

Advanced investigations in multi-national companies

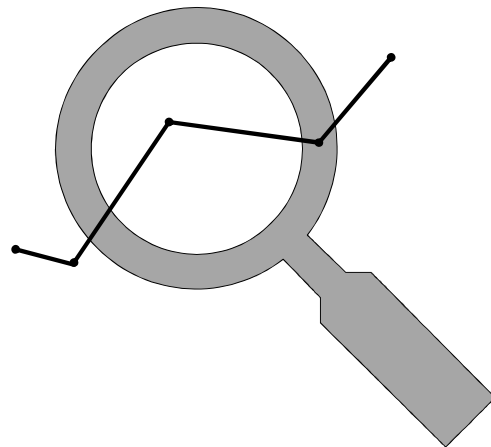
Jannica Houben, Director, Ethics & Compliance, Europe

Katarzyna Golonka, Manager, Ethics & Compliance, Europe

1

Agenda

- ▶ Introduction
- ▶ Internal Or External Resources?
- ▶ Investigative Steps
- ▶ Potential Issues & Critical Success Factors
- ▶ The Tech Data Perspective

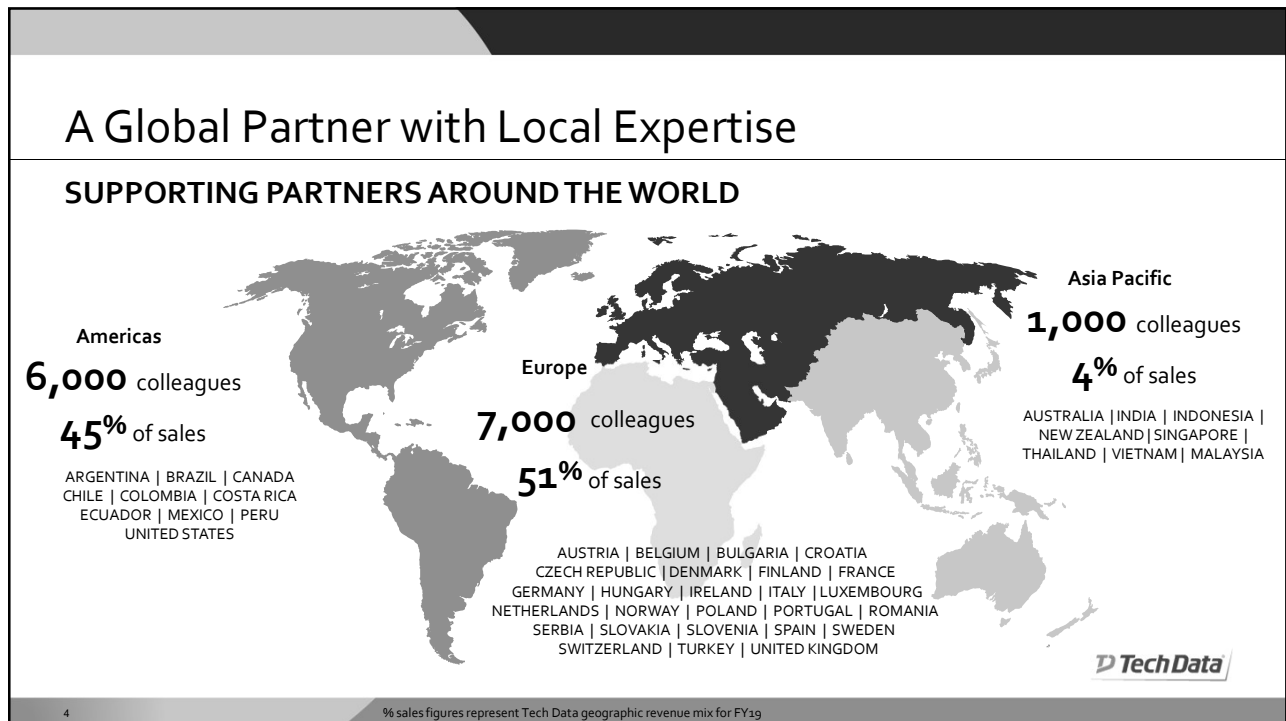


2

1



3

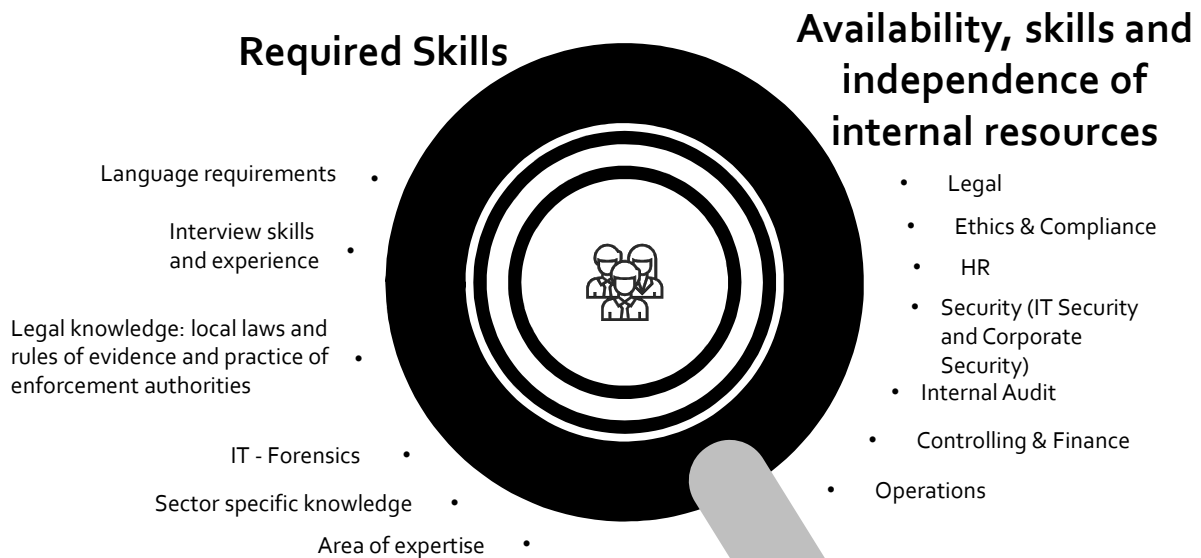



4

2








The investigation team - Questions


- Need to report to the regulator?
- What is the nature of the allegations?
- What skills are needed to complete the investigation?
- Expertise & sector knowledge?
- Where do you find the resources – internally or is external support needed?



RESOURCES


INTERNAL FUNCTIONS

| | | |
|---|--------------------------------|---|
|  | Internal Audit | Deep knowledge of the systems and the operations. Able to review results from previous audits. |
|  | Corporate Security | Connection to law enforcement, experience with interviews and investigations. |
|  | Ethics & Compliance | Experience with managing and conducting investigations. |
|  | Legal | Knowledge of local laws. |
|  | HR | Communication with employees. Able to provide detailed information about employees and their past record. |
|  | Controlling | Knowledge of the processes and systems. |
|  | IT | Necessary to assist in pulling data from the systems. |




7


7


RESOURCES: INTERNAL VS EXTERNAL

Points to consider


- Knowledge of the organization, the people and the culture
- Costs
- Trust
- Availability
- Language skills
- Forensics skills
- Conflicts of interest/
Bias/Maintaining confidentiality





