



---

## **GROUP WHISTLE-BLOWING STANDARD**

---

---

THIS DOCUMENT IS MAINTAINED IN AN ELECTRONIC FORMAT. PRINTED VERSIONS COULD BE OUTDATED. REFER TO THE BUSINESS MANAGEMENT SYSTEM (BMS) FOR THE LATEST VERSION.

## 1. PURPOSE

- 1.1 The behaviour of directors, officers, employees, clients, subcontractors, service providers and partners of Murray & Roberts is governed by a number of policies, standards and procedures that compromise the Group's Code of Conduct.
- 1.2 The Code of Conduct is intended to focus each director, officer and employee across the Group on areas of ethical and legal risk, provide guidance to directors, officers and employees to help them recognise and deal with ethical and legal issues, and provide mechanisms to report unethical and unlawful conduct so as to foster honest, ethical and legal behaviour across the Group. Each director, officer and employee must comply with the letter and spirit of the Code of Conduct.
- 1.3 The purpose of this Whistle Blowing Standard is to:
- (a) provide a method of properly addressing *bona fide* concerns that stakeholders of the Group have, whilst offering them the necessary protection from victimisation or harassment;
  - (b) clarify that employees (as stakeholders) should raise legitimate concerns with their appropriate line management, or specific appointed persons, and anonymously only where they have reasonable grounds for believing that there are fraudulent or corrupt activities or other wrongdoings taking place within Murray & Roberts, and reporting such through formal channels will lead to some form of victimisation, harassment and/or disciplinary proceedings.

## 2. SCOPE

- 2.1 The Code of Conduct applies to all directors, officers and employees serving across the Group, as well as all clients, subcontractors, service providers and partners of the Murray & Roberts Group
- 2.2 This Standard is consistent with and aligned to Murray & Robert's Code of Conduct, and addresses organisational accountability, transparency and individual responsibility by encouraging individuals to report wrongful conduct and behaviour in the workplace as measured against the Code of Conduct, in a responsible and ethical manner.
- 2.3 This Standard is intended to assist persons who reasonably and in good faith, believe they have knowledge of impropriety or wrongful conduct. It is not designed to question financial or business decisions taken by Murray & Roberts, nor should it be used to ventilate any matters which have been or should be investigated under the Group's harassment, grievance or disciplinary policies and procedures.
- 2.4 It is expected that employees will report any violation (actual or suspected) of the Code of Conduct first to management, and only in the event where they have reasonable grounds for believing that reporting such through formal channels will lead to some form of victimisation, harassment and/or disciplinary proceedings may they report the matter through the Murray & Roberts Tip-Offs Anonymous hotline.
- 2.5 This Standard applies to all entities within Murray & Roberts, all subsidiaries and business divisions, operations as well as to everyone who carries out work for the Group, including:

- Employees;
- Clients;
- Business Partners;
- Contractors and Sub-contractors; and
- Consultants.

2.6 The Standard is designed to deal with *bona fide* concerns raised in relation to issues relating to fraud, corruption, misconduct and wrongdoing within Murray & Roberts. It is not applicable to human resources or industrial relations grievances, which are dealt with under distinct procedures on grievances, discipline and misconduct.

2.7 The Standard covers all legitimate concerns raised in good faith, in connection with any of the following alleged acts ("the Misconduct"):

- breach of the Code of Conduct;
- civil or criminal wrongdoing;
- failure to comply with any statutory and/or other legal obligation or requirement;
- financial or non-financial mismanagement, fraud, corruption and bribery;
- any risk or potential risk to the environment, or to the health and safety of any individual;
- improper conduct or unethical behaviour; or
- concealment of any of the above.

### 3. THE REPORTER

3.1 Any person, who works for or with Murray & Roberts directly or indirectly and who has a reasonable belief that there is Misconduct ("the Reporter"), may raise a concern or make a disclosure under the procedure set out below.

3.2 All concerns must be raised without malice, in good faith and not for personal gain.

3.3 The Reporter making the disclosure, must reasonably believe that the information and the allegations made are substantially true and accurate.

3.4 The issues raised should relate to a director, manager, employee, and/or any operation or joint venture within the Group.

### 4. CONFIDENTIALITY

4.1 All individuals involved in receiving any disclosure made in terms of this Standard, will be cognisant of the need for confidentiality and will deal with each matter on this basis as far as reasonably possible, within the provisions of this Standard.

4.2 Matters disclosed in terms of this Standard will at all times be dealt with in a sensitive and speedy manner.

## 5. REPORTING PROTOCOL

5.1 The Reporter may report the Misconduct as follows:

5.1.1 Any concern by an employee about Misconduct should first be raised by the Reporter with his/her line manager or supervisor.

