

# Communities and Social Performance Standard

**CSP-B-001**

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<b>Owner:</b> Global Head of Communities and Social Performance	<b>Approver:</b> Chief Executive, Australia	<b>Target Audience:</b> Rio Tinto leaders and CSP practitioners

## Direct linkages to other documents:

### Policies

- ✓ HSEC Policy
- ✓ Human Rights Policy
- ✓ The Way We Work

### Standards

- ✓ Business Integrity Standard
- ✓ Closure Standard (Australia)
- ✓ Data Privacy Standard
- ✓ Rio Tinto Management System Standard
- ✓ Security Standard
- ✓ Risk Management Standard

### Group Procedures

- ✓ Business Resilience and Recovery Group Procedure
- ✓ Contractor Management Group Procedure (Element 7 of the Rio Tinto Management System)
- ✓ Cultural Heritage Management Group Procedure (Australian businesses)
- ✓ Joint Venture Standard and Procedure
- ✓ Know Your Third-Party Procedure
- ✓ Security and Human Rights Group Procedure

## Document purpose:

To support implementation and achievement of the Rio Tinto's Health, Safety, Environment and Communities (HSEC) Policy and Human Rights Policy. It defines the minimum, mandatory performance and management requirements to manage social and human rights risks and opportunities associated with our business activities that could materially impact the Group, host communities<sup>1</sup> and other stakeholders<sup>2</sup> with whom we interact.

<sup>1</sup> A host community is a group of people with common interests and values who are directly or indirectly affected by the company's activities or through its business relationships. Host communities generally inhabit or have land connections to an operation's or project's immediate or surrounding areas.

<sup>2</sup> Stakeholders are considered those who have an interest in a particular decision, either as individuals or representatives of a group, including people who influence, or can influence a decision, as well as those affected by it. Stakeholders may include non-government organisations, governments, shareholders and employees.

# Communities and Social Performance Standard

## Scope and intent

This document sets out Rio Tinto's Communities and Social Performance (CSP) Standard. The CSP Standard, as well as supporting Group Procedures and guidance, establishes the communities and social performance requirements against which Rio Tinto operates and measures the performance of all its assets.

This Standard is applicable to all Rio Tinto businesses and managed assets; and all phases of their lifecycle, from exploration through post-closure. It applies to all assets and land owned, leased or managed by the business. It also applies to all assets and land for which the business has liability to the extent that the business is able to control the CSP activities related to that land or asset.

The Standard comprises three sections:

Part A: General performance requirements	Mandatory for all Rio Tinto managed assets
Part B: Context specific performance requirements	Mandatory, where the relevant operating context occurs. Assets will determine the applicability of Part B clauses using evidence gathered from CSP activities
Part C: Management requirements	Mandatory for all Rio Tinto managed assets

Implementation of the Standard requires a cross-functional approach to be taken by each business unit and planning is undertaken according to the social and operational context of each asset. In the context of Exploration, Projects and Closure, implementation requirements of this Standard are supplemented by:

- Rio Tinto Exploration (RTX) Procedure – Communities and Social Performance
- Study Definition Guidance Note
- Communities and Social Performance Roadmap for Rio Tinto Projects
- Closure Study Definition Guidance Note
- Closure Guidance Note

Application for exceptions to this standard must be submitted in writing outlining detailed reasoning for the exception including risk management and control implications and require approval from the Global Head CSP AoE and Global Head HSES.

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# Part A: General performance requirements

## 1. Knowledge base

A knowledge base is a broad term referring to the set of reports, maps, studies, analyses, file notes, photographs, and other data that collectively documents an asset's understanding of the host community and affected people. Evidence-based planning and decision-making requires a knowledge base that is comprehensive, accurate, up-to-date, and accessible, and is able to inform decisions about current and future asset lifecycle phases.

- 1.1 All assets must develop and maintain a knowledge base.
- 1.2 The knowledge base must:
  - a. Define the people and communities that have potential to be impacted by business activities, whether directly or indirectly;
  - b. Document the human rights, social, political, cultural, legal and economic characteristics of potentially affected people and communities;
  - c. Document tangible and intangible cultural heritage;
  - d. Document vulnerable or at-risk individuals or groups<sup>3</sup> within the host community;
  - e. Describe the history of the asset's activities at that site, including (where applicable) activities undertaken by previous operators;
  - f. Meet the requirements of the Global Industry Standard on Tailings Management (GISTM); and
  - g. Document key themes and trends from engagement with potentially affected people and communities, including community perceptions surveys, and complaints and grievances received.
- 1.3 Assets must synthesise their knowledge base into a social baseline report.
- 1.4 The social baseline report must be updated every five years (5), or more frequently in accordance with the evaluation in clause 1.5.
- 1.5 Assets must evaluate whether an update to the social baseline report is required:
  - a. Every year as part of the CSP planning process (clause 14);
  - b. Upon material changes in the business activities<sup>4</sup>; and
  - c. Upon material changes in the asset's social context (including the release or discovery of significant new data, such as census data).
- 1.6 The outcome of the evaluation in clause 1.5 must be documented in the CSP Plan (clause 14), including the reason for the outcome and the evidence relied on.

