



WHISTLE BLOWING POLICY

DOCUMENTS USERS : ALL HARMONY STAKEHOLDERS
PERSON RESPONSIBLE FOR KEEPING DOCUMENT CURRENT : COMPANY SECRETARY

Revision	Prepared	Reviewed	Approved	Date	Description
1	P DIKANE	Social & Ethics Committee	Board	September 2013	Finalised for use
2	Company Secretary	Ethics Committee	Social & Ethics Committee	27 January 2016	Approved
3	Company Secretary	Ethics Committee	Social & Ethics Committee	30 January 2018	Approved
4	Company Secretary	Ethics Committee	Social and Ethics Committee	5 May 2020	Approved

1. Purpose

The purpose of this policy is:

- Encourage shareholders, employees, service providers, contractors and members of the public (collectively referred to as **stakeholders**) to report practices at any of Harmony's workplaces that are in conflict with any law, regulation, legal obligation or Harmony Gold Mining Company's (Harmony) ethical codes and/or other Harmony governance policies.
- Provide a mechanism for such stakeholders (**whistle-blowers**) to report these practices internally, in confidence, independent of line management, and anonymously if they so wish for these reports.

This policy applies to all Harmony stakeholders and companies in the Harmony group of companies.

Harmony recognises that:

- Unethical, criminal or other irregular conduct (collectively referred to as "**misconduct**") is detrimental to good, effective, accountable and transparent company governance, can endanger the economic stability of the company, and has the potential to cause social and reputational damage.
- It is expected from every employee, contractor and service provider to disclose any misconduct in the workplace. Harmony, as an employer has a responsibility to take all necessary steps to ensure that parties who disclose such information either internally or externally are protected from any reprisals as a result of such disclosure.

Harmony undertakes to support and comply with any applicable legislation relevant to a specific area of operation which may provide protection to stakeholders for disclosures made without malice and in good faith, in defined circumstances. Stakeholders can 'blow the whistle' on fraud and corruption anonymously if they so wish and without fear of suffering an occupational detriment or legal action provided that they act in good faith. If, however, they act maliciously, knowing that the information they have disclosed to be untrue, they are not protected. It is important to note that stakeholders who disclose information acting in good faith, will not be subjected to disciplinary action taken against them or suffer any form of harassment or occupational detriment, irrespective of whether such disclosure is made to Harmony or to a regulator and even if subsequently it is found that they were mistaken.

This policy, which is to be read in conjunction with Harmony's ethical codes, is intended to encourage and enable stakeholders to raise concerns through channels

established within Harmony for that purpose. Furthermore, the policy aims to provide reassurance that protection from reprisals or victimization would be provided for whistle-blowing in good faith.

Nothing in this policy shall prevent or hinder a party from reporting alleged misconduct to any regulator under any legislation or “whistle-blower” protection law or rule and does not prohibit or seek to impede a party from communicating directly with any regulator about a possible violation of any law.

2. Scope

Matters that need to be brought to the attention of the company include, but are not limited to:

- bribery and corruption involving stakeholders;
- dishonest, fraudulent, corrupt or unlawful conduct or practices involving stakeholders;
- fraud or misrepresentation with respect to the company’s accounting, auditing or other financial reporting systems or records;
- an actual or potential violation of national, provincial or municipal laws that could result in fines or civil damages cases instituted against the company, or that could otherwise significantly harm the company’s reputation or public image;
- unethical business conduct; and/or
- danger to the health, safety or well-being of Harmony’s employees and/or the general public.

3. Standards

3.1 Harassment or victimisation

Harmony acknowledges that the decision to report an alleged misconduct can be a difficult one to make, not least because of fear of reprisal from those responsible for the irregularity. The company will not tolerate harassment or victimisation, and will take action to protect whistle-blowers when they raise a concern in good faith. This however, does not mean that if an employee is already the subject of disciplinary or other action or investigation, that action will be halted as a result of their whistle-blowing.

A whistle-blower who believes he or she, or his or her family, has been the victim of any form of reprisal or victimization by reason of their status as a whistle-blower, should immediately report the matter to the company secretary, ethics officer or the chairman of the management ethics committee tasked with the responsibility of protecting and safeguarding the interests of whistle-blowers. Any employee or contractor of Harmony who is found to have dismissed,

demoted, discriminated against or otherwise victimised a whistle-blower by reason of their status as a whistle-blower, may be subjected to disciplinary measures.

3.2 Confidentiality

Harmony will do its best to protect an individual's identity if he/she raises an alleged misconduct and does not want his/her identity to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the whistle-blower may be required as part of the evidence to be led in legal proceedings.

3.3 Immunity

Harmony may in its sole discretion grant a whistle-blower who has been involved in the misconduct with immunity against disciplinary or civil action by Harmony, or due consideration of their having reported the matter may be given in Harmony-initiated disciplinary proceedings.

