

Royal Commission into Misconduct in the Banking, Superannuation and Financial Services Industry

Freedom Insurance Group Ltd: Response to the Commission's Request Dated 3 August 2018

Misconduct (M) / Conduct falling below community standards (CS)	1. Date ¹ conduct was identified/ reported	2. Date of report to regulator, if applicable	3. Summary of conduct	4. Relevant regulator/ other body	5. Details of any legal proceedings commenced	6. Status of legal proceedings	7. Any ongoing regulatory action	8. Monetary amount paid by entity, if applicable
CS	09/01/2013	N/A	The complainant stated that he had been receiving calls from callers who hang up when the complainant answers the call.	N/A	N/A	N/A	N/A	N/A
M	16/10/2013	N/A	The complainant complained that a Freedom sales agent tried to contact his disabled brother and attempted to sell insurance.	N/A	N/A	N/A	N/A	N/A
CS	03/02/2014	N/A	The complainant stated that Freedom has contacted a number registered with the national Do Not Call Register (DNCR). Freedom provided the lead generation provider's contact details.	N/A	N/A	N/A	N/A	N/A
CS	13/03/2014	N/A	The policyholder was not happy with Freedom's retention procedure.	N/A	N/A	N/A	N/A	N/A
CS	27/03/2014	N/A	The complainant was unhappy about a third party lead generation provider contacting him multiple times.	N/A	N/A	N/A	N/A	N/A
CS	13/06/2014	N/A	The complainant stated that Freedom called his daughter's (school age but precise age unknown) mobile which is on DNCR.	N/A	N/A	N/A	N/A	N/A
CS	09/09/2014	N/A	The policy lapsed due to non-payment of premium. The policyholder claimed that she had not received any notices from Freedom.	N/A	N/A	N/A	N/A	N/A

¹ This date reflects the date on which the matter or conduct was first identified or recorded in the relevant books and records of Freedom. The assessment and determination of whether such conduct or the matter constituted misconduct or conduct falling below community standards was undertaken in mid-August 2018 for the purposes of responding to the Commission's Request dated 3 August 2018.

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CS	20/11/2014	N/A	The policyholder claimed a refund of almost 12 months' premium as she stated that she never agreed to the policy.	N/A	N/A	N/A	N/A	N/A
CS	06/02/2015	N/A	Customer's husband called in to complain that sales agent had laughed at his wife and she had hung-up on him.	N/A	N/A	N/A	N/A	N/A
CS	12/02/2015	N/A	Customer called in extremely unhappy as agent had sung 'Old Mcdonald had a Farm' on a customer's voicemail (who had the last name McDonald).	N/A	N/A	N/A	N/A	N/A
CS	08/05/2015	N/A	The complainant stated that she received a call to her late father's mobile and requested a call from the lead generation provider on how they got the father's mobile number.	N/A	N/A	N/A	N/A	N/A
CS	08/07/2015	N/A	A policyholder complained about the persistent manner of a Freedom agent on a call.	N/A	N/A	N/A	N/A	N/A
CS	15/12/2015	Unknown	An officer from Fair Trading called as a policyholder complained he was receiving large amount of calls from Freedom due to dishonoured payments and policy lapse notice. The policyholder had not understood the policy renewal terms and was upset that he did not receive a reminder call prior to renewal. The policy lapsed due to the non-payment of the premium and Freedom did not contact the policyholder again.	Office of Fair Trading	N/A	N/A	N/A	N/A
CS	28/01/2016	N/A	The complainant complained about receiving multiple calls from Freedom which was found not to be correct according to the call history held by Freedom.	N/A	N/A	N/A	N/A	N/A