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<sup>3</sup> The term 'at risk and vulnerable individuals or groups' refers to people who may be more likely or disproportionately affected by a project.

<sup>4</sup> A material change, for the purposes of clauses 1.5, 2.2, and 3.1, is one that could change the significance of potential impacts to the community. This could mean the creation of new impacts, an increase in likelihood of an impact eventuating, or a heightened consequence of the impact. The release of new data may also be a material change because its inclusion could change the significance as assessed.

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## 2. Social impact assessment

Social impact assessment (SIA) is a study process which identifies the impacts of business activities on host communities and affected people. It can be retrospective (how *have* business activities impacted communities) and/or prospective (how *will* business activities impact communities). The purpose of SIA is to enable (i) identification of impacts to communities; (ii) tracking of the social impact of the business over time; (iii) design of mitigation actions for adverse impacts; and (iv) identification of opportunities for enhancing positive impacts and outcomes.

- 2.1 All assets must conduct an SIA every five (5) years, or more frequently in accordance with the evaluation in clause 2.2.
- 2.2 Assets must evaluate whether an update to the SIA is required:
  - a. Every year as part of the CSP planning process (clause 14);
  - d. Upon material changes in the business activities; and
  - e. Upon material changes in the asset's social context (including the release or discovery of significant new data, such as census data).
- 2.3 SIAs must be undertaken by appropriately qualified persons with expertise in the discipline of SIA, its specialist technical domains, and the local and regional context of the asset.
- 2.4 Drawing on the social baseline (clause 1.3), an SIA must:
  - a. Identify people, communities, and other stakeholders potentially impacted by the business, and/or dependent on aspects of the business;
  - b. Identify potential and actual impacts that communities and stakeholders could experience due to business activities, including impacts to vulnerable and at-risk groups including gender and human rights impacts, impacts associated with tailings facilities and impacts associated with project-induced migration;
  - c. Assess the significance of impacts;
  - d. Design management measures to avoid (or, if unavoidable, mitigate) potential negative impacts, and to address actual negative impacts<sup>5</sup>; and
  - e. Identify and assess opportunities for creating enhanced positive impacts including for social investment and regional economic development (clause 6), as aligned with community-identified needs, aspirations and priorities.
- 2.5 In undertaking SIA, assets must:
  - a. Incorporate cross-functional inputs relevant to the social risk and social impacts;
  - b. Engage with, and seek the joint participation, of affected people and communities in all stages of the impact assessment process;
  - c. Engage with other companies and stakeholders on potential or actual cumulative impacts;
  - d. Document findings in a technical report that is used to inform CSP and business planning (clause 14); and
  - e. Provide the full report or a summary of the SIA report to people, communities and other stakeholders who participated in, and/or were the subject of, the SIA.

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<sup>5</sup> Management measures are to be documented in the CSP Plan: see clause 14.

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### 3. Social risk assessment

Social risk assessment is an ongoing process of identifying and evaluating risks arising from the interface between communities and business activities. Risks include both risks to communities, and risks to the business.

- 3.1 Assets must undertake social risk assessments that:
- a. Identify social and human rights risks to people, communities, and other stakeholders potentially impacted by the business, drawing on the knowledge base and social impact assessments;
  - b. Identify social risks to the business;
  - c. Conduct an asset-level social risk assessment at least annually and include tailings facilities risks in the assessment (in accordance with GISTM).
  - d. Undertake social risk assessments for project gateways where there are material changes in business activities that may impact communities and/or changes in the social context;
  - e. Include cross functional representatives to support the risk assessment;
  - f. Develop measures to implement controls to avoid or mitigate social risks (threats); and
  - g. Consider opportunities that the business can create for communities.
- 3.2 Assets must comply with the Risk Management Standard when conducting social risk assessments and reviewing social risks.
- 3.3 Assets must assess and document social risks as part of the technical and financial evaluation of capital projects.

### 4. Consultation and engagement

Consultation and engagement refers to the ongoing process of dialogue with host communities and other stakeholders, in a way that is meaningful, rights-based, gender sensitive, culturally appropriate, and works to build relationships of trust and respect between host communities and the business.

