



## The EU Whistleblowing Directive The Road to Compliance



**Littler** | Whistle Protect

# Littler | Whistle Protect – a partnership with WhistleB

**Press Release** - 18 May 2021

GQ|Littler, a leading labour and employment law firm, and the Irish arm of Littler, the world's largest employment and labour law practice, is pleased to announce a new partnership with WhistleB to offer clients across Europe a secure and trusted employee whistleblowing system.

Littler | Whistle Protect is a whistleblowing system developed by WhistleB and used by companies across Europe that allows employees to report suspected misconduct through a secure and user-friendly online tool. The tool provides employers with an easy way to uncover and address misconduct, as well as access to market-leading data security and privacy to ensure whistleblower anonymity and protect sensitive data. With compliance with relevant national laws and EU regulations embedded within the tool, Littler | Whistle Protect also helps companies reduce their legal risk.

For the uniform establishment of whistleblower protection, the European Union issued the so-called Whistleblowing Directive (EU) 2019/1937 in the fall of 2019. It came into force on December 16, 2019 and must be transposed into national law by EU member states no later than December 17, 2021. Under the Whistleblowing Directive, companies with more than 50 employees are required to establish internal reporting channels through which violations of EU law can be reported. In addition, the Directive also provides for external reporting offices to be set up by the federal government or state governments and offers whistleblowers the right of choice as to which reporting office they approach.

The Whistleblowing Directive is to be implemented into Irish law by an amendment to the Protected Disclosures Act 2014, which already confers significant protections on workers who make “protected disclosures”. In order to avoid contradictions and to create legal certainty for potential whistleblowers, the Whistleblowing Directive will create a EU-wide approach to whistleblowing, in terms of what wrongdoings are covered, who can claim protection, and what protections are provided.

In Ireland, the Whistleblowing Directive will extend the scope of existing whistleblowing protections, and will introduce for the first time, procedural timelines and mandatory safeguards for employers in both the private and public sector.

In announcing the changes proposed to the Protected Disclosures Act 2014 as a result of the Whistleblowing Directive, the Minister for

Public Expenditure and Reform, Mr Michael McGrath, indicted that the burden of proof will be reversed in cases where a person claims to have been penalised for making a protected disclosure – meaning that it will be assumed that the person has been penalised unless their employer can prove otherwise. This would be a dramatic change and could have a significant impact on employers.

**Niall Pelly**, Partner and Head of the Dublin office of GQ|Littler, said: “As a firm, we are committed to continuing to develop and leverage best-in-class technological solutions for our clients and I’m excited to add Littler | Whistle Protect to that already robust offering. Our clients in Ireland and across Europe will benefit deeply from the services integrated within this tool.”

Through Littler | Whistle Protect, our clients will have access to:

- **Reporting Channel:** Employees can report suspected wrongdoing through a web-based landing page and questionnaire. The whistleblower can remain anonymous, and the employer can respond immediately.
- **Case Management Tool:** The tool securely and efficiently manages whistleblowing reports, which facilitates the receipt, monitoring and management of cases.
- **Statistics and Report Generation:** The dashboard provides an overview of current and historic data, status, alerts, performance indicators and in-depth analysis.

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### About GQ|Littler

GQ|Littler is a leading specialist law firm for employers in the UK and Ireland. Offering risk-based contentious and non-contentious advice, our legal service includes employment, immigration, data privacy and employee tax and incentives. Our client base spans a wide range of sectors including financial services, technology, healthcare, professional services and luxury goods, in the UK, Ireland and internationally. GQ|Littler is recognised as a leader in its field by both Chambers & Partners and Legal 500, which describes the firm as an “excellent team with strength and depth in every aspect.” For more information, visit [www.gqlittler.com](http://www.gqlittler.com).

### About Littler

With more than 1,600 labour and employment attorneys in offices around the world, Littler provides workplace solutions that are local, everywhere. Our diverse global team and proprietary technology foster a culture that celebrates original thinking, delivering groundbreaking innovation that prepares employers for what’s happening today, and what’s likely to happen tomorrow. For more information, visit [www.littler.com](http://www.littler.com).

### About WhistleB, by NAVEX Global

WhistleB is a leading provider of whistleblowing management software, used by hundreds of organisations in over 160 countries. In 2019, WhistleB became part of NAVEX Global - the worldwide leader in integrated risk and compliance management software and services. NAVEX Global’s solutions are trusted by thousands of customers around the globe to help them manage risk, address complex regulatory requirements, build corporate ESG programmes and foster ethical workplace cultures. [www.whistleb.com](http://www.whistleb.com).

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