

**Corporate Human Rights Benchmark
2023 Company Scorecard**

Company name BHP Group
Sector Extractives
Overall score 39.8 out of 100

Theme score	Out of	For theme
4.4	10	A. Governance and Policy Commitments
11.1	25	B. Embedding Respect and Human Rights Due Diligence
8.0	20	C. Remedies and Grievance Mechanisms
11.8	25	D. Performance: Company Human Rights Practices
4.6	20	E. Performance: Responses to Serious Allegations

Please note that any small differences between the Overall Score and the added total of Measurement Theme scores are due to rounding the numbers at different stages of the score calculation process.

Please note also that the "Not met" labels in the Explanation boxes below do not necessarily mean that the company does not meet the requirements as they are described in the bullet point short text. Rather, it means that the analysts could not find information *in public sources* that met the requirements *as described in full* in the CHRB 2022 Methodology document for the sector concerned. For example, a "Not met" under "General HRs Commitment", which is the first bullet point for indicator A.1.1, does not necessarily mean that the company does not have a general commitment to human rights. Rather, it means that the CHRB could not identify a public statement of policy in which the company commits to respecting human rights.

Detailed assessment

A. Governance and Policy Commitments (10% of Total)

A.1 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.1	Commitment to respect human rights	1	The individual elements of the assessment are met or not as follows: Score 1 • Met: General HRs commitment: The Human Rights Policy Statement indicates: 'We are committed to respecting and contributing to the realisation of all human rights'. [Human Rights Policy Statement, 2019: bhp.com] Score 2 • Not Met: Commitment to UNGPs: The Human Rights Policy Statement indicates: 'We demonstrate our commitment to respecting human rights by: [...] Operating in a manner consistent with the United Nations (UN) Guiding Principles on Business and Human Rights'. However, 'consistent with' is not considered a formal statement of commitment according to CHRB wording criteria. [Human Rights Policy Statement, 2019: bhp.com] • Not Met: Commitment to OECD MNE Guidelines
A.1.2.a	Commitment to respect the human rights of workers: ILO Declaration on Fundamental Principles and Rights at Work	0	The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Commitment to ILO core principles: The Human Rights Policy Statement indicates: 'We demonstrate our commitment to respecting human rights by: [...] Operating in a manner consistent with the terms of the ILO Declaration on Fundamental Principles and Rights at Work, including the four Core Labour Standards the subject of the ILO Conventions upon which the Declaration is based'. However, 'consistent with' is not considered a formal statement of commitment according to CHRB wording criteria. [Human Rights Policy Statement, 2019: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not Met: Explicitly lists all four ILO core principles: As indicated above, ‘We demonstrate our commitment to respecting human rights by: [...] Operating in a manner consistent with the terms of the ILO Declaration on Fundamental Principles and Rights at Work, including the four Core Labour Standards the subject of the ILO Conventions upon which the Declaration is based, concerning: freedom of association and the effective recognition of the right to collective bargaining; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation’. However, ‘consistent with’ is not considered a formal statement of commitment according to CHRB wording criteria. [Human Rights Policy Statement, 2019: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expects BPs/JVs to commit to ILO core principles • Not Met: Explicitly lists all four ILO core principles for BPs/JVs
A.1.2.b	Commitment to respect the human rights of workers: Health and safety and working hours	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to respect H&S of workers: The Human Rights Policy Statement indicates: ‘We are committed to respecting and contributing to the realisation of all human rights [...]. These include rights related to: workplace health, safety and labour conditions [...]’. [Human Rights Policy Statement, 2019: bhp.com] <ul style="list-style-type: none"> • Not Met: Commitment to ILO working hours standards or 48 hour regular work week <p>Score 2</p> <ul style="list-style-type: none"> • Met: Expects BPs/JVs to commit to H&S of workers: The Minimum Requirements for Suppliers states: ‘The supplier must provide: safe and healthy working facilities and appropriate precautionary measures to protect employees from work-related hazards and anticipated dangers in the workplace; workers with regular and recorded health and safety training; clean and safe accommodation that meets the basic needs of the workers (where provision is applicable). The supplier must: follow all relevant legislation, regulations and directives in the countries in which the contract activities are undertaken to provide a safe and healthy workplace; implement systems for the prevention of occupational injury and illness including, standards for fire safety; emergency preparedness and response plans; occupational or industrial hygiene standards; appropriate lighting and ventilation; machinery safeguarding; reporting and investigation of occupational injuries and illness; reasonable and appropriate access to potable water and sanitation facilities; assign responsibility for health and safety to a management representative’. The Human Rights Policy Statement indicates: ‘Our Requirements for Supply standard [...] and applies globally defined Minimum supplier requirements for suppliers and contractors’. [Minimum requirements for suppliers, 17/05/2022: bhp.com] & [Human Rights Policy Statement, 2019: bhp.com] • Not Met: Expects BPs/JVs to commit to ILO working hours standards or 48 hour regular work week: See above. The Minimum Requirements for Suppliers states: ‘Wages and benefits (including overtime) paid, must satisfy at a minimum, national legal standards or local industry benchmarks, whichever is higher. [...] Working hours shall not exceed the national legal standards or local industry benchmarks, whichever provides greater protection for the worker’. However, no formal commitment about respecting the ILO conventions on working hours was found. Alternatively, the Company would achieve this by committing to a 48 hours regular working week, and consensual overtime paid at a premium rate. [Minimum requirements for suppliers, 17/05/2022: bhp.com] & [Human Rights Policy Statement, 2019: bhp.com]
A.1.3.a.EX	Commitment to respect human rights particularly relevant to the sector – land, natural resources and indigenous peoples’ rights (EX)	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to respect land ownership/natural resources as in IFC Performance Standards: The Human Rights Policy Statement indicates: ‘We are committed to respecting and contributing to the realisation of all human rights [...]. These include rights related to: [...] land access and use’. The Code of Conduct [Our Code] states: ‘Consider the connection between environmental sustainability and human rights. If community resettlement is required, comply with the International Finance Corporation Performance Standard 5: Land Acquisition and Involuntary Resettlement’. [Human Rights Policy Statement, 2019: bhp.com] & [Our Code, N/A: bhp.com] • Met: Commitment to respect indigenous rights or ILO No.169 or UN Declaration: The Human Rights Policy Statement indicates: ‘We are committed to respecting and contributing to the realisation of all human rights [...]. These include rights

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>related to: [...] Indigenous peoples' culture, identity, traditions and customs'. [Human Rights Policy Statement, 2019: bhp.com]</p> <ul style="list-style-type: none"> • Met: Expects EX BPs to make these commitments: As indicated above, the Company has a commitment to respect the rights of Indigenous Peoples and land access and use. In case of resettlement it is required, comply with the International Finance Corporation Performance Standard 5. The Human Rights Policy Statement indicates: 'It is expected that businesses respect human rights throughout the value chain'. [Human Rights Policy Statement, 2019: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to obtain FPIC or zero tolerance to land grabbing: The Code of Conduct [Our Code] states: 'Uphold the commitments as set out in our Indigenous Peoples Policy Statement and the Global Indigenous Peoples Strategy. This includes working to obtain free, prior and informed consent for new operations'. However, 'working to obtain' is not considered a formal statement of commitment to FPIC according to CHRB wording criteria. [Our Code, N/A: bhp.com] • Met: Commitment to respect the right to water: The Human Rights Policy Statement indicates: 'We are committed to respecting and contributing to the realisation of all human rights [...]. These include rights related to: [...] water and sanitation'. [Human Rights Policy Statement, 2019: bhp.com] • Not Met: Expects EX BPs to make these commitments: The Human Rights Policy Statement indicates: 'We are committed to respecting and contributing to the realisation of all human rights [...]. These include rights related to: [...] water and sanitation'. As indicated above: 'It is expected that businesses respect human rights throughout the value chain'. The Code of Conduct [Our Code] states: 'Uphold the commitments as set out in our Indigenous Peoples Policy Statement and the Global Indigenous Peoples Strategy. This includes working to obtain free, prior and informed consent for new operations'. The Code of Conduct [Our Code] also applies for contractors. However, 'working to obtain' is not considered a formal statement of commitment to FPIC according to CHRB wording criteria. [Human Rights Policy Statement, 2019: bhp.com] & [Our Code, N/A: bhp.com]
A.1.3.b.EX	Commitment to respect human rights particularly relevant to the sector – security (EX)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to Voluntary Principles on Security and HRs: The Human Rights Policy Statement indicates: 'We demonstrate our commitment to respecting human rights by: [...] Operating in a manner consistent with [...] the Voluntary Principles on Security and Human Rights'. However, 'consistent with' is not considered a formal statement of commitment according to CHRB wording criteria. [Human Rights Policy Statement, 2019: bhp.com] • Not Met: Uses only ICoCA members as security providers • Not Met: Commits to International Humanitarian Law <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expects EX BPs to commit to these rights
A.1.4	Commitment to remedy	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to remedy adverse HRs impacts: The Human Rights Policy Statement indicates: 'We will provide, or cooperate in providing, appropriate remediation where we have caused or contributed to adverse human rights impacts'. [Human Rights Policy Statement, 2019: bhp.com] • Met: Expects EX BPs to make this commitments: The Code of Conduct [Our Code] indicates: 'Ensure human rights concerns and complaints are investigated and remedied, if appropriate, and the outcomes reported to relevant stakeholders'. The Code of Conduct [Our Code] also applies for contractors. [Our Code, N/A: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to collaborate with judicial or non-judicial mechanisms • Not Met: Commitment to work with EX BPs on remedy
A.1.5	Commitment to respect the rights of human rights defenders	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Zero tolerance of threats/attacks on HRDs: The Human Rights Policy Statement indicates: 'BHP is committed to respecting the role of human rights defenders and we acknowledge the risks they face in upholding civic freedoms and their significant voice in understanding and addressing human rights challenges in the areas in which we operate'. [Human Rights Policy Statement, 2019: bhp.com] • Met: Expects BPs to make this commitment: The Code of Conduct [Our Code] indicates: 'We also respect the role of human rights defenders in upholding civic freedoms and their significant voice in understanding and addressing human rights challenges'. The Code of Conduct [Our Code] also applies for contractors. [Our Code, N/A: bhp.com]

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			Score 2 <ul style="list-style-type: none"> Not Met: Commitment to working with HRDs to create safe and enabling environment

A.2 Board Level Accountability (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Met: Board level responsibility for HRs: The Human Rights Policy Statement indicates: 'Our Board Sustainability Committee assists with governance and monitoring of our approach, overseeing health, safety, environment, community (HSEC) and other human rights matters, including the adequacy of the systems in place to identify and manage HSEC-related risks, legal and regulatory compliance and overall performance'. [Human Rights Policy Statement, 2019: bhp.com] Not Met: Describes HRs expertise of Board member Score 2 <ul style="list-style-type: none"> Not Met: Board member/CEO signal importance of HRs in their communications
A.2.2	Board responsibility	1	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Met: Process to review HRs strategy at board level: Regarding the Board Sustainability Committee's role, it indicates: 'The Committee will review and assess the adequacy of the HSEC [Health, safety, environment and community] Framework in particular through reviewing and assessing information and reports received from the CEO and the CEO's nominees on the HSEC Management System. [...] The Committee will review the performance of the Group in relation to the health safety and environment consequences of decisions and actions, including the impacts on employees and third parties and communities and on the reputation of the Group. [...] The Committee will, through consideration of the reports provided by the CEO and the CEO's nominees regarding the HSEC Management System, Community relations, the outcomes of the independent assurance and audit process and industry best practice: monitor, review and evaluate the HSE and Community performance of the Group and refer the outcome of its evaluation of the performance of key management personnel against the HSE and Community Key Performance Indicators (KPIs) within their Short Term Incentive scorecard to the Remuneration Committee for its consideration. [...] The Committee will meet as frequently as required but not less than three times a year'. [Sustainability Committee - Terms of Reference, 15/02/2018: bhp.com] Met: Example of HRs issues/trends discussed in last reporting period: According to the 2022 Annual Report, the Board Sustainability Committee activities in FY2022 included: 'Assurance and adequacy of the HSEC Framework and HSEC Management Systems: Review of key HSEC risks; Site visits and asset deep dives that include updates on key HSEC matters and HSEC performance and an opportunity to engage directly with the workforce; Review of internal audit reports and approval of the HSEC components of the internal audit plan; Review of the HSE function and Group HSE Officer. Compliance and reporting: Review of sustainability reporting, including consideration of processes for preparation and assurance provided by EY; Review of BHP's Modern Slavery Statement. Performance: Review of BHP's performance on HSEC matters, including cultural heritage, community relations, greenhouse gas emissions targets and goals, closure and rehabilitation, biodiversity and human rights; Monitoring against the FY2018–FY2022 HSEC targets; Approving and recommending to the Board, the Group's 2030 goals which form part of the new social value framework; Review of performance outcomes under the FY2022 HSEC performance metrics and considering HSEC performance metrics for FY2023'. [2022 Annual Report, 2022: bhp.com] Score 2 <ul style="list-style-type: none"> Met: Meets both requirements under score 1: See above. Not Met: Describes how affected stakeholders / HRs experts inform board discussions
A.2.3	Incentives and performance management	1.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Met: At least one board member incentive linked to HRs commitments: The 2022 Annual Report indicates the remuneration framework of the CEO, who is a Board member. It includes 'The HSEC targets' which are 'aligned to the Group's 2030 public sustainability goals'. The scorecard targets include 'No significant (actual level 4) health, safety (including fatalities), environment or community events during the year'. It also takes into consideration Achievement of sexual

