

CMSI Consultation Response

Respondent Details

NAME

Audrey Hackett

COUNTRY

United Kingdom

PERMISSION

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

STAKEHOLDER

Consultancy

ORGANISATION

Not Specified

COMMENTS & QUESTIONS BY DOCUMENT

QUESTION 1

Overall does the revised version of the Consolidated Standard system (including Standard, Assurance Process, Governance Model* and Claims Policy) meet your expectations for improvement relative to the original public consultation version?

Response: No Response

QUESTION 2

From your perspective, does the updated Consolidated Standard system, including Standard, Assurance Process, Governance Model* and Claims Policy meet expectations for driving performance improvement across the industry at a global scale?

Response: No Response

Document:
Assurance

Appendices

SECTION: D. Draft Reporting Template

COMMENT:

Please consider using technology that is more advance than Excel for data collection or at least offer the option for data upload from multiple data systems or share a pre-programmed large language model to allow data to be extracted from reports, checklists etc. The more the burden of documentation can be removed, the better.

QUESTION 1

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

Response: 3: Meets expectations

General comment on Performance Area

COMMENT:

Congratulations on getting the Standard to this point! I can only imagine the effort that went in to the drafting, the first consultation, collating and synthesising the consultation feedback and then the dreaded redrafting, redrafting and redrafting! There are so many conflicting opinions, priorities, perspectives, "special interests" and political influences across the industry and all of its stakeholders that, to corral these into one document, is an enormous achievement. Congratulations. I look forward to the final product.

Introduction

COMMENT:

8) I - Existing Operations: How does the standard cater for operations that have been in care and maintenance and which are going back into operation? To take a high profile example, Mount Polley was in care and maintenance for 3 years or so following the tailings failure. This classifies as a significant change to an existing operation but there would need to be a period of time allowed to comply with even Towards Good Practice as management plans and systems are revisited and updated and associated engagement. It's possibly a niche example but, overtime, it is likely that once mothballed projects are brought back online potentially by the same operators.

COMMENT:

5) Management system approach. The approach as outlined in the introduction is clear, however throughout the PAs, there are various references to management systems/processes that could be streamlined for consistency. Suggest standardising the wording and emphasising the need for integration across the various management systems that will in effect be required to comply with this Standard.

For example:

1.4 GP1 requires the risk management system to be integrated with management systems or plans.

2.2 GP2 explicitly mandates the establishment of management systems to comply with ethics and integrity policy and Code of conduct but makes no reference to integrating this with other management systems (e.g., DEI, supply chain).

3.1 GP1 explicitly mandates a risk-based supply chain due diligence management system and, by virtue of the OECD DD Guidance for RBC, is recommending integration with a range of business functions.

5.1 GP1 requires a DD process which could mean a management system but it is not explicit and there are other requirements in this PA that indicate that a management system is what is intended (e.g., GP5)

9.1 GP2 explicitly mandates the implementation and maintenance of a H&S management system but doesn't mention integration with any other process (e.g., shared incident reporting processes)

18.1 Doesn't explicitly mandate a water management system but does mandate a water balance and other requirements that add up to a management system and indeed at LP2 is asking for an independent review of the water management system.

19 Positions the BAP as the management system and includes specific MS type requirements (e.g., reporting, effectiveness review)

20.2 Requires an energy-use and GHG emissions management and monitoring system while the other requirements in this section describe various management system activities.

Overarching Glossary

COMMENT:

8) b. & Overarching Glossary “at defined intervals”. It would be useful to include explicit reference to including specific regulatory requirements in the rationale for determining defined intervals.

COMMENT:

Business Partners: Would communities not be included as business partners in jurisdictions where Community Benefit Agreements are required as these are, in effect, contracts? These may have contractual requirements around employment, advisory services etc.

COMMENT:

Implement: Suggest that reference be added to building reporting capability as part of implementation activities.

COMMENT:

Independent review of effectiveness: It would be useful to include here a reference to the review including an assessment of the organisation structure’s ability to enable the smooth operation of or to detract from the objectives of the management system under review. It is suggested at by “adequacy of resources” but I think there would be value in expanding this to cover whether the right people have sufficient authority and autonomy to fulfill their roles within these management systems.

COMMENT:

Monitoring: It would be useful to include reference to monitoring’s role in both regulatory compliance and identifying trends/triggers for further intervention.

COMMENT:

Relevant information: This does not really define what constitutes relevant information. Suggest including information determined as relevant to specific issues, metrics or actions, as agreed with affected stakeholders or that which is explicitly required throughout the Standard.

