

Internal Investigations: Key Success Factors for HR–Legal Collaboration

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The presentation reflects only the personal view of Olivier Meyenhofer and Philipp Becker and not necessarily that of Zurich Insurance Group.



We encourage you to please feel free to ask any question at any time – we are looking forward to lively discussions and a valuable exchange!

Agenda

- 1. Operating Models & Context**
- 2. Driving Effective Investigations**
- 3. Avoid Pitfalls**
- 4. Success Factors**
- 5. Examples**

OPERATING MODELS & CONTEXT

Operating Models & Context

Operating Models

Investigations framework typically depends on various factors, including

- Company Size
- Organizational factors
- Industry
- Maturity



Small companies: outsource investigations externally

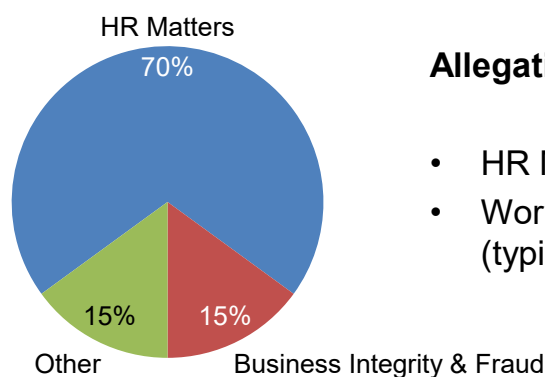


Medium/large companies: Fully dedicated investigation teams



Zurich: Hybrid model with trained specialists in HR, Legal and Compliance

Operating Models & Context



Allegations triggering Investigations

- HR Matters, Policy Violation, Fraud, etc.
- Workplace behaviour concerns dominate globally (typically around 70%)

This reinforces the need for strong HR–Legal collaboration in investigations.

DRIVING EFFECTIVE INVESTIGATION

Driving Effective Investigations

Zurich's Integrity Concerns Framework

- One global policy: Group Policy on Speaking about Integrity Concerns
- One global approach: Guideline on Dealing with Integrity Concerns
- Decentralised execution with local compliance with applicable rules and regulation
- Professional process:
Intake → Planning → Evidence → Reporting → Corrective action

Integrity Concerns Framework at Zurich

Triage Committees established in each Region or Country, as well as at the Group level, with representatives from Compliance, Legal and HR

Regional and Local Triage Committees: Responsible for triaging Integrity Concerns received at the Regional and Local levels; also responsible for escalating Group Reportable Integrity Concerns ("GRICs") to the Group, and for forwarding all Integrity Concerns raised against any Group ExCo member, Country CEO or Key Risk Taker to the Group Triage Committee.

Corporate Center Triage Committee: Responsible for triaging Integrity Concerns filed at Corporate Center; also responsible for forwarding all Integrity Concerns raised against any Group ExCo member, Country CEO or Key Risk Taker to the Group Triage Committee.

Group Triage Committee: Comprised of the Group Chief Compliance Officer, Group General Counsel, and Group Chief People Officer. Responsible for triaging reports made against a Group ExCo member, Country CEO or Key Risk Taker.

Key Responsibilities of Triage Committees



Examples of Integrity Concerns

Violations of laws and regulations,
including consumer protection laws

Financial irregularities

Questionable or unethical business
practices

Misconduct or wrongdoing that could
cause Zurich financial or reputational
damage, or have an adverse impact on
operations