- 4.1 All assets must:
- a. Perform, document, and regularly update community and stakeholder mapping and analysis for the asset;
  - b. Use the stakeholder mapping and analysis and community feedback to design and implement a consultation and engagement plan; and
  - c. Use the stakeholder mapping and community feedback in the design of emergency response plans where an event has the potential for adverse community impacts.
- 4.2 The consultation and engagement plan must:
- a. Be designed in collaboration with host communities and key stakeholders;
  - b. Consider the local context in terms of communication channels, location and language (in particular, technical language and concepts related to resource development) to support consultation and feedback;
  - c. Outline a consultation and engagement approach (including a schedule of activities) for each priority community or stakeholder group, as identified in the community and stakeholder mapping and analysis;
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- d. Include a process for eliciting, documenting and monitoring community perceptions of the business's social performance;
  - e. Detail a process for documenting engagements with communities and stakeholders, including commitments, action items, due dates, and accountabilities; and
  - f. Be updated annually or more frequently as identified by the asset.
- 4.3 Consultation and engagement activities at assets must:
- a. Be initiated at exploration and maintained throughout the asset lifecycle,
  - b. Use methods, mechanisms, language, location and forums that are culturally appropriate and suitable to the social context;
  - c. Respect human rights – including by avoiding discrimination, enabling inclusive participation (including for vulnerable and at-risk groups), respecting the right to privacy, and promoting transparency;
  - d. Be conducted at a frequency that is determined with stakeholders and communities, to allow timely sharing of information within the community and among stakeholders;
  - e. Be conducted in good faith; and
  - f. Implement the activities as set out in the consultation and engagement plan.
- 4.4 Data collected during consultation and engagement (including any data relating to identifiable individuals) needs to:
- a. Inform CSP planning (clause 14), and additionally inform any business decisions that may impact communities; and
  - b. Be processed in accordance with the Data Privacy Standard and applicable data privacy laws (including any applicable requirements relating to informed consent, data security and transparency).

## 5. Complaints and grievance management

A complaint or grievance arises when a person or group perceives injustice or harm to have been done to them, in connection with the business. A complaints and grievance mechanism is a process which allows complaints and grievances to be raised, and through which remedies can be sought.

- 5.1 All assets must have a complaints and grievance mechanism which outlines the asset's processes for obtaining, handling, responding to, and remedying complaints and grievances.
- 5.2 An asset's complaints and grievance mechanism must be consistent with the Effectiveness Criteria for Non-Judicial Grievance Mechanisms<sup>6</sup>. In particular, the complaints and grievance mechanism must:
  - a. Be designed in consultation with communities and stakeholders;
  - b. Be publicly available, easily accessible, communicated, and promoted to communities and stakeholders – with particular provision made for accessibility for vulnerable and at-risk people and communities;
  - c. Allow for an appeals process that includes independent stakeholders for resolution of complex complaints or grievances;

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<sup>6</sup> As established in Principle 31 of the United Nations Guiding Principles on Business and Human Rights. This means that sites must ensure that mechanisms are: legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning and based on engagement and dialogue.

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- d. Allow complaints and grievances to be raised anonymously. If complaints and grievances do contain personal data (ie data relating to an identifiable individual), the processing of that personal data must comply with applicable data privacy and whistleblower laws and the Data Privacy Standard<sup>7</sup>;
  - e. Track complainants' satisfaction with the process and outcome of the complaint;
  - f. Promote that the business will not tolerate retaliation against anyone bringing a complaint or grievance and define a procedure to deal with allegations of retaliation;
  - g. Take into account any systemic issues being raised and integrate into the knowledge base, social risk assessment and social impact assessment as appropriate;
  - h. Define the required reporting and escalation of complaints and grievances to the asset management team, including escalation to the Product Group / Business Unit CSP General Manager, and CSP AoE where deemed significant; and
  - i. Appropriately investigate complaints and grievances in particular significant and repeat complaints.
- 5.3 Assets must provide training to relevant employees and contractors in relation to the asset's complaints and grievance mechanism, such that employees and contractors are competent to:
- a. Identify, and report grievances if and when they arise;
  - b. Direct community members and other stakeholders to the complaints and grievance mechanism;
  - c. Provide notification of the complaint or grievance to an accountable person within the business (see clause 5.4); and
  - d. Appropriately engage with the person aggrieved following receipt of the grievance.
- 5.4 Assets must assign responsibility for coordinating the complaints and grievance mechanism to a single accountable person. The accountable person must have sufficient capability to effectively manage community complaints and grievances and consider the human rights aspects of complaints and grievances.
- 5.5 Assets must undertake an annual review of its complaints and grievance mechanism, by:
- a. Collating complaints and grievances data received to-date;
  - b. Presenting a summary of the data to the host community, in an accessible and culturally appropriate manner;
  - c. Providing meaningful opportunities for community members and other stakeholders to submit feedback on the data gathered, and on the performance of the complaints and grievance mechanism; and
  - d. As a result of the above, documenting the review of the complaints and grievance mechanism as part of CSP planning (clause 14).

