



EU Whistleblowing Directive

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Thank you for downloading our free self-assessment guide!

This desk aid, covers key areas that firms should consider when reviewing their compliance with the new EU Whistleblowing Directive.

By reviewing and completing this guide using the notes section, firms can identify areas where they may need to take action to ensure compliance with the regulation and to mitigate any potential risks or liabilities.

As always, should you require any further assistance, do not hesitate to contact us.

Scope of Protection

- The directive covers a wide range of issues, including corruption, bribery, fraud, money laundering, and breaches of environmental, health and safety, and data protection laws.
- Protects whistleblowers who report breaches of EU law, such as tax fraud and money laundering.

Reporting Channels

- EU member states are required to establish a safe and confidential reporting channel for whistleblowers.
- Organizations must provide a secure and anonymous way for employees to report concerns.
- Whistleblowers can report internally to their employer or directly to competent authorities.

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Protection against Retaliation

- Whistleblowers will be protected from retaliation or discrimination, including dismissal or demotion.
- Employers are prohibited from taking any adverse action against whistleblowers, and must provide effective remedies if retaliation occurs.
- Whistleblowers will be entitled to legal support and compensation if necessary.

Reporting to Authorities

- Whistleblowers can report directly to competent authorities if they believe that their employer will not take appropriate action.
- Competent authorities must acknowledge receipt of the report and provide regular updates on the progress of the investigation.
- Whistleblowers must be informed of the outcome of the investigation, and any follow-up action taken.

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Internal Whistleblowing System

- For companies with 50 (or more employees), the reporting channels should be easily accessible and guarantee confidentiality and protection against retaliation.
- Employees must be able to access a telephone hotline to report concerns.
- Organisations must also appoint a person or department responsible for receiving and handling reports of wrongdoing.

Application for non-EEA firms

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- Firms in the UK will be subject to the EU whistleblowing directive if they operate in a member state or if their activities have a cross-border element. Therefore, UK firms that have operations in EU countries or engage in cross-border business with the EU will need to comply with the new directive.
- Firms should establish clear policies and procedures for managing whistleblower complaints, including the establishment of a safe and confidential reporting channel.
- They should also ensure that their employees are aware of their rights and protections under the directive, and that any reports of illegal or unethical practices are handled promptly and effectively. Firms should seek legal advice to ensure that they are fully compliant with the new directive.

Use this page to leave notes as evidence of consideration and compliance.



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