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>harassment and Indigenous partnerships. See below details of the actual targets. [2022 Annual Report, 2022: bhp.com]</p> <ul style="list-style-type: none"> • Met: Incentive scheme linked to key HRs risks beyond employee H&S: As it is indicated below, the target measures include achievement of sexual harassment, Indigenous partnerships as well as health and safety. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Performance criteria linked to HRs made public: According to the 'scorecard performance measures for the CEO' the weighting of Safety and Sustainability is 25%. It includes: 'The following Safety and Sustainability (previously HSEC) performance measures are designed to incentivise achievement of the Group's public goals. Significant events (10%): No significant (actual level 4) health, safety (including fatalities), environment or community events during the year. Achievement of sexual harassment and Fatality Implementation Program FY2023 deliverables. [...] Indigenous partnerships (5%): Achieve uplift in Indigenous, Traditional Owner and First Nations vendor procurement. Planned progress on Indigenous employment / participation targets. Release revised Global Indigenous Peoples Strategy'. [2022 Annual Report, 2022: bhp.com] • Not Met: Review of other board incentives for coherence with HRs policies
A.2.4	Business model strategy and risks	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Board process to review business model and strategy for HRs risks: The Company states in its Modern Slavery Statement that 'The Board reviews and monitors the effectiveness of BHP's systems of financial and non-financial risk management and internal controls. The broad range of skills, experience and knowledge of the Board assists in providing a diverse view on risk management. The Board's Risk and Audit Committee and Sustainability Committee assist the Board by reviewing and considering BHP's material risk profile (covering operational, strategic and emerging risks, including human rights risks) on a biannual basis'. It also indicates that 'The Board's Risk and Audit Committee monitors and at least annually, reviews the effectiveness of BHP's systems of risk management and internal controls' [2022 Modern Slavery Statement, 2022: bhp.com] • Met: Describes frequency and triggers for reviewing business model: The Company indicates that these process occurs respectively on a biannual basis and at least annually. [2022 Modern Slavery Statement, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Meets both requirements under score 1 • Not Met: Example of actions resulting from reviews

B. Embedding Respect and Human Rights Due Diligence (25% of Total)

B.1 Embedding Respect for Human Rights in Company Culture and Management Systems (10% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Score of 1 on A.1.2.a: See A.1.2.a. • Met: Senior responsibility for HRs implementation and decision making: The webpage section Human Rights indicates: 'The HRPS [Human Rights Policy Statement] [...] was endorsed by BHP's Executive Leadership Team. It is reviewed annually by management as part of our assessment of management of human rights risks and potential impacts [...]'. The Sustainability Committee Terms of Reference states: 'the Chief External Affairs Officer has accountability for ensuring the effective design of the Community component of the HSEC Management System and for ensuring effective strategies are in place to manage Community relations and associated risks (including human rights) and will report regularly to the [Sustainability] Committee'. [Human Rights_web, N/A: bhp.com] & [Sustainability Committee - Terms of Reference, 15/02/2018: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Describes day-to-day responsibility for implementing HRs commitments: The 2022 Annual Report indicates: 'Teams within Corporate Affairs and Commercial [...] lead our operational and supply chain human rights practices'. [2022 Annual Report, 2022: bhp.com] • Not Met: Day-to-day resources and expertise allocation in own operations

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Met: Resources and expertise allocation with EX BPs: Regarding its supply chain management the 2022 Modern Slavery Statement indicates: ‘BHP uses the ‘three lines model’ to define the role of different teams across the organisation in managing risk. The first line is provided by our frontline staff, operational management and people in functional roles (for example, procurement or contract owners) – anyone who engages day-to-day with third parties in the supply chain is responsible for identifying and managing the associated risk. The second-line Risk team and Compliance team (as subject-matter experts) are responsible for providing expertise, support, monitoring and challenge on risk related matters. The third line, our Internal Audit team, is responsible for providing assurance on whether risk management, internal controls and governance processes are adequate and functioning’. [2022 Modern Slavery Statement, 2022: bhp.com]
B.1.2	Incentives and performance management	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Senior manager incentives linked to HRs commitments: The Company indicates the CDP [Cash and Deferred Plan] performance measures for the CEO and other Executive KMP. Target measures include achievement of sexual harassment, Indigenous partnerships as well as health and safety. See below details of the actual targets. [2022 Annual Report, 2022: bhp.com] • Met: Incentive scheme linked to key HRs risks beyond employee H&S: As it is indicated above, the target measures include achievement of sexual harassment, Indigenous partnerships as well as health and safety. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Performance criteria linked to HRs made public: According to the ‘scorecard performance measures for the CEO’ the weighting of Safety and Sustainability is 25%. It includes: ‘The following Safety and Sustainability (previously HSEC) performance measures are designed to incentivise achievement of the Group’s public goals. Significant events (10%): No significant (actual level 4) health, safety (including fatalities), environment or community events during the year. Achievement of sexual harassment and Fatality Implementation Program FY2023 deliverables. [...] Indigenous partnerships (5%): Achieve uplift in Indigenous, Traditional Owner and First Nations vendor procurement. Planned progress on Indigenous employment / participation targets. Release revised Global Indigenous Peoples Strategy’. The weighting of each performance measure and specific individual performance measures will vary for other Executive KMP to reflect the focus required from each of them in their role. [2022 Annual Report, 2022: bhp.com] • Not Met: Review of other senior management incentives for coherence with HRs policies
B.1.3	Integration with enterprise risk management	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: HRs risks integrated as part of enterprise risk system: The Company discloses its ERM. Among its Risk Factors it is found: ‘Significant social or environmental impacts. Risks associated with significant impacts of our operations on and contributions to communities and environments throughout the life cycle of our assets and across our value chain’. It explains why it is important to the Company: ‘The long-term viability of our business is closely connected to the wellbeing of the communities and environments where we have a presence. At any stage of the asset life cycle, our activities and operations may have or be seen to have significant adverse impacts on communities and environments. In these circumstances, we may fail to meet the evolving expectations of our stakeholders (including investors, governments, employees, suppliers, customers and Indigenous peoples and other community members) whose support is needed to realise our strategy and purpose. This could lead to loss of stakeholder support or regulatory approvals, increased taxes and regulation, enforcement action, litigation or class actions, or otherwise impact our licence to operate and adversely affect our reputation [...] It also indicates among its examples of potential threats: ‘Failing to meet stakeholder expectations in connection with our legal and regulatory obligations, relationships with Indigenous peoples, community wellbeing and the way we invest in communities or our approach to [...] water access and management, human rights or cultural heritage priorities’. [2022 Annual Report, 2022: bhp.com] • Met: Provides an example: The Company also indicates key management action to tackle these risks, including: ‘The Our Requirements for Community [...] provide requirements and practices that are designed to strengthen our social, human[...]’. Our Human Rights Policy Statement, Water Stewardship Position Statement, Climate Transition Action Plan 2021 and Indigenous Peoples Policy Statement set

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>out our targets, goals, commitments and/or approach to these matters. [...] Building stakeholder trust and contributing to environmental and community resilience, including through collaborating on shared challenges (such as climate change and water stewardship), enhanced external reporting of our operated assets' potential impacts on biodiversity and maximising the value of social investments through our social investment strategy'. [2022 Annual Report, 2022: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Risk assesment by Audit Committee or independent third party
B.1.4.a	Communication /dissemination of policy commitment(s) to workers and external stakeholders	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Score of 1 on A.1.2.a: See A.1.2.a • Met: Communicates HRs policies to all workers in own operations: The Human Rights Policy Statement indicates: 'Our Code of Conduct (Our Code), which applies to everyone who works for us, with us, or on our behalf, includes a section on human rights. Annual training on Our Code is mandatory and we provide an additional introductory human rights training video on our internal learning system and our website'. Local languages are assumed in training. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Communicates HRs policies to stakeholders • Not Met: Example of how HRs policies are accessible for intended audience
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Meets ILO requirement for suppliers on A.1.2.a: See A.1.2.a. • Not Met: Describes steps to communicate HRs policies to EX BPs <p>Score 2</p> <ul style="list-style-type: none"> • Met: Describes how HRs policies are contractual/binding for suppliers: The webpage section Become a Supplier indicates: 'BHP Minimum Requirements for Suppliers sets the minimum health, safety, environment, community and business conduct requirement for all suppliers to BHP. Adherence to our Minimum Requirements for Suppliers is a pre-requisite to doing business with BHP'. The webpage section Human Rights adds: 'Compliance with these requirements is necessary for suppliers of non-traded goods and services doing business with BHP and they are included in our procurement standard contract suite, BHP Vessel Charter Party and purchase order terms and conditions'. [Become a supplier_web, N/A: bhp.com] & [Human Rights_web, N/A: bhp.com] • Not Met: Requires EX BPs to cascade contractual/binding HRs policies to their BPs
B.1.5	Training on Human Rights	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Score of at least 1 on A.1.2.a: See A.1.2.a. • Met: Describes how workers are trained on HRs policy commitments: The 2022 Annual Report indicates: 'Our Code of Conduct (Our Code), which applies to everyone who works for us, with us, or on our behalf, includes a section on human rights. Annual training on Our Code is mandatory and we provide an additional introductory human rights training video on our internal learning system and our website'. [2022 Annual Report, 2022: bhp.com] • Not Met: Trains relevant managers including security on HRs: The 2022 Annual Report indicates: 'Teams within Corporate Affairs and Commercial who lead our operational and supply chain human rights practices completed further human rights training with an external expert to better support their capabilities to identify and manage human rights risks and potential impacts. Our Directors also participated in human rights training, led by an external expert'. However, no evidence found on whether the Company trains security managers & personnel. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Score of 2 on A.1.2.a: See A.1.2.a. • Not Met: Meets both requirements under score 1 • Not Met: Trains BPs to meet HRs commitments: The 2022 Modern Slavery Statement states: 'During FY2022, over 400 employees and contractors, as well as employees of some of our business partners and community partners, completed our online human rights training'. Although the Company indicates that there have been some specific trainings for some employees, contractors and partners, no further details found on trainings it conducts with business partners to help them meet the Company's HR commitments. [2022 Modern Slavery Statement, 2022: bhp.com] • Not Met: Discloses % suppliers trained

