## LISTENING FOR THE WHISTLE IN A PANDEMIC: TOP TIPS

#### PREPARE

Ensure your whistleblowing response policies and protocols are clear, accessible and robust. Follow that plan when alerts arise, don't make decisions in crisis-mode.

# 5

#### EXPERTISE

Ensure your investigations process and team contains, or is advised, by relevant experts who work closely together, taking account of the employment, data protection, legal and reputational risks.

#### TRIAGE

Confirm that your whistleblowing response is geared towards assessing and prioritising the most enterprise-critical matters, and assigning the correct level and type of response and resource.

#### DOCUMENT

It's not just what steps you take, it's the record you keep. Ensure a comprehensive decision log and audit trail of the investigation is kept. Identify what documentation should be legally privileged.

#### MOTIVES

Do not expect purity of cause from a whistleblower: their motives may be mixed. Having an ulterior or additional motive is not a barrier to whistleblower protection.

### TIMING

Act with speed but not haste. The longer you leave your whistleblower waiting for a response, the higher the risk they will go elsewhere with complaints, but over-eager responses before full information is gathered can lead to future problems.

## 8

### RECOGNISE

Whistleblowers do not always declare themselves as such. Be guided by the test, and not the label: reasonable belief in public interest and wrongdoing (financial services firms don't forget the FCA's test).

## C ADDLESHAW G GODDARD

#### COMMUNICATIONS

Strive for openness and transparency, and remember that communication is a two-way street. Share information where possible and sensible.

ATMOSPHERICS

Remember that business is a human institution, and blowing the whistle can be a traumatic and stressful experience. Say thank you, be kind.



# **GET IN TOUCH**



POLLY SPRENGER Partner, Addleshaw Goddard Polly.Sprenger@addleshawgoddard.com Global Investigations: Corporate Crime



**ERIN SHOESMITH** Partner, Addleshaw Goddard Erin.Shoesmith@addleshawgoddard.com Global Investigations: Health & Safety



WENDY ADDISON Founder, SpeakUp SpeakOut wendy@speakout-speakup.org



SARAH THOMAS Partner, Addleshaw Goddard Sarah.Thomas@addleshawgoddard.com Global Investigations: Contentious Regulatory



RICHARD YEOMANS Partner, Addleshaw Goddard Richard.Yeomans@addleshawgoddard.com Employment

© 2020 Addleshaw Goddard LLP. All rights reserved. Extracts may be copied with prior permission and provided their source is acknowledged. This document is for general information only. It is not legal advice and should not be acted or relied on as being so, accordingly Addleshaw Goddard disclaims any responsibility. It does not create a solicitor-client relationship between Addleshaw Goddard and any other person. Legal advice should be taken before applying any information in this document to any facts and circumstances. Addleshaw Goddard and any other person. Legal advice should be taken before applying any information in this document to any facts and circumstances. Addleshaw Goddard and regulated by the Solicitorws Regulation Authority and the Law Goddard LLP (a limited liability partnership registered in England & Wales and authorised and regulated by the DSA), in the Qatar Financial Centre through Addleshaw Goddard (GCC) LLP (licensed by the QFCA), in Oman through Addleshaw Goddard (GCC) LLP (licensed by the QFCA), in Oman through Addleshaw Goddard (GCC) LLP (a solicitor of Justice), in Hamburg through Addleshaw Goddard (Germany) LLP (a limited liability partnership registered in England & Wales) and in Hong Kong through Addleshaw Goddard (Hong Kong) LLP, a Hong Kong Integliability partnership persite person of the Legal Practitioners Ordinance and regulated by the Law Society of Hong Kong. In Tokyo, legal services are offered through Addleshaw Goddard entity or association or an employee or consultant with equivalent standing and qualifications.