

## Whistleblower/Official Complaint Policy

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### 1.0 Policy

The purpose of this policy is to provide clear guidelines on how a Whistleblower may report on Freedom Energy Holdings Pty Ltd and its subsidiaries ("Freedom Fuels") non-compliance with applicable laws and regulatory requirements, and breaches of its own policies and corporate values, and to provide suitable avenues for reporting, and protection of Eligible Whistleblowers.

**Eligible Whistleblower** means: an individual who is, or has been, any of the following:

- (i) *an Officer of Freedom Fuels;*
- (ii) *an employee of Freedom Fuels;*
- (iii) *an individual who supplies services or goods to Freedom Fuels (whether paid or unpaid);*
- (iv) *an employee of a person that supplies services or goods to Freedom Fuels (whether paid or unpaid);*
- (v) *an individual who is an Associate of Freedom Fuels;*
- (vi) *a relative of an individual referred to in any of paragraphs (i) to (v) above;*
- (vii) *a dependent of an individual referred to in any of paragraphs (i) to (v) above, or of such an individual's spouse; and*
- (viii) *an individual relevantly prescribed by the regulations in relation to Freedom Fuels.*

**Whistleblower** means: *a person/s who reports on an entity's suspected mismanagement, misconduct, or a contravention, corruption, illegal behaviour or an improper state of affairs or circumstances.*

**Whistleblowing** is defined as: *The disclosure by a person to those in authority, of mismanagement, misconduct, contraventions, corruption, illegality, or some other wrongdoing.*

The term 'Whistleblowing' may also be referred to as an 'Official Complaint' throughout this policy.

### 2.0 Scope

This Policy applies to:

- (i) Freedom Fuels and all activities conducted by Freedom Fuels;
- (ii) Freedom Fuels' interactions with its suppliers, contractors, and customers;
- (iii) Visitors to Freedom Fuels' business outlets;
- (iv) Other third parties making Official Complaints and who are not employed by Freedom Fuels; and
- (v) Freedom Fuels directors, employees, contractors, agents and consultants.

Employees making Official Complaints which are employment-related grievances and/or relating to how they are being treated in the workplace are to refer to the Grievance Policy and Misconduct Policy and/or speak to their Line Manager or Human Resources.

### **3.0 Objectives**

Freedom Fuels endeavours to be fully compliant with all laws and regulatory requirements, its own policies and to uphold its corporate values at all times.

Whistleblowers are encouraged by Freedom Fuels to report any type of wrong doing in accordance with this Policy.

An Official Complaint can relate, but is not limited, to the following examples:

- Quality, or unsatisfactory management of products sold by Freedom Fuels;
- Dishonest, fraudulent or corrupt activities;
- Illegal activities such as theft, drug sale or use, violence, harassment, criminal damage to property or other breaches of state or federal legislation;
- Unethical behaviour and behaviour that breaches Freedom Fuels' Code of Conduct;
- Safety in the workplace and the potential endangerment of the public;
- Involves any other kind of serious impropriety.

### **4.0 Roles and responsibilities**

#### **4.1 Preliminary Steps**

##### **4.1.1 Reporting of Serious Complaints**

Any person who detects or has reasonable grounds for suspecting misconduct or a contravention or wrongdoing or an improper state of affairs is encouraged to raise any concerns through the channels listed below.

##### **4.1.2 Fuel-related complaints**

Fuel-related complaints may be reported at Freedom Fuels' Retail Sites, via email link on the Freedom Fuels' website or by telephone to the Customer Service Centre (CSC).

Complainants will be required to complete a Fuel Quality or Quantity Investigation Form.

##### **4.1.3 Non-Fuel related complaints**

Non-Fuel related complaints may be reported via the email link on the Freedom Fuels' website or by telephone to the Customer Service Centre (CSC).

##### **4.1.4 External Whistleblower Reporting and Hotline**

An external Whistleblower hotline is available for Whistleblowers to notify suspected or actual fraudulent behaviour. The whistle blower's identity will be kept confidential. Contact details for the Whistleblower Hotline are on the Freedom Fuels' website.

You may also make a report to the following external parties:

- (i) Freedom Fuels' Auditors;
- (ii) Australian Securities and Investments Commission (**ASIC**);
- (iii) Australian Prudent Regulation Authority (**APRA**);
- (iv) An external lawyer (if the purpose is to obtain legal advice or representation in relation to your report); or
- (v) Any relevantly prescribed Commonwealth Government Authority.

