch
- English
- Estonian
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- French
- Gaelic
- German
- Greek
- Hungarian
- Italian
- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

\* I am giving my contribution as

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| <input type="radio"/> Company/business organisation   | <input type="radio"/> Non-EU citizen                      | <input type="radio"/> Other            |
| <input type="radio"/> Consumer organisation           | <input type="radio"/> Non-governmental organisation (NGO) |  |

\* First name

Vita

\* Surname

Ramanauskaite

\* Email (this won't be published)

vita@accountancyeurope.eu

\* Organisation name

*255 character(s) maximum*

Accountancy Europe unites 51 professional organisations from 35 countries that represent 1 million qualified accountants, auditors and advisors.

\* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

\* Are you (or do you represent companies that are) SMEs?

- Yes
- No
- Don't know / no opinion / not relevant

Transparency register number

*255 character(s) maximum*

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

4713568401-18

\* Country of origin

Please add your country of origin, or that of your organisation.

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- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Equatorial Guinea
- Eritrea
- Estonia
- Eswatini
- Ethiopia
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
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- Ghana
- Gibraltar
- Greece
- Greenland
- Grenada
- Guadeloupe
- Guam
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- Guernsey
- Guinea
- Guinea-Bissau
- Guyana
- Haiti
- Heard Island and McDonald Islands
- Honduras
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- Slovenia
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- Somalia
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- South Georgia and the South Sandwich Islands
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\* Field of activity or sector (if applicable):

*at least 1 choice(s)*

- Audit, assurance and accounting

- Banking
- Insurance
- Investment
- Pension provision
- Investment management (e.g. hedge funds, private equity funds, venture capital funds, money market funds, securities)
- Credit rating agencies
- Providers of ESG data and ratings
- Market infrastructure operation (e.g. CCPs, CSDs, Stock exchanges)
- Social entrepreneurship
- Production, manufacturing or services not covered by any of the above categories
- Other
- Not applicable

\* Please specify your activity field(s) or sector(s):

Corporate reporting

\* Please choose one of the following options:

- My organisation is a preparer of non-financial information (or represents such organisations).
- My organisation is a user of non-financial information (or represents such organisations).
- My organisation is both a preparer and a user of non-financial information (or represents such organisations).
- My organisation is neither a preparer nor a user of non-financial information (nor does it represent organisations that are preparers or users of such information).
- Don't know / no opinion / not relevant

\* Are you (or do you represent companies that are) currently under the scope of the provisions of the NFRD?

- Yes
- No
- Don't know / no opinion / not relevant

\* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

- Anonymous**  
Only your type of respondent, country of origin and contribution will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.



## Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

## 1. Quality and scope of non-financial information to be disclosed

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The feedback received from the [online public consultation on corporate reporting carried out in 2018](#) suggests that there are some significant problems regarding the non-financial information currently disclosed by companies pursuant to [Directive 2014/95/EU](#) ("the Non-Financial Reporting Directive" or NFRD) Likewise, [ESMA's 2018 Activity Report](#) gathers evidence that shows there is significant room for improvement in the disclosure practices under the NFRD.

### Question 1. To what extent do you agree or disagree with the following statements about possible problems with regard to non-financial reporting?

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
The lack of comparability of non-financial information reported by companies pursuant to the NFRD is a significant problem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The limited reliability of non-financial information reported by companies pursuant to the NFRD is a significant problem.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Companies reporting pursuant to the NFRD do not disclose all relevant non-financial information needed by different user groups.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Article 19a of the Accounting Directive (which was introduced into the Accounting Directive by the NFRD) currently requires companies to disclose information about four non-financial matters, if deemed material by the particular company:

- i. environment,
- ii. social and employee issues,
- iii. human rights,
- iv. bribery and corruption.

These correspond to the “sustainability factors” defined in Article 2(24) of Regulation (UE) 2019/2088 on sustainability-related disclosures in the financial services sector.

**Question 2. Do you consider that companies reporting pursuant to the NFRD should be required to disclose information about other non-financial matters in addition to those currently set-out in Article 19a?**

	<p align="center"><b>Please specify which other non-financial matters (no more than 3):</b></p>
Other non-financial matter #1	Key other non-financial risks that can have a significant impact on the company's financial position and the environment a company operates in on short and longer term (an example of current corona virus).
Other non-financial matter #2	The legislation should describe (at a minimum level) what each of the non-financial reporting matters entail. Non-financial reporting matters should be categorized to ensure that it is clear what each of the E, S and G aspects encompasses. This should be done in alignment with other EU sustainable finance legislation.
Other non-financial matter #3	Product impact assessment (conducted through a robust Life Cycle Assessment).

For each of the four non-financial matters identified in Article 19a of the Accounting Directive, and subject to the company's own materiality assessment, companies are required to disclose information about their business model, policies (including implemented due diligence processes), outcomes, risks and risk management (including risks linked to their business relationships), and key performance indicators (KPIs) relevant to the business.

**Question 3. Are there additional categories of non-financial information related to a company’s governance and management procedures, including related metrics where relevant, (for example, scenario analyses, targets, more forward-looking information, or how the company aims to contribute to society through its business activities) that companies should disclose in order to enable users of their reports to understand the development, performance, position and impacts of the company?**

	<p align="center"><b>Please specify which additional categories of non-financial information (no more than 3):</b></p>
<p>Additional category of non-financial information #1</p>	<p>Introduce minimum reporting criteria for forward-looking disclosures.</p>
<p>Additional category of non-financial information #2</p>	<p>Key targets on principle non-financial matters.</p>
<p>Additional category of non-financial information #3</p>	<p>Provide information on scenario analysis. As this is a complex process, it will require time for this practice to evolve. Therefore, a suggestion for companies to provide three levels of disclosures: 1. description of measures that companies take on the climate impact and resilience 2. outcome of companies’ analysis expressed in a qualitative manner 3. outcome of companies’ analysis expressed in a quantitative manner / include these results in financial statements.</p>

[Investment in intangible assets currently represents the majority of investment carried out by the private sector in advanced economies](#). There is a long-standing debate about the need for better reporting of intangible investments in company reports, including in relation to sustainability<sup>1</sup>. Irrespective of the potential future changes to accounting standards, it is likely to remain the case that a significant proportion of intangible assets will fail to meet the definition of an asset or the criteria for recognition as an intangible asset in the financial statements. The Accounting Directive currently makes no explicit reference to intangible assets in the Articles concerning the management report, other than the requirement to report about activities in the field of research and development in Article 19(2)(b).

