



# From Speak-up to Listen-up: Realising the Value of Whistleblowing

Jan Stappers, Legal Counsel | NAVEX Global

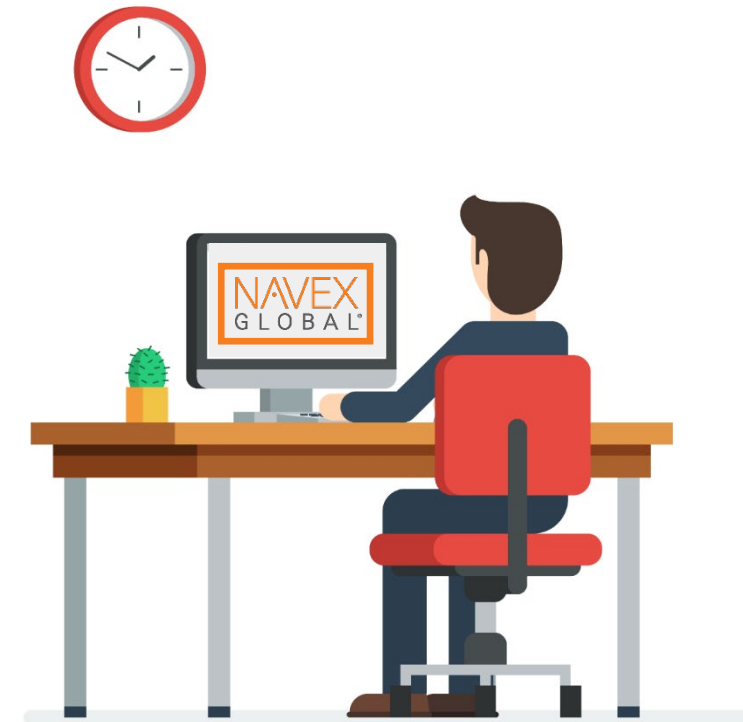
Dr. Vigjilence Abazi, Assistant Professor of EU Law | Maastricht University

Mark McAllister, Chair | Office for Nuclear Regulation

Richard Hart, Internal Investigations - Conduct & Compliance | WWF International

# Before We Begin...

- **Timing:** 50-60 minutes running time
- **Questions:** We will not have time for audience questions today, but you can contact us via the chat
- **Certificate of Attendance:** Please complete the closing survey at end of webinar
- **Recording:** A recording will be shared with you in the coming week
- **Resources:** Download slides and resources from the Resources section
- **Connection issues?** Refresh your browser or contact us in the chat



# Agenda

1. Introduction and background
2. The Legal Context
3. Culture and Risk
4. Putting It Into Practice
5. Closing Thoughts



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**Jan Stappers**

Discussion Moderator  
NAVEX Global



**Dr. Vigjilenca Abazi**

Assistant Professor of EU Law  
Maastricht University



**Mark McAllister**

Chair  
Office for Nuclear Regulation



**Richard Hart**

Internal Investigations - Conduct & Compliance  
WWF International





We don't need more whistleblowers.  
We just need to be better at listening  
to the ones we already have. //



*- Dr. Wim Vandekerckhove*





# The Legal Context



# The Value of “Whistleblowers”

- Whistleblowers as risk detectors
- Whistleblowers as an asset not a liability
- Establish safe internal whistleblower channels
- Corporate culture and the tone at the top
- Hire whistleblowers to utilize their expertise



# Global Overview: Key Takeaways

1. More countries than ever before are adopting whistleblower protection, but in practice protection is minimal
2. Retaliation, dismissals and 'blacklists' are still far too common





# U.S. Developments



## **NEW**

- Corporate Transparency Act
- Anti Money Laundering Act
- Criminal Anti-trust Retaliation Act

## **Changes Ahead?**

- Restoring bi-partisan support
- Stronger rights for COVID-19 whistleblowers
- More whistleblower rewards programs
- Dodd Frank/SEC fix
- False Claims Act



# EU Whistleblower Directive



## Fast Facts

- **Expands** to over 12 policy fields
- **Includes** civil servants, the self-employed, shareholders, management, administrative or supervisory bodies, volunteers, paid or unpaid trainees, contractors, subcontractors and suppliers, individuals disclosing breaches during a recruitment process and former workers
- **Covers** information, including reasonable suspicions, about actual or potential breaches, which occurred or are very likely to occur in the organization in which the reporting person works or has worked or in another organization with which the reporting person is or was in contact through his or her work, and about attempts to conceal such breaches



Internal Reporting & Follow up (Articles 7-9)



Companies with 50 or more employees



Reporting may be established internally by a person or department designated for reporting or may be provided externally by a third party



Within 7 days of reporting, whistleblower must receive acknowledgment



'Feedback' not exceeding 3 months



Designed, established and operated in a secure manner and ensuring of confidentiality

# National Transposition (December 2021)

## 4 Scenarios...



1

No  
transposition



2

Inadequate  
transposition



3

Adequate  
transposition  
(narrow  
approach)



4

Adequate  
transposition  
(beyond  
minimum  
standards)