COMMENT:

Stakeholders: The order in which the examples are listed sets a tone in terms of where the industry’s priorities lie, consider alphabetising the list to avoid this accusation. Additionally, legitimate representatives could include specially established committees and tribal councils.

COMMENT:

Sustainability risks - reference to the CSDDD may need to be refreshed.

COMMENT:

Unavoidable impacts: This definition implies to me that mitigation efforts may be avoided if deemed "impractical" along subjective lines. That is to say, financial cost may be considered impractical even if the mitigation is technically possible. In the legal world, unavoidable is described such that it is only unavoidable, if after all appropriate and practicable avoidance and minimization have been achieved it still occurs. Please strengthen this definition.

Performance Area 01: Corporate Requirements

SECTION: 1.1 Corporate Accountability

COMMENT:

I suspect it should read "...practices and performance" (singular).

COMMENT:

There doesn't seem to be a huge jump between good and leading practice. For example, leading (or an "aspirational" practice) might include integrating sustainability metrics that have equal weight to financial or production metrics.

SECTION: 1.1 Corporate Accountability, Towards Good Practice, 1

COMMENT:

In later PAs, assigning clear accountability and responsibility at senior management level is only explicitly required for PA9 biodiversity, ecosystems services and nature and PA17 Grievance Management, PA20 Climate Action (which, incidentally mentions Board and Exec level) and indirectly for PA21 Tailings Management via compliance with GISTM or TSM. There are requirements for the assignation of accountabilities and responsibilities for "management" in some other PAs but not "senior management", implying that the buck stops at the Facility level.

As written, it could be interpreted that only those three issues highlighted above require designated responsibility at senior executive level for each facility. If the intent in 1.1 is that each PA has assigned accountability at senior management level then there is no need to variously confirm this in some but not all PAs. If this is not the case then it would be useful to clarify that accountability for each individual PA must be established within at a minimum, the highest level of management at the Facility.

SECTION: 1.2 Sustainability Reporting, Leading Practice

COMMENT:

Wouldn't leading practice include reporting of progress against targets?

SECTION: 1.3 Transparency of Mineral Revenues, Leading Practice, 2

COMMENT:

Why is this considered "leading"?

SECTION: 1.3 Transparency of Mineral Revenues, Leading Practice, 4

COMMENT:

Why is this considered "leading"??

SECTION: 1.4 Risk Assessment, Good Practice

COMMENT:

Current practice in most majors goes beyond this already with demonstrated moves towards real-time dashboards providing early warnings and automated live risk registers. I can appreciate this was likely a complicated section to negotiate but even for a company with no prior experience in enterprise risk management, this seems outdated and lacking in ambition.

SECTION: 1.4 Risk Assessment, Leading Practice, 2

COMMENT:

Again, this has been common practice for many years. Where is the stretch here to improve performance on this?

SECTION: 1.4 Risk Assessment, Leading Practice

COMMENT:

Surely leading practice would be to at least meaningfully engage external stakeholders and rights-holders in the risk assessment process?

The lack of ambition in this section can only mean this has been difficult to get over the line politically. I believe the standard can do better here.

SECTION: 1.4 Risk Assessment

COMMENT:

Why are they not referred to as "sustainability risks" here?

SECTION: 1.4 Risk Assessment, Towards Good Practice, 2

COMMENT:

The first step is to identify the risks before they can be assessed.

For a Facility starting from scratch or for a junior start-up, there will also be a need to establish or adopt a risk framework against which these can be assessed.

It should be entry level performance to have some form of management oversight of risk management. Strongly suggest this be strengthened in that regard. As it is currently worded, Facilities could assign anyone with any level of experience as the individual responsible to assess risks

SECTION: 1.5 Corporate Crisis Management

COMMENT:

It would be good if the standard was explicit on performing crisis simulations that are directly linked to material risks.

COMMENT:

Suggest the inclusion of collaborating with local emergency first responders at least as a policy commitment at corporate level.

SECTION: Glossary and Interpretive Guidance

COMMENT:

8) F. Publicly disclose: & Definition of same in the Overarching Glossary. It would be useful if the wording of this section made it clear that disclosures may be restricted for those reasons listed but that there is an onus on the Facility to provide a rationale for same and that it will be for the Facility's independent assurance provider to review the rationale provided as part of the Assurance process, and the reasons must be disclosed as part of the Assurance Report. This clarification might be added to section 6) above instead as it is a similar situation to a Facility determining that a PA is not applicable. This will help to manage stakeholder expectations on the availability or otherwise of particular pieces of information. This is covered on Pg 22 in the definition of Disclosure of Contracts under PA1.