## 6. Social investment

Social investment refers to our voluntary contributions or actions that support host communities in our areas of operation and/or broader society in addressing their development needs, including Regional

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<sup>7</sup> Note that this includes respecting individual rights in relation to personal data. This includes the right of an individual to seek access to records containing personal data relating to them, or its correction or erasure, and rights to be provided with information about the processing of their personal data

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Economic Development (RED) activities<sup>8</sup>. It does not include activities undertaken by the business to discharge mandatory obligations (e.g. contractual commitments) or investments with the primary purpose of brand positioning and reputation, which do not provide direct benefits or outcomes for host communities and/or broader society.

6.1 Assets must:

- a. Allocate an annual social investment budget commensurate with the scale, extent and nature of its interaction with the host community and affected people; and
- b. Allocate the majority of the annual social investment budget to multi-year projects that are designed to deliver sustained social outcomes in partnership with communities, governments and private sector.

6.2 Assets must develop a social investment plan that describes the approach to social investment, and must be reviewed and updated annually, in line with CSP planning (clause 14).

The social investment plan must:

- a. State objectives, focus areas, a program logic or theory of change informed by the knowledge base (clause 1) and risk analysis and opportunity processes (clause 2 and 3) and describe anticipated outcomes, including consideration for post-closure outcomes (where appropriate);
- b. Identify intended targeted beneficiaries (including vulnerable or affected groups, including consideration of gender impact);
- c. Outline milestones, resourcing and monitoring and evaluation processes aligned to the Social Investment for Impact Framework to effectively track measurable outcomes; and
- d. Consider opportunities to support RED activities including economic diversification activities beyond the sector that align with broader societal priorities including 'just transition'.

6.3 Social Investment activities must;

- a. Comply with the Business Integrity Standard;
- b. Align with the Social Investment for Impact Framework;
- c. Have clear intended outcomes for the target community, agreed with partners and stakeholders;
- d. Be designed using good-practice program logic or theory of change, informed by the knowledge base (clause 1), which explains how and why the investment will contribute to the intended outcomes and have a measurable impact;
- e. Address needs and opportunities which the community identifies together with the business, through consultation and engagement processes, and with reference to the asset's knowledge base;
- f. Include independent fit-for-purpose monitoring and evaluation measuring progress against outcomes for strategic multi-year projects of three or more years;
- g. Be aligned with programs delivered by governments, donors and other partners to optimise positive outcomes and/or decrease dependency on the business; and
- h. Not replace programs and services provided by governments unless there is a clear business case to do so.

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<sup>8</sup> RED activities involve collaborative, targeted initiatives and programs that build strong economic linkages beyond the value chain to stimulate transformative and diversified socio-economic well-being on a regional scale. RED activities also seek to promote the improved economic well-being and standard of living in host regions and communities.

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- 6.4 Assets undertaking RED activities must develop a plan that:
- a. Articulates how proposed initiatives and activities promote long term, diversified economic outcomes for host regions that extend beyond the immediate sphere of impact, and beyond the life of the asset; and
  - b. Aligns with requirements under 6.2 and 6.3.
- 6.5 RED activities must:
- a. Align with the group RED Framework (per the Social Investment for Impact Framework);
  - b. Engage personnel with appropriate skills and expertise to plan and deliver the RED activities; and
  - c. Clearly demonstrate collaboration and partnering with regional economic stakeholders which may include government, private sector, civil society and host communities.
- 6.6 Assets and other business units operating existing and/or seeking to establish a new trust, fund (external) or foundation must:
- a. Comply with the Business Integrity Standard;
  - b. Have a clear purpose and justification for establishment that outlines social benefit and intended outcomes for host community and/or society;
  - c. Align with Rio Tinto's Social Investment for Impact Framework (clauses 6.3); and
  - d. Only be established with the approval of the Global Head of CSP AoE and Head of Ethics and Compliance.

## 7. Human rights

In line with the Human Rights Policy and the UN Guiding Principles on Business and Human Rights, assets must respect internationally recognised human rights<sup>9</sup> and undertake due diligence to identify, prevent, mitigate and account for how they address their potential or actual adverse impacts on the human rights of any individual (employee, contractor, supply chain worker or community member) or group. Assets must avoid, to the greatest extent possible, involvement in adverse human rights impacts, through their own activities or business relationships and have processes to enable remediation where this involvement occurs. Threats, intimidation, or attacks against human rights defenders exercising their rights in a peaceful manner, will not be tolerated.

- 7.1 Assets must identify and assess, on an annual basis, actual or potential adverse salient human rights impacts that the asset may cause or contribute to through its own activities, or which may be directly linked to its operations, products or services by its business relationships. This process<sup>10</sup>:
- a. Must be cross-functional;
  - b. May include external stakeholders or rightsholders; and
  - c. Can be integrated into social risk assessment (see clause 3) or undertaken as a standalone assessment.

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<sup>9</sup> Human rights are fundamental rights that all individuals have as human beings, regardless of race, sex, nationality, ethnicity, language, religion, sexuality or any other status. They include the right to life and liberty, freedom from slavery and torture, freedom of opinion and expression, the right to work and education, and many more.

