CHECKLIST

Receiving and handling a whistleblowing report

What needs to happen from the moment a report comes in until the case is closed? Use the list in every case so nothing important is missed.

For case handlers, HR and managers who receive reports · 15 points

1 The first days

- [ ] 1 Log the report: date, channel and what it concerns. Limit access to the case.
- [ ] 2 Confirm to the whistleblower that the report has been received. Do it quickly; the EU Whistleblowing Directive requires an acknowledgement within seven days in EU countries.
- [ ] 3 Assess whether it concerns wrongdoing. If it only concerns the whistleblower's own employment, it is as a rule not whistleblowing (section 2 A-1). If in doubt, treat it as a report.
- [ ] 4 Decide who owns the case, and check that nobody handling it has a conflict of interest.
- [ ] 5 Consider whether anything must be done at once: danger to life and health, securing evidence, or a risk of retaliation.

2 The investigation

- [ ] 6 The report must be adequately investigated within a reasonable time (section 2 A-3). Plan what needs to be clarified, who to talk to and which documents you need.
- [ ] 7 Let the person reported know what the case is about and respond to it before you conclude.
- [ ] 8 Document conversations, assessments and decisions in writing.
- [ ] 9 Keep the whistleblower's identity known to as few people as possible.
- [ ] 10 Give the whistleblower a way to answer questions, also when the report is anonymous.

3 Closing and follow-up

- [ ] 11 Write a conclusion: what was investigated, what you found, and what will be done.
- [ ] 12 Give feedback to the whistleblower and to the person reported.
- [ ] 13 Keep an eye on the whistleblower's working environment afterwards. Retaliation is prohibited (section 2 A-4), and the employer must ensure a fully satisfactory working environment (section 2 A-3).
- [ ] 14 Delete or anonymise personal data when you no longer need it.
- [ ] 15 Review the case: what should change in the procedure or in the business?

The checklist gives general guidance on Norwegian law and is not legal advice. Source: Working Environment Act chapter 2 A (lovdata.no).