COMMENT:

Do material payments include regulatory fines? This is a useful indicator of performance for external stakeholders and one which the industry is used to reporting.

Performance Area 02: Business Integrity

SECTION: 2.1 Legal Compliance, Leading Practice

COMMENT:

Leading practice would be to ensure operating processes exceed current regulatory requirements, in so far as is practicable. It might also include proactive monitoring for legislative changes.

SECTION: 2.2 Business Ethics and Accountability, Good Practice, 1

COMMENT:

If the entry level requirement is to have a Code of Conduct, then shouldn't all relevant issues be included in the Code of Conduct? I am not convinced of the value of having a code of conduct that doesn't address the Facilities key ethical and integrity risks or a code of conduct "lite" that seems to be the requirement for Towards good practice.

SECTION: 2.2 Business Ethics and Accountability, Good Practice, 6

COMMENT:

I think it's important that the standard is explicit that any guidance on political donations includes limits, responsibilities and approvals.

SECTION: 2.2 Business Ethics and Accountability, Good Practice

COMMENT:

An annual internal review of risks and issues associated with business ethics and integrity would be incorporated in the “check” component of a management system needed to comply with a code of conduct designed to manage these risks. I suggest you combine numbers 2 and 4.

SECTION: 2.2 Business Ethics and Accountability

COMMENT:

This would also be included in a management system to manage ethical and integrity risks and I don't believe it leading practice in any case.

SECTION: 2.2 Business Ethics and Accountability, Towards Good Practice

COMMENT:

Suggest you combine 2 & 3.

COMMENT:

It would be good to see some stretch in this level beyond what is currently common practice for some larger operators. For example, a forward thinking organisation might already have online portals for their counter parties that provide access to policies and procedures and training modules on how to manage their own integrity risks in the interests of capacity building.

Performance Area 03: Responsible Supply Chains

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 2

COMMENT:

Suggest combining 1 & 2 and just expanding the text to include early warning systems. It's essentially two elements of the same task.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 4

COMMENT:

Good practice includes having contractual sustainability performance expectations and a clear performance management mechanism for which performance drops below these.

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

COMMENT:

Suggest a slight reword to clarify: “Increase positive influence over supplier performance” or something along those lines.

SECTION: 3.2 Responsible Mineral Sourcing

COMMENT:

It might be an idea to rename this section to reflect its emphasis on CAHRA.

SECTION: 3.2 Responsible Mineral Sourcing, Towards Good Practice, 1

COMMENT:

It could be made clearer that in this case, transporting mined material through a CAHRA refers to procuring material inputs, not transporting produced output.

SECTION: Glossary and Interpretive Guidance

COMMENT:

It would be handy to reference to the OECD guide on this page too.

COMMENT:

High or very high risk: This explanation is not very helpful. Outside of “conflict affected and high risk areas”, the standard makes no reference to “very high risk” nor does it mandate a single risk framework (outside of the failure consequence classification for tailings facilities). Very high risk might be the pinnacle of one risk framework while another might have Catastrophic as its worst case scenario.

Performance Area 04: New Projects, Expansions and Resettlement

SECTION: 4.1 Environmental and Social Impact Assessments, Leading Practice, 2

COMMENT:

Suggest including collaboration on strategic, national ESIA studies and strategic climate change resilience initiatives (effectively enhancing collaborative efforts to protect key infrastructure).

SECTION: 4.1 Environmental and Social Impact Assessments, Towards Good Practice

COMMENT:

Pleasing to see a strong start to this PA!

SECTION: 4.2 Land Acquisition and Resettlement, Good Practice, 1

COMMENT:

Why not meaningfully engage with affected stakeholders?

SECTION: 4.2 Land Acquisition and Resettlement, Good Practice, 2

COMMENT:

Surely this is a minimum requirement that should be in the TGP level?

Performance Area 05: Human Rights

SECTION: 5.1 Human Rights, Leading Practice, 1

COMMENT:

It will be difficult to assess the effectiveness of the implementation of the UNGP if there are no clear objectives and targets on human rights required Good practice? I suggest the first part of this requirement be combined with level 5 of Good Practice.

SECTION: 5.1 Human Rights, Leading Practice

COMMENT:

Leading practice might also include:

- engagement at industry level on human rights issues aimed at improving performance*
 - having a human rights specialist with a direct line to the accountable executive*
 - engaging with NGOs or governments to positively influence policy on ASM workers' rights.*
-

Performance Area 06: Child and Forced Labour

SECTION: 6.1 Prevention of Child and Forced Labour, Leading Practice, 5

COMMENT:

Wording similar to this could be added to a new level within PA5 - human rights. See also comment on PA5 LP.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 5

COMMENT:

It might also be useful to clarify that social performance practitioners should also be trained to communicate clearly with community leaders that where there is an expectation that workers are nominated by them, they must be over the age of 15. Early engagement on this matter is important to avoid tensions later with local chiefs/leaders.