<sup>10</sup> Seek CSP AoE guidance on methodology to undertake the saliency risk and impact assessment.

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- 7.2 Assets operating in a high-risk human rights context<sup>11</sup>, must commission a standalone, independent human rights impact assessment (HRIA). Assets in a high risk human rights context must:
- a. Update the HRIA every five years at a minimum;
  - b. Use a reputable expert with skills and experience appropriate to the region and local human rights context; and
  - c. Annually, evaluate whether an updated HRIA is required in less than a five-year timeframe, aligned with considerations set out in clause 2.2.
- 7.3 Assets must track the effectiveness of the asset's measures and processes to address adverse human rights impacts and include the results of assessments in the CSP Plan (see clause 14) and other cross-functional plans as appropriate such as security, procurement, and human resources plans.
- 7.4 Assets must communicate how adverse human rights impacts identified under clause 7.1 and 7.2 are being addressed (see clause 15.3) .
- 7.5 Assets must provide human rights training to employees and contractors every two years for low-risk human rights contexts or annually for high-risk human rights contexts<sup>11</sup>.
- 7.6 Assets must take appropriate action to mitigate adverse human rights impacts, according to its involvement in the impact. Where an asset has identified it has caused or contributed to an human rights impact, the asset must provide for, or cooperate in its remediation. In all other situations, the asset may provide for remediation.
- 7.7 CSP functions must collaborate with a range of functions, including (but not limited to):
- a. Security, to support implementation of the Security Standard as it relates to the Voluntary Principles on Security and Human Rights (VPSHR); and
  - b. Procurement, to support implementation of the Procurement Standard as it relates to the Group's responsible sourcing commitments.<sup>12</sup>

## 8. Cultural heritage

Cultural heritage is any aspect of a community's past and present that it holds to be important and may pass onto future generations. Cultural heritage can be tangible and intangible. Cultural heritage includes Indigenous and non-Indigenous cultural heritage (see clause 9 for additional requirements with respect to Indigenous and land-connected people).

- 8.1 Assets must develop and implement a cultural heritage management system (CHMS) that ensures compliance with commitments made in community agreements, social impact assessments and local, regional and national laws.
- 8.2 The CHMS must incorporate the following actions:
- a. Identify, assess, manage, document, and monitor cultural heritage potentially impacted by business activities, in a co-managed process with host communities;
  - b. Design projects and other business activities to avoid impact, and where avoidance is not possible, minimise, mitigate and offset direct, indirect and cumulative impacts to cultural heritage;
  - c. Seek to obtain, and then maintain, agreement for any unavoidable impacts to cultural heritage from those for whom the cultural heritage has significance;

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<sup>11</sup> Seek CSP AoE guidance on methodology to determine whether an asset is operating within a high-risk human rights context.

<sup>12</sup> Responsibility for VPSHR implementation rests with the site security champion (Refer to Group Security Standard for implementing security and human rights principles).

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- d. If impacts are likely and/or if traditional cultural practices are identified, develop and implement a cultural heritage management plan (CHMP) with agreed mitigation and management measures in consultation with relevant community groups;
  - e. Obtain written approval from the asset or business general manager prior to impacting a cultural heritage site, and from product group chief executive and Rio Tinto executive committee for sites of very high significance;<sup>13</sup>
  - f. Implement controls and verifications, relevant to project/operational phase, to ensure adherence to cultural heritage site approvals and their associated conditions; and
  - g. Monitor, assess and document changes that are occurring to local tangible and intangible cultural heritage on an ongoing basis.
- 8.3 Assets must respect and recognise that cultural and intellectual property rights remain owned by those or those communities who hold them. Assets must co-design (with those whose rights may be affected) controls that prevent unauthorised use of or access to, or accidental disclosure of, those rights.
- 8.4 The CHMP and relevant business processes and plans must be updated and adapted to address new information and/or outcomes of reassessment of cultural heritage and community engagement.

## Part B: Context-specific performance requirements

### 9. Indigenous and land-connected peoples

There is no universally applicable definition of Indigenous people or land-connected people. The term 'land-connected peoples' broadly refers to groups who have enduring cultural and historical connections to particular lands, waters, territories and/or ecosystems. They may also consider themselves to be Indigenous peoples, which generally refers to groups that self-identify as a cultural group, sharing common origins, history and language, and often have a history of colonial settlement and dispossession. Indigenous and land-connected peoples do not always hold legally recognised land rights, or be formally recognised as customary landowners.