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<sup>1</sup> The European Financial Reporting Advisory Group (EFRAG) is currently carrying out a [research project on this topic](#). The United Kingdom's Financial Reporting Council issued a [consultation document about business reporting of intangibles in 2019](#).

**Question 4. In light of the importance of intangibles in the economy, do you consider that companies should be required to disclose additional non-financial information regarding intangible assets or related factors (e.g. intellectual property, software, customer retention, human capital, etc.)?**

- Yes
- No
- Don't know / no opinion / not relevant

In addition to the provisions of the NFRD, several other EU legislative acts require disclosures of sustainability-related information for financial sector entities:

- The [Regulation on prudential requirements for credit institutions](#) requires certain banks to disclose ESG risks as of 28 June 2022.
- The [Regulation on sustainability related disclosures in the financial services sector](#) requires financial market participants to disclose their policies on the integration of sustainability risks in their investment decision-making process and the adverse impacts of investment decisions on sustainability factors, as of 10 March 2021.
- The [Regulation establishing a framework to facilitate sustainable investment \(the Sustainable Finance Taxonomy\)](#) creates new reporting obligations including for companies subject to the NFRD, starting in December 2021.

**Question 5. To what extent do you think that the current disclosure requirements of the NFRD ensure that investee companies report the information that financial sector companies will need to meet their new disclosure requirements?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

In order to ensure that the financial service sector can comply with the new disclosure requirements there might be scope for better aligning the information required to investees and the one financial sector entities need to report themselves, e.g. as regards sustainability impacts.

## Question 6. How do you find the interaction between different pieces of legislation?

You can provide as many answers as you want.

- It works well
- There is an overlap
- There are gaps
- There is a need to streamline
- It does not work at all
- Don't know / no opinion / not relevant

## Question 7. In order to ensure better alignment of reporting obligations of investees and investors, should the legal provisions related to non-financial reporting define environmental matters on the basis of the six objectives set-out in the taxonomy regulation: (1) climate change mitigation; (2) climate change adaptation; (3) sustainable use and protection of water and marine resources; (4) transition to a circular economy (5) pollution prevention and control; (6) protection and restoration of biodiversity and ecosystems?

- Yes
- No
- Don't know / no opinion / not relevant

## Please provide any comments or explanations to justify your answers to questions 1 to 7:

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 1: The Non-financial Reporting Directive (NFRD) is very high-level and provides considerable flexibility in disclosures, which has an adverse effect on the balance of information presented and the comparability of such information between companies, even within the same sector. Investors do not consider non-financial information in their decision-making process mainly because the information is unavailable for comparison with other companies. Equally, 'an alphabet soup' of reporting standards and frameworks contribute to the identified issues. There is a wide range of reporting initiatives that companies can choose to prepare their disclosures. Also, users of corporate reports are often faced with information overload, but can equally contribute to the confusion by requesting information based on various reporting frameworks and standards.

Question 2: Companies provide increasingly more information for stakeholders to understand the broad impacts of business and to better assess a company's performance. Financial and non-financial information influence each other. In addition to the clearly categorised specific thematic aspects, overall it is important to encourage corporate reporting that connects financial and non-financial information, to ensure companies are disclosing appropriate information aimed at providing a complete overview of the resilience of a business model, risks and opportunities, strengths and weaknesses, and overall performance.

Question 3: Providing information on scenario analysis and clear key targets is especially important to shift to a net-zero carbon and sustainable economy. This would strengthen insights into potential future ESG-related risks and opportunities that companies might face. Much more than past performance, disclosures relating to strategy, objectives and targets provide important insights when assessing the company's future

development, resilience and long-term goals. TCFD recommendations can serve as a basis for the purpose of scenario analysis. It is important to note that this question should be tackled considering the future scope of the NFRD. Not all companies will be able to meet the complex requirements such as scenario analysis.

Question 6: The reporting requirements under the scope of the NFRD should be coherent with relevant existing (or imminent) legislation, but it is important to consider the purpose and scope of those different pieces of legislation.

Question 7: Environmental matters should be defined on the basis of six objectives set out in the Taxonomy Regulation. This could help align reporting obligations and other data requirements within the EU legislation to achieve sustainable finance goals. It is important to note, however, that the European Commission should address not only environmental but also other aspects such as social and governance under the NFRD which would need to be defined at the same level. Also, information on longer term perspectives for the entity is increasingly what is wanted by many stakeholders plus how the entity is achieving alignment to specifics such as SDGs and climate goals etc.

## 2. Standardisation

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*Note: in this section, the word “standard” is used for simplicity. This should not be read as a suggestion that all relevant reporting requirements must be specified in a single normative document. Rather, “standard” is merely used as a shorthand that could encompass a consistent and comprehensive set of standards. Reporting standards define what information companies should report and how such information should be prepared and presented.*

A requirement that all companies falling within the scope of the NFRD report in accordance with a common non-financial reporting standard may help to address some of the problems identified in section 1 (comparability, reliability and relevance).

**Question 8. In your opinion, to what extent would a requirement on companies to apply a common standard for non-financial information resolve the problems identified?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

**Question 9. In your opinion, is it necessary that a standard applied by a company under the scope of the Non-Financial Reporting Directive should include sector-specific elements?**

- Yes
- No
- Don't know / no opinion / not relevant

A number of non-financial reporting frameworks and standards already exist. Some, including the standards of the Global Reporting Initiative (GRI), the framework of the International Integrated Reporting Council (IIRC), and the standards of the Sustainability Accounting Standards Board (SASB), aim to cover most or all relevant non-financial issues.