Performance Area 07: Rights of Workers

SECTION: 7.1 Rights of Workers, Good Practice, 0

COMMENT:

The levels in this might be streamlined by including clear reference to ILO or other conventions. The right to organise is a human right and is already included in number 1 of TGP above.

SECTION: 7.1 Rights of Workers, Good Practice, 3

COMMENT:

Suggest rewording this sentence. I think the last part "and that clearly define the conditions of employment" is a duplication of the start of the sentence which could simply be tweaked to read "Clearly communicate employment terms and conditions".

SECTION: 7.1 Rights of Workers, Leading Practice, 5

COMMENT:

This level of specificity is in stark contrast with other requirements. It is certainly ambitious but I am not sure private enterprises will be swayed on these kinds of matters.

SECTION: 7.1 Rights of Workers

COMMENT:

I think this PA would benefit from a rewrite as there is some duplication, it has considerably more levels and is very specific compared to other PAs.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Leading Practice, 2

COMMENT:

Why are workers split into two categories? Is it relevant?

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Towards Good Practice, 2

COMMENT:

Suggest that you combine 2 and 3 here as an essential component of any grievance mechanism is roles and responsibilities.

Performance Area 08: Diversity, Equity, and Inclusion

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Good Practice, 1

COMMENT:

Why is this separate to level 3 of the above section? If you are building a strategy on DEI to include objectives to improve DEI, it would be very hard to not include recruitment, retention and accessibility.

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Good Practice, 2

COMMENT:

It says "develop THE strategy" here whereas the strategy needs to be developed to meet the requirements of TP 3 and GP 1. I understand that co-developing the DEI strategy through engagement is preferable however, if we remove GP 1 and reword GP 2 to "Co-develop a DEI strategy..." it might be clearer. At the moment GP 1 says implement a strategy and GP 2 says develop the strategy. I hope you see what I mean.

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Leading Practice, 3

COMMENT:

This is not leading practice. If you are regularly updating workers as part of Good Practice then surely making the Board aware is taken as a given? I suggest this is combined with GP8.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level)

COMMENT:

General comment: I suspect this standard could go some way to helping integrate DEI considerations into general operations if the parlance was properly shift to "DEI Management plan" and away from the term strategy. We don't call them Human Rights strategies or workers' rights strategies so why do we always have DEI strategies?

8.2 is, in effect, describing setting up a management system for DEI so why not call it that. Planning: Establish baseline data, identify risks, co-develop targets and objectives, Doing: Recruit, retain, train, adapt facilities, cultural initiatives. Checking: Collect and monitor data, create feedback channels, reporting & disclosure. Review: Annual review of progress and effectiveness of management system.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Towards Good Practice

COMMENT:

It might be prudent to change the language slightly to foster an inclusive workplace given the recent politicisation of the term DEI. Has this been considered?

Performance Area 09: Safe, Healthy and Respectful Workplaces

SECTION: 9.1 Health and Safety Management, Good Practice, 3

COMMENT:

It seems clunky to highlight only one specific UG risk. If using diesel equipment underground is identified in TG 4 above, then DPM should be included in their risk management programme. Furthermore, DPM should also be covered as part of an industrial hygiene programme as required in 2 above. If the intent of including this as a separate item is to encourage operators to switch to EV for UG operations then make it clear that this is first and foremost a significant risk that would be eliminated but also a significant effort to maintain a DPM Management plan.

SECTION: 9.1 Health and Safety Management, Leading Practice, 1

COMMENT:

This is not leading practice in the industry today. There should be some element of stretch incorporated here. I appreciate that non-ICMM member companies might not be doing this but I would be surprised if third party assurance is considered leading practice.

SECTION: 9.1 Health and Safety Management, Leading Practice, 2

COMMENT:

This is no different in effect from GP 2, c. above.

SECTION: 9.1 Health and Safety Management, Towards Good Practice, 3

COMMENT:

Arguably the order of 3 and 4 could be reversed as 3 cannot be done without understanding the tasks.

SECTION: 9.1 Health and Safety Management, Towards Good Practice, 7

COMMENT:

Operators should always have an internal investigation into a fatality. It can take place along side the official one but any responsible operator will have an internal investigation.