- 9.1 Assets must work consistently with rights set out in the United Nations Declaration of the Rights of Indigenous Peoples (UNDRIP).
- 9.2 In particular assets must:
- a. Identify relevant Indigenous and/or land-connected people through stakeholder mapping and analysis processes (as per clause 3)<sup>14</sup>;
  - b. Engage with Indigenous and/or land-connected peoples to identify their connections to land, waters, and cultural landscapes, as relevant to an asset's potential social, economic and cultural heritage impacts<sup>15</sup>, and comply with local requirements relating to consultation with Indigenous and/or land-connected peoples;
  - c. Comply with clause 10 with respect to Indigenous peoples; and
  - d. Demonstrate progress towards, or achievement of, Free, Prior, and Informed Consent (FPIC) of affected Indigenous peoples across all phases of the asset lifecycle in accordance with the ICMM Indigenous Peoples and Mining Position Statement.

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<sup>13</sup> Cultural heritage sites are of very high significance if they are of national and international significance, as assessed in the local context. In the United States, assets are to consider the registered status (or otherwise) of a cultural heritage site when assessing its significance.

<sup>14</sup> The social impact assessment process in clause 2 may be utilised to identify Indigenous Peoples' connections to land, waters, and cultural landscapes.

<sup>15</sup> Seek AoE guidance on defining Indigenous and/or land-connected peoples

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- 9.3 In addition to the cultural heritage requirements in clause 8, agreements negotiated with Indigenous / land-connected groups must incorporate cultural heritage management processes in relation to Indigenous / land-connected peoples' cultural heritage. These processes include: protocols for undertaking cultural heritage identification and impact assessments; co-design of the CHMP; implementation of the CHMP; and consultation and engagement protocols.
- 9.4 Where assets are acquiring land, the rights of Indigenous and land-connected people need to be considered in decision-making processes.
- 9.5 Where an Indigenous or land-connected group is affected by more than one Rio Tinto asset, consultation and engagement activities (clause 4) must be coordinated across all such assets.

## 10. Community agreements

Community agreements are written agreements between Rio Tinto, host communities, and potentially third-parties (e.g. local governments). They apply to all situations where there is agreement to formalise commitments and mutual obligations with each other. Agreements may be voluntary or may be required by law in some jurisdictions in certain circumstances. Developing strong and lasting relationships can often be established through agreement processes.

- 10.1 Assets must proactively seek opportunities to reach legally binding community agreements, consistent with jurisdictional requirements, where:
- a. The asset will require long-term access to natural resources; and
  - b. The collective interests of a group of people, who live in or connected to a defined geographical area, are represented by a community body, organisation, association, collective, or other institution.
- 10.2 Community agreements must only be undertaken on an institution-to-institution basis, not with specific individuals.
- 10.3 Community agreements must not limit or impede the ability to raise concerns about social impacts, human rights, cultural heritage or environment matters.
- 10.4 The agreement-making process (consultation, negotiation, ratification, implementation, monitoring, evaluation, and review) must be:
- a. Based on an understanding of local context, relevant legislative frameworks, and social risks and impacts (including human rights issues) potentially arising from the making of the agreement;
  - b. Informed through consultation and engagement, throughout the entire agreement-making process, with the group in whose name the agreement is being made, including ensuring the participation of at risk or vulnerable people with the group; and
  - c. Informed by expert advice from Rio Tinto Group Legal, Group Ethics & Compliance and the CSP AoE prior to initiation, and throughout the negotiation and ratification phases as needed.
- 10.5 Agreement terms must:
- a. Include mechanisms for responding and communicating; material changes to the business; major changes in the regional or community context; changes in the membership of the community's representative body or stakeholder group; and the
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discovery of new information that affects the understanding of the agreement's terms or social context;

- b. Include commitments by Rio Tinto to continuously engage with the community and report on the implementation of such commitments throughout the life of the agreement;
- c. Embed complaints and grievances processes that align with the asset-based complaints and grievances mechanism. Additionally, if a separate mechanism is prescribed in an agreement, enabling that the mechanism is aligned with the Criteria of Effectiveness and it reports into the asset-based mechanism (as per clause 5); and
- d. Require the approval of the relevant Product Group Chief Executive and Head of the CSP AoE prior to beginning negotiations and prior to signing the agreement.

## 11. Compensation

Compensation may be payable to people who experience direct, specified and agreed loss and impacts caused by business activities throughout the asset lifecycle, which are not otherwise subject to separate agreement. Other forms of remediation may be appropriate in addition to, or instead of compensation.

11.1 Assets must develop and document a compensation process that:

- a. Transparently and clearly articulates when compensation may be payable, how affected persons can claim compensation, and how claims are assessed; and
- b. Is made available and accessible to potentially affected people and communities.

11.2 In developing the compensation process, assets must:

- a. Seek expert advice from Rio Tinto Group Legal, Group Ethics & Compliance and the CSP AoE; and
- b. Receive endorsement of the process from the relevant operations managing director (or equivalent).

11.3 Each claim for compensation must be:

- a. Informed by expert advice from Rio Tinto Group Legal and Group Ethics & Compliance, and subject to third party due diligence;
- b. Approved at a minimum by the asset General Manager or, if it exceeds their authority, at the appropriate functional and financial authority level set by the business;
- c. Recorded in a register maintained for the life of the asset; and
- d. Accompanied by a written agreement including appropriate business integrity clauses.