Fraud, bribery, theft or other crime

Code of Conduct or certain other
Zurich policy violations

Misuse of company resources

Impermissible gifts

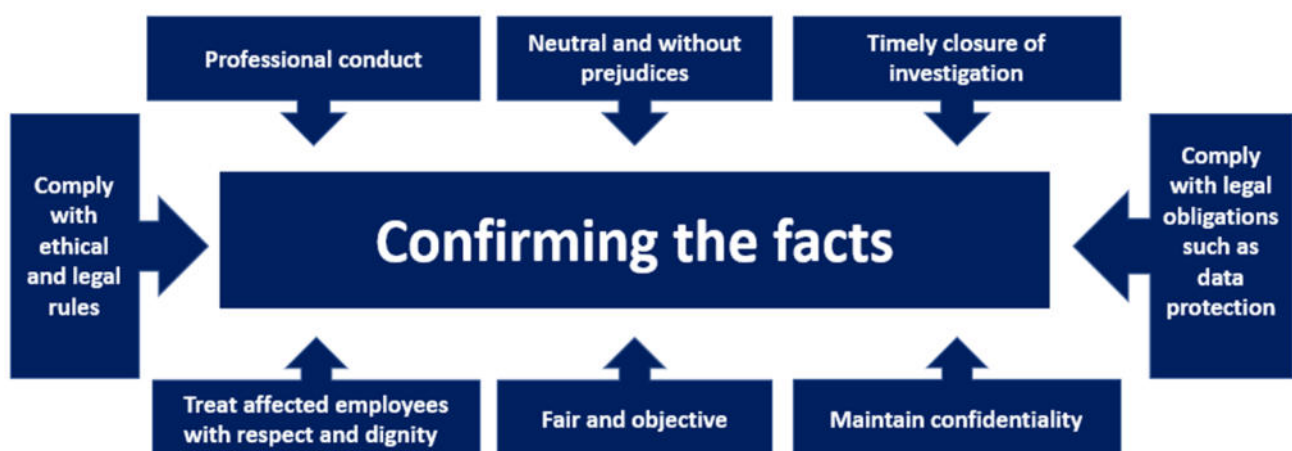
Harassment and discrimination

Falsification of Zurich's business or
financial records

Violations of Zurich's data privacy
and records management policies

Retaliation for speaking up or
participating in an investigation

Professional Investigation Process



Professional Investigation Process (cont'd)



AVOID PITFALLS

Avoid Pitfalls

Separation of Investigation and Corrective Action Process

1. Clear Roles & Responsibilities

- Joint investigation ownership
- Key elements of collaboration:
 - Triage Committee
 - Lead Investigator Clarity
 - Research
 - Investigation
 - Documentation

Avoid Pitfalls

2. Separate investigation process from corrective action process

- Objectivity and Fairness
 - Investigations must remain impartial and fact-finding only
 - Mixing corrective action decisions during investigation risks bias and undermines credibility
- Role Clarity
 - Investigation teams focus on evidence and compliance
 - Managers and HRBPs own corrective actions after findings are validated
- Governance and Accountability
 - Integrity Concerns Framework mandates distinct governance for investigation vs. consequence management

SUCCESS FACTORS

Success Factors

When to collaborate, how to organise, what drives impact

- **When to collaborate**
 - Litigation risk exists
 - High-risk cases incl. regulatory/criminal matters
 - Role allocation based on allegation type
- **Well-established team**
 - Streamlined collaboration through key contacts – specifically important during Investigation Research phase
 - Privilege considerations efficiently leveraged in comms & documentation
 - Different perspectives and different education
 - well-established, clear R&R leads to swift and effective execution
- **Drive impact:**
 - Compliance → Ongoing policy adjustments / clarifications
 - HR → Immediate implementation of lessons learnt / awareness / training
 - Legal → identification of potential regulatory and litigation aspects

Function	Allegation
HR & Legal	<ul style="list-style-type: none"> • Discrimination • Harassment
HR & Legal Compliance	<ul style="list-style-type: none"> • Environment, Health and Safety • Conflict of Interest – Financial • Corporate Policy or Conduct Violation
HR & Legal Security, Audit	<ul style="list-style-type: none"> • Falsification of Travel and Expense Report

Benefits of Multi-Functional Investigation

- Privilege
 - For investigations that potentially concern jurisdictions that recognize the attorney-client privilege, determine which reports shall be investigated pursuant to the attorney-client privilege, and for taking the necessary steps to assign the investigation accordingly
 - Involving the Legal function could add a level of protection against disclosure. The «new» Swiss Civil Procedural Law
- Mitigating Action
 - Immediate implementation of lessons learned
 - Adapt manager training
- Different perspectives and different education
 - Legal perspective vs. psychology perspective
 - No blind eye

EXAMPLES

CLOSING

Closing Summary

- **Challenge** High burden—must be fast, efficient, sustainable.
- **Collaboration wins** HR + Legal = better outcomes.
- **Avoid pitfalls** Clear roles, no conflicts of interest.
- **Success factors** Knowing when to collaborate, how to organise, what drives impact.

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Danke für Ihre Aufmerksamkeit

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Professional Investigation Process

Key items of a professional Investigation Process include:

- **Confidentiality** – treat all reports confidentially on a strict need-to-know basis, including the identity of the whistleblower as well as the subject of the report and others who are part of an investigation
- **Transparency** – commit to a fair, consistent and transparent approach to both the whistleblower and the subject of the investigation
- **Efficiency** - investigate concerns in a timely, objective, thorough and professional manner, and in a way that will gather the facts necessary to allow for an assessment of the allegations or issues raised
- **Integrity** – someone with an actual or perceived conflict of interest must not participate in conducting an investigation
- **Proportionality** – determine how best to investigate a concern based on the severity and seriousness of the alleged misconduct, the credibility of the allegations raised and the particular circumstances and alleged facts of the concern. Make sure investigations are thoughtfully designed and scoped to be proportionate to the specific allegations raised, including conducting investigations, as appropriate, in phases. In those cases where the initial review does not reveal any actual or potential misconduct, there may be no need to proceed to additional phases
- **Effectiveness** - identify root causes and potential control gaps which may present potential exposure, be they legal, regulatory, reputational, financial or otherwise
- **No Retaliation** - do not tolerate retaliation, including threats and attempts of such, against any employee or other person reporting a concern in good faith. Extend to persons who participate in any investigation or provide information/evidence in the course of any investigation, as well as other third persons who are connected with the whistleblower and could suffer retaliation in a work-related context, such as colleagues or relatives of the whistleblower