SECTION: 9.1 Health and Safety Management, Towards Good Practice

COMMENT:

Within H&S Management, TGP, the first two requirements are inclusive of respectful workplaces however the standard continues with a separate section on psychological safety/wellbeing. I understand there are a number of ways to do this but I think the standard would be improved if it took a holistic approach to the management system elements that are shared between both H&S and Respectful workplaces. Specifically, policy commitments, roles and accountabilities, risk identification, incident reporting, training, incident investigations and assurance/oversight. After these, there are in effect different controls for managing H&S and psychological safety which can then be displayed in two separate categories.

For people new to complying with multi-disciplinary standards, it will enhance the CMSI's chances of success if requirements are presented in a manner that shows how different elements are connected. A Facility only needs one type of incident reporting mechanism but one that is flexible to manage a variety of issues (health, safety, environmental, psychological safety, security, ethics and integrity, etc.). This will support joined up decision making and internal collaboration.

SECTION: 9.2 Psychological Safety & Respectful Workplaces, Leading Practice, 2

COMMENT:

Typo - "...individuals who are underrepresented in THE mining" either remove THE or add the mining industry.

SECTION: 9.2 Psychological Safety & Respectful Workplaces, Leading Practice, 6

COMMENT:

I think this would be more effective if there was reference to understanding local cultural norms and/or engaging with local communities on company culture/expectations to build shared understanding of what psychological safety in the workplace means.

SECTION: 9.2 Psychological Safety & Respectful Workplaces, Leading Practice

COMMENT:

It would be good to see reference made to corporate culture at this level. Initiatives and strategies will fail unless the culture is actively nurtured at senior management level.

SECTION: 9.3 Training, Behaviour and Culture, Good Practice, 1

COMMENT:

1.b - suggest adding reference to frequency at which skills need to be refreshed.

1. c - suggest adding "including on-the-job reviews"

1. f - suggest moving this higher up the list.

What is missing here is reference to worker qualifications/tickets/physical emblem of training to support on-site supervision. For example, new crew might wear different coloured hardhats until they have attained a

certain level of training. This allows others to easily identify those who need additional support or who should not be undertaking certain tasks.

SECTION: 9.3 Training, Behaviour and Culture

COMMENT:

Terms used interchangeably/variously: safe, healthy and respectful behaviour; psychological health and safety; health and safety; occupational health and safety risks; health, safety and respectful workplace objectives; physical and psychosocial hazards, safe, healthy and respectful workplace training; psychological safety, respectful behaviour (no reference to health), safety and health hazards,...

Suggest standardising these references.

SECTION: 9.3 Training, Behaviour and Culture, Towards Good Practice, 1

COMMENT:

This doesn't specify who should be trained. Suggest including reference to operators/those exposed to risks at a minimum.

SECTION: 9.4 Monitoring, Performance and Reporting, Good Practice, 5

COMMENT:

"Record zero fatalities" - I understand it is standard industry parlance to speak in terms of the numbers of recorded fatalities. Behind this language however is a carefully negotiated understanding that accountability for fatalities is not always straightforward. The standard could push to break boundaries by using plain language when it comes to discussing fatalities.

SECTION: 9.4 Monitoring, Performance and Reporting, Leading Practice, 2

COMMENT:

Is this considered really considered leading practice??

SECTION: 9.4 Monitoring, Performance and Reporting, Towards Good Practice, 2

COMMENT:

"posting them within the facility" - there is language used elsewhere around communicating in a format that is accessible. If there is a specific intent that these objectives and targets be displayed at the workplace then this should be clarified. Also, it is usually a regulatory requirement that there is a certain level of signage related to health and safety so this should be revisited to ensure maximum alignment for operators.

Performance Area 10: Emergency Preparedness and Response

SECTION: 10.1 Emergency Preparedness and Response, Good Practice, 4

COMMENT:

Suggest rewording this requirement to emphasise the establishment of how an emergency control centre and a crisis control centre would be set up as part of the EPRP. - This could be incorporated in TGP3 above.

SECTION: 10.1 Emergency Preparedness and Response, Good Practice, 6

COMMENT:

There are requirements related to preparing for an emergency or crisis and there are others that only eventuate in the event of an emergency. The latter are more difficult to verify in an assurance process as without emergencies or crises, there is no evidence of performance. Suggest removing GP6 as this is not verifiable - the testing of communications mechanisms are.

SECTION: 10.1 Emergency Preparedness and Response, Towards Good Practice, 3

COMMENT:

Suggest including a requirement here to establish communication mechanisms/notification mechanisms that are required to be tested annually later in the PA.