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CS	05/02/2016	Unknown	The complainant was upset that the policy did not pay for his sister's death which was within the accidental death exclusion period. Freedom on investigation noticed that the wrong claim form was sent to the complainant, and made an ex-gratia payment of \$6,000.	FOS	N/A	N/A	N/A	Ex-gratia payment of \$6,000
CS	12/04/2016	N/A	The complainant stated that he was receiving multiple calls from Freedom. The relevant number was added to Freedom's internal DNC list.	N/A	N/A	N/A	N/A	N/A
CS	20/04/2016	N/A	The complainant stated that he was receiving multiple calls from Freedom. The relevant number was added to Freedom's internal DNC list.	N/A	N/A	N/A	N/A	N/A
CS	15/05/2016	N/A	The policyholder complained that premium was being debited from their account after cancelling the policy.	N/A	N/A	N/A	N/A	Refund of \$23.12 was issued.
M	15/06/2016	N/A	The complainant who was the father of the policyholder stated that a policy was wrongly sold to his disabled son. Freedom acted upon the complaint and cancelled the policy. No premium was debited.	N/A	N/A	N/A	N/A	N/A
CS	16/08/2016	29/08/2016	A malfunction of the automated telephone dialler service supplied to Freedom by a third party service provider caused multiple telephone calls which were unauthorised by Freedom to be made to prospective customers. Freedom took immediate corrective action once this issue was identified and an additional control was introduced to monitor and identify such events. The matter was investigated by	ACMA	N/A	N/A	N/A	N/A

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			ACMA following Freedom's self-reporting of the matter to ACMA. No further action was required by ACMA in relation to this issue following the investigation.					
CS	16/08/2016	N/A	The policyholder complained that she had received multiple calls from Freedom. Her number was added to the Freedom internal DNC list.	N/A	N/A	N/A	N/A	N/A
CS	26/10/2016	Unknown	Policyholder attempted to cancel the policy but was told the policy could not be cancelled. Freedom subsequently cancelled the policy.	FOS	N/A	N/A	N/A	N/A
CS	30/11/2016	Unknown	The policyholder cancelled the policy but the refund of the premium was rejected and did not go through to the bank account. It was established that the wrong BSB number was provided. Refund successfully made.	FOS	N/A	N/A	N/A	N/A
M	01/2017	05/04/2017	Freedom Insurance - Late lodgement of FS70 and FS71 Forms for year ending 30/06/16 (needs to be within 4 months of end of financial year). FS70 and 71 Forms filed with ASIC as soon as Freedom received auditor sign off from Crowe Horwath on 5/4/17.	ASIC	N/A	N/A	N/A	N/A
CS	03/02/2017	Unknown	The policyholder complained that no-one from Freedom called to discuss the cancellation requested by the policyholder and that premiums were still being debited. Freedom cancelled the policy and agreed to refund all premiums paid.	FOS	N/A	N/A	N/A	Refund of premiums paid of \$553.82
M	13/02/2017	N/A	The complainant, who is the mother of the policyholder complained that Freedom sold a policy to the disabled son. Policy was	N/A	N/A	N/A	N/A	Refund of premiums paid of \$80.80

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			cancelled and full refund of the premium was made.					
CS	17/02/2017		Freedom was contacted about a policyholder who had previously suffered a stroke who may not have understood the nature of the policies she entered into. Freedom has offered to cancelled the policyholder's policy and refunded all premiums.	N/A	N/A	N/A	N/A	Refund of premiums paid of \$1,276.61
CS	20/02/2017		Freedom was contacted about a policy set up by an Aboriginal policyholder with limited education and understanding. Freedom cancelled her policy and refunded all premiums.	N/A	N/A	N/A	N/A	Refund of premiums paid \$231.06
CS	03/03/2017		The complainant stated that he was sold a policy without his consent. Freedom agreed to partially refund the premium.	N/A	N/A	N/A	N/A	Refund of \$166.16
M	08/03/2017	22/03/2017	Spectrum Wealth Advisers - late lodgement of financial returns for 2013, 2015 and 2016. Head of Risk & Compliance investigated reasons and wrote to ASIC on 22 March 2017 explaining the circumstances.	ASIC	N/A	N/A	N/A	N/A
CS	12/04/2017	Unknown	The policyholder requested cancellation. When the customer service team was not able to get hold of him, the policy was renewed and second cancellation request was made by the policyholder. Freedom agreed to refund all premiums paid into policy.	FOS	N/A	N/A	N/A	Refund of \$356.94
CS	03/05/2017	N/A	The complainant stated that the way the agent spoke on a call to them was disrespectful.	N/A	N/A	N/A	N/A	N/A
CS	25/05/2017	Unknown	The policyholder was not able to cancel the policy because customer service did respond to him. Freedom cancelled the policy and	FOS	N/A	N/A	N/A	Refund of \$160.60

