

CMSI Consultation Response

Respondent Details

NAME

Anonymous

COUNTRY

United States

PERMISSION

Yes, CMSI can disclose my anonymous feedback.

STAKEHOLDER

Industry (upstream)

ORGANISATION

Anonymous

COMMENTS & QUESTIONS BY DOCUMENT

Document:
Governance

QUESTION 1

The governance principles that guided the development of the governance model are inclusive, effective, credible, impact-driven, pragmatic and efficient. From your perspective, does the proposed governance model meet expectations for consistency with these principles?

Response: No Response

QUESTION 2

Does the proposed governance model ensure no single group is able to unduly influence decisions?

Response: unsure

Document:
Assurance

QUESTION 1

From your perspective, does the Assurance process meet your expectations of a robust, credible, replicable and transparent approach?

Response: No Response

When some requirements call for adherence to existing standards and with no equivalency and cross-recognition in place yet, the assurance process needs to account for: technical qualifications to perform assurance in specialized topics (e.g., tailings management, social performance, environmental monitoring) - to truly move the needle in the right direction, assurance verifiers/providers cannot simply be globally recognized assurance firms that do not have specialized skillsets in these areas. If domain expertise amongst assurance providers is not required, this standard will turn into a tick-box activity. Additionally, CMS should be thinking about a standardized approach to completing self-assessments, demonstrating conformance, and completing assurance reviews to help reduce ambiguity and drive consistency of expectations and implementation.

QUESTION 1

Does the scope, content, and narrative style of the consolidated standard meet your individual expectations and the collective industry expectation for responsible production practices?

Response: 3: Meets expectations

The CMS could be perceived as not being a simplification of the standards landscape with 24 Performance Areas, mapped to 48 Sections, and resulting in a total of 562 Requirements (411, if Leading Practice Performance Level requirements are ignored). This complexity may be inescapable, but something to consider from a change management and adoption standpoint, nonetheless.

QUESTION 2

Do the requirements meet your expectations for being sufficiently clear to support consistent and practical implementation and to achieve necessary performance improvement?

Response: 2: Below expectations

Several requirements call for adherence to existing already-granular standards. In the absence of equivalency assessments and cross-recognition, this standard will be seen as duplicative (which is the problem that the CMS seeks to address in the first place).

QUESTION 3

From your perspective, does the three-level performance structure (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an effective on ramp and clear articulation of good practice and effective path to continuous improvement?

Response: 2: Below expectations

According to the draft standard, “to reach a certain Level of Performance for any given Performance Area, the facility needs to meet all the applicable requirements at that Level, as well as all the requirements at lower Levels. For example, to achieve Good Practice Level for any given Performance Area, the facility would need to meet all requirements under Foundational Practice and Good Practice Levels” (cmsi-consolidated-standard-consultation-draft-en.pdf, page 3). This approach poses several follow-up questions: 1. The assessment summary report suggests that each Performance Areas (e.g., Corporate Requirements) will be rated. From reading through the standard, the rating received or self-assessed is one of each Performance Level -FP, GP, LP. Is this correct? Explicit explanation of ratings could be beneficial. 2. Throughout the assurance process document there are references to “requirements being met” or “Does Not Meet all requirements” and “non-conformances with various requirements” . Do requirements receive a score (e.g., Meets, Does Not Meet) that are different from the ratings (e.g., FP, GP, LP) given for the Performance Area? 3. Is the example given in the quoted text above, correct? Let’ s get more specific-per the statement above, for Performance Area 1: Corporate Requirements to achieve a Good Practice rating, all FP and GP requirements will need to be met. However, Performance Area 1 has five sub-categories/sections. Could we have a scenario wherein the sub-categories/sections each have a mixture of FP, GP, and LP ratings? How would that translate to an overall rating at the Performance Area level?

QUESTION 1

We would value perspectives on a few additional questions related to threshold of performance associated with achievement claims. Please click here/ see page 11 of Reporting and Claims Policy.

Response: **No Response**

Ultimately, any adoption of a voluntary standard for upstream mining companies need to be tied to incentives to do so. Very few of these companies adopt voluntary standards because it is the right thing to do - their public image demands it, or there are financial incentives for doing so, with the latter often leading the former. This doesn't mean that companies don't want to do the right thing, it just shows that many companies don't have a leadership structure that is truly incentivized in meaningful ways. For the CMS, if the incentive was significant negative impacts downstream, the threshold would not matter - adoption will happen. As such, what I am suggesting is a pre-threshold reporting claim - where a public time-sensitive commitment to CMS is step 1, followed by implementation of CMS at the agreed-upon threshold. I think there is value in incentivizing leading practice, ONLY if leading practice is tied to value chain impacts downstream.