

## Policy statement

At Kier, we expect our colleagues to speak up and report any suspected wrongdoing or breaches of the law or internal policy. When there is a reason to believe that misconduct may have occurred, we will conduct an appropriate investigation. If we determine that it has then we will address it appropriately.

## Aims of the policy

The aims of this policy are:

- To encourage colleagues to promptly report suspected wrongdoing, in the knowledge that their concerns will be taken seriously and investigated, and that their confidentiality will be respected.
- To provide colleagues with guidance as to how to raise those concerns.
- To reassure colleagues that they should be able to raise genuine concerns without fear of reprisals, even if they turn out to be mistaken.
- To provide an internal mechanism for reporting, investigating and remedying any wrongdoing in the workplace, including clarifying the roles and responsibilities for reporting and investigating allegations of wrongdoing.

## Why this policy is important and who it applies to

Kier expects the highest standards of conduct and business integrity from every colleague. However, from time to time things can go wrong. A culture of openness and accountability is essential in order to prevent such situations occurring and to address them when they do occur. If you have concerns about suspected wrongdoing at work, we want you to speak up about it.

Speaking Up to disclose any form of suspected wrongdoing or unacceptable behaviour is always the right thing to do.

This policy does not form part of any employee's contract of employment and we may amend it at any time.

This policy applies to all employees, officers, casual workers, agency workers, consultants and contractors within the Kier Group ("the Group"). The reporting channels and procedures are also available to others whilst they are working for the Group. In addition, the reporting channels can be used by members of the public, who can access this policy via the Group's website.

## Why should I report my concerns?

Management needs to know about concerns, so compliance issues can be addressed quickly and properly. By raising concerns, you help to protect yourself, your colleagues, and the business. If you see something that raises a question or concern, you have an obligation to speak up promptly. Timeliness in reporting is essential so issues can be addressed as efficiently and effectively as possible.

## I am worried about reporting. Will anything happen?

We realise that it can be hard to raise concerns. Generally, people don't do so for one of a couple of reasons. First, they may fear retaliation. When you speak up and raise genuine concerns or report suspected wrongdoing, you are doing the right thing and Kier will not tolerate any retaliation against you. If you believe someone has retaliated against

Owner: Group Compliance Director	Version: 2.1	POL-GR-2109
As part of our system review, this document is valid until June 2020		Page 1 of 5

you or any other colleague for raising a concern, contact a member of the Group Compliance team as soon as possible. Anyone who retaliates against a person for raising a concern will face action under Kier's disciplinary procedures, which may include dismissal.

On the other hand, knowingly making false allegations will not be tolerated either. If we conclude that a person has done so, (s)he will face action under Kier's disciplinary procedures, which may include dismissal.

Another reason people don't raise concerns is that they fear nothing will happen. We can assure you that any time anyone raises a concern about a potential issue, we will take appropriate action to investigate and respond. We will take any necessary corrective action, including disciplinary action when appropriate, regardless of the seniority of those persons involved.

### Other protection

In the UK, the Employment Rights Act 1996 (ERA), as amended by the Public Interest Disclosure Act 1998 (PIDA), gives those who Speak Up protection against dismissal or other forms of detriment.

There is broadly similar legislative protection in other markets including Australia. Further, Kier policy provides protection against retaliation for raising a concern to all our overseas colleagues no matter where they are based. We will also endeavour to protect those in our supply chain who raise concerns.

### Responsibility for the policy

The Risk Management and Audit Committee of the Board has overall responsibility for this policy.

The Group Compliance team has day-to-day responsibility for this policy and overseeing the effective completion of any whistleblowing investigations.

All colleagues are obliged to assist and fully co-operate with any investigations into alleged wrongdoing in the workplace.

All colleagues are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing in the workplace.

### What is Speaking Up?

Speaking Up is the disclosure of information which relates to suspected wrongdoing or danger at work. Examples include:

- criminal activity e.g. fraud, theft, bribery, corruption;
- failure to comply with any legal obligation or regulatory requirement;
- miscarriages of justice;
- danger to health and safety;
- damage to the environment;
- financial fraud or mismanagement;
- negligence;
- abusing a position of authority;

Owner: Group Compliance Director	Version: 2.1	POL-GR-2109
As part of our system review, this document is valid until June 2020		Page 2 of 5

- any victimisation, harassment, discrimination or act of abuse towards any employee.
- breach of our internal policies and procedures e.g. Conflicts of Interest, Gifts & Hospitality, Business Ethics etc.;
- conduct likely to damage our reputation;
- unauthorised disclosure of confidential information;
- the deliberate concealment of any of the above matters.

A person who Speaks Up is someone with genuine concerns who discloses information relating to the above. If you have any genuine concerns relating to suspected wrongdoing or danger affecting any of our activities (a Speak Up concern) you should report it under this policy.

## Exclusions

Issues with business or staff performance or customer service, where there is no suspicion of wrongdoing and where there are no legal or regulatory implications, can be dealt with directly by the business, rather than under this policy. However, these matters can be reported to the Group Compliance team, if you wish to do so, particularly if you believe appropriate action is not being taken to address your concerns.

## How to raise a concern

The most important thing is that you raise a concern. You can do this in a number of ways by telephone, email or letter etc. and can report your concerns to one of the following:

- A member of the Group Compliance team, who have a level of independence from the business.
- Send an email to the [speakup@kier.co.uk](mailto:speakup@kier.co.uk) email.
- Raise your concerns with your line manager or local HR Representative.
- Report your concerns directly through the Speak Up helpline, which is managed by a completely independent, 3rd party company called SafeCall who will take the details from you in confidence. If you prefer, you can leave a voicemail or report your concerns via SafeCall's website instead. In either case, you will be provided with a reference number which will enable you to track the actions taken in relation to your report. Contact details are provided at the end of this document.

