

# Reporting of Serious Concerns (Whistleblowing) Policy

<b>Scope</b>	EDFT Group Globally
<b>Owner</b>	Human Resources & Compliance
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## 1. Policy Statement

The process of raising serious concerns in a confidential manner is often known as “whistleblowing”.

A culture of transparency and speaking out and the reporting of serious concerns are essential elements to deliver health & safety, legal and financial compliance and, ultimately, for a successful business.

At EDF Trading we encourage openness in the workplace and strive to create an environment where employees feel they can raise concerns without fear of reprisal and are comfortable and empowered to speak up about such concerns.

This policy:

- i) Applies to all EDF Trading group employees, contractors and interns throughout the world;
- ii) Explains EDF Trading and its subsidiaries (collectively “EDFT”) approach to whistleblowing;
- iii) Sets out the ways in which you may raise any serious concern you may have;
- iv) Describes how these concerns will be dealt with; and
- v) Provides details of the legal protection available to individuals who raise serious concerns.

*If you are an employee or a contractor with EDFT you are encouraged to raise any serious concern you may have in accordance with this policy.*

## 2. Key requirements

### 2.1 What concerns should be raised under this policy?

A reportable concern is a disclosure of information that a worker reasonably believes is in the public interest.

This can be related to a number of matters including a criminal offence, a failure to comply with a legal/statutory obligation (like for example insider trading) or a potential damage to the health & safety of any individual.

It can also refer to a concern you may reasonably have in relation to an actual or potential breach of our policies and procedures and/or a behaviour from an individual that harms or is likely to harm our reputation or financial well-being (for example, bullying or harassment).

### 2.2 How do I raise a concern?

If you have a serious concern you wish to raise under this policy, there are several possible pathways that you can use, which are listed below.

Please note that the earlier a concern is raised, the more effective and easier it is to take action.

Although this is not a requirement for the application of this policy, it is preferable if concerns are raised in writing. It is also preferable when raising a concern to provide background

information to facilitate a prompt assessment of the situation. This information could include, by way of example, a description of the relevant facts, individuals involved in any capacity, dates of relevant events/actions and places.

If you do not feel able or comfortable to put your concern in writing, please raise it verbally.

Whilst we are committed to take any reporting of concerns seriously and endeavour to take prompt action in accordance with this policy any time we receive one, it would help in our initial assessment if you could make clear, when reporting a concern that you are doing so pursuant to this policy.

We also encourage you to identify yourself when raising concerns. This policy is designed to ensure that anyone doing so, will not suffer any harm as a result of their actions.

If you prefer to report your concerns anonymously this is equally acceptable, but in this case it is even more important that you provide as much detail as possible so that we can properly investigate the matter.

**Ultimately, the most important thing is that you feel free to raise a concern, and that you do report it when you have one, so that it can be properly and timely investigated. It is up to you to choose how you report it so that you feel most comfortable with it. At EDFT we encourage openness and do not condone a 'culture of silence'.**

### *2.3 Who do I raise my concern to?*

UK legislation requires that EDFT appoints whistleblowing champions.

EDFT whistleblowing champions are: **Guido Santi**, Chief Legal Officer and **Daren Woods**, Chief People Officer.

If you raise a concern, these individuals will be primarily responsible to investigate your concerns. They are duty bound by law to keep anything you report completely confidential and to ensure that you are adequately protected and receive no detrimental treatment for raising serious concerns.

There are several ways you can raise any serious concern you may have.

#### 2.3.1 Your line manager

You can raise it to line manager who will then escalate the matter to the whistleblowing champions for investigation.

We understand, however, that there may be circumstances where you may feel unable or uncomfortable to approach your immediate manager. In this case you can approach your manager's manager or an ExCom member, who will also escalate matter to the whistleblowing champions.

### 2.3.2 HR or the Whistleblowing Champions

If you do not feel comfortable raising a serious concern with your manager, your manager's manager or an ExCom member, you can speak to or contact anyone in the HR and/or Compliance teams in Europe or in North America, they will be able to assist you and provide guidance.

In North America concerns can also be raised directly to **Amy FitzPatrick**, Head of Human Resources and **Glade Wishart**, Head of Compliance.

If you do not feel any of this is appropriate for any reason, you can raise your concerns directly with our whistleblowing champions.

Should you still consider any of the above reporting routes inappropriate you can raise your concerns directly with the Chair of the EDFT Audit Committee (stanislas.martin@edf.fr).

