

## Member's Quarterly

Fall 2024 Edition

## Feature

## Investigation Tools You Need to Increase Workplace Efficiency

*Streamline your compliance and risk management*

Employment law compliance can feel like a never-ending effort for HR teams, and it's even worse if you feel like your organization is falling behind or experiencing an increase in compliance breaches. How do some companies make compliance investigations look so easy? What benefits do they receive from their efforts?

Here are three specific tools and processes that leading HR and compliance teams use to drive workplace efficiency and success.

### Best-in-class speak-up tools

First, effective HR compliance programs have a robust whistleblowing process. This should include at least one reporting mechanism (e.g., hotline, webform, dedicated email address) that is easy for employees to use. A hotline provides:

- **Anonymity and Confidentiality:** Employees can report concerns without fear of retaliation, as their identities are protected. This fosters a safe environment for reporting sensitive issues.
- **Accessibility:** Hotlines are always open, so reporters can speak up whenever it is most convenient for them. They also offer service in multiple languages and with accommodation for hearing and vision-impaired reporters to ensure every caller can voice their concerns.
- **Real-time Reporting:** You'll receive and can act on hotline reports right away, so reporters don't have to wait and issues don't have time to escalate.

With a proper intake process, you can decrease resolution time, reduce organizational risk and empower employees. When complaints don't fall through the cracks, you're less likely to be hit with non-compliance penalties or lawsuits.

### Incident triage that's clear and consistent

When you think about your investigative process for workplace incidents, you might go straight from receiving an employee hotline report to investigating it. However, not all incidents warrant investigations and those that do shouldn't all be addressed in the same manner.

But how do you know you're triaging reports effectively? How do you determine threat levels? What's the best way to investigate incidents of different threat levels?

Key triage factors that organizations who are successfully compliant include:

- A consistent and documented triage tree, judging the incident on, for example, a scale of 1 to 5, where a level 1 has no financial or reputational impact on the organization and a level 5 places the company into crisis management mode.
- A triage committee and a clear decision-making hierarchy including your HR lead, compliance officer, lawyer or other subject matter expert. Together, they should assess the incident and how it could affect your organization in relation to various risks. After that, executives and/or the board should be the ultimate decision-makers on how to address the incident.



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- Knowing when and how to work with an external investigator. Large caseloads or simple issues that involve senior leadership, multiple departments, business units, offices or even countries will likely require outside investigators, subject matter experts and legal counsel. When working with third-party investigators:
- Document the reason that you're using a third party in case you get asked questions later.
  - Communicate to key individuals involved (employees, stakeholders, etc.) who will be conducting the investigation and ask for their cooperation.
  - Provide the third-party investigator with information about the situation. Also ensure you provide them with knowledge of the company and the organization's investigation process. They might need information about policies, procedures, etc. in order to ethically conduct the internal investigation.

### **Purpose-built case management (hint: it's not your HRIS or ticketing system!)**

Ticketing systems for HR, IT and administrative support are often used to manage compliance investigations. However, they were never built to manage complex misconduct investigations, fraud cases or compliance breaches. One of the benefits of a purpose-built case management system is configurability. To streamline your team's workflow, you need to be able to fine-tune many aspects of the application to reflect your organization's specific needs.

Workplace investigations involve sensitive, highly confidential information. A secure, web-based platform will keep all data safely in one place, minimizing the risk of security breaches. System admins can grant access to various parties on a case-by-case basis, keeping data out of unauthorized hands and helping prevent conflicts of interest.

Finally, integrated tools promote efficiency and effectiveness. Successful compliance investigation tools are most efficient when they are closely coordinated between multiple departments and stakeholders. The same is true for coordination between HR, compliance, legal and risk management tools – they need to seamlessly integrate so that workflows are smooth and complete. This avoids data silos and gives users the power of full-view data relevant to investigations.

HR compliance is tough, so having tools and processes in place makes your job easier and can help drive business success. When you streamline your compliance and risk management, you can spend more time on value-adding actions that protect employees and your organization.

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