However, Harmony has no power to provide immunity from criminal prosecution, nor will Harmony give any undertaking not to pursue criminal prosecution.

3.4 Untrue allegations

In the event of an allegation made in good faith, but not confirmed by an investigation or proved untrue, no action will be taken against the whistle-blower. If, however, an allegation is found to be malicious or mischievous or vexatious and was made for personal gain or otherwise, appropriate disciplinary or legal action may be taken against the whistle-blower.

3.5 Creating awareness

Formal training programmes are provided and co-ordinated in terms of the ethics management programme.

4. Reporting of Incidents

4.1 Internal channels

Whistle-blowers may wish to discuss the matter informally with their direct manager or with the ethics officer first to determine whether misconduct has occurred. This is an opportune time to clarify the incident, ask questions and become familiar with the process.

Where this is not appropriate, or where the whistle-blower does not feel comfortable in doing so, or where the whistle-blower has previously done so and considers that no or inadequate action has been taken, the whistle-blower may contact the company secretary, ethics officer or other designated Harmony representative tasked with the responsibility of protecting and safeguarding the interests of whistle-blowers.

4.2 Reporting of incidents

The allegation or incident may also be reported via Harmony's telephonic and electronic ethics reporting lines and/or the drop boxes at the operations. The most updated details of these are widely communicated throughout the organisation and on the Company's website.

4.3 Contents of reports

Any disclosures of alleged misconduct should be factual, rather than speculative, and should contain as much specific detail as possible to allow for proper assessment and determination of investigation. The disclosure should be candid and should clearly set forth all of the information that the employee knows regarding the misconduct. In addition, the complaint should contain sufficient corroborating information to support the commencement of an investigation.

It is worth noting that it is very difficult for the company to undertake an investigation if the disclosed information contains only unspecified or broad allegations of wrongdoing without appropriate factual support. The company will commence with an investigation at its own discretion.

4.4 Dealing with allegations

All disclosures of alleged actions or behaviour, so disclosed in good faith with no malicious intent, whether or not they were disclosed anonymously, will be kept in strict confidence to the extent possible, consistent with the company's need to conduct an adequate investigation.

4.4.1 When a report of misconduct is received, a high-level assessment will be performed, including the following steps:

- Authentication of the allegation;
- High-level testing of the allegation;

- Consideration of the source of information; and
- Preliminary consultation with relevant stakeholders within the organisation.

4.4.2 In order to protect individuals and Harmony, initial enquiries will be made to decide whether an investigation is appropriate and, if so, what form it should take.

4.4.3 Some concerns may be resolved by agreed action without the need for a formal investigation.

4.4.4 After careful consideration of the facts presented, management at their discretion and mindful of the nature of the allegation, may subsequently decide that the matter:

- Be investigated internally;
- Be investigated by an external party;
- Be referred to the police or other law enforcement agency;
- Be referred to the ethics committee; and/or
- Be referred to the Social and Ethics Committee.

4.4.5 The level of contact between the body investigating the issue(s) and the person(s) raising the allegation will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, further information will be requested from the whistle blower.

4.4.6 Harmony accepts that whistle-blowers need to be assured that the matter has been properly addressed. However, the progression of investigations will be handled in a confidential manner and will not be disclosed or discussed with any persons other than those who have a legitimate right to such information, at the company's discretion.

4.5 Further action

4.5.1 If the investigation establishes prima facie evidence of misconduct, Harmony management shall, in its discretion, determine what further action to take against the persons involved.

4.5.2 Possible further action may include:

- In the case of employees, taking disciplinary action;
- Instituting civil action to recover losses;
- Initiating criminal prosecution by reporting the matter to the police or any other relevant law enforcement agency; and/or
- Any other appropriate legal remedy available.

4.5.3 Harmony shall at its own discretion recover losses or damages suffered as a result of all reported acts committed or omitted by a stakeholder or any other party if such stakeholder or party are found to be liable for such losses.

5. Records

The following key records are generated through implementation of this procedure:

- Investigation reports;
- White Collar Crime Committee meeting minutes and reports;
- Management Ethics Committee meeting minutes and reports;
- Ethical risk register/s.

6. Non-Compliance

Employees or contractors who violate relevant aspects of this policy will be subject to disciplinary action up to, and including, termination of employment or engagement as the case may be. Any disciplinary decision applied by the company in any situation, shall be without prejudice to any civil and/or criminal consequences that the violation may give rise to.

7. Notification

All new employees shall be informed about the policy by the Human Resources department on the date of their engagement.

This policy as amended from time to time shall be made available at the website of the Company.

8. Appendices

None applicable

As approved by the Social and Ethics committee at a meeting held on 5 May 2020.