**Question 10. To what extent would the application of one of the following standards or frameworks, applied on its own, resolve the problems identified while also enabling companies to *comprehensively* meet the current disclosure requirements of the Non-Financial Reporting Directive, taking into account the double-materiality perspective (see section 3)?**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N.A.
<a href="#">Global Reporting Initiative</a>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<a href="#">Sustainability Accounting Standards Board</a>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<a href="#">International Integrated Reporting Framework</a>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**10.1 Do you consider that other standard(s) or framework(s), applied on their own, would resolve the problems identified while also enabling companies to *comprehensively* meet the current disclosure requirements of the NFRD?**

- Yes
- No
- Don't know / no opinion / not relevant

On 5 December 2019, the Economic and Financial Affairs Council adopted conclusions on deepening the Capital Markets Union, in which it invited the Commission to “consider the development of a European non-financial reporting standard **taking into account international initiatives**”.

Most existing frameworks and standards focus on individual or a limited set of non-financial issues. Examples include the recommendations of the Task Force on Climate-related Financial Disclosures (TCFD), the UN Guiding Principles Reporting Framework (human rights), the questionnaires of the GDP (formerly the Carbon Disclosure Project), and the standards of the Climate Disclosure Standards Board (CDSB). Several approaches have also been developed at EU level in the environmental area, including the Organisation Environmental Footprint and reporting under the Eco-Management and Audit Scheme (EMAS).

**Question 11. If there were to be a common European non-financial reporting standard applied by companies under the scope of the NFRD, to what extent do you think it would be important that such a standard should incorporate the principles and content of the following existing standards and frameworks?**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N.A.
<a href="#">Global Reporting Initiative</a>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<a href="#">Sustainability Accounting Standards Board</a>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<a href="#">International Integrated Reporting Framework</a>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<a href="#">Task Force on Climate-related Financial Disclosures (TCFD)</a>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
<a href="#">UN Guiding Principles Reporting Framework (human rights)</a>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<a href="#">CDP</a>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<a href="#">Climate Disclosure Standards Board (CDSB)</a>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
<a href="#">Organisation Environmental Footprint (OEF)</a>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<a href="#">Eco-Management and Audit Scheme (EMAS)</a>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**11.1 Do you consider that the principles and content of other existing standard(s) or framework(s) should be incorporated in a potential common European non-financial reporting standard?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 12. If your organisation *fully* applies any non-financial reporting standard or framework when reporting under the provisions of the NFRD, please indicate the recurring annual cost of applying that standard or framework (including costs of retrieving, analysing and reporting the information):**

	<b>Name of standard or framework (no more than 3):</b>	<b>Estimated cost of application per year, excluding any one-off start-up costs</b>
Standard or framework #1	Not applicable	Not applicable
Standard or framework #2	Not applicable	Not applicable
Standard or framework #3	Not applicable	Not applicable

Small and Medium-Sized Enterprises (SMEs) often do not have the technical expertise nor resources necessary to prepare reports in accordance with state-of-the-art, sophisticated standards. This may imply that requiring SMEs to apply the same standards as large companies may be a disproportionate burden for SMEs.

At the same time, many SMEs are under increasing pressure to provide certain non-financial information to other businesses, in particular if they are suppliers of large companies. In addition, financial institutions are increasingly likely to request certain non-financial information from companies to whom they provide capital, including SMEs. In this respect, SMEs that do not provide non-financial information may experience a negative impact on their commercial opportunities as suppliers of larger companies or on their access to capital, and may not be able to benefit from new sustainable investment opportunities.

**Question 13. In your opinion, would it be useful for there to be a simplified standard and/or reporting format for SMEs?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 14. To what extent do you think that a simplified standard for SMEs would be an effective means of limiting the burden on SMEs arising from information demands they may receive from other companies, including financial institutions?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

**Question 15. If the EU were to develop a simplified standard for SMEs, do you think that the use of such a simplified standard by SMEs should be mandatory or voluntary?**

- Mandatory
- Voluntary
- Don't know / no opinion / not relevant

In the responses to the [Commission's public consultation on public corporate reporting carried out in 2018](#), just over half of the respondents believed that integrated reporting could contribute to a more efficient allocation of capital and agreed that the EU should encourage integrated reporting.

**Question 16. In light of these responses, to what extent do you agree that the body responsible for developing a European non-financial reporting standard should also have expertise in the field of financial reporting in order to ensure "connectivity" or integration between financial and non-financial information?**

- Not at all
- To some extent but not much
- To a reasonable extent

- To a very great extent
- Don't know / no opinion / not relevant

**Question 17. The key stakeholder groups with an interest in and contributing to the elaboration of financial reporting standards have historically been investors, preparers of financial reports (companies) and auditors / a c c o u n t a n t s .**

**To what extent to do you think that these groups should also be involved in the process of developing a European non-financial reporting standard?**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N.A.
Investors	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Preparers	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Auditors/accountants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**Question 18. In addition to the stakeholders referred to in the previous question, to what extent do you consider that the following stakeholders should be involved in the process of developing a European non-financial reporting standard?**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N.A.
Civil society representatives/NGOs	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Academics	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**18.1 Do you consider that other stakeholder(s) should be involved in the process of developing a European non-financial reporting standard?**

- Yes
- No
- Don't know / no opinion / not relevant

**18.2 Please specify which other stakeholder(s) you consider should be involved in the process of developing a European non-financial reporting standard and to what extent:**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	<b>Name of other stakeholder (no more than 3):</b>	<b>Please rate from 1 to 4 as explained above (please use digits only)</b>
Other stakeholder #1	Experts with relevant knowledge, for example, scientists, environmental specialists	3
Other stakeholder #2	Representatives of employees	3
Other stakeholder #3	Representatives of credit rating agencies	3