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.6	Monitoring and corrective actions	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Score of at least 1 on A.1.2.a: See A1.2.a • Not Met: Monitors implementation of HRs policy commitments across global ops and EX BPs: The webpage Human Rights indicates: 'The Compliance with these requirements is necessary for suppliers of non-traded goods and services doing business with BHP and they are included in our procurement standard contract suite, BHP Vessel Charter Party and purchase order terms and conditions'. However, no information of how compliance is monitored found. The Company has a Human Rights risk assessment both for its own operations and supply chain. However, it is not clear how it monitors the implementation of its human rights policy commitments across its global operations and supply chain. [Human Rights_web, N/A: bhp.com] • Not Met: Discloses % of EX BP's monitored • Not Met: Describes how workers are involved in monitoring <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Score of 2 on A.1.2.a: See A1.2.a • Not Met: Describes corrective actions process • Not Met: Discloses findings and number of correction action processes
B.1.7	Engaging and terminating business relationships	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: HRs performance affects selection EX BPs: The webpage Become a supplier indicates: 'BHP's Ethical Supply Chain processes are applicable to all current and new suppliers of goods and services, without exception. We take this responsibility very seriously and see it as not only critical to the sustainable operation of our business but as the right thing to do. [...] BHP Minimum Requirements for Suppliers sets the minimum health, safety, environment, community and business conduct requirement for all suppliers to BHP. Adherence to our Minimum Requirements for Suppliers is a pre-requisite to doing business with BHP'. According to the webpage section Operating Ethically, BHP's approach to operating ethically across activities includes attention to Human Rights. The 2022 Modern Slavery Statement notes: 'BHP will perform screening and due diligence across new high-risk suppliers covering ethical supply chain risks at the time of onboarding, as opposed to detailed due diligence being an activity undertaken subsequent to supplier onboarding. This will help prevent suppliers who do not meet BHP's expectations reaching the onboarding stage'. [Become a supplier_web, N/A: bhp.com] & [Operating Ethically_web, N/A: bhp.com] • Not Met: HRs performance affects ongoing BPs relationships: As indicated above, BHP's Ethical Supply Chain processes are applicable to all current suppliers of goods and services and it includes attention to Human Rights. However, it is not clear how human rights performance affects their relationship once they are already working for the Company. No further evidence found. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes positive HRs incentives for business relationships • Met: Works with EX BPs to meet HRs requirements: The 2022 Modern Slavery Statement indicates: 'During FY2022, over 400 employees and contractors, as well as employees of some of our business partners and community partners, completed our online human rights training'. The webpage section Indigenous Peoples adds: 'Cultural awareness training for our employees and contractors is implemented at all other BHP sites that operate on or near Indigenous lands. Through cultural awareness workshops and induction programs we aim to facilitate an understanding and appreciation of traditional rights and of management and protection of Indigenous cultural heritage'. [2022 Modern Slavery Statement, 2022: bhp.com] & [Indigenous Peoples_web, N/A: bhp.com]
B.1.8	Approach to engagement with affected stakeholders	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes how workers and communities identified and engaged in the last two years: The document Community Requirement indicates: 'When engaging with communities: Plan, implement, evaluate and document stakeholder engagement activities [...]. Make sure it is aligned with the regional Stakeholder Engagement Strategy. Implement a community complaints and grievances mechanism [...] and communicate to stakeholders. Monitor trends in host community issues at a frequency that enables early warning of emerging issues and social licence risks, based on risk profile. Review and update stakeholder identification and analysis annually to identify and describe the interests and relationships of stakeholders and inform engagement planning'. Those are standard requirement to all operated assets to implement actions to better understand communities. The 2022 Annual Report notes the stakeholders include:

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>employees, suppliers, customers and Indigenous peoples and other community members. However, it is not clear how the Company systematically engages periodically with affected stakeholders. [Community Requirements GLD, 29/05/2018: bhp.com] & [2022 Annual Report, 2022: bhp.com]</p> <ul style="list-style-type: none"> • Not Met: Discloses stakeholders whose HRs may be affected • Met: Provides two examples of engagement with stakeholders: In its 2022 annual report, the Company states that 'With our existing Reconciliation Action Plan (RAP) having concluded in FY2022, we commenced the development of a new FY2023–FY2027 RAP. In a commitment to moving beyond consultation, BHP has been codeveloping this new RAP with our stakeholders including, Traditional Owners, Aboriginal and Torres Strait Islander organisations, community partners and our employees across Australia. This process has involved nine separate RAP forums held across Australia. The new RAP will also align to and embed the principles of our Global Indigenous Peoples Framework.' <p>The Company further states that 'In advance of this law reform, in FY2021, BHP confirmed to Traditional Owners that we would not act on existing section 18 approvals from the Western Australian Government without further extensive consultation with the Traditional Owners. In the case of the South Flank project, BHP and the Banjima people established a Heritage Advisory Council. In the period since, the Heritage Advisory Council has met many times to consider appropriate heritage management practices in the Central Pilbara and to record this common understanding in the form of Cultural Heritage Management Plans that will guide BHP's operations at those locations.' [2022 Annual Report, 2022: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Analysis of stakeholder views on company's HRs issues • Not Met: Describes how stakeholders views influenced company's HRs approach

B.2 Human Rights Due Diligence (15% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.1	Identifying human rights risks and impacts	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes process of identifying risks in own operations: The 2022 Modern Slavery Statement makes reference to the 2021 Statement for a description of its Human Rights Impact Assessment [HRIA]. The 2021 Modern Slavery Statement indicates: 'We finalised our Human Rights Impact Assessment (HRIA) pilot project in FY2021, which resulted in a globally consistent methodology for HRIAs to be applied across each of our operated assets'. See below further description including external consultants, self-assessments and stakeholder engagement as part of the due diligence. [2022 Modern Slavery Statement, 2022: bhp.com] & [2021 Modern Slavery Statement, 2021: bhp.com] • Met: Describes process for identifying risks in EX BPs: Regarding its Due diligence and risk management in its supply chain, the 2022 Modern Slavery Statement indicates: 'We take a collaborative and risk-based approach to managing the risks of modern slavery in our supply chain'. The 2022 Modern Slavery Statement notes: 'Throughout FY2021, the Ethical Supply Chain and Transparency (ESCT) team focused on embedding and building the maturity of our ESCT due diligence program. The program is the primary preventative control to manage the risk of a human rights breach within BHP's supply chain. The program takes a risk-based approach to assessing suppliers, with extended due diligence against our Minimum requirements for suppliers conducted on suppliers that initially register as high or very high risk in the GCMS. To assess supplier risk, we conduct tailored assessments of supplier taxonomy risk in the initial screening, using existing taxonomy metrics (including Verisk Maplecroft indices), third-party data analysis and industry expertise for sector specific risk profiles'. [2022 Modern Slavery Statement, 2022: bhp.com] & [2021 Modern Slavery Statement, 2021: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Met: Describes global risk identification system incl. stakeholder consultation: As indicated above, the 2021 Modern Slavery Statement indicates the HRIA 'resulted in a globally consistent methodology for HRIAs to be applied across each of our operated assets. HRIAs were conducted by an external consultant across Minerals Australia and Minerals Americas, with self-assessments conducted at each of these operated assets. A HRIA was also conducted across the Jansen Potash Project in Canada. A review of findings and recommendations was conducted by functional subject matter experts, including for ethics and compliance, inclusion and diversity, tailings, security, procurement, cultural heritage, Indigenous employment, environment, health, safety and employee relations. [...] We undertake regular engagement with stakeholders to learn about, understand, prevent and seek to mitigate the adverse human rights impacts of our activities, from new country entry to closure. Through the HRIAs, community perception surveys and engagement with suppliers, customers and other stakeholders, including civil society [...] we continue to develop our understanding of the threats to and opportunities for respecting human rights across the Group'. [2021 Modern Slavery Statement, 2021: bhp.com] • Met: Describes how risk identification system is triggered by new circumstances: The webpage Human Rights indicates: 'We require human rights impact assessments to be conducted at least every two years (and reviewed whenever there are changes that may affect the impact profile)'. [Human Rights_web, N/A: bhp.com] • Not Met: Describes risks identified in relation to new circumstances
B.2.2	Assessing human rights risks and impacts	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes assessment process and discloses salient HRs risks: The 2022 Modern Slavery Statement indicates: 'The risks for modern slavery in the mining and metals sector primarily relate to the labour conditions in artisanal and small-scale mining, particularly in areas of conflict. According to the Verisk Maplecroft Modern Slavery Index 2022, all three countries in which we operated mining activities in FY2022 (Australia, Canada and Chile) have a low risk of modern slavery at an industry level. [...] While the risks of modern slavery in artisanal mining and small-scale mining are not directly relevant for BHP's own operated assets or our supply chain, we seek to understand and monitor the broader human rights risks related to the resources sector, including the safety and security risks with respect to artisanal and small-scale mining. In the oil and gas sector, modern slavery risks primarily relate to the conditions on board offshore supply vessels'. Also, the previous statement indicates that 'HRIAs were conducted by an external consultant across Minerals Australia and Minerals Americas, with self-assessments conducted at each of these operated assets. A HRIA was also conducted across the Jansen Potash Project in Canada'. 'We undertake regular engagement with stakeholders to learn about, understand, prevent and seek to mitigate the adverse human rights impacts of our activities, from new country entry to closure. Through the HRIAs, community perception surveys and engagement with suppliers, customers and other stakeholders, including civil society' [2022 Modern Slavery Statement, 2022: bhp.com] & [2021 Modern Slavery Statement, 2021: bhp.com] • Met: Describes how process applies to EX BPs: The 2022 Modern Slavery Statement indicates: 'We consider our supply chain is where the greatest modern slavery-related risks lie for BHP. We consider those risks in relation to the taxonomies and jurisdictions from which we procure goods and services. [...] the majority of BHP's total procurement spend for FY2022 occurred in low- or medium-risk countries,29 which reflects the fact that none of BHP's operated assets was located in a higher risk country according to the Verisk Maplecroft Modern Slavery Index 2022'. [2022 Modern Slavery Statement, 2022: bhp.com] • Met: Public disclosure of results of HRs risk assessment: Regarding salient risks in its supply chain, the 2022 Modern Slavery Statement indicates: 'We have determined that the range of BHP's most salient human rights issues and associated risks across our taxonomies includes: Labour rights, including: Forced / compulsory / bonded labour; Child labour; Wages and benefits; Working hours; Working conditions; Freedom of association; Occupational health and safety; Access to grievance mechanisms'. [2022 Modern Slavery Statement, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Meets all requirements under score 1 • Met: Describes how assessment involved affected stakeholders: The Company indicates that 'We undertake regular engagement with stakeholders to learn about, understand, prevent and seek to mitigate the adverse human rights impacts of our

Indicator Code	Indicator name	Score (out of 2)	Explanation
			activities, from new country entry to closure. Through the HRIAs, community perception surveys and engagement with suppliers, customers and other stakeholders, including civil society and investors [...], we continue to develop our understanding of the threats to and opportunities for respecting human rights across the Group. [2021 Modern Slavery Statement, 2021: bhp.com]
B.2.3	Integrating and acting on human rights risks and impact assessments	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes system to prevent, mitigate and remediate HRs issues • Not Met: Describes how global system applies to EX BPs • Not Met: Example of actions decided on at least 1 salient HRs issue: In its 2022 Modern Slavery Statement, the company indicates: 'In FY2022, our NOJV team engaged with the management of Samarco Mineração S.A (Samarco) and with the Fundação Renova (the not-for-profit, private foundation that is implementing remediation and compensatory programs with respect to the failure in 2015 of the Fundão tailings dam operated by Samarco) in relation to human rights and modern slavery issues, including through participation on boards and committees as well as BHP subject matter expert presentations to the operators' management teams'. However, no clear information was found on the actions decided to address the human rights issues. [2022 Modern Slavery Statement, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Describes how stakeholders involved in decisions about actions taken: The 2022 Modern Slavery Statement notes: 'We undertake regular engagement with stakeholders to learn about, understand, prevent and seek to mitigate the adverse human rights impacts of our activities, from new country entry to closure'. However, no details found on whether affected stakeholders are consulted in decisions about specific action plans to undertake to mitigate/remedy impacts. [2021 Modern Slavery Statement, 2021: bhp.com]
B.2.4	Tracking the effectiveness of actions to respond to human rights risks and impacts	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes system for evaluation effectiveness of actions: The 2022 Modern Slavery Statement indicates: 'BHP regularly reviews the effectiveness of our modern slavery risk management program by: investigating and analysing complaints and grievances, and reports of issues received through our mechanisms (refer to the Policies and governance section) (...); monitoring and taking onboard feedback received through industry benchmarking initiatives (...).' However, it is not clear how the Company monitors effectiveness of specific actions taken. [2022 Modern Slavery Statement, 2022: bhp.com] • Met: Example of lessons learned from evaluation effectiveness of actions: The 2022 Annual Report indicates: 'In FY2022, we used human rights impact assessments completed in FY2021 to conduct a gap analysis of each operated assets' material risk profile [...] and identified opportunities for improvement, including: better representing the human rights context and potential impacts to human rights for existing material risks, including labour conditions (such as sexual harassment and mental health) and environment (such as climate change, water and biodiversity); improving representation of specific human rights risks in our risk profile, such as risks in local procurement programs that operate' [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Involves stakeholders in evaluation effectiveness of actions
B.2.5	Communicating on human rights impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provides two examples of comms with stakeholders: The webpage section Local Communities indicates discloses different complaints and grievances including: 'In Chile, [...] Complaints about contractor behaviour included claims that certain commitments were not honoured and some local Indigenous community stakeholders raised concerns about water resources in the high Andean wetlands and greater employment opportunities at Escondida. In Canada, community concerns and complaints related to the increase in activity at the Jansen Potash Project, including routes of haul trucks and greater community support and local procurement opportunities. In Australia, key community issues centred on local employment and associated skills and labour shortages, the impact on local procurement from supply chain delays, and our COVID-19 vaccination mandate with particular mental health and wellbeing concerns raised by Traditional Owners. Community complaints also related to operational impacts, largely lighting, dust, noise, odour, emissions, blasting overpressure and vibration'. However, although the Company discloses complaints raised, no further details on how it