## 12. Resettlement, land acquisition and land access

The process of resettlement and project-related land acquisition and associated restrictions on land use can have adverse impacts on communities and persons that use this land and efforts should be made to avoid it wherever possible. Resettlement refers both to physical displacement (relocation or loss of shelter) and to economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) and can be voluntary or involuntary in nature.

12.1 Should resettlement be unavoidable:

- a. advice must be sought from the Head of the CSP AoE and approval obtained from the relevant product group chief executive prior to proceeding; and
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- b. the resettlement must comply with requirements of IFC PS 5 including development of a Resettlement Action Plan and/or Livelihood Restoration plan, and other requirements.
- 12.2 Accountabilities and responsibilities must be clearly defined, agreed and documented, including government, communities and the business ensuring alignment with relevant legislative frameworks, government institutions and community decision-making processes, structures and traditional practice.
- 12.3 Where an asset is seeking to acquire an interest in land (leases, easements, land access etc.), the impact of such acquisition on Indigenous and/or land-connected people must be assessed, in consultation with the relevant Indigenous/land-connected groups. The results of the impact assessment must be considered in the acquisition process.
- 12.4 Where legacy land acquisition has taken place and displacement (whether economic and/or physical) occurred prior to Rio Tinto's involvement in a project, the extent and nature of such impacts must be:
  - a. Identified and documented as extensively as possible prior to Rio Tinto's involvement or as soon as practicable thereafter; and
  - b. Addressed through remedial actions including the ability of those impacted by such processes to access appropriate redress channels.
- 12.5 Where an asset manages a non-core business (e.g. pastoral lease, renewable energy generation), that non-core business requires a land access protocol, under Rio Tinto Management System requirements; and the non-core business could potentially impact Indigenous or land-connected people, then the asset must treat the land access protocol as part of the existing community agreement or develop it in accordance with requirements outlined in clause 9 and 10 for Indigenous or land-connected groups.

### **13. Artisanal and small-scale mining**

Artisanal and small-scale mining (ASM) refers to the practice of extracting minerals as a subsistence economic activity. ASM activities are often undertaken by hand, and in many countries are undertaken informally, without legal recognition or regulation.

- 13.1 Where an asset has identified (in the knowledge base or social impact assessment: clauses 1 and 2), that Artisanal and small-scale mining (ASM) activities may be affected by business activities, the asset must:
    - a. Conduct a scoping process to understand the legal, social, economic (livelihoods), human rights and environmental context in which ASM activities are occurring;
    - b. Engage with communities that are, or may be, affected by ASM operations and/or interactions between Rio Tinto assets and ASM entities;
    - c. To the extent that legal, responsible artisanal mining is achievable under local policies and regulatory frameworks, collaborate with government and development agencies as appropriate to support improvements in environmental, economic and social/labour practices of local ASM; and
    - d. Identify and support initiatives that reduce social and/or human rights impacts of ASM.
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## Part C: Management requirements

The requirements in this section are to be read in conjunction with the Rio Tinto Management System Standard and provide requirements on Community and Social Performance and human rights performance.

### 14. CSP planning

CSP planning is essential in achieving effective social performance. CSP planning is a continuous process in which all CSP data, knowledge, and analyses, are integrated into appropriate actions and/or management plans within the business. The CSP Plan is the tangible output of CSP planning.

- 14.1 Assets must develop a three-year CSP Plan, which provides an overarching framework to deliver CSP outcomes in a manner integrated with whole-of-business delivery.
- 14.2 The CSP Plan must:
  - a. Include clear objectives for CSP including measurable CSP targets and performance indicators;
  - b. Be integrated into and informs asset or business planning processes (including cross-functional accountabilities);
  - c. Identify key social risks and impacts (including human rights and cultural heritage risks and impacts), and describe how they will be managed;
  - d. Document commitments involving communities that have arisen from permitting, financing conditions and/or binding agreements (clause 17);
  - e. State the activities, resources, and accountabilities required to manage risks and impacts, uphold commitments, and deliver CSP outcomes; and
  - f. Be updated as part of the business planning cycle, or at a minimum every year.
- 14.3 The CSP Plan must be informed by the knowledge base (clause 1), social impact assessment (clause 2), social risk assessment (clause 3), and stakeholder mapping and analysis (clause 4).
- 14.4 The CSP Plan must inform the following plans and processes (or be informed by them, where already existing versions are currently in place):
  - a. Consultation and engagement plan (clause 4);
  - b. Complaints and grievance mechanism (clause 5);
  - c. Social investment plan including any regional economic development (RED) activities (clause 6);
  - d. Assessments of human rights risks and issues (clause 7);
  - e. Cultural heritage management system (clause 8); and
  - f. Plans and processes developed in the context-specific performance requirements as applicable to the asset (clauses 9–13).

