We are pleased to share **a workshop scenario** we implemented during the Empower Her Summer School. This workshop focused on the future of the governance component of ESG, specifically addressing grievance mechanisms and whistleblower protections, an ongoing discussion across Europe.

To facilitate this, we combined elements of design thinking with Futures Literacy Laboratories.

The workshop framework, outlined in <u>the attached presentation</u>, includes the following components:

1. **Introduction**
   - **Connection to Specific SDGs and ESG Components**
   - **Introduction to the Futures Literacy Concept**
   - **Reference to the EU Whistleblower Protection Directive**
   - **Case Study: Theranos** (educators are encouraged to familiarize themselves with the case described in Appendix 1 before the workshop)
2. **Development of Whistleblower Personas** using empathy mapping (a design thinking methodology)
3. **Empathy Mapping**
4. **Discussion and Insights**
5. **Exploration of the Future of Whistleblowing** through Futures Literacy Laboratories stages:

   a) Identifying desirable outcomes

   b) Assessing likely developments in whistleblowing mechanisms in Europe

   c) Reframing the scenario: envisioning a future without whistleblowers

   d) Reflecting on scenarios a and b (more comfortable) versus c (challenging) and selecting the most desirable outcome

   e) Identifying potential steps to create an effective whistleblowing environment in the near or distant future
6. **Wrap-up and Closure of the Theranos Case**

We hope this workshop will foster insightful discussions and innovative ideas regarding whistleblower protections and their crucial role in governance.

Total time: 2 hours     Number of participants: up to 25

# Stages of the Exercise

## 1. Introduction (20 minutes)

- **Objective:** Introduce the concept of whistleblowing and the purpose of the empathy map exercise.
- **Activities:**
  - Workshop reference to specific SDGs and ESG's components.
  - Familiarizing participants with the Futures Literacy concept.
  - Reference to the EU Whistlebowers Protection Directive.
  - Explanation of whistleblowing, including risks, benefits, and examples - the Theranos case.
  - Brief overview of design thinking and where empathy mapping fits in.
  - Introduction to the empathy map framework (Sections: Says, Thinks, Does, Feels, Pains, Gains included in the attached presentation).

## 2. Persona Creation (10 minutes)

- **Objective:** Define a persona of a potential whistleblower.
- **Activities:**
  - Divide participants into small groups.
  - Each group receives a description of a whistleblower persona (Appendix 2). Consider demographics, job role, personality traits, and specific context (e.g., industry, type of wrongdoing exposed).

## 3. Empathy Mapping (20 minutes)

- **Objective:** Fill out the empathy map for the whistleblower persona.
- **Activities:**
  - Each group is given an empathy map template (Appendix 3).
  - Groups fill out each section of the map based on their persona:
    - **Says:** What might the whistleblower say out loud in their situation? (e.g., "This isn't right.")
    - **Thinks:** What might the whistleblower be thinking? (e.g., "Will I get in trouble?")
    - **Does:** What actions might the whistleblower take? (e.g., Gathering evidence, seeking advice).
    - **Feels:** What emotions is the whistleblower experiencing? (e.g., Fear, anxiety, determination).
    - **Pains:** What are the whistleblower's pain points and challenges? (e.g., Fear of retaliation, legal repercussions).
    - **Gains:** What does the whistleblower hope to achieve? (e.g., Justice, safety, peace of mind).
  - You may encourage the use of sticky notes for each section to allow for easy modifications and additions.

**4. Discussion and Insights (10 minutes)**

- **Objective:** Share and discuss findings from the empathy maps.
- **Activities:**
    - Each group presents their empathy map to the larger group.
    - Discuss common themes and unique insights.

**5. Futures Literacy Laboratory inspired exercise (50 min. - 5 x 10 min.)**

- **Objective:** Familiarize participants with the FLL methodology while reflecting on the future of whistleblowing. (This part is shorter than a typical FLL workshop, which would take min. 3 hours).
- **Activities: Participants stay in their groups or may change them**
    - Phase 1. Desire - Participants respond to the question about the desirable way the whistleblowing is handled, supposedly we are in 2035.
    - Phase 2. Probable - Participants respond to the question about what is likely for whistleblowing, supposedly we are in 2035.
    - Phase 3. Reframe - Participants imagine and describe the situation when there are no whistleblowers and no whistleblowing mechanisms.
    - Phase 4. Reflexions - Participants share their views and reflections after the exercise. Was it easier to invoke the desirable or probable future scenario(s)? Was it easy to separate oneself from what we know and explore the reframing scenario? How does it influence our ability to imagine various futures?
    - Phase 5. Action(s) - Which future scenario do we want? What (first) steps can we take to achieve it?

