

CLIENT ALERT

Whistleblowing – A Guide to Compliance: Part 4

July 14, 2021

Crowell & Moring LLP's 2021 series of client alerts: Whistleblowing – A Guide to Compliance is intended to provide companies with a practical guide to help them comply with their obligations under the EU Whistleblower Directive. Via a monthly alert, Crowell & Moring LLP will explain the different steps that companies need to take for compliance and emphasize various points for consideration. Step #4: Check the steps you should already be taking to ensure your company's compliance with the EU Whistleblower Directive and the national laws that implement it.

1. Summary of the different steps and action points that can already be undertaken for compliance with the EU Whistleblower Directive

In our previous Alerts in this series, we have drawn attention to some of the steps and action points that companies can already undertake with a view to compliance:

- **Action point #1:** Analyze the company's obligation to establish internal reporting channels and procedures (see [Whistleblowing – A Guide to Compliance: Part 1](#))
- **Action point #2:** Understand the importance of setting up an effective internal whistleblowing system and organize an Internal Survey or listening sessions that will give you an insight into how your company's employees view your internal communications (see [Whistleblowing – A Guide to Compliance: Part 2](#))
- **Action point #3:** Understand the obligations of companies with operations in various EU member states and start implementing internal reporting channels, based on the provisions of the EU Whistleblower Directive ([see Whistleblowing – A Guide to Compliance: Part 3](#) and [Part 3b](#))

2. Current status of the implementation of the EU Whistleblower Directive in the various EU member states

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Conclusion:

From the overview set out above, it can be seen that although some major EU member states are already well advanced in the transposition of the EU Whistleblower Directive (the Netherlands, Sweden), most countries are lagging behind. As a result, there is a definite risk that these countries will not meet the deadline for transposition of the Directive of December 17, 2021. The coming months will be crucial in determining whether the deadline of December 17, 2021 is realistic and whether the European Commission might agree to an extension of this deadline.

- **Action point #4:** Monitor the different EU member states' national implementation of the EU Whistleblower Directive to identify specific national requirements.

For more information, please contact the professional(s) listed below, or your regular Crowell & Moring contact.

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