SECTION: 10.1 Emergency Preparedness and Response, Towards Good Practice, 4

COMMENT:

The term "familiarise" is used in this PA (3 times) and PA 18 only. It might make sense to use a standardised reference to training. I, for one, would not be comfortable trusting the capabilities of an emergency responder who had not been formally trained.

SECTION: 10.1 Emergency Preparedness and Response, Towards Good Practice, 8

COMMENT:

Typo: Test notification mechanisms (plural) would read better.

Performance Area 11: Security Management

SECTION: 11.1 Security Management, Good Practice, 1

COMMENT:

Could this be framed as a management system to promote alignment with other PAs?

SECTION: 11.1 Security Management, Good Practice

COMMENT:

Has the team considered making reference to internal collaboration between social performance and security professionals in the delivery of this programme?

SECTION: 11.1 Security Management, Towards Good Practice, 3

COMMENT:

In the first assurance cycle, a Facility will need to have hired security services of some description. Is the intent here that they can hire those security personnel but all they need to do to meet TGP in the standard is to assess the ability of these to operate in line with VPSHR regardless of the outcome? It might be an idea to

move the public commitment to VPSHR into the corporate requirements but I imagine this has already been discussed.

Performance Area 12: Engagement

SECTION: 12.1 Engagement, Leading Practice

COMMENT:

There is opportunity here for mining to take a leaf out of some renewable energy projects where indigenous communities are taking board seats allowing them to directly participate in company decisions. Has this been considered as a stretch target for this standard?

SECTION: 12.1 Engagement, Towards Good Practice, 3

COMMENT:

Suggest including "their climate change resilience" to draw attention to this aspect at the earliest possible stages.

Performance Area 13: Community Impacts and Benefits

SECTION: 13.1 Community Impact Management, Good Practice, 1

COMMENT:

Suggest including reference to legally mandated CBA where these exist and to clarify what constitutes good v leading practice in these jurisdictions.

SECTION: 13.2 Community Development and Benefits, Good Practice, 2

COMMENT:

Suggest including "to establish procurement or recruitment selection criteria that have been co-developed with local communities"

SECTION: 13.2 Community Development and Benefits, Good Practice, 3

COMMENT:

Suggest including reference to climate change resilience and/or climate adaptation programmes as a key enabler of development.

SECTION: 13.2 Community Development and Benefits, Good Practice, 4

COMMENT:

It would be great to see this expanded to get Facilities to think about encouraging national or regional suppliers or equipment manufacturers to co-locate in the area to support economic diversification (aside from obvious operational improvements of having local OEM distributors and/or repair capacities).

Performance Area 14: Indigenous Peoples

SECTION: 14.1 Indigenous Peoples, Good Practice, 2

COMMENT:

When considering “decision-making on matters that affect” Indigenous Peoples, it is important for a Facility to have a holistic view of what those are including the variety of business functions that will have a role to play in ensuring these decisions are appropriately channeled through the engagement and governance mechanisms established. Integrating these considerations into broader management systems as has been done in other areas of the Standard (e.g., risk) is recommended however, it is likely that there will be commercial decisions that operate outside those sustainability management systems that may require more diligent stewardship or clearer executive level accountability.

SECTION: 14.1 Indigenous Peoples, Towards Good Practice, 6

COMMENT:

It is also important to hire trained social performance professionals with technical knowledge of best practices on Indigenous engagement, knowledge of the specific Indigenous Peoples, their history and perspectives and those who can appropriately plan, undertake and document a course of engagement that will result in demonstrable FPIC.

COMMENT:

Overall, the tone of this PA is reflective of a carefully negotiated, procedure-driven relationship between Indigenous Communities and the mining industry. It would have been great to see more ambition in the Standard in the direction of empowering Indigenous Peoples to participate economically in the commercial success of projects and as valued operational stewards and advisors to mine operators. In terms of redressing historic failures and striving for balance in terms of power dynamics, this Standard has an opportunity to broaden the industry’s perspective on what is possible, rather than to just clarify the process of FPIC. If not in this initial version, it is my hope that there is a plan for future iterations of this Standard to push for more inclusive economic and management partnerships rather than to hang compliance on the application of a procedure.

Performance Area 15: Cultural Heritage

SECTION: 15.1 Cultural Heritage, Leading Practice

COMMENT:

Leading practice would also include collaborating with stakeholders and rights-holders on shaping the culture of the project and on ensuring that cultural heritage is reflected in the design, naming, signage and other elements of the projects’ infrastructure (e.g., in worker villages).

Performance Area 16: Artisanal and Small-Scale Mining

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Leading Practice

COMMENT:

Consider making reference to ASM in PA13 Community Impacts and Benefits.