**6. Wrap-up (10 min.)**

- **Objective:** Summarize the workshop.
- **Activities:**
    - Ask participants about their opinions on the Theranos case ending. After a short brainstorming, reveal the details.
    - Encourage attendees to share their opinions on the workshop - was it useful, interesting? Was there anything that surprised them?
    - Thank everyone for their engagement.

## Appendix 1

**Whistleblowing Case Study: Theranos**

**Background of Theranos**

Theranos, founded in 2003 by Elizabeth Holmes, was a health technology company that promised to revolutionize blood testing. The company claimed its device, Edison, could perform a wide range of tests with just a few drops of blood. This bold claim attracted significant investment, and at its peak, Theranos was valued at $9 billion, making Holmes a celebrated figure in Silicon Valley.

**Rise and Fall of Theranos**

Initially, Theranos enjoyed tremendous success and widespread acclaim. However, in 2015, investigative journalism and internal whistleblowing began to unravel the company's claims. It was revealed that the Edison devices were fundamentally flawed and produced unreliable results. This led to scrutiny from regulatory bodies, and eventually, Theranos was shut down.

**Whistleblowing at Theranos**

A key whistleblower in this case was Tyler Shultz, a former employee and the grandson of George Shultz, a Theranos board member. Tyler worked in the company's lab and discovered that the Edison devices were providing inaccurate results. He initially raised his concerns internally but was ignored and faced significant pressure to remain silent.

**Challenges Faced by Tyler Shultz**

Tyler Shultz encountered numerous challenges as a whistleblower. Internally, his concerns were disregarded, and he was ostracized by colleagues and management. He faced threats of legal action and personal attacks. Additionally, his relationship with his grandfather, George Shultz, became strained due to George's strong support for Elizabeth Holmes and Theranos.

The legal and financial risks were also substantial. Tyler faced potential lawsuits and financial ruin due to the legal battles initiated by Theranos. Despite these challenges, Tyler's commitment to ethical integrity drove him to continue his efforts.

**Whistleblowing Process**

Tyler Shultz initially reported his concerns to superiors and compliance officers within Theranos. When these efforts proved futile, he turned to external regulatory bodies and the media. He provided critical information to John Carreyrou, a journalist at The Wall Street Journal, who played a significant role in exposing the fraudulent practices of Theranos.

**Impact of Whistleblowing**

The impact of Tyler Shultz's whistleblowing was profound. He endured significant stress and legal battles but was ultimately vindicated. His actions highlighted the importance of courage and ethical integrity in the face of adversity.

For Theranos, the whistleblowing led to investigations by the FDA, SEC, and CMS, which exposed the company's fraudulent practices. This contributed to the downfall of Theranos and increased scrutiny of startup claims in the healthcare sector.

**Lessons Learned**

- Importance of Ethics: Whistleblowing is crucial for maintaining ethical standards in business.
- Role of Support Systems: Robust support systems, including legal, financial, and emotional support, are essential for whistleblowers.
- Need for Transparency: Organizational transparency and accountability are vital to prevent fraudulent

activities.

**Discussion Questions (optional)**

- What motivated Tyler Shultz to become a whistleblower despite the risks?
- How did the organizational culture at Theranos contribute to the concealment of fraudulent practices?
- What measures can organizations implement to encourage ethical behavior and support whistleblowers?