5.1.2 Any concern by any other stakeholder about Misconduct should be raised by the Reporter with the Managing Director of the company with which his/her company is contracting.

5.1.3 Should the Reporter feel threatened or intimidated to report the matter as suggested above, such Reporter should report the Misconduct through the Murray & Roberts Tip-Offs Anonymous hotline. This is an independent and confidential reporting service administered by an external service provider.

5.1.4 Concerns may be raised orally or in writing. Reporters who wish to make a written report are invited to set out the following:

- the background and history of the concern (giving relevant dates);
- the reason for being concerned about the situation; and
- the extent to which he personally witnessed or experienced the problem (provide documented evidence where possible).

## 6. FOLLOW-UP PROCEDURE

6.1 The person to whom a report is made ("the Responsible Person") is required in good faith to independently and thoroughly investigate the reported matter, using the services of Forensic Consultants Pty Ltd (see details below) if appropriate, and a comprehensive report on the findings and corrective actions taken (if any) shall be issued and filed by the Responsible Person for review by Internal Audit.

6.2 In the case of a matter reported through the Murray & Roberts Tip-Offs Anonymous hotline, there is an agreed follow-up procedure set out in the protocol agreed with the relevant hotline service provider. Any investigation instruction flowing from that process to a Murray & Roberts executive ("the Responsible Person") shall be independently and thoroughly investigated, and a comprehensive report on the findings and corrective actions taken (if any) shall be lodged with the executive issuing the instruction.

6.3 In dealing with the matter, the Responsible Person may consult with any member of the executive management of Murray & Roberts, as he/she deems appropriate.

6.4 If, in the course of the investigation of any report, the Responsible Person is of the opinion that the matter is of a grievance or disciplinary nature, the appropriate procedures as referred to in clause 2.6 above will be invoked.

6.5 The decision of the Responsible Person as to whether there is a *prima facie* case to investigate and, if so, the outcome of the investigation or whether the matter should be dealt with as envisaged in clause 6.4 above, will be communicated to the Reporter in such manner as the Responsible Person deems appropriate.

6.6 All matters which are reported through the Murray & Roberts Tip-Offs Anonymous hotline and all other matters for which the services of Forensic Consultants Pty Ltd are retained will be set out in a report and tabled from time-to-time at the meetings of the Murray & Roberts Social & Ethics Committee.

## 7. ANONYMITY OF THE REPORTER

7.1 In view of the protection afforded to individuals raising a *bona fide* concern, it is preferable that the Reporter puts his name to the report. Murray & Roberts will not tolerate and/or entertain the harassment or victimisation of anyone raising a legitimate concern. The latter would equally apply where the Reporter is mistaken as to the true nature of the issue.

7.2 It is, however, recognised that a Reporter may wish to raise a concern in confidence under this Standard and, in such instance, the identity of the Reporter will not be disclosed without his consent.

7.3 A Reporter who wishes his identity to remain confidential, must specifically inform the person to whom the report is made, of this fact.

7.4 If a situation arises where the matter cannot be resolved without revealing the identity of the Reporter, this will be discussed with the Reporter before any action is initiated and the best way forward will be agreed.

## 8. PROTECTION OF THE REPORTER

8.1 Murray & Roberts acknowledges that the protection of the Reporter is fundamental to the success of the whistle-blowing process.

8.2 No Reporter who makes a disclosure in good faith, reasonably believing it to be true, will as a consequence of making the disclosure, be:

- subjected to any disciplinary action;
- dismissed, suspended, demoted, victimised, harassed or intimidated;
- transferred against his/her will;
- refused a transfer or a promotion;
- refused a reference or provided with an adverse reference;
- threatened with any of the above; or
- otherwise adversely affected in his/her employment, including employment opportunities and work security.

8.3 The above protection is not afforded to a Reporter who has made a disclosure concerning his/her own misconduct.

8.4 Deliberate reporting of false information equates to misconduct and is not protected by this Standard or the law.

## 9. IMPLEMENTATION

9.1 Murray & Roberts recognises that, to ensure the effective implementation of this Standard, it should be communicated and fully understood by all stakeholders.

- 9.2 Management and supervisory staff, at all levels of the Group, are responsible for ensuring that adequate awareness is created internally regarding the scope and objective of this Standard, including the mechanisms created for disclosure.

#### 10. NON-COMPLIANCE

- 10.1 Employees who violate relevant aspects of this Standard will be subject to disciplinary action.
- 10.2 Any disciplinary decision applied by Murray & Roberts in any situation shall be without prejudice to any civil and/or criminal consequences to which the violation may give rise.

The Murray & Roberts Tip-Off Anonymous Hotline may be accessed at Tel 0800 003 246 in South Africa or [murrob@tip-offs.com](mailto:murrob@tip-offs.com) in South Africa or internationally

END OF STATEMENT