Performance Area 18: Water Stewardship

SECTION: 18.1 Water Management and Performance, Good Practice, 2

COMMENT:

Has the team considered integrating a need to agree a water quality baseline with local communities? The reason I ask is because of the disconnect between Imperial and local communities at Mount Polley on the definition of pristine in the wake of the tailings failure. Data on water quality is not always the felt experience of local, and especially Indigenous, communities.

SECTION: 18.1 Water Management and Performance, Good Practice, 4

COMMENT:

Arguably, you cannot achieve this without the kind of collaboration required under 18.2 Collective Watershed Management TGP3. Within 18.1, there is no reference to engagement which seems at odds with the reality of managing water on-site. My point is that, ideologically, a Facility shouldn't be able to achieve Leading Practice in Water management and performance without having done any engagement at all which is technically how the standard is currently structured. There is an argument for combining these two sections.

SECTION: 18.1 Water Management and Performance, Good Practice, 6

COMMENT:

Suggest that climate change risk should be moved to TGP as this is already a pressing physical risk for many operations.

SECTION: 18.1 Water Management and Performance, Good Practice, 9

COMMENT:

Suggest moving this to TGP as it seems foundational given water's cruciality to any mine.

SECTION: 18.1 Water Management and Performance, Leading Practice

COMMENT:

Suggest inserting a requirement to explore dewatering or other technologies to reduce water consumption on site.

SECTION: 18.1 Water Management and Performance, Towards Good Practice, 2

COMMENT:

As per earlier comment, the term familiarise is weak and implies a cursory level of training for what are technical roles.

SECTION: 18.1 Water Management and Performance, Towards Good Practice, 7

COMMENT:

This can only be demonstrated after the fact of a non-compliance - suggest rewording to establish data collection systems to prevent non-compliances or mechanisms for reporting of non-compliances.

SECTION: 18.3 Water Reporting, Leading Practice, 2

COMMENT:

Is independent assurance on water disclosures really leading practice?

SECTION: 18.3 Water Reporting, Leading Practice

COMMENT:

Suggest adding disclosure of consumption rates per tonne/other of product produced to contextualise the data and data on water recycling (despite its removal from GRI).

SECTION: 18.3 Water Reporting, Towards Good Practice, 1

COMMENT:

Suggest avoid using the word "narrative" as this is not well received outside the corporate world (it is suggestive of story telling rather than information sharing).

COMMENT:

This seems very light on reporting requirements compared with the actual requirements to meet TGP on 18.1 and 18.2 above. For example, if a Facility meets TGP on 18.1, they have a water balance, they have identified risks, they have a commitment to responsible water management, they will know what the regulatory requirements are AND they will have data on any non-compliances. Why wouldn't the standard encourage transparency on these issues?

Performance Area 19: Biodiversity, Ecosystem Services and Nature

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 1

COMMENT:

I don't believe you can fully complete TGP6 above until this step is undertaken. Consider moving this into TGP.

COMMENT:

I don't believe you can fully complete TGP6 above until this step is undertaken. Consider moving this into TGP.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 3

COMMENT:

In practice, how is this different to TGP 7?

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 4

COMMENT:

This seems to be out of sequence with TGP7. An effective BAP can only be developed through engagement with local communities that derive ecosystems services. I think the standard could push for co-design with local communities (in particular Indigenous Communities, where present) within this PA in particular.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Leading Practice, 1

COMMENT:

Question: 1.c. In practice, could an operator count efforts to repurpose a legacy Facility elsewhere to support its claim of Leading Practice?

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Leading Practice, 2

COMMENT:

This is to be applauded and should be considered for other PAs.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Leading Practice

COMMENT:

Has the team considered including a requirement to demonstrate how site layout and design has been influenced by the outcomes of baseline studies?

SECTION: Glossary and Interpretive Guidance

COMMENT:

Indigenous Ecological Knowledge: "Indigenous Peoples" (capitalised and plural)

Performance Area 20: Climate Action

SECTION: 20.2. Climate Change Management (Facility Level), Good Practice, 2

COMMENT:

It would be good to see reference to the need for a multi-disciplinary team to develop a comprehensive GHG emissions reduction strategy.

SECTION: 20.2. Climate Change Management (Facility Level), Good Practice, 8

COMMENT:

Suggest moving this up the pecking order as it is foundational to reducing emissions, reducing costs over the long term and improving operational sustainability (where renewables plus storage can remove the need to import diesel and the costs of same).

SECTION: 20.2. Climate Change Management (Facility Level), Leading Practice, 3

COMMENT:

Has the team considered including a reference to Community Benefit Agreements that may include investments in infrastructure for climate mitigation?