**Question 19. To what extent should the following European public bodies or authorities be involved in the process of developing a European non-financial reporting standard?**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N.A.
European Securities Markets Authority (ESMA)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
European Banking Authority (EBA)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
European Insurance and Occupational Pensions Authority (EIOPA)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
European Central Bank (ECB)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
European Environment Agency (EEA)	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Platform on Sustainable Finance	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**19.1 Do you consider that other European public body/ies or authority/ies should be involved in the process of developing a European non-financial reporting standard?**

- Yes
- No
- Don't know / no opinion / not relevant

**19.2 Please specify which other European public body/ies or authority/ies you consider should be involved in the process of developing a European non-financial reporting standard and to what extent:**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	<b>Name of other European public body or authority (no more than 3):</b>	<b>Please rate from 1 to 4 as explained above (please use digits only)</b>
Other European public body or authority #1	European Financial Reporting Advisory Group	4
Other European public body or authority #2		
Other European public body or authority #3		

National accounting standards-setters of several EU Member States are represented in the European Financial Reporting Advisory Group (EFRAG), which acts as the EU's voice and technical advisor in relation to financial reporting.

**Question 20. To what extent do you consider that the following national authorities or bodies should be involved in the process of developing European non-financial reporting standards?**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N.A.
National accounting standards-setters	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Environmental authorities	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

## 20.1 Do you consider that other type of national authorities or bodies should be involved in the process of developing a European non-financial reporting standard?

- Yes
- No
- Don't know / no opinion / not relevant

### Please provide any comments or explanations to justify your answers to questions 8 to 20:

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 8: A common comprehensive NFI standard is necessary to achieve high quality information and to tackle current issues in NFI reporting. Today, there are however many reporting initiatives, but none of them is fully complete for companies to comply with all NFI reporting requirements. If there was a new standard, it should build on existing reporting initiatives and remain in line with international developments.

Question 9: A reporting standard should include sector-specific reporting elements as otherwise there is a risk to end up with generic requirements. Sectoral information is key to achieve comparability. It is important to consider banks and insurance undertakings – some requirements will differ from those applicable to other affected undertakings. Nevertheless, the first (set of) NFI standard(s) should set out overarching principles applicable to most or all companies and industries. Sector-specific elements/standards should be introduced at a second stage.

Question 10: None of the three listed reporting initiatives applied alone are fully comprehensive for companies to meet NFI reporting obligations. But GRI, the <IR> Framework and SASB consist of good elements that should be used as basis in NFI standard(s), for instance: the impact of the organisation, connectivity, value creation, sector considerations, etc.

Question 11: The worldwide climate crisis urgently demands one global reporting solution. Standard setting is a public interest matter that requires a multi-stakeholder approach, robust and independent governance and proper resources. We, however, recognise intermediate steps may be needed to achieve this. There is a need to consolidate the different reporting initiatives. Our ranking therefore indicates that going forward we need to build on the already existing international and widely spread reporting standards/frameworks as each of these has strong specific elements. The content and principles of these reporting initiatives cannot be simply 'copy-pasted' into a future EU standard – the synergy of different principles and content requires a careful consideration and judgement, depending on the added value that each framework/standard can bring.

Question 13: It is important to consider the criteria used to determine what type of businesses will fall under the scope and then applicable reporting requirements. For example, whether or not an entity is listed may not be the most relevant criterion to define if this entity has to report on carbon emissions.

A common SMEs reporting standard could help reducing administrative burden, but the actual reporting is normally a relatively minor component of the total costs of ESG implementation. Smaller entities need support to implement ESG procedures given that significantly greater costs come from developing policies, systems and training and monitoring these on an ongoing basis. Also, the development of a non-commercial tool for calculating costs of carbon emissions at an enterprise level could potentially be useful in persuading SMEs to take up their responsibility in dealing with ESG issues.

Question 14: A simplified reporting standard could benefit SMEs in terms of establishing a 'maximum' standard – i.e. a standard beyond which SMEs should not be forced to go. But it would require a significant

amount of research to determine the key reporting metrics for smaller entities, which are often likely to be highly specific to their role in the supply chain.

Question 15: If the EU was to establish a common reporting standard for SMEs, then such a standard should be voluntary. An EU voluntary standard could support delivery of information on demand more effectively. SMEs need to build in better information systems to acquire data. It is worth considering the experience of Greece – smaller entities have to report only on environmental matters. Also, a definition of an SME needs to be considered – a term that can cover an enormous range of businesses in some countries. If the EU was to establish a reporting standard for SMEs, representatives of SMEs should be part of the discussion to fairly represent their interests.

Question 16: Expertise in ESG/sustainability matters is a crucial element to have within the body responsible for standards developments. But it is necessary to also have expertise in financial reporting to ensure connectivity and integration between financial and non-financial information.

### 3. Application of the principle of materiality

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The NFRD requires companies to disclose information “to the extent necessary for an understanding of the development, performance, position and impact of [the company’s] activities.” This materiality principle implies that companies reporting pursuant to the NFRD must disclose (i) how sustainability issues may affect the development, performance and position of the company; and (ii) how the company impacts society and the environment. This is the double-materiality perspective ([see also the Commission’s non-binding guidelines on reporting climate-related information, section 2.2, page 4](#)). The two “directions” of materiality are distinct although there can be feedbacks from one to the other. For example, a company that with severe impacts on the environment or society may incur reputational or legal risks that undermine its financial performance.

‘Material’ information is defined in Article 2(16) of the Accounting Directive as “the status of information where its omission or misstatement could reasonably be expected to influence decisions that users make on the basis of the financial statements of the undertaking. The materiality of individual items shall be assessed in the context of other similar items.” This definition is geared towards financial reporting, which is principally intended to serve the needs of investors and other creditors. By contrast, non-financial information serves the needs of a broader set of stakeholders, as it relates not only to the increasing impact of non-financial matters on the financial performance of the company, but also to its impacts on society and the environment. This may imply the need to provide an alternative definition of materiality for application in the context of non-financial reporting, or at least additional guidance on this issue.