### 2.3.3 The EDF Trading Whistleblowing Helpline

In situations where you prefer to place an anonymous report in confidence, you can also use our *whistleblowing helpline*.

This is run by an independent organisation called EthicsPoint on behalf of EDF and EDFT.

Any information you provide via this channel will be reported to our Whistleblowing Champions by EthicsPoint on a totally confidential and anonymous basis.

Use [this link](#) to contact EthicsPoint or call them on one of the following numbers:

UK	0808 196 5839	France	0800 90 69 54
US	844 924 1818	Singapore	800 852 6945

### 2.3.4 The FCA Whistleblowing line

In addition, any EDFT UK employee and contract who reasonably believes that an FCA Regulated firm or individual is involved in wrongdoing may take an alternative approach and report any concern directly and in confidence to the FCA Whistleblowing team.

Concerns can be raised within EDFT and to the FCA simultaneously or consecutively.

The FCA can be contacted through the following routes:

- call: **+44 (0)20 7066 9200** during office hours or leave a message
- email: [whistle@fca.org.uk](mailto:whistle@fca.org.uk)
- write to: Intelligence Department (Ref PIDA), Financial Conduct Authority, 12 Endeavour Square, London, E20 1JN.

### 2.3.5 The Commodities Futures Trading Commission (“CFTC”) Whistleblower Program

Employees and contractors in North America who consider that a CFTC regulated firm or individual is involved in a violation of the Commodity Exchange Act, can also take the alternative approach of reporting their concerns directly and in confidence to the CFTC’s Whistleblower Program.

Any tip, concern or information can be submitted directly on the CFTC’s website under the Whistleblower Program:

Whistleblower Program Overview: [www.whistleblower.gov](http://www.whistleblower.gov)

### 2.3.6 The Federal Energy Regulatory Commission (“FERC”) Whistleblower Program

Concerns can also be reported by employees and contractors in North America directly and in confidence to the FERC’s Whistleblower Hotline.

The FERC can be contacted through the following routes:

- Telephone 1-888-889-8030
- Email [hotline@ferc.gov](mailto:hotline@ferc.gov)

## ***2.4 How will we handle and investigate your concern?***

However a concern is raised, if it is raised within a company of EDFT it will be investigated by the relevant company where the concern is raised and/or with the oversight, or direct involvement as required, of the whistleblowing champions.

The investigation may be formal or informal depending on the nature and seriousness of the concern raised.

If you raise a concern, you will be informed as soon as possible how we propose to deal with the situation and, during the course of the investigation we will endeavour to provide you as much feedback as possible.

Once the investigation has completed, the individual(s) dealing with the matter will explain the decision to you and outline its rationale.

Please refer to Appendix 2 for the internal reporting follow-up procedure (including specific timeframes) which will apply in respect of any concern raised within EDF Trading Markets (Ireland) Ltd.

If you are not satisfied with the decision that has been made, you can escalate the matter to EDF Trading's Chief Executive or to the Chair of the EDFT Audit Committee at your discretion.

### **3. Roles & Responsibilities**

EDFT's global Whistleblowing Champions are:

- Guido Santi, Chief Legal Officer
- Daren Woods, Global Head of Human Resources.

In North America the local whistleblowing point of contacts are:

- Amy FitzPatrick, Head of Human Resources
- Glade Wishart, Head of Compliance.

These individuals are responsible for the confidential investigation and reporting of all whistleblowing concerns. They are also responsible for protecting individuals who raise alerts. They will do this by ensuring your name is kept confidential and minimising, to the maximum possible extent, the number of people who know about any investigation. This will be restricted on a "need to know" basis.

### **4. External references**

[FCA Whistleblowing guidance](#)

[Public Interest Disclosure Act](#)

[Dodd Frank Act](#)

[Sapin II Act](#)

[Protected Disclosures Act 2014](#)

[Protected Disclosures \(Amendment\) 2022](#)

### **5. Internal references**

[EDF Group Code of Conduct](#)

## Appendix 1: Legal and Regulatory Background

The Public Interest Disclosure Act 1998 (PIDA) is an Act of the Parliament of the United Kingdom that protects whistleblowers from detrimental treatment by their employer in respect of any 'qualifying disclosures' that they raise.