# Appendix 2

## Persona 1: Emily - Healthcare Whistleblower

- **Name:** Emily Thompson
- **Age:** 34
- **Job Role:** Registered Nurse
- **Industry:** Healthcare
- **Background:** Emily has been working in a large hospital for over 10 years. She is highly dedicated to her job and is known for her compassionate care.
- **Context:** Emily has noticed a pattern of medical negligence and patient mistreatment in her department. Despite reporting these issues to her superiors, no action has been taken.
- **Personality Traits:** Compassionate, ethical, resilient, detail-oriented
- **Challenges:** Fear of losing her job, being ostracized by colleagues, potential legal consequences
- **Goals:** Ensuring patient safety, holding negligent staff accountable, improving hospital practices

## Persona 2: John - Corporate Whistleblower

- **Name:** John Anderson
- **Age:** 45
- **Job Role:** Financial Analyst
- **Industry:** Banking
- **Background:** John has a strong background in finance and has been with his current employer, a major bank, for 15 years. He is known for his integrity and analytical skills.
- **Context:** John has uncovered fraudulent financial practices that are being covered up by senior management to inflate the bank's profits.
- **Personality Traits:** Analytical, honest, meticulous, cautious
- **Challenges:** Risk of career damage, legal ramifications, emotional stress
- **Goals:** Exposing the fraud, maintaining personal integrity, preventing further financial misconduct

## Persona 3: Sarah - Environmental Whistleblower

- **Name:** Sarah Martinez
- **Age:** 29
- **Job Role:** Environmental Scientist
- **Industry:** Energy
- **Background:** Sarah works for a large energy company and is passionate about environmental conservation. She has a Master's degree in Environmental Science.
- **Context:** Sarah has discovered that her company is illegally dumping toxic waste into a nearby river, causing significant environmental damage and health risks to the local community.
- **Personality Traits:** Passionate, courageous, proactive, empathetic
- **Challenges:** Threats to personal safety, professional retaliation, isolation
- **Goals:** Stopping the illegal dumping, protecting the environment, raising public awareness

## Persona 4: David - Government Whistleblower

- **Name:** David Lee
- **Age:** 38
- **Job Role:** IT Specialist
- **Industry:** Government
- **Background:** David is an experienced IT specialist working for a government agency. He has a deep understanding of cybersecurity and data privacy.
- **Context:** David has discovered unauthorized surveillance of citizens and misuse of personal data by his agency. He believes this violates privacy rights and ethical standards.
- **Personality Traits:** Tech-savvy, principled, methodical, vigilant
- **Challenges:** Legal repercussions, being labeled a traitor, potential imprisonment
- **Goals:** Protecting citizen privacy, upholding ethical standards, ensuring governmental transparency
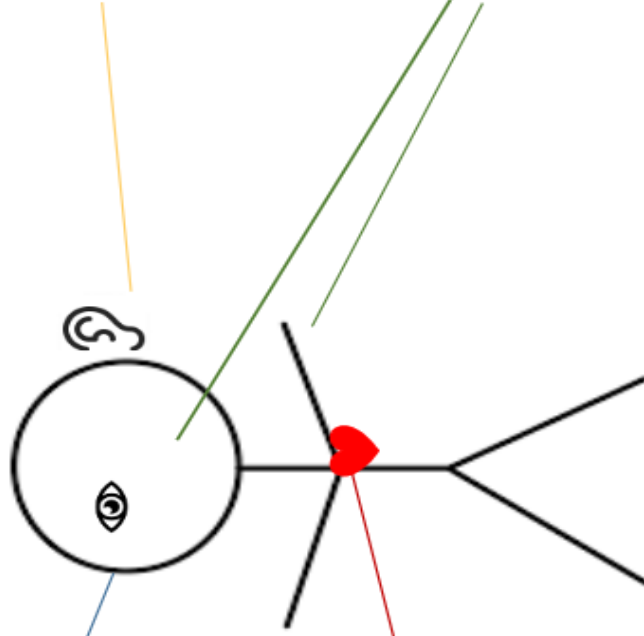
# Empathy Mapping

**Sees** What is the whistleblower seeing?

**Hears** What is the whistleblower hearing?

**Says & Does** What might the whistleblower do or say out loud in their situation?

**Feels** What emotions is the whistleblower experiencing?

**Pains** What are the whistleblower's pain points and challenges?

**Gains** What does the whistleblower hope to achieve?

**Appendix 4**

Please find more about whistleblowing here:

Celebrating Whistleblowers - National Whistleblower Center
EU Whistleblowing Monitor

Why is it so difficult to handle whistleblower reports? (theconversation.com)

 Are Whistleblowers Seen as Heroes or Snitches? It Depends. (northwestern.edu)