#### **4.1.5 Internal Whistleblower Reporting**

You may also make a report to any of the following Freedom Fuels internal contacts:

- (i) Your Line Manager if you are an employee or contractor;
- (ii) Any member of the Executive Team;
- (iii) Any member of the Board;
- (iv) A Director of Freedom Fuels;
- (v) Inhouse Solicitor; or
- (vi) Human Resources Manager.

## **4.2 How to Report**

You can make an Official Complaint in person, verbally by telephone, or via written communication to Freedom Fuels Head Office, PO Box 161, Hamilton QLD 4007 or via email to [csc@freedomfuels.com.au](mailto:csc@freedomfuels.com.au), or via Freedom Fuels website - <https://www.freedomfuels.com.au/enquiry>.

You can also contact the External Whistleblower hotline on 1800 857 376.

Details of how to report to External Parties may be different and will need to be obtained from the relevant party.

## **4.3 Confidentiality**

All Official Complaints will be kept confidential, unless disclosure is required by law.

Freedom Fuels will endeavor to protect the identity of the person making an Official Complaint unless:

- The complainant consents to disclosure;
- The disclosure is required by law; or
- The disclosure is necessary to further an investigation into the allegations.

## **4.4 Investigation of Reports**

Official Complaints will be investigated by an appropriately capable officer or employee of Freedom Fuels, or where required to ensure independence or avoid any conflict of interest, an external investigator. All investigations will be conducted in strict confidence, in a timely fashion, free of bias, and ensuring procedural fairness.

Any Official Complaint that is categorised as a workplace incident will be investigated in accordance with Freedom Fuels Incident Reporting and Investigation Policy.

Freedom Fuels will take any action required in relation to the Investigation Report including:

- Undertaking further investigations;
- Taking disciplinary action; and/or
- Notifying any relevant third parties including regulatory bodies/authorities.

#### **4.5 Eligible Whistleblower Protection**

Freedom Fuels protects the identity of Whistleblowers from disclosure where possible unless disclosure is required by law.

Eligible Whistleblowers are protected by the *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019 (Act)* as follows:

- anyone who discloses their identity may commit a criminal offence;
- anyone who commits an act, or threatens to commit an act to cause harm of any nature may commit a criminal offence;
- an Eligible Whistleblower making any Official Complaint in line with this Policy will be immune from liability for any civil, criminal or administrative liability (including internal disciplinary action);
- no contractual or other remedy may be enforced against an Eligible Whistleblower because of the Official Complaint; and
- no information contained in the Official Complaint may be used in evidence against an Eligible Whistleblower in criminal proceedings, or in proceedings for the imposition of a penalty, other than proceedings about the falsity of the information – **NB:** this is only applicable where an Eligible Whistleblower's Official Complaint was made to APRA, ASIC or a prescribed Commonwealth authority, or where the report was an Emergency Disclosure as provided for in the Act.

#### **4.6 Whistleblower Support**

Freedom Fuels employees and their family members can access Freedom Fuels Employee Assistance Program (**EAP**) at any time for support on FREECALL 1800 808 374.

Appointments can also be made online via the EAP provider's website. For more information go to: <http://assureprograms.com.au/contact/>

#### **4.7 Documentation**

A record of all Official Complaint processes undertaken and their outcomes will be recorded by Legal. Legal will communicate outcomes of investigations to relevant parties at its discretion.

An annual report will be provided to the Freedom Fuels Board detailing the number of Official Complaints, the outcomes of these complaints, any remedial actions and the ongoing effectiveness of this Policy.

#### **4.8 Publication of Policy**

This Policy will be published by Freedom Fuels on its intranet and on its external website, and training will be provided internally to Freedom Fuels employees via its annual compliance training program (online learning portal).

## **5.0 Associated documents**

- PRO.CSC.Fuel Complaints
- POL.EHS.Incident Reporting and Investigation Policy

## **6.0 References**

- POL.HUM.Grievance
  - POL.HUM.Code of Conduct
  - PRO.CSC.Fuel Complaints
  - *Treasury Laws Amendment (Enhancing Whistleblower Protections) Act 2019*
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