
 LETŠENG DIAMONDS	REFERENCE:	P07/10/12/007
	COMPANY POLICY:	
TITLE:	Whistle blowing Policy	


	NAME	DESIGNATION	SIGNATURE	DATE
ADMINISTRATED BY	K Leisanyane	CEO		
APPROVED BY	M Mphatsoe	Chairman Exco		20.07.2010
AUTHORISED BY	CT Elphick	Chairman Board		5.11.2010
DISTRIBUTION	HoDs and further distribution to all staff			

ANNUAL REVISION HISTORY				
	NUMBER	DATE	BY	SIGNATURE (Chair)
Review	003	10/2013	Board Directors of	
Review	004	10/2014	Board Directors of	
Review	005	10/2015	Board Directors of	Deferred for further refinement
Review	005	02/2016	Board Directors of	
Review	006	02/2017	Board Directors of	
Review	007	02/2019	Board Directors of	<i>[Handwritten Signature]</i>

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1. Purpose

1.1 The purpose of this Policy at Letšeng Diamond (Pty) Ltd is to encourage and enable the reporting of malpractices or misconduct, and to provide protection for all who report such allegations.

2. Scope

2.1 The policy applies to all Employees, suppliers and customers.


3. Definitions

For the purpose of this policy the following definitions shall apply:

- 3.1. "Board" shall mean the Board of Directors of the Company.
- 3.2. "CEO" shall mean the Chief Executive Officer of the Company.
- 3.3. "Chairman" shall mean the Chairman of the Board or the Chairman of the relevant Board Committee, in line with the specific circumstances of each matter at hand.
- 3.4. "Company" shall mean Letšeng Diamonds (Pty) Ltd.
- 3.5. "Employees" shall mean all individuals working at all levels and grades, including but not limited to Directors, senior managers, Employees, whether permanent, fixed-term or temporary, consultants, contractors, seconded Employees, casual Employees and agents, including any other person associated with the Company, wherever located.
- 3.6. "Investigator" shall mean any person, internally or externally, who is tasked to look into an allegation.
- 3.7. "Malpractice" shall mean, but not be limited to, illegal, unethical, negligent, or immoral behaviour by somebody in a professional or official position, resulting in a failure to fulfil the duties or responsibilities associated with that position.
- 3.8. "Misconduct" shall mean, but not be limited to, unacceptable or improper behaviour by an Employee that may or may not be in accordance with accepted moral or professional standards. This may also include incompetent or dishonest management, especially on behalf of others.

4. Policy

4.1 The Whistleblowing Policy is designed to enable and encourage Employees to report alleged malpractices or misconduct, to ensure that all allegations are thoroughly investigated and suitable action taken where necessary. The anonymity of a whistleblowing Employee is to be protected as well as against adverse employment actions (discharge, demotion, suspension, harassment, or other forms of discrimination) when raising allegations of business malpractice or misconduct. An Employee is protected even if an allegation, made in good faith, proves to be incorrect or unsubstantiated. Employees who choose to participate or assist in an investigation will be protected.

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4.2 The policy is intended to cover all major concerns. These include, but are not limited to:

4.2.1 A criminal offence.

4.2.2 Fraud or corruption.

4.2.3 Intentional misrepresentations directly or indirectly affecting financial statements.

4.2.4 A failure to comply with any legal obligations.

4.2.5 A miscarriage of justice.

4.2.6 Health and safety risks including risks to the public as well as other Employees.

4.2.7 Damage to the environment.

4.2.8 The unauthorised use or misuse of Company funds or assets.

4.2.9 A breach of Company policies and procedures.

4.2.10 Serious non-professional or non-ethical behaviour i.e. improper or unacceptable conduct.

4.2.11 Sexual harassment or physical abuse of Employees.

4.2.12 The deliberate concealment of information tending to indicate any of the behaviours listed above.


5. PROCEDURES

5.1. An Employee who reasonably believes that alleged malpractices or misconduct are occurring should raise the issue, verbally or in writing, with their HOD.


5.2. Whilst internal disclosure is encouraged at all times, an Employee may be of the view that there is an exceptionally serious issue, which warrants reporting to an external body. In such instances, the Employee should use the whistle blowing Tip Offs Anonymous helpline 800 22 044; email letseng@tip-offs.com; fax +27 31 560 7395 or any other number or mode of communication notified to Employees by Management.

5.3. Although an Employee is not required to prove beyond doubt the allegation, the Employee must be able to demonstrate that there are reasonable grounds for the concern and should provide as much of the following information, as possible:

5.3.1. Date and time of incident;

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- 5.3.2. Where did the incident take place;
 - 5.3.3. Names and or designations of the people involved;
 - 5.3.4. What are the reasons for your suspicions;
 - 5.3.5. What do you want to tip off;
 - 5.3.6. What is unethical;
 - 5.3.7. Who is allegedly involved;
 - 5.3.8. Do you have evidence;
 - 5.3.9. Are there other witnesses.
 - 5.4. All whistleblowing reports made:
 - 5.4.1. Internally, are reported to the CEO, if not implicated, or to the Chairman of the Audit Committee, if the CEO is implicated.
 - 5.4.2. To the Tip Offs Anonymous helpline, are reported to the Group Internal Auditor who reports the occurrence to the Group Chief Financial Officer.
 - 5.4.3. Must be reported to the Chairman of the Audit Committee and Group CFO within 24 hours of receipt.
 - 5.5. Once the claim of malpractice or misconduct is made, initial enquiries shall be made to decide whether an investigation is appropriate and, if so, what form it shall take. Where appropriate, investigations may:
 - 5.5.1. Be undertaken by Management, or through the disciplinary process.
 - 5.5.2. Be referred to the police.
 - 5.5.3. Be referred to the internal or external auditor.
 - 5.5.4. Form the subject of an external independent inquiry.
 - 5.6. If the report is made with the whistle blower:
 - 5.6.1. Requesting anonymity, the whistle blower must contact the person to whom the report was made, to request feedback and or the outcome of the report.
 - 5.6.2. Declining anonymity, the whistle blower shall be contacted with feedback and or the outcome of the report.
 - 5.7. It is essential that all investigations are done as efficiently and as quickly as possible, without impeding the outcome thereof, and as such no time limits can be set.
 - 5.8. The whistle blower may request the presence of a trade union, professional association representative or a friend during any meetings or interviews the whistle blower agrees to attend.
 - 5.9. All whistleblowing reports received, and action taken thereon, must be reported to the Audit Committee and the Board of Directors.
- 6. Disciplinary Action**
- 6.1. If the claim of malpractice or misconduct is substantiated, appropriate disciplinary action will be taken against the responsible individual(s) up to and including termination of employment.
 - 6.2. Any act of retaliation or victimisation against the whistle blower will result in disciplinary action against the perpetrator of any such retaliation or victimisation.

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7. Compliance

Adherence to the policy is fundamental to the Company's reputation and the Company views breaches of this policy by Employees as serious misconduct which could lead to disciplinary action being taken against the offender. If the situation involves a violation of law, the matter shall also be referred to the appropriate authorities for consideration.

8. Responsibility

The CEO has overall responsibility for this policy.