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>communicates with affected stakeholders in these instances found. [Local communities_web, N/A: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes challenges to effective comms and how it is working to address them: The webpage section Local Communities indicates 'in FY2022 we focused on addressing barriers that may inhibit the transparent reporting of community concerns, complaints or grievances from a variety of different perspectives, including systems, understanding and cultural or behavioural considerations. This work will continue during FY2022, with a variety of improvement opportunities identified for implementation'. However, it is not clear what are the challenges and how it is working to address them, no further description found. [Local communities_web, N/A: bhp.com]

C. Remedies and Grievance Mechanisms (20% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance mechanism(s) for workers	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Grievance mechanism accessible to all workers: The 2022 Annual Report indicates: 'We have mechanisms in place for anyone to raise a query about Our Code or make a report if they feel Our Code has been breached. EthicsPoint is our 24-hour confidential reporting tool for reporting misconduct and can be used by employees, contractors and external stakeholders, including members of the public to raise concerns about misconduct that has either happened to them or they have witnessed'. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Grievance mechanism available in appropriate languages and workers made aware: According to the 2022 Annual Report, workers are trained on provisions of the Code of Conduct which contains information on its grievance mechanisms. The Ethics Point webpage is available in 5 languages. Apart from the webpage, the Code of Conduct indicates local phone numbers for the purpose. Since they are local, it is assumed that these are created in local languages. [2022 Annual Report, 2022: bhp.com] & [Our Code, N/A: bhp.com] • Met: Describes how workers in EX BPs access grievance mechanism: As indicated above, the Ethics Point can be used by contractors. [2022 Annual Report, 2022: bhp.com] • Not Met: Expects EX BPs to convey expectation to their BPs
C.2	Grievance mechanism(s) for external individuals and communities	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Grievance mechanism accessible to all external individuals and communities: The 2022 Annual Report indicates: 'EthicsPoint is our 24-hour confidential reporting tool for reporting misconduct and can be used by employees, contractors and external stakeholders, including members of the public to raise concerns about misconduct that has either happened to them or they have witnessed'. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Grievance mechanism available in appropriate languages and affected stakeholders made aware: The Ethics Point webpage is available in 5 languages. Apart from the webpage, the Code of Conduct indicates local phone numbers for the purpose. It is assumed that these are created in local languages. However, it is not clear how affected external stakeholders at its own operations are made aware of it. [EthicsPoint_web, N/A: secure.ethicspoint.com] & [Our Code, N/A: bhp.com] • Not Met: Describes how external individuals/communities access grievance mechanism: The Minimum Requirements for Suppliers indicates: 'A supplier that has at least 100 employees must implement and monitor a functional grievance mechanism or equivalent process(es) for employees, contractors and (if applicable) host communities'. However, it is not clear all external individuals and communities have access to it, in order to raise Complaints or concerns about human rights issues at the Company's extractive business partners, as it indicates it requires a grievance mechanism for suppliers above a certain size. [Minimum requirements for suppliers, 17/05/2022: bhp.com] • Not Met: Expects EX BPs to convey expectation to their BPs
C.3	Users are involved in the design and performance of the mechanism(s)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes how users engaged on design and performance • Not Met: Provides user engagement examples (at least two) on design and performance

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes how users engaged on improvement of mechanism: The 2022 Modern Slavery Statement indicates: ‘As reported in our FY2021 Statement, to ensure our local level community complaints and grievance mechanisms are culturally appropriate and accessible to all stakeholders, including Indigenous peoples, we conducted a project in FY2021 to identify globally consistent principles for grievance mechanisms. These principles align with the UNGPs and apply to how we develop the complaints and grievance mechanisms to ensure any relevant social contexts are considered. In FY2022, we continued to evaluate feedback from our stakeholders, external experts and internal teams on how to make our complaints and grievance mechanisms more accessible and our internal culture and processes more effective in recognising concerns that have a human rights connection. We plan to embed this feedback in our approach by the end of FY2023’. It is not clear, however, whether it contacted actual or potential users on the improvement of the mechanisms, as evidence refers to ‘stakeholders’, and no particular detail was found on whether these include users. [2022 Modern Slavery Statement, 2022: bhp.com] • Not Met: Provides user engagement examples (at least two) on improvement
C.4	Procedures related to the mechanism(s) are equitable, publicly available and explained	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes procedure and timescales for managing complaints or concerns: The EthicsPoint FAQs indicates: ‘The Ethics team will respond to all new reports in a timely manner. Any report that is to be investigated, will be undertaken respectfully, efficiently and thoroughly by the relevant investigator. Each investigation is unique and therefore the time taken to investigate will vary for each report. [...] You will be notified via EthicsPoint when you report is closed. Reports are closed when the investigation is complete, or the investigation cannot proceed further. You will be able to view and respond to your report for up to thirty days after the report is closed’. However, no details found in relation to response timescales (even if orientated time-frames). [Ethics Point FAQ, N/A: secure.ethicspoint.com] • Not Met: Describes technical, financial, advisory support to enable equal access <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describe types of outcome to complainant through use of mechanism: Regarding Investigation outcomes, the EthicsPoint FAQs indicates: ‘If a breach of Our Code occurs, this will likely result in disciplinary action. We recognise the importance of transparency, therefore we will share as much detail as appropriate within the bounds of the law. You may not receive all the details about how your report was investigated, the detailed findings or disciplinary action. This is to ensure that the privacy of all individuals associated with the report are protected’. However, it is not clear the type of outcomes to the complainant through use of the grievance mechanism. [Ethics Point FAQ, N/A: secure.ethicspoint.com] • Not Met: Describes escalation to senior levels / independent adjudicators: The EthicsPoint FAQs indicates: ‘Our independent Ethics team will [...] assess the incident so that there is an appropriate escalation and response. [...] It is important to continuously access your EthicsPoint report using your unique report key and password, to: Respond to questions from the Ethics team who may need to clarify aspects of your report to determine the most appropriate escalation or investigator’. However, it is not clear how complaints or concerns for workers and all external individuals and communities may be escalated to more senior levels or independent third party adjudicators or mediators to challenge the process or outcome at the complainant’s discretion. [Ethics Point FAQ, N/A: secure.ethicspoint.com]
C.5	Prohibition of retaliation for raising complaints or concerns	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Public statement prohibiting retaliation against workers/stakeholders: The Code of Conduct [Our Code] indicates: ‘we won’t tolerate retaliation against anyone who raises a concern’. [Our Code, N/A: bhp.com] • Met: Describes practical measures to prevent retaliation: The Code of Conduct [Our Code] indicates: ‘If you’ve chosen to make an anonymous report, we will respect your decision’. [Our Code, N/A: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Specifies no legal action, firing or violence: The Company states in its Whistleblower Policy ‘BHP will not tolerate any detriment that is inflicted or threatened to be inflicted on an individual because they or someone else has made a report, or because someone suspects that the individual or someone else might or could make a report, regardless of whether they have or are intending to do so. Examples of what may be considered detriment include: a) retaliation, dismissal,

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>suspension, demotion, or terminating a person's engagement with BHP; b) harassment, threats or intimidation; c) discrimination, subject to current or future bias, or derogatory treatment; d) injury in employment, and harm including psychological harm; or e) damage or threats to the property, business, financial position or reputation.' [Whistleblower Policy, 2019: bhp.com]</p> <ul style="list-style-type: none"> • Not Met: Expects EX BPs to prohibit retaliation against workers/stakeholders: The Code of Conduct [Our Code] indicates: 'we won't tolerate retaliation against anyone who raises a concern'. It also applies for contractors. However, it is not clear this prohibition of retaliation also covers individual stakeholders and communities at extractive business partners level, as it is not clear the mechanism is open to them. [Our Code, N/A: bhp.com]
C.6	Company involvement with state-based judicial and non-judicial grievance mechanisms	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Complainants not asked to waive legal rights: The document Community Requirement indicates the grievance mechanism 'must not impede access to judicial or administrative remedies'. However, it is not clear it does not require affected individuals or communities participating in a grievance process to permanently waive their legal rights to bring a claim through a judicial or non-judicial process as a condition of participating in the grievance process. [Community Requirements GLD, 29/05/2018: bhp.com] • Not Met: Does not require confidentiality provisions <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Cooperates with state based non judicial mechanisms • Not Met: Example of issue resolved (if applicable): Regarding the case of Fundão dam failure [Brazil], the Company indicates that 'BHP Group Limited, BHP Group (UK) Ltd (formerly BHP Group Plc) and BHP Brasil are involved in legal proceedings relating to the Samarco dam failure'. The Company discloses details of the different litigation processes, including: Contingent liabilities, Federal Public Prosecution Office claim, Australian class action complaint, United Kingdom group action complaint, Criminal charges, Civil public action commenced by Associations concerning the use of Tanfloc for water treatment and Other claims. The case is not yet closed. However, this subindicator looks for an example issues resolved through a state-based non-judicial mechanism. [2022 Annual Report, 2022: bhp.com]
C.7	Remedying adverse impacts	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes approach taken to remedy adverse HRs impacts: The 2022 Modern Slavery Statement indicates: 'A non-compliance regarding regular employment was identified in a country in Asia through the FY2022 audit program, where foreign workers at a supplier's manufacturing facility were charged recruitment fees by the sourcing agent in their home country. The supplier sought to proactively address the matter and is reimbursing the workers. The precise amount of the recruitment fee was not able to be substantiated so a reasonable approximation based on a range provided by the various affected workers is being repaid. The supplier has adopted a position that they will only recruit in the future through companies which do not charge the relevant worker a fee, and instead charge the employer'. [2022 Modern Slavery Statement, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Describes changes to systems, processes and practices to prevent future impacts: The 2022 Modern Slavery Statement indicates: 'During the FY2022 audit program, a potential issue was identified through the SMETA process in a country in Asia where a direct supplier's manufacturing site was located. Management at the site retained the passports of foreign workers in the administration building adjacent to the worker dormitories. A selection of foreign workers [...] indicated that their passports were kept on their behalf for safekeeping. [...] The workers stated that they prefer management to retain their passport on their behalf for safety reasons. The supplier was proactive in addressing this matter and has implemented a formal passport safekeeping and request procedure which also clarifies the process for 24-hour access to retrieve a passport in the case of an emergency. For the supplier to hold a passport for safekeeping, a signed consent (in English and the worker's native language) is also now required'. [2022 Modern Slavery Statement, 2022: bhp.com] • Met: Describes approach to monitoring/implementing agreed remedy: See above. The 2022 Modern Slavery Statement adds, following the solution described above that: 'As part of the ESCT [Ethical Supply Chain and Transparency] program, the ESCT team will check implementation of the controls that have been implemented'. [2022 Modern Slavery Statement, 2022: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.8	Communication on the effectiveness of grievance mechanism(s) and incorporating lessons learned	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Discloses number of grievances filed, addressed or resolved and outcomes achieved: The 2022 Annual Report indicates: 'In FY2022, 5,402 reports were received into EthicsPoint (of these 4,714 were classified as business conduct concerns) representing an increase of 33 per cent in business conduct concerns from FY2021. These include reports directly made by employees, contractors or community members. It also includes reports made to leaders (31 per cent) who are then required to register them in EthicsPoint'. The Company also reports on sexual aggression related grievances. As for community grievances, it notes: 'There were 50 community concerns and 106 complaints (five of which were classified as grievances)³ received globally across our operated assets through our local complaints and grievance mechanisms'. It indicates different examples of complaints. However, no further information found including the number of grievances about human rights issues filed, addressed or resolved and outcomes achieved for its own workers, for external individuals and communities. [2022 Annual Report, 2022: bhp.com] • Not Met: Example of how lessons from mechanism improved HRs management system <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes process to evaluate mechanism and changes made as a result • Not Met: Describes procedures to address delays of outcomes agreed with stakeholders