For the purpose of PIDA and this policy, a qualifying disclosure is any disclosure of information that a worker reasonably believes is in the public interest and shows one or more of the following has, or is likely to, occur:

- A criminal offence
- Failure to comply with a legal/statutory obligation
- A miscarriage of justice
- Risk or damage to the environment
- Damage to the health & safety of any individual
- The deliberate concealment of information about any of the above.

In the United States, section 748 of the Dodd-Frank Act amended the Commodity Exchange Act to provide whistleblower incentives and protections.

Typical complaints submitted to the CFTC are as follows:

- Fraudulent representations that persuaded you to trade futures, options, swaps, forex, or leveraged transaction
- Some type of cheating or fraud that occurred after you had deposited funds to trade futures, options, swaps, forex, retail commodity, or leveraged transactions
- Someone or some firm that should be registered under the Commodity Exchange Act, but is not
- Disruptive or manipulative trading activity in the futures, options, or swaps markets
- The trading of futures, options, or swaps based upon confidential information by someone not allowed to use such information

In France, the Sapin II Act ensures whistleblowers protection.

In Ireland whistleblowers are safeguarded by the Protected Disclosures Act of 2014 (as amended by the Protected Disclosures (Amendment) Act 2022). See Appendix 2 for further detail.

In Switzerland there is currently no legislation protecting whistleblowers, but precedents have been established through case law.

## Appendix 2

### Internal reporting follow-up procedure specific to EDF Trading Markets (Ireland) Ltd (the "**Company**")

Your reported concern will be acknowledged in writing within 7 days of the Company's receipt of the reported concern.

A designated impartial person (the "**designated person**") will follow up on your reported concern by carrying out an initial assessment of your reported concern. The designated person may request further information from you to assist with this assessment.

If the designated person considers that there is no evidence of a relevant wrongdoing after carrying out the initial assessment, the designated person will inform you and give reasons for this decision in writing. If the designated person considers that there is evidence of a relevant wrongdoing, they will take such action as is appropriate in the light of the nature and seriousness of the matter.

The designated person will provide feedback to you regarding the action envisaged or taken as follow-up, and the reasons for such follow-up, no later than 3 months from the Company's date of acknowledgement of receipt of the reported concern. You may request further updates every three months if the matter is not closed within the initial three-month period.

The law recognises that in some circumstances it may be appropriate for you to make a report to an external body. The Company strongly encourages all whistleblowers to seek advice from their manager or the HR team before reporting externally (and the Company has in place this Group Whistleblowing Policy so that concerns can be investigated by Company designated personnel as promptly and efficiently as possible). You can make a report to certain prescribed persons or the Protected Disclosures Commissioner. The list of prescribed persons is set out under the Protected Disclosures legislation. Each prescribed person and the Protected Disclosures Commissioner outline on their website how to report to them.

### Company Specific Amendments to the Reporting of Serious Concerns (Whistleblowing) Policy (the "**Group Whistleblowing Policy**")

1. In addition to the categories of individuals to whom the Group Whistleblowing Policy applies that are listed in clause 1(i), in respect of the Company the Group Whistleblowing Policy will also apply to officers, consultants, shareholders, members of any administrative, management or supervisory body of the Company, agency workers, casual workers, volunteers, trainees, job applicants or those otherwise engaged in pre-contractual negotiations.
2. In relation to the Company, Clause 2.1 of the Group Whistleblowing Policy is deleted and replaced by the following:

*A reportable concern is the reporting of information which a whistleblower reasonably believes tends to show that a relevant wrongdoing has, or may have, occurred in relation to the activities*



*of the Company, and this information came to the whistleblower's attention in a work-related context. Relevant wrongdoings include the committing of an offence; miscarriages of justice; improper use of public funds; health and safety risks; damage to the environment; any breach of legal or professional obligations; breach of certain areas of EU law such as financial services, products and markets, prevention of money laundering and terrorist financing, protection of privacy and personal data, protection of security of network and information systems, or consumer protection; and the concealment or destruction of any information relating to the preceding examples.*

*A complaint which only concerns inter-personal matters between the person making the complaint and another person, or a complaint about the Company which only concerns the person making the complaint, is not a relevant wrongdoing. Any such complaints by employees may instead be a grievance under the Company's Grievance Procedure.*

3. In relation to clause 2.3 of the Group Whistleblowing Policy, you should raise any reportable concerns to **Guido Santi**, Chief Legal Officer, or to your line manager as per clause 2.3.1 of the Group Whistleblowing Policy.