

ARENDDT IS BY YOUR SIDE

Whistleblowing Managing alerts and reports

Arendt's comprehensive service solution – outsource your internal reporting channels with our integrated offering, which is based on an annual subscription. A solution that brings you into compliance quickly and ensures that alerts and reports are handled efficiently and appropriately, with confidentiality, impartiality and expertise.

The protection of whistleblowers was made widespread and extended by the law of 16 May 2023. Other laws and regulations, such as the law of 2023 on moral harassment, also require companies to put in place appropriate procedures (with regard to harassment, this obligation applies to all companies irrespective of their size and activities).

Under the new law on whistleblowing, companies with:

- 50 or more workers are obliged to set up internal whistleblowing procedures. These procedures must comply with a set of rules to guarantee the confidentiality of the whistleblower's identity and to ensure that reports are dealt with seriously and effectively.
- between 50 and 249 employees must comply by the end of 2023.
- 250 employees or more must have these procedures in place immediately.

All companies have the option of outsourcing the management of ancillary service providers. Arendt proposes an all-in-one, comprehensive service solution to help you comply with all obligations, which includes: amending internal regulations, guaranteeing confidentiality, assessing the seriousness of the alert, legal classification the facts, evaluating the administrative, civil and criminal risks, conducting an internal investigation in compliance with procedures, deciding what action to take, etc. These are all complex issues that call on a variety of legal disciplines.

The alert channels available to you:

- online form
- postal address
- e-mail address

We cover all legal and regulatory risks such as:



Why do we need effective reporting channels?

- A legal obligation: non-compliance is punishable by a fine
- To encourage whistleblowers/victims to opt for internal reporting over reporting to the authorities and the public
- To keep control of alerts and protect your image and reputation

Steps we take and what's included

1. Implementation
 - Analysis and adaptation of your internal procedures
 - Analysis of the specific risks linked to your activity
 - Advice on social dialogue
 - Configuration of alert channels
2. Annual subscription
 - Provision of alert channels
 - Guaranteed availability to receive alerts
 - Provision of legal updates
 - Provision of annual report
3. Incoming alert(s)
4. Initial analysis
 - Legal classification of the facts reported
 - Assessment of the seriousness of the alert
 - Initial opinion on the risks for your company
 - Acknowledgement of receipt in accordance with legal requirements
 - Interim report with advice on next steps
5. Managing alerts
 - Drawing up an investigation and survey plan
 - Gathering information and data
 - Conducting interviews
 - Drafting report summarising findings
 - Advising on the action to be taken

- Forensic investigations by experts to guarantee the admissibility of evidence in the event of a trial.
- To adapt procedures based on remediation and changes in legislation and case law.
- To avoid a poorly handled alert, which can be disastrous.

Why outsource externalise whistleblowing management?

- A compliant, comprehensive service solution that takes into account of all the specific features of Luxembourg law and assists in aligning international procedures to the specificities of the Luxembourg law
- Support from teams covering all areas of the law and able to advise on all types of reports
- Seasoned experts in internal investigations and research, including handling large volumes of data and complex transactions
- Alerts are processed in accordance with best market practice, while respecting the legal framework and personal data.

Why outsource whistleblowing management?

- Rapid compliance for your company without mobilising internal resources.
- An effective and well-tested system.
- A clear commitment to transparency and good governance.

Why work with a lawyer?

- The guarantee of professional secrecy and neutrality, reinforcing confidentiality and trust.
- To have a comprehensive service that is more than just a digital platform and provides the skills to classify facts, assess risks and advise on solutions.



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is by
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Contact us

If you would like more information, please contact us at whistleblowing@arendt.com