D. Performance: Company Human Rights Practices (25% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.1	Living wage (in own extractive operations, which includes JVs)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Pays living wage or sets time-bound target: The Minimum Requirements for Suppliers indicates: 'In nation states where no minimum wage legislation exists, the supplier must seek to establish a living wage that provides an adequate standard of living for all its employees and their dependants'. However, it is not clear the Company has a time bound target for paying all workers a living wage or that it pays all workers a living wage [within its operations]. A living wage should include basic needs plus some discretionary for employees and his/her family and/or depends. • Not Met: Describes how living wage determined <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Achieved paying living wage • Not Met: Reviews definition living wage with unions
D.3.2	Transparency and accountability (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Member of EITI: The webpage section Operating Ethically indicates: 'BHP has been a supporter of the Extractive Industries Transparency Initiative (EITI) since its inception in 2002'. The 2022 Annual Report also adds that the Company has 'representation on the Board of the EITI'. [Operating Ethically_web, N/A: bhp.com] & [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Reports taxes and revenue by country: The Company publishes an Economic Contribution Report. The report includes country-by-country reports of its payments to governments in 2022: 'We began our journey of voluntarily disclosing our payments of taxes and royalties in 2000 when we first disclosed these payments in our annual Sustainability Report. Since then, we have progressively increased the detail of these annual disclosures meeting global and local tax transparency requirements but also voluntarily disclosing additional information above these requirements. [...] We voluntarily disclose additional information, including our total direct economic contribution, profit/(loss), number of employees and contractors, effective tax rates in the key countries where we operate for the current year and reconciliation data. We also provide information in relation to a number of existing subsidiary companies, primarily established for historical reasons, in 'tax haven' countries'. [2022 Economic Contribution Report, 2022: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.3	Freedom of association and collective bargaining (in own extractive operations, which includes JVs)	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Measures to prohibit violence/retaliation against workers for joining trade union: The Company states in its 'Minimum requirements for suppliers' that 'The supplier must: adopt an open attitude towards the legitimate activities of trade unions; allow their workers' representatives to carry out their legitimate representative functions in the workplace and not be discriminated against.' However, there are no indications of these measures in the Company's own operations. [Minimum requirements for suppliers, 17/05/2022: bhp.com] • Met: Discloses % of total direct operations covered by CB agreements: The 2022 Modern Slavery Statement indicates '50.9% of active employee workforce on collective bargaining agreements'. [2022 Modern Slavery Statement, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets both requirements under score 1
D.3.4	Health and safety: Fatalities, lost days, injury, occupational disease rates (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes process to identify H&S risks and impacts: The Company has a document where it establishes Safety risk management: 'Comply with BHP's mandatory minimum performance requirements for risk management to manage safety risks with a fatality potential. Implement safety risk controls, based on the assessment of the risks identified, using the hierarchy of controls (elimination, substitution, separation, engineering, administrative, personal protective equipment) in: design and construction of new operations, facilities and equipment; changes to existing operations, facilities and equipment; design, planning, scheduling and execution of work'. [Safety Requirements, 10/05/2021: bhp.com] • Met: Discloses injury rate or lost days for last reporting period: The 'Total recordable injury frequency' for employees was 0.77 and for contractors 0.82 in 2022. [2022 Annual Report, 2022: bhp.com] • Met: Discloses fatalities for last reporting period: The 2022 Annual Report indicates: 'In FY2022, we recorded: no fatalities at BHP'. [2022 Annual Report, 2022: bhp.com] • Met: Discloses occupational disease rate for last reporting period: The 2022 Annual Report indicates: 'The reported occurrence of occupational illness for employees in FY2022 was 265, which was 3.89 per million hours worked, representing a decrease in incidence compared to FY2021, which was 4.36 per million hours worked'. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Set targets for H&S performance: The 2022 Annual Report indicates its targets: 'Zero work-related fatalities, [...] Year-on-year improvement of total recordable injury frequency (TRIF) 4 per million hours worked, [...] 50 per cent reduction in the number of workers potentially exposed to our most material exposures of diesel particulate matter, respirable silica and coal mine dust compared to our FY20176 baseline by FY2022'. [2022 Annual Report, 2022: bhp.com] • Met: Met targets or explains why not or actions to improve H&S management systems: It discloses the FY2022 results in relation to the targets above mentioned: 'Zero work-related fatalities and there was a 30 per cent decrease in the high potential injury frequency rate from FY2021. High-potential injury trends remain a primary focus to assess progress against our most important safety objective, eliminating fatalities. [...] An increase in total recordable injury frequency (TRIF) of 8 per cent from FY2021. This shift was influenced by COVID-19 through an 8 per cent reduction in hours worked between the first and second halves of FY2022. TRIF has decreased by 9 per cent since FY2018. [...] We exceeded our target by reducing the total number of workers potentially exposed to our most material exposures by 68 per cent compared to our adjusted FY2017 baseline'. [2022 Annual Report, 2022: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.5	Indigenous peoples' rights and free prior and informed consent (FPIC) (in own extractive operations, which includes JVs)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Process to identify/recognise indigenous rights holders: The Indigenous Peoples Policy indicates: 'We will seek out Indigenous voices, values, knowledge and perspectives in the way we work. We will connect with Indigenous Peoples to better appreciate the historical, legal, social, environmental, cultural and political landscape where we operate or seek to operate, and how to better manage the environment we share. These voices, values, knowledge and perspectives will contribute to the design and implementation of our rights-based approach to understand and aim to mitigate the potential impacts of our activities and collaboratively define and realise opportunities. We will establish formal opportunities for Indigenous Peoples to advise on policies and processes to combat racism and prejudice, eliminate discrimination and promote respect and understanding in our workforce. [...] We will engage early and support meaningful dialogue by sharing knowledge and information both ways and ensure our processes allow for active participation in appropriate aspects of the design, implementation and monitoring of plans that impact Indigenous Peoples. This engagement and co-design process will also seek to recognise and incorporate broader stakeholder involvement.' However, a description of the actual process used was not found. [Indigenous Peoples Policy Statement, 09/11/2022: bhp.com] • Met: Describes how indigenous communities are engaged during assessment: As indicated above, the Company develops processes for engagement with indigenous 'who are likely to be significantly impacted by our activities'. 'The 2022 Annual Report indicates: 'New senior Indigenous leaders have been appointed and are actively working with the regional teams to support our approach to cultural heritage management, agreement-making, procurement, employment and social investment – all of which are core components of our Global Indigenous Peoples Framework'. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to FPIC: The Indigenous Peoples Policy Statement indicates: 'We respect Indigenous Peoples' right to consultation and recognise FPIC as an important process to safeguard the collective rights of Indigenous Peoples'. However, 'recognising as an important process' is not considered a statement of commitment by CHRB. [Indigenous Peoples Policy Statement, 09/11/2022: bhp.com] • Not Met: Recent example of obtaining FPIC or not pursuing indigenous people's land/resources
D.3.6	Land rights: Land acquisition (in own extractive operations, which includes JVs)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes approach to identifying land tenure rights holders and negotiating compensation <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes approach to compensation including valuation: The 2022 Annual Report indicates: 'One of Fundação Renova's priorities is the resettlement of the communities of Bento Rodrigues, Paracatu de Baixo and Gesteira. This involves ongoing engagement and consultation with a large number of stakeholders, including the affected community members, their technical advisers, state prosecutors, municipal leaders, regulators and other interested parties. The resettlement process for Bento Rodrigues and Paracatu de Baixo involves designing new towns on land chosen by the communities, to be as close as possible to the previous layout, attending to the wishes and needs of the families and communities, while also meeting permitting requirements. [...] At Gesteira, Fundação Renova offered the families a payment solution in which they would be able to purchase property through a 'letter of credit'. Most families of Gesteira have chosen this option, and the 12th Federal Court has ratified their agreements. Some families have chosen not to join the resettlement of their previous community and instead resettle elsewhere. For these families, 88 houses and plots have been purchased, built and/or renovated, and 13 are under construction or renovation as at 30 June 2022. Other families have opted for a cash payment in lieu of any of the other resettlement solutions offered by Fundação Renova'. However, it is not clear the valuation methods and how legitimate tenure rights holders were involved in the determining the valuation. [2022 Annual Report, 2022: bhp.com] • Not Met: Describes steps to meet IFC PS 5 in state deals: The webpage section Human Rights indicates: 'Any resettlements necessary for the conduct of our business must be carried out under a resettlement action plan that aligns with the requirements of the International Finance Corporation's Performance Standard 5: Land Acquisition and Involuntary Resettlement'. However, no description of the steps it takes. [Human Rights_web, N/A: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.7	Security (in own extractive operations, which includes JVs)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes security implementation (incl. VPs or ICOC) and provides an example: Regarding its security risk management, the 2021 Annual Report indicates: 'We use security controls and mandatory minimum performance requirements to reduce the likelihood of security risks materialising and mitigate their impact if they do. We support this with external environment monitoring, including through our enterprise emerging risk process, to identify changes in the external environment that could shift our exposure to security threats across the jurisdictions where we operate. BHP is committed to aligning with the Voluntary Principles on Security and Human Rights and sets mandatory minimum performance requirements for our operated assets, to support implementation of these principles. [...] To respond to this shifting external landscape, in FY2022 we established a new Group Security function, to provide additional expertise and support to the business and conduct assurance over security risk management globally. Priorities for the function include revising our security framework, to refresh BHP's mandatory minimum global security requirements and developing a consistent taxonomy for defining and categorising security threats. This is designed to support robust security risk identification across our operated assets and functions. The team will also build upon its existing network of intelligence sources in FY2023, by establishing an integrated approach to threat intelligence. This will provide decisionmakers with a tailored and consolidated view of security insights and support risk informed decisions'. [2022 Annual Report, 2022: bhp.com] • Not Met: Ensures Business Partners/JVs follow security approach: The Company states that 'The supplier must ensure that any public or private security forces engaged manage security in a way that is lawful and respects fundamental freedoms and human rights of all stakeholders.' However, there is no indication of how the Company ensures business partners follow a security approach equivalent to its own. [Minimum requirements for suppliers, 17/05/2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Security and HRs assessment includes input from local communities • Not Met: Two examples of working with local communities to improve security
D.3.8	Water and sanitation (in own extractive operations, which includes JVs)	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes preventative/corrective action plans for water and sanitation risks: The 2022 Annual Report indicates: 'In FY2017, we adopted a Water Stewardship Strategy to improve our management of water, increase transparency and contribute to the resolution of shared water challenges. [...] In recognition of the variation of challenges and opportunities across the regions where we operate, we committed in our Water Stewardship Position Statement to developing context-based water targets (CBWTs). These CBWTs are intended to contribute more effectively to addressing the shared water challenges in our operating regions. During FY2022, we engaged third parties to review publicly available information and engage with stakeholders to identify shared water challenges through Water Resource Situation Analyses (WRSAs). We also began development of CBWTs for each of our operated assets, which are informed by BHP's view of water-related risks in the catchments and by the shared water challenges identified in the WRSAs'. The webpage section Water discloses a table which summarises the operational water-related risks that the Company has identified across our operated assets, it includes water access sanitation and hygiene, water quality and water security. It then discloses management actions to tackle each of the risks found. As for instance, to address water security, in 'Our operational water-related risks': 'An adequate understanding of technical aspects of the water resource, hydrological conditions and/or long-term changes in water availability and management is critical to ensure ongoing supply. In addition, understanding demand through water balances, predictive modelling and monitoring is central to effective water security. Many of the controls in place for the management of catchment risk are applied for management of water security risks. [...] We seek to use lower-quality water where feasible and recover and recycle water to reduce freshwater requirements. Water infrastructure needs to be: designed and constructed to meet internal and external standards; regularly inspected and maintained operated within set parameters; regularly monitored with processes to respond to monitoring; Regular maintenance of water infrastructure, such as treatment plants, pipelines and tanks, is critical to ensure that water is adequate for our operated assets, both in quantity and quality'. [2022 Annual Report, 2022: bhp.com] & [Water_web, N/A: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Met: Sets targets on water stewardship that consider water use by local communities: The webpage section Water indicates: 'In FY2017, we announced a five-year Group-wide water target to reduce FY2022 freshwater withdrawal by 15 per cent from FY2017 levels across our operated assets. [...] The FY2022 target was developed taking into account each of our operated assets' circumstances, the potential to reduce fresh water use and the operated asset's potential level of contribution to a BHP water target. The target focused on the use of fresh water because it is usually the most critical water resource for the communities where we operate and the environment and is limited globally. Fresh water has significant direct use by society as it provides drinking water and water for amenities and recreation and it is important in enabling terrestrial environment to sustain ecosystem functionality. Therefore, elimination or reduction of risk and stress to freshwater resources has benefits to all'. [Water_web, N/A: bhp.com] • Met: Reports progress in meeting targets and trends demonstrating progress: The FY2018 to FY2022 target was exceeded with a 29 per cent reduction of freshwater withdrawal from adjusted FY20217 levels across our operated assets'. The 2022 Appendix 4E discloses the performance against freshwater withdrawal reduction target for the past six FY demonstrating decrease in freshwater usage. [Water_web, N/A: bhp.com] & [2022 Appendix, 2022: bhp.com]
D.3.9	Women's rights (in own extractive operations, which include JVs)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes processes to stop harassment and violence against women: The 2022 Annual Report indicates: 'In 2018, we defined sexual harassment as a health and safety risk, to be overseen in the same way as other occupational health and safety risks. This approach provides the right framework for addressing these behaviours, allowing us to apply a systematic, risk-based approach to evaluating and managing the risks. Our approach includes conducting risk assessments to identify scenarios in which sexual harassment risks may arise, their causes and the controls we can implement to prevent them and reduce harm. [...] we identified and developed controls and actions to help prevent sexual harassment and reduce its harmful impacts. Our core controls and areas for action are culture, leadership and training; security measures at accommodation villages; recruitment processes; contractor and third-party engagement; emergency response; trauma informed (wellbeing) care; accessible, confidential reporting and person-centred investigations; and appropriate disciplinary action. [...] We continue to work with external experts on how best to respond to cases [of sexual harassment] to ensure we have a proportionate approach to reports. We put the needs of anyone impacted by this behaviour at the forefront of our processes and we are committed to validating, caring for and supporting anyone in our business who is affected by this behaviour. This includes internal practical and wellbeing support mechanisms, support through our tailored Employee Assistance Program and options to access trauma-specific clinical and non-clinical care with experienced clinicians'. [2022 Annual Report, 2022: bhp.com] • Not Met: Working conditions take into account gender issues • Not Met: Measures and steps to address gender pay gap at all levels of employment: The 2022 Annual Report indicates: 'Our aspiration is to achieve gender balance (which we define as a minimum 40 per cent women and 40 per cent men in line with the definition used by entities such as the International Labour Organization) on our Board. Currently 33 per cent of our Directors are female and following Malcolm Broomhead and John Mogford's retirement from the Board after the 2022 AGM, this will be 40 per cent. We continue to consider other aspects of diversity as part of our ongoing Board succession planning. [...] We increased the representation of women working at BHP in FY2022 by 2.5 percentage points, with almost 8,000 more female employees at the end of the year than in 2016. At 30 June 2022, women represented 32.3 per cent of our employee workforce, up from 17.6 per cent when we set our aspirational goal'. However, it is not clear how it measures and takes steps to address any gender pay gap throughout all levels of employment. [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Provides analysis of trends demonstrating closing gender pay gap