# Whistleblowers: Essential for Accountability



**49%**

of citizens

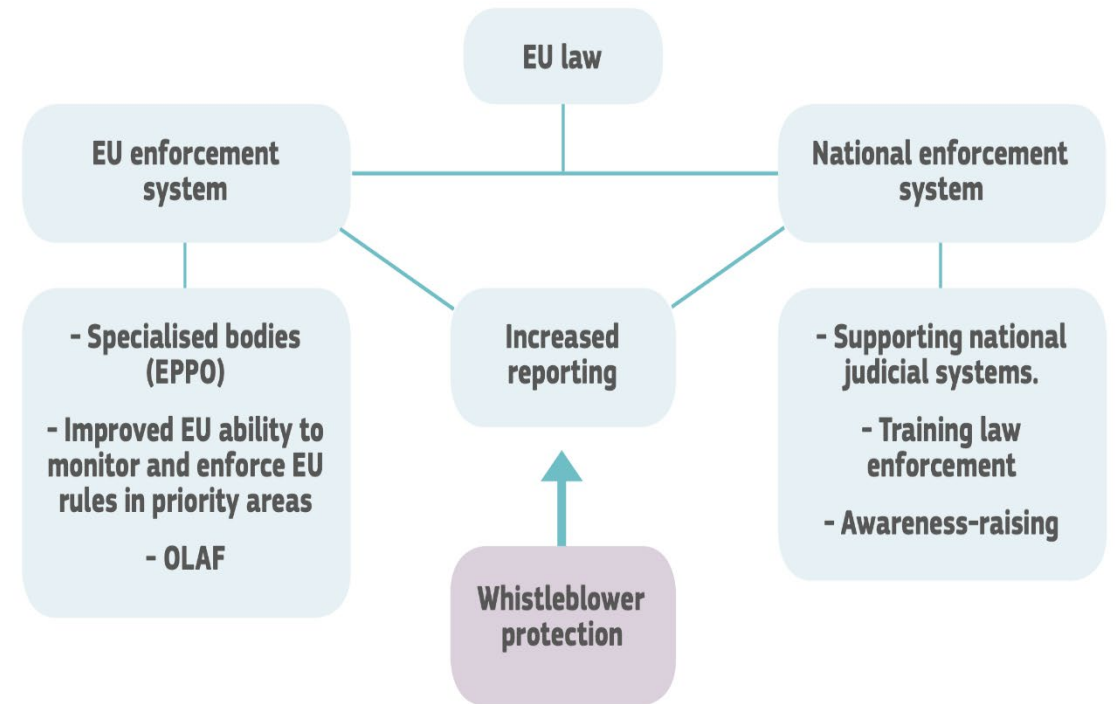
did not know where to report corruption



**15%**

of citizens

know about existing rules on whistleblower protection



Source: European Commission Factsheet, 20 April 2018





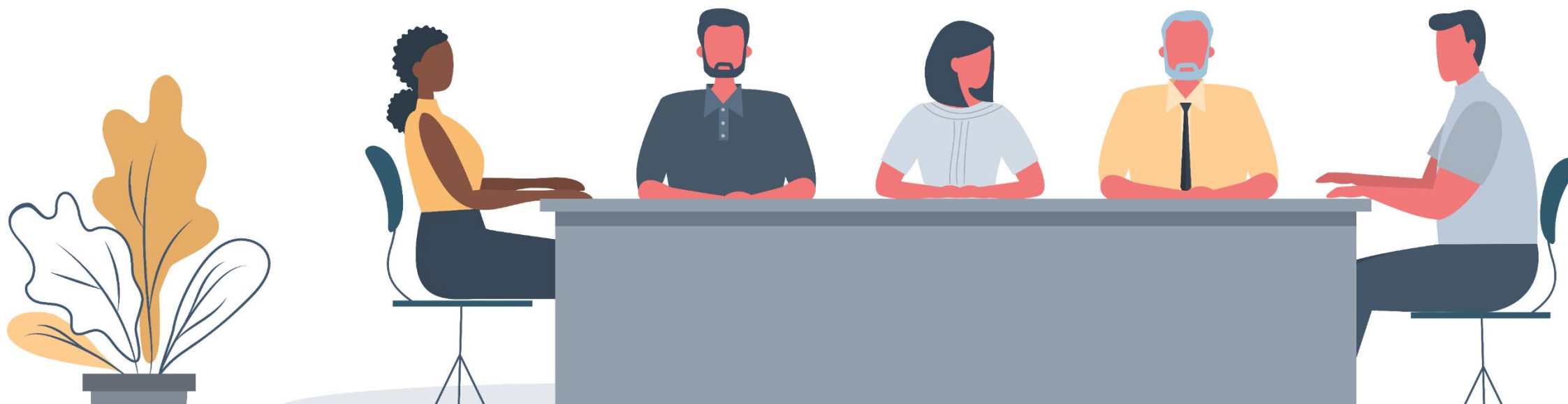
# Culture and Risk



# Key concepts

- Whistleblowers at the heart of process
- Setting the tone – leaders as role models
- Engaging positively - no matter the outcome
- Responding to lead indicators





## Putting It Into Practice



# WWF International

## Key concepts

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- Awareness
- Access
- Confidence
- Communication







## Closing Thoughts



# Download our resources for more insights



## Thank You!

Please respond to the pop-up question  
to receive your attendance certificate