**Question 21. Do you think that the definition of materiality set-out in Article 2 (16) of the Accounting Directive is relevant for the purposes of determining which information is necessary to understand a company’s development, performance and position?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don’t know / no opinion / not relevant

**Question 22. Do you think that the definition of materiality set-out in Article 2 (16) of the Accounting Directive is relevant for the purposes of determining which information is necessary to understand a company’s impacts on society and the environment?**

- Not at all

- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

**Question 23. Is there is a need to clarify the concept of 'material' non-financial information?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 23.1 If you do think there is a need to clarify the concept of 'material' non-financial information, how would you suggest to do so?**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Various NFI reporting standards and frameworks address different scopes and stakeholders, and there is no generally accepted definition of materiality. Previously, companies have separated financial performance and reporting to investors from sustainability or impact reporting to stakeholders. But the impact that the company has on the society and the environment can also affect its ability to create long-term value. Therefore, these issues increasingly become dependencies in the longer-term horizon.

The current materiality concept should be expanded to include the issues that affect long-term value creation and to include matters beyond the purely financial impacts of an organisation's ability to create value in the longer-term. This would involve extending time horizons and an understanding of the financial implications of wider factors. For example, extending the definition as currently used in financial reporting to include "impacts that can become material dependencies in the short or long term, quantitatively or qualitatively" could be considered. It should consider the long-term value creation not only to the company and its investors, but also its wider impacts (i.e. the value creation for society – a company's impact on climate and society, its footprint).

Financial and non-financial information influence each other, and it is incremental to ensure interconnectedness when going forward. The intended user should be kept in mind when considering revisiting materiality concept.

**Question 24. Should companies reporting under the NFRD be required to disclose their materiality assessment process?**

- Yes
- No
- Don't know / no opinion / not relevant

**Please provide any comments or explanations to justify your answers to questions 21 to 24:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 21-22: The current definition of materiality is relevant to determine the financial impacts of ESG matters on the company. But it does not properly capture the company's impacts on society and environment – a methodology to determine impacts on society and environment is substantially missing. There is a need for a clear guidance on a double-materiality perspective and how it is expected to be applied in practice with appropriate illustrative examples. The legislation should define the materiality concept, potentially indicating a limited set of material non-financial issues. However, there should be enough room left for a company to be able to disclose relevant non-financial matters based on its own materiality assessment process.

Question 24: Disclosures about the materiality assessment process are an important matter of transparency. Companies should also disclose information about assumptions and judgements applied to their materiality assessment process along with details of any thresholds used as part of that process. Such information is strategically important to higher-level management and to Boards for better decision making. Appropriateness of disclosures will become a matter of Board's responsibility and liabilities.

## 4. Assurance

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The NFRD requires that the statutory auditor or audit firm checks whether the non-financial statement has been provided if a firm falls within the scope of the Directive.

Article 34 of the Accounting Directive requires that the financial statements are audited, and that the statutory auditor or audit firm express an opinion whether the management report (i) is consistent with the financial statements for the same financial year; and (ii) has been prepared in accordance with the applicable legal requirements. Article 34 of the Accounting Directive also requires the statutory auditor or audit firm to state whether it has identified material misstatements in the management report and to give an indication of the nature of such material misstatements. However, the non-financial statement published pursuant to the NFRD – whether contained in the management report or a separate report – is explicitly excluded from the scope of Article 34 of the Accounting Directive. Consequently, the NFRD does not require any assurance of the content of the non-financial statement.

**Question 25. Given that non-financial information is increasingly important to investors and other users, are the current differences in the assurance requirements between financial and non-financial information justifiable and appropriate?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

**Question 26. Should EU law impose stronger assurance requirements for non-financial information reported by companies falling within the scope of the NFRD?**

- Yes
- No
- Don't know / no opinion / not relevant

There are two types of assurance engagement a practitioner can perform:

- Reasonable assurance reduces the risk of the engagement to an acceptably low level in the given circumstances. The conclusion is usually provided in a positive form of expression and states an opinion on the measurement of the subject matter against previously defined criteria.
- Limited assurance engagements provide a lower level of assurance than the reasonable assurance engagements. The conclusion is usually provided in a negative form of expression by stating that no matter has been identified by the practitioner to conclude that the subject matter is materially misstated.

**Question 27. If EU law were to require assurance of non-financial information published pursuant to the NFRD, do you think that it should require a reasonable or limited assurance engagement on the non-financial information published?**

- Reasonable
- Limited
- Don't know / no opinion / not relevant

**Question 28. If EU law were to require assurance of non-financial information published pursuant to the NFRD, should the assurance provider assess the reporting company's materiality assessment process?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 29. If assurance of non-financial information was required by EU law, should the assurance provider be required to identify and publish the key engagement risks, their response to these risks and any related key observations (if applicable)?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 30. If assurance of non-financial information was required by EU law, do you think that assurance engagements should be performed based on a common assurance standard?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 30.1 If you answered yes in reply to the previous question, please explain whether there is an existing assurance standard that could be used for this purpose or whether a new standard would need to be developed:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The most commonly used standard for assurance engagements over non-financial information is the International Standard on Assurance Engagements (ISAE) 3000 Revised, Assurance Engagements Other

than Audits or Reviews of Historical Financial Information. ISAE 3000 can be used for both limited and reasonable assurance engagements. This standard is mainly used by the accountancy profession, but it can be equally used by other assurance service providers. There are additional standards available such as ISAE 3410 Assurance engagements on Greenhouse gas statements; ISAE 3402 Assurance reports on control at a service organisation. When appropriate, practitioners use national equivalent standards (which are based on ISAE 3000), for example, Dutch standard COS3810N or French guidance issued by CNCC (French Institute for auditors).