E. Performance: Responses to Serious Allegations (20% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(1).0	Serious allegation No 1		<ul style="list-style-type: none"> • Area: Land rights; Right to security of persons • Headline: Colombia's Constitutional Court decided to suspend Cerrejon's permit to divert stream over lack of consultations with local indigenous groups. • Story: BHP Billiton is a joint-venture partner (with Glencore and Anglo American) in the Cerrejon coal mine in Colombia. On August 21, 2017 Colombia's Constitutional Court suspended Cerrejon's permit to divert a stream because of inadequate consultation with local indigenous groups. The court postponed the start of mining activity towards the natural course of Bruno Creek for a period of three months while it considered an application for the protection of constitutional rights (tutela) relating to the communities of La Horqueta, Paradero and Gran Parada. In November the court found the project to divert the river would indeed threaten fundamental rights. The Constitutional Court also ordered that works continue on the maintenance, stabilization, and preservation of the new course in accordance with the respective environmental plan and the authorizations granted by the environmental authorities. It is also alleged that the transnational mining conglomerate Carbones del Cerrejón, who owns the El Cerrejón mine, consumes 24 million litres of water per day in a department like Guajira where 87 percent is desert. The population is experiencing a dramatic shortage of water, which in the last two years has reportedly caused the death of hundreds of children due to malnutrition and the diseases caused by water scarcity. In February 2019, indigenous and afro-descendent communities in the state of La Guajira launched a legal challenge against a recent modification of the environmental license for the Cerrejón coal mine. They argued that the alteration was carried out without an Environmental Impact Assessment, and requested the suspension of any further alteration of the license that would allow an expansion of mining activities. Jakeline Romero, a plaintiff from the community organisation, Fuerza de Mujeres Wayúu, said that the mine has impacted on the health of the Wayúu people, as well as impacting on the environment and access to water. The legal team claimed that the expansion of the mine would exacerbate the current humanitarian crisis in La Guajira caused by the mine, including a loss of food security and lack of access to water that has influenced the deaths of 5,000 children and malnutrition of 40,000. The Indigenous Wayuu people of Colombia have also alleged that when the Cerrejon coal mine opened the river they rely on to grow crops began to dry up and became contaminated. The Guardian also stated in an October 2018 article that: "In the neighbouring department of El Cesar, three Drummond mine union leaders were murdered in 2001. More recently in La Guajira, activists who resist Cerrejón's expansion plans have received renewed death threats. Despite the 2016 Colombian Peace Agreement, there has been a spike in assassinations of social leaders nationwide. At least 123 were murdered in the first six months of 2018". <p>In January 2021, a coalition of human rights and environmental NGOs led by the Global Legal Action Network (GLAN) demanded before the Organization for Economic Co-operation and Development the closure of the Cerrejón coal project in Colombia. The activists filed simultaneous complaints before the OECD National Contact Points in Australia, Ireland, Switzerland and the UK, alleging "serious human rights abuses and devastating environmental pollution" at Cerrejón. [Mines and Communities, 27/02/2016, "Cerrejon Coal: brutal evictions of villagers resisting relocation": londonminingnetwork.org] [The Business & Human Rights Resource Centre, 02/03/2019, "Colombia: Indigenous communities file lawsuit over lack of impact assessment in alteration of environmental license for Cerrejón coal mine; concerned at impact on health of locals": business-humanrights.org] [London Mining Weekly, 28/01/2022, "OECD accepts complaints against Anglo American, BHP and Glencore at Cerrejón": londonminingnetwork.org] [GLAN, 20/12/2022, "Human Rights & Environmental harms at Cerrejón Mine": w]</p>
E(1).1	The company has responded publicly to the allegation	1	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> • Met: Public response: BHP accepted an invitation from the AusNCP to respond to the OECD Complaint, and denied the allegations made by the Complainant. In particular, the company disagreed with GLAN's position according to which BHP, Glencore and Anglo American are part of a 'multinational enterprise' against which the Complaint is made. BHP's response alleged 'Cerrejón is not a subsidiary of BHP, is not under the control of BHP and is not subject to BHP policies and

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>procedures. Each of BHP, Anglo American and Glencore are separately managed and controlled enterprises, with their own separate policies, procedures and governance frameworks, and none of these companies has any control over the activities which are separately conducted by any other group. For completeness, Cerrejón also clearly does not have any control over the activities of BHP. For these reasons, BHP does not accept the Complainant's characterisation of Cerrejón and the Shareholders as a single enterprise'. [Australian National Contact Point, 10/01/2022, "Initial Assessment - Complaint by Global Legal Action Network (GLAN) against Anglo American Plc, BHP Group Ltd and Glencore International": ausncp.gov.au]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Detailed response: The Company in its response merely denied the allegations made by the complainant and presented objections to the complaint based solely on formal/procedural issues but did not go into the merits of the matter (see above). The Company maintained that there is no relevant link between the company and the human rights impacts because of the corporate structure between the companies. Therefore, the company's response cannot be considered detailed because it does not address any of the substantive aspects of the allegation. [Australian National Contact Point, 10/01/2022: ausncp.gov.au]
E(1).2	The company has investigated and taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Engaged with stakeholders: There is no evidence that Cerrejon has investigated the underlying causes of water shortages or food security. There has been stakeholder engagement through community consultations, however, those were directed at resettlement issues. There is no evidence suggesting the company has engaged with the affected stakeholders regarding the death threats against activists. <p>In response to the OECD complaint, Cerrejon stated: "We have a large number of commitments in place, agreed with the communities themselves, to address legacy issues in a way that is in line with current international standards and that also seeks to respond to community expectations for the future." However, Cerrejon did not specify what these commitments consist of.</p> <p>[Cerrejon, 29/01/2019, "Letter regarding Roche Community": business-humanrights.org] [Cerrejon, 16/08/2019, "Cerrejón reports on partial diversion of Bruno Creek and application of constitutional court ruling": cerrejon.com] [Mining.com, 20/01/2021, "NGOs file complaint before OECD, demand closure of Cerrejón coal mine in Colombia": mining.com]</p> <ul style="list-style-type: none"> • Not Met: Identified cause: Cerrejon conducted community consultations regarding resettlement issues, however, it did not present investigative results regarding the underlying issues of the events. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Identified and implemented improvements: In its Submissions to AusNCP, 5 July 2021, BHP has also indicated various actions it has taken – alone and also in association with Anglo American and Glencore - which 'seek to influence Cerrejón to operate in accordance with best industry practices and international standards, including the OECD Guidelines'. However, this submission is not publicly available. <p>Since the submission of the OECD Complaint, BHP announced that it had entered into an agreement for the sale of its one-third interest in Cerrejón to Glencore. However, the sale of holdings cannot be considered an 'improvement' relevant to the methodology - intended to improve the human rights situation related to Cerrejon's activity. Moreover, as clarified by GLAN, companies' responsibilities for past harms are not affected by this share transfer'. [Australian National Contact Point, 10/01/2022: ausncp.gov.au]</p> <ul style="list-style-type: none"> • Not Met: Stakeholder input to steps taken
E(1).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provided remedy: The letter from Cerrejon's Lina Echeverri, states that internal conflicts between the Roche Black Afro-descendent Community Council and its legal representatives resulted in "a situation preventing an agreement being reached" of which subsequently the Ministry of the Interior officially protocolised the consultation without an agreement. The letter states "We understand that, with this result, the expectation of many families who hoped to