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			premium paid was refunded.					
CS	29/05/2017	Unknown	The policyholder tried to cancel the policy but the customer service team did not contact her. Freedom subsequently cancelled the policy within the initial 12 months free period and no premium was debited.	FOS	N/A	N/A	N/A	N/A
CS	15/06/2017	N/A	Call centre agent left inappropriate voicemail in error when he mistakenly believed that the caller had hung up.	N/A	N/A	N/A	N/A	N/A
CS	23/06/2017	N/A	Customer requested the details of the lead generation provider.	N/A	N/A	N/A	N/A	N/A
CS	28/06/2017	N/A	The policyholder requested to cancel the policy but the customer service team was not able to get hold of him, resulting in the policy not being cancelled. Premium was debited. Freedom cancelled the policy and refunded the whole premium.	N/A	N/A	N/A	N/A	Refund of \$288.50
CS	05/07/2017	N/A	The policyholder cancelled direct debit (through the ADI) but premium kept on being debited as the policy cancellation was not actioned. Policy was subsequently cancelled and premium was refunded.	N/A	N/A	N/A	N/A	Refund of \$8.06
CS	01/08/2017	Unknown	The policyholder requested to cancel the policy but the customer service team was not able to get hold of the customer, and the policy was not cancelled. Premium was debited. Freedom subsequently cancelled the policy and refunded the whole premium.	FOS	N/A	N/A	N/A	Refund of \$144.93
CS	25/08/2017	Unknown	The policyholder attempted to cancel the policy but money was deducted from her account.	FOS	N/A	N/A	N/A	Refund of \$231.96
CS	22/09/2017	Unknown	The policyholder claimed she had tried to cancel policy but money continued to be	FOS	N/A	N/A	N/A	Refund of \$436.40

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			debited. Records indicate Freedom Retention team spoke to the policyholder and she agreed to keep the policy in place but then later she complained. Policy cancelled and premium was refunded.					
CS	30/09/2017	Unknown	The policyholder claimed he did not authorise his account to be debited. Policy was cancelled and premium was refunded.	FOS	N/A	N/A	N/A	Refund of \$102.84
CS	06/10/2017	N/A	The policyholder complained that Freedom had debited her on the wrong day incurring dishonour costs. Freedom agreed to cancel the policy and refunded half of the premium paid.	N/A	N/A	N/A	N/A	Refund of \$325
CS	19/10/2017	N/A	The complainant complained of multiple calls from Freedom. Freedom's records indicated she was only contacted twice. Freedom added the number to the internal DNC list and suppliers' list.	N/A	N/A	N/A	N/A	N/A
M	09/11/2017	N/A	The policyholder's brother complained that Freedom had sold a policy to his brother who was disabled. Freedom cancelled the policy, refunded the premium and decided to update its vulnerable customer training session.	N/A	N/A	N/A	N/A	Refund of \$219.70
CS	16/11/2017	Unknown	The policyholder complained that she incurred dishonour fees and wanted them reimbursed by Freedom. Freedom agreed to cancel the policy and reimburse dishonour fees. She further complained that she was still being debited after cancellation and incurred further dishonour fees.	FOS	N/A	N/A	N/A	Reimbursement of \$170.60
CS	24/11/2017	Unknown	The policyholder's financial adviser requested that the policy be cancelled number of times.	FOS	N/A	N/A	N/A	Refund of \$736.83