If there is any doubt as to whether your concerns fall under this policy, advice should be sought from the Group Compliance team.

## What if someone else raises a concern with me?

If someone else raises a concern with you then you must promptly report the matter to the Group Compliance team who will advise you on what to do next.

Group Compliance has overall responsibility for such allegations in Kier, for deciding on any action to be taken and who will be involved in any investigation. This is necessary to ensure that the investigation is: suitably independent and objective; sufficiently thorough and focused on the correct areas of concern and carried out legally.

Any unjustified delay in reporting an allegation to Group Compliance or unauthorised action by colleagues (including Senior Management) could significantly compromise an investigation and may result in disciplinary action being taken against those who do so.

Owner: Group Compliance Director	Version: 2.1	POL-GR-2109
As part of our system review, this document is valid until June 2020		Page 3 of 5

## Confidentiality

We hope that you will feel able to voice concerns openly under this policy. However, if you want to raise your concern confidentially, we will make all reasonable efforts to keep your identity secret.

We prefer you not to make disclosures anonymously. Proper investigation may be more difficult or impossible if we cannot obtain further information from you. It is also more difficult to establish whether any allegations are credible. Those who are concerned about possible reprisals if their identity is revealed when Speaking Up, should raise this with a member of the Group Compliance team.

## Investigation & Outcome Investigation

Once concerns have been reported to Group Compliance, they will decide how the matter will be handled, consulting (where necessary) with appropriate senior colleagues in the business. Typically, a Case Officer from the business will be appointed to undertake an investigation into the concerns raised. The Case Officer will be independent of the allegations raised and of anyone implicated, and, in certain more serious or complex cases, the investigation may be carried out directly by the Group Compliance team. A Case Officer may be either a Kier employee or a suitable external consultant. Group Compliance will oversee all investigations to ensure they are conducted appropriately and that relevant specialist input is obtained and duly considered.

Where you have provided contact details and, unless you have indicated to the contrary, we may contact you:

- Seeking further details and clarification on your concerns to assist us in our investigation.
- Provide you with periodic updates on investigation progress.
- Inform you when an investigation has been completed and, where possible, inform you of the outcome.

You should treat any information about the investigation as confidential.

If you are not satisfied with the way in which your concern has been handled, you can raise it with Kier's Group Compliance Director, whose contact details are set out at the end of this policy.

## Link to disciplinary process

For any allegation or suspicion of wrongdoing that falls under the remit of this policy, it will be the responsibility of the Group Compliance Director to determine whether any initial investigation is taken outside the disciplinary process and when to recommend to the business that the disciplinary process be invoked. Management and HR should not invoke the disciplinary process without the consent of the Group Compliance Director, as this may compromise the investigation. In making decisions of this nature, the Group Compliance Director will take due account of specialist advice from Group Legal, HR and others, to ensure compliance with law, due process and risk to the business.

## External disclosures

In most cases you should not find it necessary to raise concerns with anyone outside Kier.

The law recognises that in some circumstances it may be appropriate for you to report your concerns to an external body such as a regulator. We strongly encourage you to seek advice before reporting a concern to anyone external. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline. They also have a list of prescribed regulators for reporting certain types of concern. Their contact details are at the end of this policy.

Owner: Group Compliance Director	Version: 2.1	POL-GR-2109
As part of our system review, this document is valid until June 2020		Page 4 of 5

Whistleblowing concerns usually relate to the conduct of our colleagues, but they may sometimes relate to the actions of a third party, such as a supplier or subcontractor. In some circumstances the law will protect you if you raise the matter with the third party directly. However, we encourage you to report such concerns internally first following the instructions laid down in this policy.

### Consequences

Kier takes wrongdoing at work very seriously. If an investigation identifies sufficient evidence indicating wrongdoing by anyone working for Kier, a supplier, contractor or subcontractor, the matter will be escalated for further appropriate action to be taken. For a Kier employee, this is likely to lead to a formal disciplinary case being opened and, if wrongdoing is found to have taken place, the possible outcomes could be significant, including dismissal. Kier may also seek formal recovery of any losses incurred from any individuals or organisations where this has occurred as a result of wrongdoing. Where criminal activity is involved, the matter may be reported to the relevant authorities.

### Contact Information

If you have any questions concerning this policy or would like further guidance on Kier's counter-fraud measures, please contact David Foster, Group Compliance Director at:

Kier Group plc, Tempsford Hall, Sandy, Bedfordshire, SG19 2BD

DDI: +44 (0)1767 355788

M: 07580 905917

E: [david.foster@kier.co.uk](mailto:david.foster@kier.co.uk)

[compliance@kier.co.uk](mailto:compliance@kier.co.uk)

Speak Up mailbox: [speakup@kier.co.uk](mailto:speakup@kier.co.uk)

The contact information for the Speak Up helpline is

- If you are calling from the UK the number is 0808 915 1571
- If you are calling from Hong Kong the number is 800 90 8258
- If you are calling from the UAE the number is 8000 4413376
- If you are calling from Saudi Arabia the number is 800 8442067
- If you are calling from Australia the number is 0011 800 72332255

You can also make a report via the website: [www.safecall.co.uk/report](http://www.safecall.co.uk/report)

### Other external contacts

In the UK, the Public Concern at Work charity offers independent advice to whistleblowers and can be contacted on 020 7404 6609.

Owner: Group Compliance Director	Version: 2.1	POL-GR-2109
As part of our system review, this document is valid until June 2020		Page 5 of 5