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>gain access to the compensations and indemnification have not been met". On the basis of this evidence no remedy has been provided to the affected community stakeholders.</p> <p>[Cerreon, 29/01/2019: business-humanrights.org]</p> <ul style="list-style-type: none"> • Not Met: Evidence for lack of Impact or link <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Remedy satisfactory to stakeholders • Not Met: Remedy delivered • Not Met: Independent remedy process used
E(2).0	Serious allegation No 2		<ul style="list-style-type: none"> • Area: Health & Safety; Right to safe, clean, healthy and sustainable environment <p>• Headline: Samarco dam burst: BHP and Vale's subsidiary, Samarco Mineraço, faced opposition from protesters over resettlements in Brazil</p> <p>• Story: On 5 November 2015, a dam holding back waste water from the Germano iron ore mine in Brazil burst, causing mudslides that engulfed a nearby town and killed at least 16 people. The mine is owned by Samarco, a joint venture between Vale and BHP Billiton. In February 2016, it was reported that Brazilian authorities had charged the president of Samarco and six others – five Samarco executives and one contractor - with homicide over the dam disaster. An official report by the Brazilian police into the incident concluded that it was caused by excess water in the dam, lack of proper monitoring, faulty equipment and failure of the drainage system. It discarded the possibility of any minor earthquakes during the incident and said that Samarco's emergency plan to warn nearby villagers was insufficient.</p> <p>In March 2018, IndustriALL along with other trade unions filed a OECD complaint with the UK NCP. According to the labour organizations, the companies failed to provide adequate remedy and establish a legitimate remediation process that involves affected communities and workers.</p> <p>In June 25th, 2018, Samarco and parent companies Vale and BHP Billiton have signed a deal with Brazilian authorities to settle a BRL 20 billion (USD 5.3 billion) lawsuit related to Samarco disaster. Under this agreement, the companies agreed to establish a fund for clean-up costs and remediation and for compensation of impacts relating to the Fundão tailings dam failure. The agreement settled the billion Civil Claim, enhances community participation in decisions related to the remediation and compensation programs under the Framework Agreement (Programs), and establishes a process to renegotiate those Programs over two years and to progress settlement of the BRL155 billion (USD 41 billion) Civil Claim (Governance Agreement).</p> <p>In March 2018, IndustriALL along with other trade unions filed a OECD complaint with the UK NCP. According to the labour organizations, the companies failed to provide adequate remedy and establish a legitimate remediation process that involves affected communities and workers.</p> <p>In November 2018, more than 240,000 plaintiffs, including Brazilian municipalities and Krenak indigenous communities, filed a lawsuit at the UK High Court in Liverpool against BHP Billiton. The lawsuit seeks compensation for damages caused by the dam collapse.</p> <p>Additionally, In May 2018, shareholders filed lawsuits against BHP Billiton in Australia, alleging that the company misled them as it was aware of the safety risks prior to the disaster. In December 2018, one of the suits was allowed to proceed. In August 2018, the company settled a similar lawsuit filed by US shareholders, agreeing to a \$67 mln. compensation without admitting liability.</p> <p>In March 2019, court documents have been revealed, alleging that Samarco executives and board members, including BHP and Vale-appointed directors, were aware of significant problems at their jointly-owned Samarco dam years before it burst. These court documents include board meeting minutes and expert reports. [The Guardian, 08/11/2015, "Brazil dam burst: BHP boss to inspect disaster zone with dozens still missing": theguardian.com] [Brisbane Times, 03/03/2019, "'Profit before people': documents allege BHP execs were warned over deadly dam": smh.com.au] [The Guardian, 11/08/2022, "Victims of Brazil's worst environmental</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			disaster to get day in UK courts": theguardian.com] [Reuters, 05/11/2021, "Protesters block entrance to Samarco mine over Mariana disaster": reuters.com]
E(2).1	The Company has responded publicly to the allegation	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Public response: In response to the allegation, the company stated: "BHP Brasil has been and remains fully committed to supporting the extensive ongoing remediation and compensation efforts of Fundação Renova in Brasil. The Framework Agreement entered into between Samarco, Vale and BHP Brasil and the relevant Brazilian authorities in March 2016 established Fundação Renova, a not-for-profit, private foundation that is implementing 42 remediation and compensatory programs. BHP Brasil provides support to Fundação Renova, including through representation on the foundation's governance structures" [2022 Annual Report, 2022: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Detailed response: The company stated: "On 5 November 2015, the Fundão tailings dam operated by Samarco Mineração S.A. (Samarco) failed. Samarco is a non-operated joint venture (NOJV) owned by BHP Billiton Brasil Ltda (BHP Brasil) and Vale S.A. (Vale), with each having a 50 per cent shareholding. A significant volume of tailings (39.2 million cubic metres) resulting from the iron ore beneficiation process was released. Tragically, 19 people died – five community members and 14 people who were working on the dam. The communities of Bento Rodrigues, Paracatu de Baixo and Gesteira were flooded and other communities and the environment downstream in the Rio Doce basin were also affected. Samarco restarted its operations at a reduced production level in December 2020". [2022 Annual Report, 2022: bhp.com]
E(2).2	The company has investigated and taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Engaged with stakeholders: The Company states that 'One of Fundação Renova's priorities is the resettlement of the communities of Bento Rodrigues, Paracatu de Baixo and Gesteira. This involves ongoing engagement and consultation with a large number of stakeholders, including the affected community members, their technical advisers, state prosecutors, municipal leaders, regulators and other interested parties.' However, no evidence was found that the Company engaged with the affected stakeholders with regard to the investigation into the root causes of the event. The engagement described by the Company does not meet the requirements for this indicator. [2022 Annual Report, 2022: bhp.com] • Not Met: Identified cause: The company does not present investigative results on the underlying causes of the events concerned. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Identified and implemented improvements: There is no evidence that the company made changes to its management systems following the events and their human rights impacts. • Not Met: Stakeholder input to steps taken: See above.
E(2).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Provided remedy: The company stated: "The Framework Agreement entered into between Samarco, Vale and BHP Brasil and the relevant Brazilian authorities in March 2016 established Fundação Renova, a not-for-profit, private foundation that is implementing 42 remediation and compensatory programs. BHP Brasil provides support to Fundação Renova, including through representation on the foundation's governance structures. To 30 June 2022, BHP Brasil has provided US\$1.8 billion to fund Framework Agreement programs when Samarco has been unable to do so". [2022 Annual Report, 2022: bhp.com] • Not Met: Evidence for lack of Impact or link <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Remedy satisfactory to stakeholders: There are a lot of people that are still protesting against BHP Group and Samarco. Furthermore, some families have chosen not to join the resettlement of their previous community and instead resettle elsewhere. [Reuters, 05/11/2021: reuters.com] [2022 Annual Report, 2022: bhp.com] • Met: Remedy delivered: The company stated: "Compensation and financial assistance of approximately R\$11.2 billion (approximately US\$2.3 billion)¹ has been paid to support approximately 388,000 people affected by the dam failure up until 30 June 2022. This includes: – More than 22,000 general damages claims (including loss of life, injury, property damage, business impacts, loss of income and moral damages) have been resolved, and more than 290,000 people have been paid a total of approximately R\$305 million (approximately US\$69 million)¹ for

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			<p>temporary water interruption as at 30 June 2022. – Approximately R\$7.1 billion (approximately US\$1.4 billion)¹ has been paid to more than 66,000 people under the court-mandated simplified indemnity system (known as the 'Novel' system) as at 30 June 2022. The Novel system is designed to provide compensation for informal workers who have had difficulty proving the damages". [2022 Annual Report, 2022: bhp.com]</p> <ul style="list-style-type: none"> • Not Met: Independent remedy process used
E(3).0	Serious allegation No 3		<ul style="list-style-type: none"> • Area: Right to a safe, clean, healthy and sustainable environment • Headline: Indigenous communities file a complaint over Cerro Colorado mine's water use in Chile • Story: On 17 February 2021, London Mining Network reported that communities raised questions at BHP's annual general meeting about the company's impacts in Chile and its over-exploitation of the aquifers. However, the company's responses have failed to satisfy its critics. <p>The Atacameño People's Council raised questions with the BHP company about the impacts of the company's operations in Chile that have deepened the effects of the drought suffered by communities and degraded ecosystems. They claimed that ecosystems and communities, which depend on water to survive, will not be able to do so, if BHP continues to extract the amount of water it is currently extracting. BHP allegedly responded to the communities' demands for water by denying all responsibility for the mega-drought in the region.</p> <p>The San Isidro de Quipisca Indigenous Agricultural Association had also filed an appeal for protection against the expansion of BHP's Cerro Colorado mine. The Supreme Court of Chile ruled in favour of the indigenous group, arguing that the studies presented do not take environmental impacts into account, nor do they consider community resources. The mine's operations have allegedly dried up the wetlands in the region.</p> <p>On April 22, 2021, press sources reported that a Chilean court ordered BHP's Cerro Colorado copper mine to cease the intervention of resources from a water source, as well as stop dumps as requested by an indigenous community. According to the press, the action orders "to cease all intervention on the water resources of the Quipisca-Parca Rava, eliminate and remedy wells, drilling and interventions performed in quipisca Quebrada". It also called for "ceasing all mining activity in the dumps" adjoining the ravap and adopting safety, stability and correction measures for ballast dumps. The measure comes in addition to the Supreme Court's decision in January 2021 to host a claim against the process that allowed the mine to continue, which had received opposition from the same community due to the impact of the operation on an aquifer.</p> <p>On 31 December 2021, the First Environmental Court of Chile decided to reject BHP's Cerro Colorado mine's request and not lift the precautionary measure, decreeing the total cessation of water extraction from the Lagunillas aquifer for 90 consecutive days or until it is proven that there is no risk of damage and uncertainty.</p> <p>The maintenance of the precautionary measure was given despite the fact that the environmental evaluation commission approved on December 28 a supplementary environmental permit that would allow the mine to operate until the end of its environmental license in 2023. This green light was key for an eventual modification of the precautionary measure that restricts the extraction of water.</p> <p>However, according to the court, the probability of threat of possible damage or its perpetuation makes judicial caution necessary. The court recognized that the critical and fragile situations of the high Andean aquifer has not changed and that there are relevant elements of risk that remain present. The court asserted that the information presented by the company does not prove a different environmental status of the Lagunillas system that makes it possible to modify the conditions of the precautionary measures decreed.</p> <p>A preventative measure was approved when the lawsuit against the company was admitted for processing in August 2021 and called for a 90-day stoppage of</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>groundwater extraction in the Tarapacá Region's Lagunillas area commencing on October 1, 2021.</p> <p>[London Mining Network, 17/02/2021, "BHP's denial of responsibility for impacts in Chile does not satisfy its critics": londonminingnetwork.org] [Reuters, 19/08/2021, "Chile court orders BHP's Cerro Colorado copper mine to stop pumping from aquifer": reuters.com] [Mining.com, 05/01/2022, "BHP's Cerro Colorado copper mine in Chile hit by further water measures": mining.com]</p>
E(3).1	The Company has responded publicly to the allegation	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Public response: In its annual report the Company states 'Following a court ruling regarding Cerro Colorado's main environmental licence in January 2021, the Chilean Environmental Authority is re-evaluating the licence conditions permitting Cerro Colorado to extract water from the Lagunillas aquifer, and is carrying out a consultation process with an Indigenous community to assess potential environmental impacts. In August 2021 an individual commenced a legal action through the First Environmental Court of Antofagasta (Court) that alleges Cerro Colorado's water extraction from the Lagunillas aquifer has caused damage to the Lagunillas aquifer, the Huantija lagoon, and nearby wetlands. The Court granted an injunction requiring Cerro Colorado to suspend water extraction from the Lagunillas aquifer commencing on 1 October 2021 for a period of ninety days which may be extended. Cerro Colorado is evaluating its legal and operational options.' [2021 Annual Report, 2021: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Detailed response: See above. [2021 Annual Report, 2021: bhp.com]
E(3).2	The company has investigated and taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Engaged with stakeholders: There is no evidence suggesting that the company engaged with the affected stakeholders. • Not Met: Identified cause: The company does not present investigative results on the underlying causes of the events concerned. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Identified and implemented improvements: "Cerro Colorado recognizes that the new measure will have an impact on operations and on its entire value chain," BHP said in a statement, adding it would adapt its operations. However, there is no evidence that the company made changes to its management systems following the events and their human rights impacts. [Mining.com, 05/01/2022: mining.com] • Not Met: Stakeholder input to steps taken
E(3).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provided remedy: There is no evidence suggesting the company provided remedy to the affected stakeholders. • Not Met: Evidence for lack of Impact or link <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Remedy satisfactory to stakeholders • Not Met: Remedy delivered • Not Met: Independent remedy process used
E(4).0	Serious allegation No 4		<ul style="list-style-type: none"> • Area: Health & Safety • Headline: Trade union concerned about the increased Covid-19 cases of contagion at BHP's Escondida mine in Chile • Story: On 21 January 2022, Minera Escondida, operated by BHP Billiton in Antofagasta, confirmed that it maintains 312 active cases of Covid-19 among plant workers and contracted personnel. Accordingly, the trade union of Chile's Escondida expressed concerns and accused BHP of committing faults in the control of the health situation. <p>The union said in a statement: "We consider that the company has been erratic, dismissive and irresponsible in the answers it has given us, emphatically denying, on the afternoon of January 14, that there was an outbreak of COVID-19". It added: "During all these days the workers have been exposed to the control and traceability deficiencies of Minera Escondida, precisely because the company has dangerously eliminated and made control protocols and measures more flexible". [Reuters 22/01/2022, "Chilean union says Escondida mine was 'irresponsible' as COVID cases surged": reuters.com]</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(4).1	The Company has responded publicly to the allegation	0	The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Public response: A response by the Company is not publicly available. Score 2 • Not Met: Detailed response
E(4).2	The company has investigated and taken appropriate action	0	The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Engaged with stakeholders: There is no evidence suggesting that the Company engaged with the affected stakeholders. • Not Met: Identified cause: The Company does not present investigative results on the underlying causes of the events concerned. Score 2 • Not Met: Identified and implemented improvements: There is no evidence that the Company made changes to its management systems following the events and their human rights impacts. • Not Met: Stakeholder input to steps taken
E(4).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	0	The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Provided remedy: There is no evidence suggesting the Company provided remedy to the affected stakeholders. • Not Met: Evidence for lack of Impact or link Score 2 • Not Met: Remedy satisfactory to stakeholders • Not Met: Remedy delivered • Not Met: Independent remedy process used
E(5).0	Serious allegation No 5		<ul style="list-style-type: none"> • Area: Health & Safety • Headline: IndustriALL union raises concerns over BHP's mishandling of the pandemic in South America • Story: On 23 June 2020, Business & Human Rights Resources Center announced the publication of a report by civil society organisations (Earthworks, Institute for Policy Studies - Global Economy Program, London Mining Network, MiningWatch Canada, Terra Justa, War on Want, and Yes to Life No to Mining), that criticises BHP's response, among other mining companies, to the COVID-19 pandemic, with regard to the Cerrejon mine in Colombia. <p>On 16 October 2020, IndustriALL, an organization representing mining workers, raised during the BHP's annual general meeting the issue of an apparent double standard in how BHP is handling Covid-19. Allegedly, the company ensured adequate responses in the face of the virus in Australia and Canada, which are in contrast to its poor handling of the pandemic in Chile, Peru and Colombia.</p> <p>Contractors have been particularly hard hit, and in most South American countries there is no legal or regulatory framework to assist workers fighting abuse from companies such as BHP, [Business & Human Rights Resource Center, 23/06/2020, "Report argues mining industry is profiting from COVID-19 while putting workers, communities & defenders at risk; including co responses": business-humanrights.org] [IndustriALL Global Union, 27/08/2020, "Unions call on BHP to respect health and safety": industrial-union.org] [IndustriALL Global Union, 18/11/2020, "BHP workers tell investors about their reality": industrial-union.org] [IndustriALL Union, 16/10/2020, "BHP continues to avoid dialogue with IndustriALL": industrial-union.org]</p>
E(5).1	The Company has responded publicly to the allegation	0	The individual elements of the assessment are met or not as follows: Score 1 • Not Met: Public response: BHP did not provide a response to the "Voices from the ground" report. The company has made several statements on its website regarding the management of the pandemic, with a section specifically dedicated to containing the spread of COVID-19 in the Cerrejon mine. However, none of these statements appear to have been made in response to the allegations considered here. [Cerrejon, 24/09/2020: bhp.com] Score 2 • Not Met: Detailed response