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			There was a delay in actioning the cancellation. Freedom cancelled the policy and refunded the premium.					
CS	21/12/2017	N/A	Claims audit identified a claimant who experienced a number of issues and had a poor customer experience on telephone calls with Freedom agents. The claims agents involved have been given additional agent coaching relating to customer experience and empathy.	N/A	N/A	N/A	N/A	N/A
CS	21/12/2017	N/A	Claims audit identified a claims agent who displayed a lack of empathy and compassion when dealing with a claimant. The claims agent contacted the claimant to apologise for the lack of empathy displayed on the initial call. Ongoing training.	N/A	N/A	N/A	N/A	N/A
CS	04/01/2018	Unknown	The policyholder stated that she had told Freedom before the end of the free cover period that she did not want to continue with the policy and cancel. There was a delay in the customer service team getting in touch with her to cancel the policy. Freedom subsequently cancelled the policy and refunded the premium.	FOS	N/A	N/A	N/A	Refund of \$243.65
M	08/01/2018	N/A	<p data-bbox="645 1139 1128 1288">Failure to provide revised FSG containing updated information regarding changes to commission percentage levels to customers during period between 04/01/18 and 11/01/18 affecting approximately 1,153 customers.</p> <p data-bbox="645 1318 1128 1432">Additional error in FSG dated 01/01/18 with incorrect maximum commission information for Freedom Protection Plan, affecting approximately 1,261 AD/AI customers that</p>	N/A	N/A	N/A	N/A	N/A

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			received the FSG dated 01/01/18 between 12/01/18 and 22/02/18. Not reported as significant breach to ASIC as no financial loss suffered by affected customers, all customers remediated through sending of explanatory letter with revised FSG, and not systemic issue.					
CS	16/01/2018	Unknown	The policy cancellation was not processed properly and the policyholder's account continued to be debited. The policyholder was offered a \$250 Visa card as a goodwill gesture and by way of compensation.	FOS	N/A	N/A	N/A	\$250 Visa card
CS	22/01/2018	Unknown	The policyholder complained when he was not able to cancel the policy after the initial 12 months free period. Freedom agreed to refund the premiums paid and also pay \$500 in compensation as a goodwill gesture.	FOS	N/A	N/A	N/A	Approximately \$120 in premiums and \$500 compensation
CS	09/02/2018	N/A	The policyholder stated that a cancellation was not actioned and subsequent attempts by Freedom to debit premiums resulted in dishonour fees being charged. Freedom's records showed that the policyholder had agreed to keep the cover in place, however Freedom agreed to offer a refund of \$500.	N/A	N/A	N/A	N/A	Refund of \$500
CS	20/02/2018	Unknown	The policyholder complained about the cancellation procedure. Policy was cancelled and refunded the premium.	FOS	N/A	N/A	N/A	Refund of \$23.17
CS	07/03/2018	N/A	The potential customer was unhappy with Freedom agent's service.	N/A	N/A	N/A	N/A	N/A
CS	07/03/2018	N/A	The complainant requested that Freedom cease contacting them and also requested a copy of data that Freedom and lead generation	N/A	N/A	N/A	N/A	N/A

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			provider may hold. Freedom added them to the internal and lead generation provider's DNC lists.					
CS	09/03/2018	N/A	The policyholder was unhappy with the customer service agent's attitude. Freedom has not been able to contact the policyholder, but policy is still in force.	N/A	N/A	N/A	N/A	N/A
CS	12/03/2018	N/A	The policyholder was unhappy with the process of purchasing and cancelling the policy.	N/A	N/A	N/A	N/A	\$100 gift card as a goodwill gesture
CS	20/03/2018	N/A	The policyholder stated that the policyholder hadn't been able to cancel the policy for a month. The policy had been cancelled but the cancellation letter went to the old address.	N/A	N/A	N/A	N/A	N/A
CS	21/03/2018	Unknown	The policyholder wanted to cancel the policy before the expiry of 12 months free period but had difficulties contacting the customer services team. Freedom agreed to compensate the customer by paying \$100.	FOS	N/A	N/A	N/A	Compensation of \$100
CS	22/03/2018	N/A	The customer was unhappy that she kept on receiving calls after she had told that she was not interested. Freedom's investigation revealed that there were 11 attempts to call the customer but none had gone through. The customer's number was added to Freedom's internal DNC list.	N/A	N/A	N/A	N/A	N/A
CS	22/03/2018	N/A	The complainant stated that the sales agent left a voicemail using an inappropriate word.	N/A	N/A	N/A	N/A	N/A
CS	22/03/2018	N/A	The complainant complained about the sales agent who called him. Freedom added the complainant's number to its DNC list.	N/A	N/A	N/A	N/A	N/A
CS	03/04/2018	N/A	The policyholder sought a refund of premiums of a policy she did not remember purchasing due to her health conditions. Freedom agreed	N/A	N/A	N/A	N/A	Refund of \$196.74

