

# CMSI Consultation Response

## Respondent Details

NAME

Amina Russell

COUNTRY

United Kingdom

PERMISSION

Yes, CMSI can disclose my feedback, name, and organisation.

STAKEHOLDER

Industry (midstream/downstream)

ORGANISATION

Not Specified

## 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: 3: Meets expectations

QUESTION 2

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

Response: unsure

Document:  
Assurance

## General comment

COMMENT:

*What expectations would exist for downstream companies to message this policy upstream? How would this be defined and governed?*

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### 3. Who Can Conduct External Assurance?

COMMENT:

*Assurance Providers do not need to be ISEAL certified? Is that correct?*

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## 4. Consolidated Standard External Assurance Process

COMMENT:

*What are the participation, assured and performance claims? (Figure 1, Step 1b, 3 4.1 methodology)*

*o There needs to be high level of clarity for downstream companies on what these are and how they are "met" so we can make informed sourcing decisions*

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COMMENT:

*For the performance determinations, it says that the Assurance Provider is expected to be able to conclude and attest to the performance level of the facility in regard to each performance area, does this mean that a facility will have multiple determination levels but no overall levels? How is this managed where a company has multiple facilities included? This is confusing for downstream companies who are trying to make consistent sourcing decisions.*

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COMMENT:

*Where a parent company has multiple facilities, will they all be audited every 3 years?*

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COMMENT:

*As facilities are only audited every 3 years, this in theory means that a facility will only be considered "foundational" despite in practice being "good" due to progress made in the 3 years?*

*o This is another reason why tiered performances are challenging for downstream companies/other stakeholders*

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QUESTION 1

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

Response: 3: Meets expectations

Document:  
Standard

### General comment on Performance Area

COMMENT:

*A tiered approach to performance is confusing and in the absence of there being really clear guidance, particularly for mid and downstream companies who need to rely on this standard for its sourcing practices, it is really challenging to know what the "overall" performance is of a specific site. In addition, it seems like mining orgs can elect to include different sites, which again makes it difficult for companies downstream to use the "results" as part of its sourcing practices. This is also a bit unusual since the purpose of this standard is to make responsible sourcing practices and decisions easier. For example, if only 1 out of 4 facilities for a mining org are included, how can we really have confidence in assessing their responsible sourcing practices.*

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## Introduction

COMMENT:

*The standard sets different levels of performance across the different performance areas (foundational, good and leading).*

*o Would a mining company be considered “certified” if it only has foundational practices?*

*o It is confusing for downstream companies to understand the differences between foundational, good and leading particularly when the number of requirements in each of the levels varies across all of the different performance areas*

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COMMENT:

*The standard says there will be no aggregate single result provided for the facility.*

*o What does this mean? Does it mean each facility assessed under a mining group will not get an individual “score” but the mining group would, or that no overall score is provided regardless of whether 1 or more sites within a mining group are included?*

*o Does this also mean that mining companies can pick individual sites to be certified and exclude others?*

*§ If they can elect specific sites, how does this work?*

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COMMENT:

*The standard does set some requirements at a corporate level, does this mean ALL corporate entities are deemed in scope? Or, could a facility mark these as not applicable if they choose only to include specific mine sites?*

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### **Performance Area 3: Responsible Supply Chains**

SECTION: 3.1 Responsible Supply Chain (applicable to all facilities), Foundational Practice, 1

COMMENT:

*Since publicly disclosing a responsible chain policy is mandatory, but it is (potentially) not mandatory to include all entities within a mining group’s corporate structure, how can the effectiveness of this policy be truly understood from an auditing perspective if certain entities (corporate or facilities) are out of scope? E.g. the entity responsible for conducting supply chain due diligence is not included?*

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SECTION: 3.1 Responsible Supply Chain (applicable to all facilities), Leading Practice, 1

COMMENT:

*Having a grievance mechanism is considered leading practice (see page 22, point 1 of “leading practice”), is this really leading when it’s considered to be a key part of all HREDD regulations and guidelines? I can understand why encouraging business relationships to have their own grievance mechanism but I wouldn’t say that having one yourself is leading.*

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SECTION: 3.2 Responsible Mineral Sourcing

COMMENT:

*3.2 (responsible mineral sourcing) applies to any facility that engages in sourcing/processing of minerals or metals, so does this mean they HAVE to be included in the certification?*

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COMMENT:

*If a grievance management is also required for Performance Area 17 (foundational practice), this implies you could have a grievance mechanism for responsible supply chains but you must have a grievance mechanism local communities, stakeholders and rights-holders to raise issues about the facility? What's the difference?*

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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

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

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

Document:  
Claims

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

We do not support thresholds as for downstream companies it can be weaponised by other stakeholders who are looking to call out "brand" names for not doing enough. The assurance should be certified or not.