

Whistle Blower Policy

Purpose

Heidelberg Materials Australia¹ (HMA) is committed to the highest standards of conduct and ethical behaviour in all of our business activities, and to promoting a culture of honest and ethical behaviour, corporate compliance and good corporate governance.

The purpose of this Policy is to encourage individuals to report fraudulent, illegal, unethical or improper conduct relating to HMA, without fear of intimidation, disadvantage or reprisal.

This Policy outlines the reporting process and the protections that are available under the Corporations Act 2001 (Cth) to HMA employees and others who make reports under this Policy.

Who can make a report under this Policy?

All current and former employees and suppliers of HMA and their family members who have reasonable grounds to suspect 'Reportable Conduct' can make a report under this Policy.

What is Reportable Conduct?

Reportable Conduct includes any conduct, whether actual or suspected, which the individual has reasonable grounds to believe is misconduct or an improper state of affairs in relation to HMA.

¹ In this policy, "Heidelberg Materials Australia" (HMA) refers to Heidelberg Materials Australia Group Pty Ltd and its related entities in Australia, including Hymix Australia Pty Ltd, Pioneer North Queensland Pty Ltd, the Alex Fraser Group, Placecrete Australia Pty Ltd and Suncoast Asphalt Pty Ltd.

Examples of Reportable Conduct are:

- fraud, bribery, corruption, dishonesty
- breach of legal or regulatory requirements
- conduct endangering health and safety or harming the environment
- anti-competitive behaviour
- unethical conduct, including unfair dealings with customers or suppliers
- conduct which may cause financial loss to HMA
- breach of tax or corporations law
- offences under Commonwealth laws that are punishable by imprisonment of 12 months or more committed by HMA or a HMA employee
- conduct which represents a danger to the public or the financial system
- any deliberate concealment of any of the above.

Reports that are not about Reportable Conduct will not qualify for protection under this Policy. In particular, Reportable Conduct does not include **personal work-related grievances** (e.g. complaints about interpersonal conflicts at work, conditions of employment, termination of employment or disciplinary decisions). These issues should be handled under HMA's usual HR processes, and will only receive protection under this Policy if they involve victimisation of an employee who has made a report under this Policy.

How to make a report

There are several channels available if a HMA employee wishes to report Reportable Conduct, or wishes to obtain additional information before making a report:

- Raise the matter with their immediate supervisor or manager
- Report the matter to their Australian Executive Committee Member and/or the Human Resources Business Partner
- Make a report anytime through the SpeakUp hotline:
Phone number: (02) 82846262
Access code: 107810
Link to the anonymous reporting tool: [SpeakUp](#)

A whistle-blower who is not a HMA employee may make a report by making a phone call or online report to SpeakUp, or by writing to HMA's General Manager – People at Level 14, 35 Clarence Street, Sydney NSW 2000².

What information should the report contain?

Whilst HMA does not expect a report to contain absolute proof of Reportable Conduct, a report should disclose relevant details and supporting documentation. A whistle blower can still qualify for protection if their report turns out to be incorrect or unsubstantiated. However, knowingly making a report that is false or without reasonable grounds will not qualify for protection and will likely result in disciplinary action.

Confidentiality of identity and information

HMA will keep the whistle blower's identity confidential, along with any information obtained from their report which is likely to reveal their identity, unless:

- the whistle-blower consents to the disclosure of their identity, or
- the disclosure is to a regulator or a legal practitioner (when seeking legal advice).

HMA will use measures such as anonymised contact details, pseudonyms or redaction of personal information, as appropriate, to protect the confidentiality of a whistle blower's identity.

HMA can disclose information contained in a report (with or without consent) if the information:

- does not disclose the whistle blower's identity, or
- is reasonably necessary to investigate the matter, provided HMA takes all reasonable steps to reduce the risk of disclosing the whistle blower's identity.

² Under legislation, other possible recipients of the report include an auditor, director, secretary or senior manager of HMA; ASIC or APRA; a legal practitioner (for the purpose of obtaining legal advice or representation); and the Commissioner of Taxation (in relation to tax issues). In addition, in specific public interest and emergency situations, reports can be made to journalists and parliamentarians, but legal advice should be sought before making reports of this kind.

Anonymous reports

Whistle blowers can choose to remain anonymous when making a report and throughout the investigation process, and can refuse to answer questions that they feel could reveal their identity.

However, it may not be possible to investigate the report thoroughly if it is made without sufficient details. Whistle blowers are encouraged to provide sufficient details to enable an appropriate investigation to be carried out.

How will HMA respond to and investigate a report made under this Policy?

HMA will assess each report made under this Policy to determine whether it qualifies for protection, and if so, what type of response is appropriate (whether a formal investigation or a less formal response).

If HMA determines that an investigation is required:

- HMA will commence the investigation as soon as possible after the report is received and will, where applicable, provide feedback to the whistle blower regarding the investigation's progress and/or outcome (subject to considerations of the privacy of those against whom allegations are made).
- The investigation will be conducted in a timely, objective and fair manner, and in a way that protects the confidentiality of the whistle blower's identity.
- HMA will take the necessary course of action in response to the investigation. If no action is taken, HMA will give the whistle-blower an explanation.

All employees must co-operate fully with any investigation. HMA will ensure the fair treatment of any employee who is mentioned in a report made under this Policy by providing them with details of the report that involves them (to the extent permitted by law) and giving them opportunity to respond, as appropriate.

Practical protections available to employees who make a report under this Policy

Employees will not suffer detrimental treatment or be disadvantaged in their employment as a result of making a report under this Policy. Detrimental treatment

includes dismissal, demotion, discrimination, harassment, intimidation, disciplinary action or other unfavourable treatment.

To this end, HMA will take practical steps, including maintaining the confidentiality of the employee's identity, providing the employee with access to human resources support as necessary and keeping the employee informed about the progress and outcome of the report.

Other legal protections available

All individuals who report Reportable Conduct under this Policy are entitled to protections under the Corporations Act, including:

- Protection of the confidentiality of their identity in accordance with the Corporations Act (noting that a whistle blower may complain to ASIC, APRA or a regulator if there is a breach of confidentiality by HMA)
- Protection from detrimental treatment and any form of victimisation or harm, including damage to reputation
- The right to seek compensation and other remedies if loss is suffered because of a disclosure and HMA failed to take reasonable precautions to prevent the detrimental conduct
- The right to be protected from civil, criminal or administrative liability (including disciplinary action) for making the report (noting that there is no immunity granted for any personal misconduct by the whistle blower that is revealed by the report).

Further information

This Policy will be made available on HMA's website and intranet. Any questions in relation to this Policy should be directed to HMA's General Manager – People.