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			to refund the first premium.					
CS	05/04/2018	N/A	The policyholder was unhappy that multiple debit attempts of premium were made on the same day and therefore incurred multiple dishonour charges.	N/A	N/A	N/A	N/A	\$39.51 of dishonour fees reimbursed
CS	10/04/2018	N/A	The policyholder had sent emails to cancel her policies. Customer service attempted to contact the policyholder but did not process the cancellation. Freedom cancelled the policy and refund of \$144.94 was made.	N/A	N/A	N/A	N/A	Refund of \$144.94
CS	09/04/2018	N/A	The policyholder stated that the premiums were being deducted for the policies that had been cancelled. Freedom cancelled the policy and refunded the premium.	N/A	N/A	N/A	N/A	Two refunds of \$32.90
CS	13/04/2018	N/A	The policyholder stated that premium was debited after cancellation. Freedom apologised for the misunderstanding and refunded the premium collected.	N/A	N/A	N/A	N/A	Refund of \$43.23
CS	26/04/2018	Unknown	The complainant contacted FOS on behalf of the policyholder who is her mother. 29 lives were insured. The complainant requested that Freedom refund premiums.	FOS	N/A	N/A	N/A	Refund of \$438.20 and \$50 gift card
CS	30/04/2018	N/A	The policyholder complained that the cancellation had not been processed and premium was debited. Freedom subsequently processed the cancellation and refunded the premium.	N/A	N/A	N/A	N/A	Refund of \$4.03 and \$50 gift card
CS	24/04/2018	N/A	The policyholder requested by email that the policy be cancelled effective immediately. Freedom cancelled the policy and refunded the	N/A	N/A	N/A	N/A	Refund of \$638.76

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			premiums which accounts for amounts post the agreed cancellation date.					
CS	30/04/2018	N/A	The policy was cancelled. There were delays in refunding of the premiums.	N/A	N/A	N/A	N/A	Refund of \$96.57
CS	14/05/2018	N/A	The complainant who was the policyholder's son wanted the policy to be cancelled and made a complaint about the behaviour of the sales agent. Freedom cancelled the policy.	N/A	N/A	N/A	N/A	N/A
CS	25/05/2018	N/A	The policyholder claimed that the policyholder never purchased the policy and did not receive any documents. The policyholder also raised concerns with the Retention agent's attitude. Freedom agreed to cancel the policy and refunded the premiums paid.	N/A	N/A	N/A	N/A	Refund of \$490.77
CS	01/06/2018	N/A	The complainant stated that there were multiple calls from the lead generation provider in one day. The customer's number has been included in the Freedom's DNC list.	N/A	N/A	N/A	N/A	N/A
CS	15/06/2018	N/A	<p>The policyholder was unhappy that an agent provided her with details about her mother's policy and was therefore concerned that her personal details were not safe.</p> <p>Upon reviewing the notes of the call, it appears there was a mistake by the agent because the policyholder was named as an insured on the mother's policy. Freedom advised the policyholder that the agent would receive additional privacy training and that actions were taken to ensure this would not happen again.</p>	N/A	N/A	N/A	N/A	\$100 Visa card