### 15. CSP performance and reporting

- 15.1 Assets must measure, monitor and report on performance against CSP targets and performance indicators.
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- 15.2 All assets must:
- a. Develop asset-level CSP targets and indicators in consultation with communities and stakeholders; and
  - b. Set measurable, outcomes-based targets that support the achievement of the Group CSP Targets.
- 15.3 Assets must regularly report CSP (including human rights) performance to communities and stakeholders. At a minimum, reporting must be annual and include updates on CSP targets and performance indicators, community complaints and grievances, community investment outcomes, and other areas that the community has identified as important.
- 15.4 Assets must identify when performance indicators are not met, and design and implement improvement plans to close gaps.

## 16. CSP competency

- 16.1 Assets must maintain fit-for-purpose, professional CSP competence to implement this standard by:
- a. Using the Rio Tinto CSP skills framework to evaluate current and future CSP personnel requirements;
  - b. Developing and resourcing the CSP function relative to the asset's social risk profile; and
  - c. Managing personnel change to facilitate knowledge transfer of CSP information and transition of relationships with community and stakeholders.
- 16.2 Non-CSP personnel, with accountability for building and/or maintaining stakeholder relationships, managing social risks or leading business activities that have the potential to impact communities must attain CSP competence.
- 16.3 All employees and contractors must undertake induction training covering the asset's social context and commitments, including:
- a. Group and business CSP minimum requirements;
  - b. Additional training, as appropriate to the local context and the employee and contractor's role on site; in relation to cross-cultural training with Indigenous, land-connected, ethnically diverse or marginalised groups; and human rights risks and impacts (in line with clause 7); and
  - c. Complaints and grievance mechanism training.

## 17. CSP documentation

- 17.1 Documentation related to CSP (including cultural heritage and human rights) must be stored such that data and records are appropriately complete, accurate, accessible, up-to-date and secure.
- 17.2 Assets must:
- a. Require all employees and contractors who interact with communities and key stakeholders about CSP performance, to document those interactions;
  - b. Comply with the Data Privacy Standard for document management processes; and
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- c. Maintain systems to support the integration of CSP (inclusive of cultural heritage and human rights) data within the business.
- 17.3 Establish procedures to ensure that actions arising from permitting, financing conditions and/or binding agreements involving communities are documented, scheduled, actioned, monitored and closed according to permitting and financing conditions and/or agreement requirements.
- 17.4 Maintain records of all formal and informal meetings that involve commitments, records of agreement and action items with dates and responsibilities for the commitment.

## 18. Emergency preparedness

- 18.1 All assets must develop business resilience plans that identify communities and other stakeholders that may be affected by an incident or event and include actions to protect community safety;
- 18.2 Business Resilience plans that identify any communities and other stakeholders that may be affected by an incident or event must include actions to protect community safety;
- 18.3 Where there is potential for a significant impact to communities from an incident or event (e.g. tailings failure, mass transportation, environmental incidents), host communities must be engaged in the development of the business resilience plans and relevant exercises; and
- 18.4 In developing business resilience plans, assets must comply with Rio Tinto's Business Resilience and Recovery Programme (BRRP) Group Procedure.

## 19. Business Incidents

An incident that has a social impact is defined as a distinct event caused by a Rio Tinto business that may affect a community or any of its members, or conversely, a distinct event caused by a community or any of its members that may affect a Rio Tinto business, usually in a negative way. Incidents with other impacts such as HSE or Security, may also have social and human rights impacts or consequences.

- 19.1 Assets must assess the social and human rights impacts of all incidents. Any incidents with CSP and/or human rights impacts are to be formally managed and recorded through the group reporting system in accordance with the requirements of the Rio Tinto Management System Standard.
- 19.2 Incidents with significant CSP and/or human rights impacts must be escalated within the Product Group and to the Head of the CSP Area of Expertise (CSP AoE)<sup>16</sup>.
- 19.3 Community complaints may result from an incident and should be documented and managed (per Clause 5).

## 20. Contractor selection

- 20.1 In selecting contractors for any site-based task, assets must proactively manage social and human rights risks by:
  - a. Including applicable local content delivery requirements in the scope of work and contract;

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<sup>16</sup> Refer to RT MS Element 14. Incident management escalation matrix for significant events

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- b. Assessing the ability of the contractor to comply with and deliver Rio Tinto and site-specific CSP requirements;
- c. Requiring the contractor to agree to *The way we work*, and the *Rio Tinto Supplier Code of Conduct*, and to agree to apply the same to its employees and sub-contractors; and
- d. Meeting the requirements of the Know Your Third-Party Procedure.

## **21. Management of Change**

21.1 Assets must consider and document social risks and impacts:

- a. As part of the management of change process, including opportunities to avoid or reduce negative impacts and/or increase positive impacts, prior to implementing a change; and
  - b. As part of the technical and financial evaluation of capital projects.
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