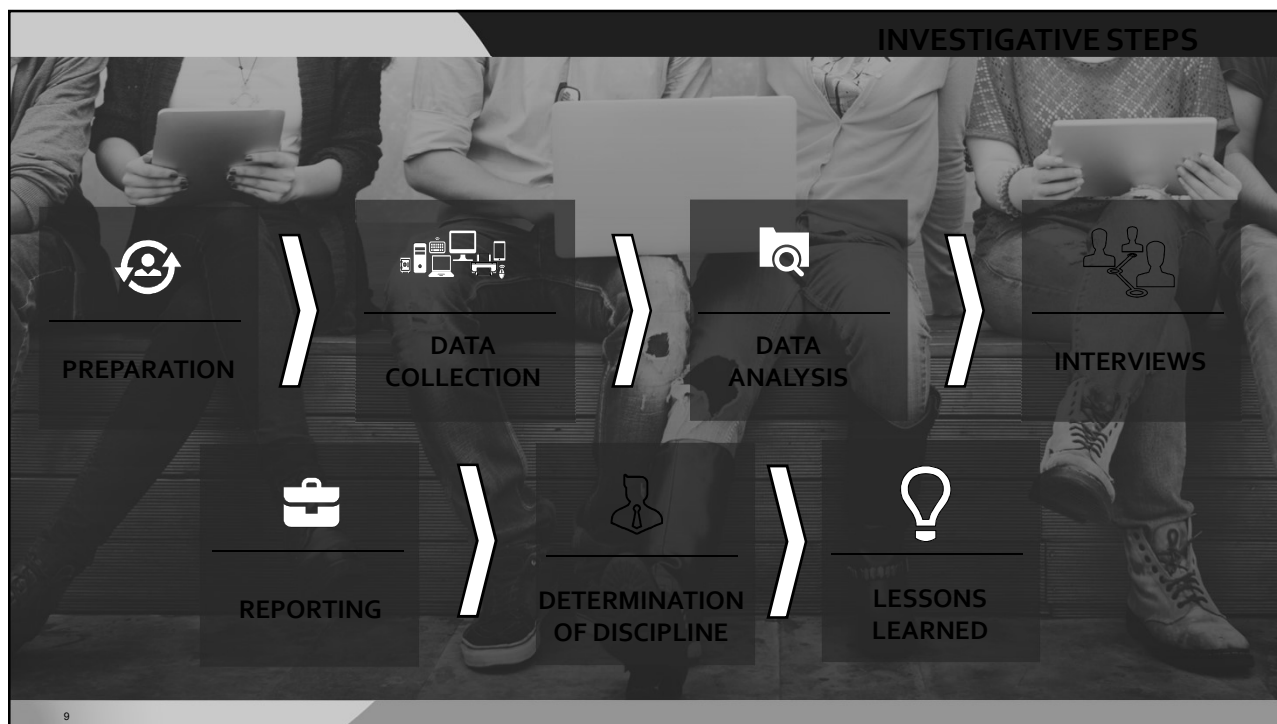


- Independence
- Experience
- Attorney-Client Privilege
- Ability to represent the company in potential criminal /civil/employment court proceedings



8

8



9

INVESTIGATIVE STEPS

PREPARATION

- Preliminary analysis of allegations
- Informing stakeholders
- Case plan, including goals
- Budget & timing

Tech Data

10

10

INVESTIGATIVE STEPS

DATA COLLECTION



- Multiple sources of data
- Data Privacy
- Communication
- Maintaining confidentiality
- Gathering of available documents & data
- Selection of data and documents to be collected

Tech Data

11

11

INVESTIGATIVE STEPS

DATA ANALYSIS



- Identify and analyze gaps
- Maintain chain of custody
- Ensure data privacy requirements are met
- Email/electronic data – special tools used
- Other

Tech Data

12

12

INVESTIGATIVE STEPS

INTERVIEWS

- Strategy and sequence
- Location and team
- Other



Tech Data

13

13

INVESTIGATIVE STEPS

REPORTING

- Reporting to management and the Board
- Reporting to regulator
- Form



Tech Data

14

14



INVESTIGATIVE STEPS

DETERMINATION OF DISCIPLINE

- Local legal framework
- Disciplinary decisions
- Potential cases against employees and third parties



Tech Data

15

15



INVESTIGATIVE STEPS

LESSONS LEARNED

- Changes to procedures and processes based on findings
- Share "lessons learned" with employees
- Communication



Tech Data

16

16

Potential issues

EVIDENCE

- Direct evidence not always available
- Destruction of information by employees involved

INVOLVEMENT OF EMPLOYEES

- Large scale
- Fear of witnesses to cooperate

LAWS

- Local laws
- Works councils

DATA

- Availability and access to data

CRITICAL SUCCESS FACTORS



LEADERS

TONE FROM THE TOP



MANAGERS

MOOD IN THE MIDDLE

CREATE AN ETHICAL & COMPLIANT
CULTURE IN WHICH EMPLOYEES
FEEL FREE TO SPEAK UP



CULTURE

REPORTING OPTIONS

- Manager or anyone on the management team
- Ethics & Compliance Department
- Ethics Advisors
- HR, Legal, Ethics Line



RESOURCES

130+ Ethics Advisors Around the World

**We are:**

- A knowledgeable source of information and guidance for all Tech Data policies
- Here to support you with information and training
- Here to make sure your voice is heard

We are not:

- Training enforcers
- Investigators



Questions?