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(5).2	The company has investigated and taken appropriate action	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Engaged with stakeholders: BHP has reportedly repeatedly refused to enter into direct dialogue with IndustriALL Global Union on the allegations. [IndustriALL Global Union, 18/11/2020: industrial-union.org] • Not Met: Identified cause: The company does not present investigative results on the underlying causes of the events concerned. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Identified and implemented improvements: There is no evidence the company implemented improvements in its policies/processes and/or made changes to its management systems following the events and their human rights impacts. • Not Met: Stakeholder input to steps taken
E(5).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provided remedy: There is no evidence suggesting that the company provided remedy to the affected stakeholders. • Not Met: Evidence for lack of Impact or link <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Remedy satisfactory to stakeholders • Not Met: Remedy delivered • Not Met: Independent remedy process used
E(6).0	Serious allegation No 6		<ul style="list-style-type: none"> • Area: Discrimination • Headline: Complaints of sexual harassment by BHP employees <p>• Story: On 8 June 2021, the police in Western Australia charged a former BHP's employee with two counts of rape, following allegations a woman working at BHP's South Flank mine was sexually assaulted in employee accommodation. The alleged incident took place at the mine site in the Pilbara in November 2020, when the woman was assaulted after being followed back to her room at BHP's Mulla village attached to the South Flank mine in Western Australia. The South Flank mine, which includes the Mulla village the woman was allegedly raped, is the mining company's most diverse production with women making up 40% of the workforce. The alleged offender has already been fired by the company following an independent investigation.</p> <p>According to press sources, a union leader claimed that the "dehumanising" conditions at mine sites are fuelling widespread alcohol and drug abuse, and leading to more anti-social behaviour. Mick Buchan, secretary of the Construction, Forestry, Mining and Energy Union, said BHP was partly to blame for driving workers to alcohol and drug abuse.</p> <p>On 23 June 2021, another BHP worker was accused of raping a female colleague at a private residence in Perth while they were off roster from a BHP mine in July 2020. Upon returning to site, the woman alerted her managers to the incident and the man was stood down immediately pending an internal investigation which subsequently led to his dismissal. He is due to face a trial in mid-2022.</p> <p>According to press sources, the incidents have prompted another female FIFO (fly-in, fly-out) worker to expose the "boys' club" at some Pilbara mine sites in the hope more will be done to protect female employees in the resources industry. A Chamber of Minerals and Energy WA spokesman said instances of workplace sexual harassment were unacceptable. "The safety of our people is the WA mining and resources sector's number one priority and member companies are committed to eliminating any instance of sexual assault, sexual harassment or other behaviours that threaten people's personal and psychological safety at work," he said.</p> <p>On 5 July 2021, BHP confirmed the number of sexual assaults on its WA mine sites that have had to be investigated by police is at least four after confirmation of two more incidents. One claim by a female worker was reported to police in November 2019 and was alleged to have occurred one month earlier at one of its Newman sites. It is understood the woman was attacked in her donga at night. The case was discontinued because she could not identify her attacker as it was too dark. It has also been confirmed there was an incident between two contractors at another of BHP's sites in December 2019. The matter was referred to police and the alleged perpetrator removed from site.</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>On 20 August 2021, BHP revealed in a state government inquiry into sexual harassment at mining locations that between 2019 and 2021 it received six confirmed cases of sexual assault and 73 of sexual harassment at its FIFO (fly-in, fly-out) mines. Of the 73 cases of harassment, 48 resulted in termination or the permanent removal of the respondent from the company and any of its work sites. According to the statement, the cases included two counts of rape and a further one of attempted rape. BHP has been battling allegations over sexual harassment since 2020, when an employee at one its remote camps was charged over an alleged rape. A second employee was charged in June over a separate allegation of rape at a FIFO camp. The Australian Manufacturing Workers' Union said male-dominated workforces, isolation, and availability of alcohol combine to make harassment more likely. Department of Mines and Energy WA chief executive Paul Everingham said: "the mining industry needed to recruit more women as the sector is currently composed of only 20 per cent female employees.</p> <p>On 3 February 2022, Jacinta Buchbach, a former employee of BHP who left after reporting bullying said internal complaint processes are failing victims and stopping people from coming forward. Ms Buchbach said she had made multiple reports related to alleged bullying during her time at BHP. She ultimately took a redundancy, and said the internal process she encountered lacked procedural fairness.</p> <p>The former employee claimed: "The process in my experience is definitely flawed. There's systemic failures in the reporting as well as the investigations of it". Buchbach, who has a background in law enforcement and workplace investigation, said the company needs mechanisms that kept victims safe during the reporting and investigation process, and a bigger focus on providing them with support. [ABC News, 03/02/2022, "BHP bullying victim says complaint process at mining companies needs overhaul": abc.net.au] [The Sydney Morning Herald - Online, 22/10/2021, "FIFO inquiry hears 'horrific' evidence of widespread mistreatment of women": smh.com.au] [Financial Times, 20/08/2021, "BHP fires 48 workers for sexual harassment at remote mining sites": ft.com] [WA Today, 23/06/2021, "Another BHP FIFO worker accused of rape as woman sounds alarm on WA's Wild West mining camps": watoday.com.au]</p>
E(6).1	The Company has responded publicly to the allegation	1	<p>The individual elements of the assessment are met or not as follows: Score 1</p> <ul style="list-style-type: none"> • Met: Public response: In a submission to a Western Australian parliamentary inquiry, BHP said that between 2019 and 2021 it received six confirmed cases of sexual assault and 73 of sexual harassment at its FIFO mines. Of the 73 cases of harassment, 48 resulted in termination or the permanent removal of the respondent from the company and any of its work sites. <p>BHP iron ore president Brandon Craig told the inquiry he had tried to combat the perception that production was more important than safety. "Safety clearly comes first in our business," Mr Craig said.</p> <p>BHP says action taken towards reform. A spokeswoman for BHP said the firm was disappointed Ms Buchbach had not had a good experience. BHP says it does not tolerate any form of racism, discrimination, harassment or bullying. "We have been taking action for a number of years to prevent and address any form of bullying or harassment in our business," she said.</p> <p>"We know there is more to do and this is a priority for us, including conducting investigations that prioritise care and concern for the people involved. We know disrespectful behaviour does still occur, in our company as it does in industry and the community more broadly," she said.</p> <p>[ABC News, 03/02/2022: abc.net.au] [The Sydney Morning Herald - Online, 22/10/2021: smh.com.au] [Financial Times, 20/08/2021: ft.com] [Western Australian Parliament, 17/08/2021, "Community Development and Justice Standing Committee Inquiry into sexual harassment against women in the FIFO mining industry": parliament.wa.gov.au]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Detailed response: Although the company provided a comprehensive response in the submission to a Western Australian parliamentary inquiry on the initiatives taken to counter incidents of sexual harassment, it did not address the circumstances of each individual allegation of harassment in detail.

Indicator Code	Indicator name	Score (out of 2)	Explanation
E(6).2	The company has investigated and taken appropriate action	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Engaged with stakeholders: In the submission to a Western Australian parliamentary inquiry, BHP states, "Since early 2019, allegations of sexual harassment have been investigated by BHP's specialist Central Investigations Team. <p>The Central Investigations Team introduced experts trained in a victim-centric, trauma-informed approach. This means that we seek to put the impacted person at the centre of decisions regarding the investigation by, for example, holding initial discussions with the individual about the process, ensuring they are updated throughout the investigation and receive appropriate support throughout." The Company further stated: "As part of the risk assessment processes in relation to sexual harassment, we have engaged members of our workforce with experience at site and at camps and experts in health and safety, harassment and inclusion and diversity." [Western Australian Parliament, 17/08/2021: parliament.wa.gov.au]</p> <ul style="list-style-type: none"> • Met: Identified cause: In the submission to a Western Australian parliamentary inquiry, BHP states: "As part of the risk assessment processes in relation to sexual harassment, we have engaged members of our workforce with experience at site and at camps and experts in health and safety, harassment and inclusion and diversity. Through this, we identified factors that can contribute to the risk of workplace sexual harassment that are more pronounced in the mining industry, as well as factors that are common across all industries and workplaces. Factors identified as more prevalent in the mining industry which can increase risk include isolated or remote working locations, a largely male-dominated workforce, and camp and accommodation villages (e.g. camp design and security measures). Other factors identified that are more common across industries include workplace culture, awareness of behavioural expectations, alcohol and drug use, level of confidence in the reporting and investigation process, personal relationships and situations of power imbalance." [Western Australian Parliament, 17/08/2021: parliament.wa.gov.au] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Identified and implemented improvements: In recent years, BHP has taken steps towards cultural reform, particularly in relation to alleged sexual harassment and assault. <p>In a submission to a Western Australian parliamentary inquiry, BHP said its response had focused on improving prevention, reporting of and response to sexual harassment.</p> <p>Measures taken included committing A\$300m to enhancing site security at FIFO camps and linking remuneration packages for the company's executive leadership team in the 2022 fiscal year to sexual harassment elimination. It also said relevant senior leaders would be given key performance indicators based on sexual harassment reporting rates.</p> <p>In March 2020, BHP limited alcohol intake on FIFO camps to six standard drinks per day.</p> <p>From July this year the company had further restricted the amount of alcohol employees at the camps were allowed each day to four standard drinks, it added.</p> <p>In addition, BHP conducts mandatory training on respectful behaviours on site, including the consequences of not meeting those expectations, and how to report an incident and seek help. Measures also include improvements to facilities such as lighting, signage and CCTV coverage, increased security presence and stricter controls on alcohol consumption.</p> <p>Over the next five years BHP will also invest \$300 million in strengthening security measures at its offices and camps.</p> <p>BHP has dismissed 48 employees in WA since 2019 for a range of sexual harassment offences, including inappropriate jokes and texting. [ABC News, 03/02/2022: abc.net.au] [The Sydney Morning Herald - Online, 22/10/2021: smh.com.au] [Financial Times, 20/08/2021: ft.com] [WA Today, 09/06/2021, "FIFO worker accused of rape at BHP mining camp faces court": watoday.com.au]</p> <ul style="list-style-type: none"> • Met: Stakeholder input to steps taken: In the submission to a Western Australian parliamentary inquiry, BHP states: "In 2021, we employed a psychologist with expertise in the provision of trauma informed care. This appointment is helping us to improve the care and support that we provide to those impacted by sexual harassment, and to ensure that specialist psychological expertise is taken into

Indicator Code	Indicator name	Score (out of 2)	Explanation
			account in the development and implementation of our systems and controls." [Western Australian Parliament, 17/08/2021: parliament.wa.gov.au]
E(6).3	The company has engaged with affected stakeholders to provide for or cooperate in remedy(ies)	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not Met: Provided remedy: There is no evidence suggesting that the company provided remedy to the affected stakeholders. • Not Met: Evidence for lack of Impact or link Score 2 <ul style="list-style-type: none"> • Not Met: Remedy satisfactory to stakeholders • Not Met: Remedy delivered • Not Met: Independent remedy process used

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