It is important to note that the International Auditing and Assurance Standards Board (IAASB) is currently developing non-authoritative guidance on Extended External Reporting (EER) assurance which will assist practitioners in conducting assurance engagements over EER, including non-financial information. Such guidance is helpful but going forward subject-matter specific assurance standards may need to be developed, when appropriate.

**Question 31. Do you think that an assurance requirement for non-financial information is dependent on companies reporting against a specific non-financial reporting standard?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 32. Do you publish non-financial information that is assured?**

- Yes
- No
- Don't know / no opinion / not relevant

**Please provide any comments or explanations to justify your answers to questions 25 to 32:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 26: Assurance over NFI should be mandated at EU level. NFI is of increasingly great importance to investors and other stakeholders and assurance is important to enhance credibility of the information reported. The NFRD should also clarify the level of assurance and define the subject matter of an assurance engagement.

Question 27: As the importance of NFI is growing, ultimately such information should have the same level of assurance as financial information. But a gradual approach toward strengthening NFI assurance requirements would be desirable. Therefore, the EU legislative framework should set reasonable assurance as an end goal to be achieved, for example, over three to five years. Limited assurance should be regarded as a 'starting' point to allow reporting practice to mature and to ensure readiness of a company to move from limited to reasonable assurance. Companies that have gained experience in non-financial reporting to date might be already ready for reasonable assurance.

It is also important to clearly define the subject matter of an assurance engagement within the NFRD. For example, assurance could be provided on both the relevance and materiality assessment process of non-financial issues and risks; compliance with a reporting standard/regulation; accuracy of disclosed information, KPIs and reporting process.

The assurance service provider should be required to apply international professional standards designed to conduct assurance engagements. Applying widely accepted and recognized standards means that an assurance service provider is bound by measures designed to ensure assurance engagements of an equivalent quality. It is also necessary for an assurance service provider to have a high level set of skills and competence to be able to assess the business as a whole and have a sufficient understanding of specificities, but also abide by strong ethical principles and rules, including independence.

We provide further information on the above in the Accountancy Europe position paper on NFI assurance, which is attached to this consultation.

Question 31: A commonly used reporting framework or a standard provides reporting criteria in an assurance engagement. And suitability of such criteria is a key element of any assurance engagement as it serves as a reference point to evaluate the subject matter. The professional standard for assurance engagements (ISAE 3000) defines the characteristics of suitable criteria as: relevant, complete, reliable, neutral and understandable.

## 5. Digitisation

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The EU has introduced a structured data standard, the European Single Electronic Format (ESEF) under the Transparency Directive. With effect from 1 January 2020 listed companies in the EU shall report their annual financial reports in XHTML (audited financial statements, management report and issuer's responsibility statements). Additionally, if the consolidated financial statements are prepared in IFRS, the XHTML document should also be tagged using iXBRL elements specified in the ESEF taxonomy. This allows the information to be machine-readable. This is expected to produce a number of benefits, including cost saving for users of annual financial reports, greater speed, reliability and accuracy of data handling, improved analysis, and better quality of information and decision-making.

Additionally, the Commission is exploring opportunities to establish a single access point for public corporate information. In this respect, the Commission expects the High-level Forum on CMU to examine this topic and formulate recommendations from the Capital Markets angle in the coming months.

### Question 33. To what extent do you agree or disagree with the following statements regarding digitalisation of non-financial information?

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
It would be useful to require the tagging of reports containing non-financial information to make them machine-readable.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
The tagging of non-financial information would only be possible if reporting is done against standards.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
All reports containing non-financial information should be available through a single access point.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Question 34. Do you think that the costs of introducing tagging of non-financial information would be proportionate to the benefits this would produce?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

**Question 35. Please provide any other comments you may have regarding the digitalisation of sustainability information:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Given that financial reporting (for all listed and many unlisted entities) will soon be available in a structured electronic format across EU, there should be a level playing field for non-financial information as well. However, any decisions regarding the digitalisation of non-financial information should take into account the possibility of linking it with financial information. This is commonly done by linking the relevant taxonomies and where possible using similar architectures. This would help provide a comprehensive overview of corporate performance in the broadest sense, essential for investment decisions in today's world.

**Please provide any comments or explanations to justify your answers to questions 33 to 35:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 33:

Statement 1: The tagging of reports (containing NFI) to make them machine-readable is conditional to having NFI standards. However, one should not hamper the application of the other: standards and tagging should be seen in connection and should be developed simultaneously for NFI reporting to be fit for the digital age. It is necessary to resolve current issues in NFI reporting such as quality of information, but this should not prevent from progress in sustainability digitisation.

Statement 2: Tagging can be done without standards but only makes sense if done against standards.

Digital tags are references to a definition stored somewhere else, like the barcode labels on products in a supermarket. If those definitions are not agreed upon as standards, the tags do not aid in providing useful meaning nor context of NFI.

Statement 3: We are well aware that no single access point currently exists in the EU, but we support its creation and urge that its architecture supports both financial and non-financial information in an integrated way.

The landscape of NFI standards is fragmented, with many standards or frameworks highly specialised in a specific area and each with a limited scope. A combination of those standards/frameworks though covers most of NFI reporting matters, but there is a need for consolidation. We would, therefore, like to highlight the potential of digital standards like XBRL that can provide a digital framework which enables companies to use different NFI standards available, but also support the structured identification of gaps, overlaps inconsistencies etc. between those standards and, most importantly, the comparability and transparency of

NFI being reported. It also provides a structured mechanism to link NFI to financial information. We see an important role for the European Commission to create such a digital framework as there is a clear benefit to society, and it also could accommodate and stimulate the efforts in consolidating NFI standards.