Performance Area 22: Pollution Prevention

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Leading Practice

COMMENT:

Leading practice might also include collaborating with local enterprises to explore the possibility of repurposing waste materials from consumables into commercially viable products.

SECTION: Intent

COMMENT:

Suggest emphasising the link between this PA and Responsible Supply chain. Reducing the amount of waste brought into a Facility is an important element here as is considering the distance from vendors and modes of transport.

Performance Area 23: Circular Economy

SECTION: 23.2 Additional Requirements for Smelters, Leading Practice, 1

COMMENT:

Question: Would including a mandate to provide information on the recycleability of product to commercial partners (i.e., requirements for subsequent recycling processes to retain product integrity) support improved circularity outcomes?

Performance Area 24: Closure

SECTION: 24.1 Closure Management, Good Practice, 4

COMMENT:

It would be good to see a push for integrating closure into general operations rather than to keep it treated as a separate "closure plan". In reality, the closure plan will be drafted then shelved until such time as it becomes imperative to begin assigning nearer term budgetary resources. Integrating closure into ongoing risk management system and associated activities (planning, action tracking, KPI setting etc) would keep this on the agenda as many activities related to a responsible closure are long lead time issues that require years of planning, engagement, negotiation and implementation but not necessarily huge costs on a scale equivalent to that required for environmental rehabilitation for example (e.g., retraining, attracting alternative investment in local business / employment opportunities, repurposing opportunities). The social performance professionals have a huge role to play here in terms of understanding local interests and expectations.

SECTION: 24.1 Closure Management, Leading Practice, 1

COMMENT:

Question: Closure costs are invariably underestimated leading to sub-optimal outcomes at the point of closure. Has there been any discussion about potentially standardising discount rates and/or cost models to allow cross-company comparison?

SECTION: 24.1 Closure Management, Leading Practice, 2

COMMENT:

Ongoing engagement activities should be live when it comes to closure planning and are mandated in GP8 above.

In an ideal world, leading practice on closure would be that mines are not built where a) they would account for more than x% of economic activity in the area or if there are no associated plans to build a supportive and potentially independent industrial ecosystem and b) if options for the longer term future have not been identified in the business case for building the mine.

SECTION: 24.1 Closure Management

COMMENT:

There is very little reference to progressive rehabilitation across the standard featuring under Closure and Biodiversity only. Limiting reference to progressive rehabilitation to only serve these purposes (i.e., to be considered only through the lens of biodiversity protection or in terms of reducing closure costs) reduces the emphasis of the role of efficient mine planning in improved environmental (reducing the need for double handling of waste rock and the energy required to do so, drainage, tailings & water management), social (positive reputational impacts, improved visual amenity) and regulatory outcomes (meeting landform / stability / drainage requirements) more broadly.

COMMENT:

For completeness, as per the introduction, reference to water quality and quantity should be made explicit in this PA.

SECTION: 24.1 Closure Management, Towards Good Practice, 2

COMMENT:

Grammar: "..., is updated at..... and is informed by" - Suggest rewording.

"Develop a closure plan from the design stage that is consistent with regulatory requirements, is updated at..."

QUESTION 1

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

Response: **2: Below expectations**

The Scope is comprehensive though it would have been interesting to see the Standard attempt to integrate commercial and operational activities that impact sustainability performance (host government agreement making, mine planning, equipment standards, financial resource allocation etc). There are inconsistencies with phrasing that I believe can be easily rectified but which would significantly improve readability and highlight the connections between the PAs.

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**

There are some PAs in which the requirements seem to be out of sequence with elements of some requirements at Good Practice been a pre-requisites for Towards Good Practice compliance. There is variety in the standards expected across the PAs with some being more granular

and demanding while others seem to be more accommodating of new or previously uncertified operators. A sense check of entry-level, standard practice and stretch targets across all PAs is recommended.

QUESTION 3

From your perspective, does the three-level performance structure (Towards Good Practice, Good Practice, Leading Practice) 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

The proposed structure is very workable but, as currently written, I think there are inconsistent levels of performance expected across the PAs and there are some steps that out of sequence. There are multiple instances of requirements at Leading Practice that are considered standard practice. If there is added commercial value for operators associated with achieving Leading Practice, such as additional premia on their product, then the requirements should include an element of stretch to clearly differentiate good from excellent.

Document:
Claims

QUESTION 1

Does the level of transparency provided by the Claims Policy (i.e. through disclosing scores for each Performance Area, aggregated scores to indicate overall progress towards Good Practice, and Performance Claims) meet your expectations to incentivise continuous performance improvement?

Response: 3: Meets expectations