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CS	16/06/2018	N/A	The Complainant complained about the calls from Freedom and also about the sales agent's behaviour.	N/A	N/A	N/A	N/A	N/A
M	26/06/2018	N/A	Policyholder was under the impression that she had life insurance and not just accidental death cover. Upon listening to the call, it may be unclear regarding the difference between Premium Life and Accidental Death cover. The policyholder had paid \$2000 into the policy and it was agreed with the policyholder that a full refund would be issued and the policy cancelled.	N/A	N/A	N/A	N/A	Refund of \$1,952.56
CS	10/07/2018	Unknown	The complainant lodged a complaint with FOS regarding the number of calls he received between October 2016 and December 2017. A response was sent to the complainant to apologise, to confirm that Freedom is investigating and that his telephone number has been placed on Freedom's DNC list.	FOS	N/A	N/A	N/A	N/A
CS	11/07/2018	N/A	Spectrum Wealth Advisers was informed by ASIC that following an independent expert's review of client files of one of its financial advisers (an authorised representative under Spectrum's AFSL), it was found that the financial adviser did not demonstrate compliance with the best interests duty and related obligations. Spectrum was required by ASIC to review the files and where appropriate, remediate affected clients.	ASIC	N/A	N/A	Ongoing investigation by ASIC.	N/A
CS	12/07/2018	Unknown	Applicant made a complaint to FOS in relation to Freedom wrongly debiting him and Freedom not refunding and cancelling his policy with immediate effect. Freedom refunded the	FOS	N/A	N/A	N/A	Refund of \$153.32

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			premium and cancelled as per request.					
M	19/07/2018	02/08/2018	<p>Freedom has identified a matter which constitutes a breach of section 992A(3)(aa) of the Corporations Act 2001 (Cth) (the Corporations Act). The activity concerns the telephone sales processes and procedures previously used by Freedom Insurance insofar as relating to a particular and specific segment of its customer base.</p> <p>Freedom engages a number of third party customer lead generation service suppliers who provide customer lead contact details to Freedom Insurance. These lead contact details and customer consents are collected by the suppliers using a range of methods. These include telephone and online survey and competition incentive award methods.</p> <p>Freedom Insurance's sales process for its direct life insurance product distribution business until recently has been conducted on the basis and understanding that all of the telephone calls to customers made by its telephone sales team are solicited by customers and that customers gave their prior consent to be contacted by Freedom Insurance. Therefore, Freedom Insurance's telephone sales processes were structured on the basis that telephone calls made by its sales team were not unsolicited calls within the meaning of, and for the purposes of section 992A of the Corporations Act.</p> <p>On 19 July 2018, Freedom Insurance became aware that a small proportion of the calls made</p>	ASIC	N/A	N/A	N/A	N/A

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			by its telephone sales team to customer leads which had been generated and provided to Freedom Insurance via third party teledata lead gathering methods were potentially unsolicited by customers for the purposes of section 992A of the Corporations Act. Freedom Insurance learnt that although these customer contact details had been "washed" against the national Do Not Call Register (DNCR) to ensure that no calls were made to numbers registered on the DNCR, no other steps had been taken by the lead provider to obtain the agreement of and consents from customers to permit Freedom Insurance to contact them.					
CS	23/07/2018	N/A	Spectrum Wealth Advisers was notified by ASIC that it had concerns that one of its financial advisers (an authorised representative under Spectrum's AFSL) that the financial adviser had not complied with a financial services law, may not be adequately trained or competent to provide a financial service, and may be likely to contravene a financial services law. The financial adviser was given notice of opportunity to be heard by an ASIC delegate as to whether they should be given a banning order.	ASIC	N/A	N/A	Ongoing investigation by ASIC.	N/A
CS	14/08/2018	N/A	Spectrum Wealth Advisers was notified by ASIC that following its review of the client files of one of its financial advisers (an authorised representative under Spectrum's AFSL), ASIC had identified that some of the financial adviser's files appeared not to demonstrate compliance with the best interests duty and	ASIC	N/A	N/A	Ongoing investigation by ASIC.	N/A

Misconduct (M) / Conduct falling below community standards (CS)	1. Date ¹ conduct was identified/ reported	2. Date of report to regulator, if applicable	3. Summary of conduct	4. Relevant regulator/ other body	5. Details of any legal proceedings commenced	6. Status of legal proceedings	7. Any ongoing regulatory action	8. Monetary amount paid by entity, if applicable
			related obligations. ASIC stated that it would advise the financial adviser of these concerns.					