## 6. Structure and location of non-financial information

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The default requirement of the NFRD is that companies under scope shall include their non-financial statement in their annual management report. However, the NFRD also allows Member States to allow companies to disclose the required non-financial information in a separate report under certain conditions, and most Member States took up that option when transposing the Directive. Companies can be allowed by national legislation to publish such a report up to six months after the balance sheet date.

The publication of non-financial information in a separate report has a number of consequences, including:

- separate reports that include non-financial information are out of the legal mandate of the national competent authorities, whose mandate over periodic reports is limited to the annual and semi-annual financial reports (which include the management report).
- separate reports that include non-financial information are not required to be filed in the Officially Appointed Mechanisms (OAMs) designated by Member States pursuant to Article 21(2) of the Transparency Directive.

**Question 36. Other consequences may arise from the publication of the non-financial statement as part of a separate report. To what extent do you agree with the following statements:**

Please rate as follows:

1= not at all, 2= to some extent but not much, 3= to a reasonable extent, 4= to a very great extent

	1 (not at all)	2 (to some extent but not much)	3 (to a very reasonable extent)	4 (to a very great extent)	N. A.
The option to publish the non-financial statement as part of a separate report creates a significant problem because the non-financial information reported by companies is hard to find (e.g. it may increase search costs for investors, analysts, ratings agencies and data aggregators).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
The publication of financial and non-financial information in different reports creates the perception that the information reported in the separate report is of secondary importance and does not necessarily have implications in the performance of the company.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**Question 37. Do you believe that companies should be required to disclose all necessary non-financial information in the management report?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 38. If companies are allowed to publish the required non-financial information in a report that is separate from the management report, to what extent do you agree with the following approaches?**

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
Legislation should be amended to ensure proper supervision of information published in separate reports.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Legislation should be amended to require companies to file the separate report with Officially Appointed Mechanisms (OAMs).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Legislation should be amended to ensure the same publication date for management report and the separate report.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**Question 38.1 Please provide any comments regarding the location of reported non-financial information:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

As indicated under Question 37, we support NFI disclosure in the management report. However, if companies were still allowed to publish a separate report, it should have the same publication date, level of supervision and similar requirements as for the management report.

Publishing a separate report at the same time as the management report could help to improve timeliness of the information. The supervision of non-financial information would help ensure regulatory compliance with non-financial reporting requirements.

The management report, including the non-financial statement, aims to provide a company's stakeholders with the information necessary to understand the company's development, performance, position and impact. Some non-financial information is also reported in the corporate governance statement, which is also part of the management report.

**Question 39. Do you consider that the current segregation of non-financial information in separate non-financial and corporate governance statements within the management report provides for effective communication with users of company reports?**

- Not at all
- To some extent but not much
- To a reasonable extent
- To a very great extent
- Don't know / no opinion / not relevant

**Please provide any comments or explanations to justify your answers to questions 36 to 39:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 37: NFI should be disclosed as part of the management report, but such non-financial disclosures need to pertain to matters that are material to the company and its value creation. Also, it will allow users to have a direct access to non-financial information. Equally, including non-financial information in the annual management report could help improve the connectivity between financial and non-financial information – where there is currently a reporting gap. Other disclosures could be provided included in a separate sustainability report.

Non-financial information is nowadays as important as financial information. Integrated use of both types of information is even more valuable. But it should be noted that NFI reporting is still evolving, it is important to allow room for innovation.

## 7. Personal scope (which companies should disclose)

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The NFRD currently applies to large Public-Interest Entities (PIEs) with more than 500 employees. In practice this means large companies with securities listed in EU regulated markets, large banks (whether listed or not) and large insurance companies (whether listed or not) – all provided that they have more than 500 employees.

The Accounting Directive defines large undertakings as those that exceed at least two of the three following criteria:

- a. balance sheet total: EUR 20 000 000;
- b. net turnover: EUR 40 000 000;
- c. average number of employees during the financial year: 250.

Some Member States have extended the personal scope of the NFRD by lowering the threshold to 250 employees, in effect capturing all large PIEs.

Companies that are a subsidiary of another company are exempt from the reporting requirements of the NFRD if their parent company publishes the necessary non-financial information at consolidated level in accordance with the NFRD.

There are a number of potential arguments to support the extension of the personal scope of the NFRD:

- Changes in the legislative framework: following the adoption of the Regulation on sustainability-related disclosure in the financial services sector and of the Taxonomy Regulation, investors may require non-financial information from a broader range of investees in order to comply with their own sustainability-related reporting requirements.
- Large unlisted companies can have significant impacts on society and the environment. There may therefore be no a priori reason to differentiate between listed and non-listed companies in this respect. In addition, the difference in treatment between listed and non-listed companies in this regard may serve as a disincentive for companies to become listed, and therefore undermine the attractiveness of capital markets.
- Exempting PIEs that are subsidiaries limits the information about impacts on society and the environment, thus undermining the ability of stakeholders of such exempted subsidiaries to hold them accountable for their impacts on society and the environment, especially at local and national level.

**Question 40. If the scope of the NFRD were to be broadened to other categories of PIEs, to what extent would you agree with the following approaches?**

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
Expand scope to include all EU companies with securities listed in regulated markets, regardless of their size.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Expand scope to include all large public interest entities (aligning the size criteria with the definition of large						

undertakings set out in the Accounting Directive: 250 instead of 500 employee threshold).	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Expand scope to include all public interest entities, regardless of their size.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

**Question 41. If the scope of the NFRD were to be broadened to non-PIEs, to what extent would you agree with the following approaches?**

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
Expand the scope to include large non-listed companies.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Remove the exemption for companies that are subsidiaries of a parent company that reports non-financial information at group level in accordance with the NFRD.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expand the scope to include large companies established in the EU but listed outside the EU.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expand the scope to include large companies not established in the EU that are listed in EU regulated markets.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Expand scope to include all limited liability companies regardless of their size.	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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**Question 42. If *non-listed* companies were required to disclose non-financial information, do you consider that there should be a specific competent authority in charge of supervising their compliance with that obligation?**

- Yes
- No
- Don't know / no opinion / not relevant

Due to the nature of their activities, credit institutions and insurance undertakings have larger balance sheets than non-financial corporations. Hence, the vast majority of such institutions will exceed the balance sheet threshold in the definition of large undertakings set-out in the Accounting Directive. Moreover, the application of some public disclosure requirement of EU prudential regulation for credit institutions and insurance undertakings is defined based on various size thresholds.

