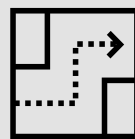




Protection of Whistleblowers

On 17 May 2023, the law transposing the Whistleblowing Directive was published in the Official Memorial. The law requires private sector entities with at least 50 employees and entities both in the financial sector and public sector irrespective of the number of employees to implement internal reporting channels.

The requirements of the law go far beyond existing legislation, e.g. persons can report “anything illicit”. This means that reports of harassment as outlined in the new moral harassment law will also fall within the scope of the whistleblowing channel. The law foresees timeframes for feedback, requires strict confidentiality and an impartial person/department for handling alerts. Non-implementation might mean financial sanctions and reputational damage. To make the system effective, entities should think about an efficient technical set-up as well as proper training and communications to foster trust in the system which might otherwise be abused or not used at all.



Your challenges

- ☒ Do you have a whistleblowing system and is it compliant with the new law?
- ☒ Are your training and communications encouraging a speak-up culture?
- ☒ Do you have sufficient and sufficiently trained staff to handle reports?
- ☒ Should you evaluate the use of adequate software for your whistleblowing system?
- ☒ Do you have a process for regular reports to the Board or the audit committee?
- ☒ Do you have experts to perform internal investigations?
- ☒ Do you ensure the implementation of remedial actions and protect whistleblowers?
- ☒ Do you have a crisis plan in case of media coverage or public disclosures?



Our services

Set-up

We can support you in **implementing a new system** by:

- Drafting your governance, policies & procedures;
- Assisting in tool selection and implementation;
- Designing communication measures and trainings;
- Preparing briefings for stakeholders, e.g. the Board.

or

We can perform **Health checks** of existing systems:

- Gap analyses against the Luxembourgish or other Whistleblowing laws and best practices;
- Updates of your policies, processes or trainings;
- GDPR assessments.

For both implementations and health-checks, we will focus on a practical set-up. From an operational perspective, it is not recommended to only check legal compliance with the law, e.g. through a legal review. It is crucial that the process behind is functioning and we will bring our forensic experience to ensure this.

Alert management

If you don't have the resources to manage your channels, you can **externalise the channel** to us. This will also increase the trust in the system. Together with specialized lawyers from PwC Legal we can support you in managing incoming reports by:

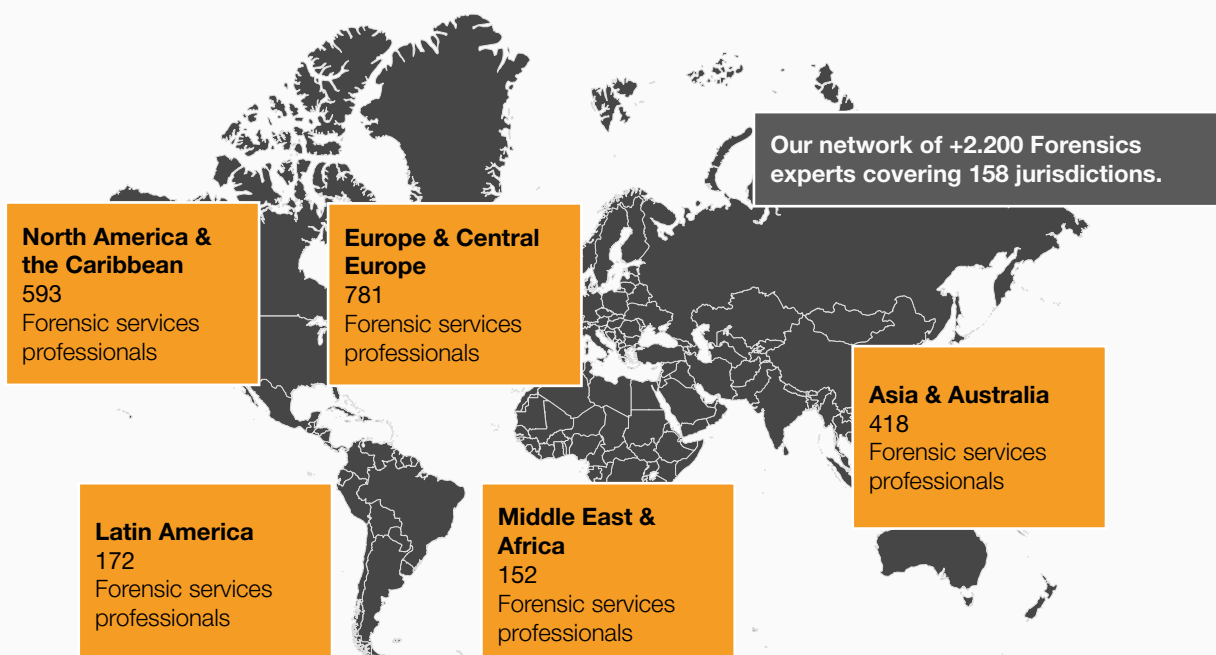
- Having a **team** available to ensure all timeframes of the law are respected;
- Acknowledging **receipt** to the reporting person;
- Assessing the **veracity** of reports;
- Formulating **recommendations** for further actions.

[Discover my MS Hub](#)

Investigations

Our team together with experts from our network can perform independant investigations, including:

- Drafting an investigation **plan**;
- Reviewing data and performing **interviews**;
- Preparing a forensic **investigation report** to be used in court;
- Advising on next steps and **remedial actions**.





PwC and EQS Group, a leading provider of digital whistleblowing systems, have joined forces in a Joint Business Relationship (JBR) since August 2022, to offer a customizable tool solution in line with the new Whistleblower Protection Law. All PwC Services can be offered jointly with EQS as a tool provider to ensure a seamless integration and running of your whistleblowing system.



Your benefits



Ensure **compliance** with the new regulatory framework to minimise the risk of fines.



Increase the **impact** of your whistleblowing system by applying best practices to ensure trust in and use of the system.



Detect misconduct early, remediate it internally and prevent or limit financial and reputational damage.



Build a robust whistleblowing system which will enhance your ESG efforts and meet your stakeholders' expectations.

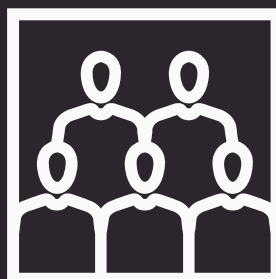


Why PwC Luxembourg?

Our whistleblowing services bring together our expertise in Forensic investigations and legal expertise completed by our JBR with EQS.

From reception of an alert to the closing of a procedure, we can ensure that the management is efficient, compliant and fulfils additional requirements regarding documentation for potential future litigation.

Our services are complimentary or one off - you choose only what you need. We can support you with the initial set-up, trainings or a communication campaign or only with the managing of your alerts, you can reach out to us for investigations or questions on a specific case.



**For more information on all
our whistleblowing solutions,
please contact:**



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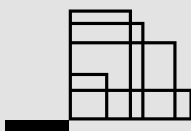
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