For example:

- the [Regulation on prudential requirements for credit institutions and investment firms](#) includes in its definition of large credit institutions those with a total value of assets equal to or greater than EUR 30 billion;
- the same Regulation defines small and non-complex institutions as those that have EUR 5 billion or less total assets;
- the [consultation paper published by EIOPA in October 2019 proposes to revise article 4 thresholds of Solvency II](#) (below which entities are excluded from the scope of Solvency II), doubling the thresholds related to the technical provisions (from EUR 25M provisions to EUR 50M) and allowing Member States to set the threshold referring to premium income between the current EUR 5M and until a maximum of EUR 25M.

**Question 43. To what extent do you agree with the following statements relating to possible changes of the personal scope of the NFRD for financial institutions?**

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
The threshold criteria for determining which banks have to comply with the NFRD provisions should be different from those used by Non-Financial Corporates.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

<p>The threshold criteria for determining which insurance undertakings have to comply with the NFRD provisions should be different from those used by Non-Financial Corporates.</p>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
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**Please provide any comments or explanations to justify your answers to questions 40 to 43:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Question 40: In addition to the ranking, we would like to note that the current scope of the NFRD should be expanded to capture all those companies that significantly impact the environment and society due to their sector's economic activities and a business model. Number of employees or turnover may not be the best criteria to determine the scope as it does not necessarily reflect the complexity of an entity's business model and its impact on the economy, society and environment. One way could be to use risks as the main criterion, for example, by linking the company's business model, ownership, governance and complexity of its transactions to areas of risks. However, some companies may require a transition period to build capacity and implement proper reporting systems to be able to collect data and before assurance can be required.

Question 41: In general, consideration should be given to bringing as many companies as possible under the scope of the NFRD, as non-financial reporting will encourage companies to deal with "sustainability" more intensively and thus support the transformation to a more sustainable business world.

In addition, under the EC Sustainable Finance Action Plan, financial sector companies need NFI from all their clients for their risk management. In order to fulfil such request, the NFRD should cover as many companies as possible. It should therefore be discussed how smaller companies can be supported to be able to comply with these information requests.

## 8. Simplification and reduction of administrative burdens for companies

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**Question 44. Does your company publish non-financial information pursuant to the NFRD?**

- Yes
- No
- Don't know / no opinion / not relevant

**Question 44.2 Please state the total cost per year of any external services, excluding the cost of any assurance or audit services, that you contracted to assist your company to comply with the requirements of the Non-Financial**

**Reporting Directive. Please provide your answer for reports published in 2019, covering financial year 2018.**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

Not applicable

The majority of Member States have transposed the NFRD requirements into national legislation making very few changes to the wording of the legal provisions. Therefore, in the majority of the national legal frameworks, companies are required to comply with national legislation that is quite high level, not very prescriptive and do not require the use of any particular reporting standard.

**Question 45. To what extent do you agree with the following statements?**

Please rate as follows:

1= totally disagree, 2= mostly disagree, 3= partially disagree and partially agree, 4= mostly agree, 5= totally agree

	1 (totally disagree)	2 (mostly disagree)	3 (partially disagree and partially agree)	4 (mostly agree)	5 (totally agree)	Don't know / no opinion / not relevant
Companies reporting pursuant to the NFRD face uncertainty and complexity when deciding what non-financial information to report, and how and where to report such information.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Companies are under pressure to respond to individual demands for non-financial information from sustainability rating agencies, data providers and civil society, irrespective of the information that they publish as a result of the NFRD.	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

<p>Companies reporting pursuant to the NFRD have difficulty in getting the information they need from business partners, including suppliers, in order to meet their disclosure requirements.</p>	○	○	○	●	○	○
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**Please provide any comments or explanations to justify your answers to questions 44 to 45:**

*5000 character(s) maximum*

including spaces and line breaks, i.e. stricter than the MS Word characters counting method.

The current NFRD has been a significant step towards consistent NFI reporting in Europe, but it is rather high-level, and it left considerable flexibility for Members States in the transposition. The NFRD does not indicate a specific reporting standard or framework to be applied to comply with the reporting requirements. Availability of the many reporting initiatives contributes to confusion, but also the fact that none of these initiatives provide a comprehensive reporting framework to comply with all NFI reporting requirements. We also note that various stakeholders request different sets of data based on different frameworks. It is important to have a comprehensive quality standard which is necessary to solve these issues and to improve quality of the data reported.

## Additional information

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Should you wish to provide additional information (e.g. a position paper, report) or raise specific points not covered by the questionnaire, you can upload your additional document(s) here:

The maximum file size is 1 MB.

You can upload several files.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

### Useful links

[More on the Transparency register \(http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en\)](http://ec.europa.eu/transparencyregister/public/homePage.do?locale=en)

[More on this consultation \(https://ec.europa.eu/info/publications/finance-consultations-2020-non-financial-reporting-directive\\_en\)](https://ec.europa.eu/info/publications/finance-consultations-2020-non-financial-reporting-directive_en)

[Specific privacy statement \(https://ec.europa.eu/info/law/better-regulation/specific-privacy-statement\\_en\)](https://ec.europa.eu/info/law/better-regulation/specific-privacy-statement_en)

[Consultation document \(https://ec.europa.eu/info/files/2020-non-financial-reporting-directive-consultation-document\\_en\)](https://ec.europa.eu/info/files/2020-non-financial-reporting-directive-consultation-document_en)

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## **Contact**

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