

Corporate Human Rights Benchmark 2018 Company Scoresheet



Company Name BHP Billiton
Industry Extractives
Overall Score (*) 72.0 out of 100

Theme Score	Out of	For Theme
8.9	10	A. Governance and Policies
19.2	25	B. Embedding Respect and Human Rights Due Diligence
12.1	15	C. Remedies and Grievance Mechanisms
14.4	20	D. Performance: Company Human Rights Practices
9.4	20	E. Performance: Responses to Serious Allegations
8.1	10	F. Transparency

(*) 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 2018 Methodology document. 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 Policies (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	2	The individual elements of the assessment are met or not as follows: Score 1 • Met: General HRs commitment: The Company states in its code of conduct 'We are also committed to upholding certain international standards and guidelines. These include the principles of the United Nations Global Compact, the United Nations Universal Declaration of Human Rights and the Voluntary Principles on Security and Human Rights'. [Code of Business Conduct, 2016: bhp.com] • Met: UNGC principles 1 & 2: As above [Code of Business Conduct, 2016: bhp.com] • Met: UDHR: As above Score 2 • Met: UNGPs: The Company Modern Slavery Act Statement states that the company demonstrates their commitments to human rights obligations by 'committing to operate in a manner consistent with the United Nations Universal Declaration of Human Rights, the UN Guiding Principles on Business and Human Rights and the 10 UN Global Compact Principles.' [Respecting human rights and UK Modern Slavery Act Statement, 2017: bhp.com]
A.1.2	Commitment to respect the human rights of workers	1.5	The individual elements of the assessment are met or not as follows: Score 1 • Met: UNGC principles 3-6: The Company states We are also committed to upholding certain international standards and guidelines. These include the principles of the United Nations Global Compact, the United Nations Universal Declaration of Human Rights and the Voluntary Principles on Security and Human Rights.' The Company Modern Slavery Statement also states 'We take our human

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>rights obligations seriously and demonstrate this by committing to operate in a manner consistent with the United Nations (UN) Universal Declaration of Human Rights, the UN Guiding Principles on Business and Human Rights and the 10 UN Global Compact principles.' [Code of Business Conduct, 2016: bhp.com & Respecting human rights and UK Modern Slavery Act Statement, 2017: bhp.com]</p> <ul style="list-style-type: none"> • Met: All four ILO apply to EX BPs: The Company's Code of Business Conduct applies to 'All employees, directors, officers, contractors and suppliers (where under relevant contractual obligation) and controlled entities must adhere to the Code, regardless of location or role. Non-controlled joint ventures and minority interests are encouraged to adopt similar principles and standards'. The code commits to the UNGC . [Code of Business Conduct, 2016: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: All four ILO Core: The Company Modern Slavery Statement mentions child labour, forced or compulsory labour, freedom of association and non-discrimination. However, there is no information regarding collective bargaining. • Met: Respect H&S of workers: The Company Code of Conduct also commits to respecting the health and safety of workers. The Company charter also commits to 'putting health and safety first'. [Code of Business Conduct, 2016: bhp.com] • Met: H&S applies to Ex BPs: The Company Code of Conduct extends to business partners. [Code of Business Conduct, 2016: bhp.com]
A.1.3.EX	Commitment to respect human rights particularly relevant to the industry (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: VPs participant: The Company is a signatory to the Voluntary Principles on Security and Human Rights. [Code of Business Conduct, 2016: bhp.com] • Met: Uses only ICoCA members: The Company code of conduct states 'Private security providers engaged by BHP Billiton must be signatories to, or agree in writing to align with, the International Code of Conduct for Private Security Service Providers' [Code of Business Conduct, 2016: bhp.com] • Met: Respecting indigenous rights: The Company code of business conduct states 'We recognise the traditional rights of Indigenous peoples and acknowledge their right to maintain their culture, identity, traditions and customs. We encourage cultural sensitivity and recognise and respect sites, places, structures and objects that are culturally or traditionally significant.' [Code of Business Conduct, 2016: bhp.com] • Met: ILO 169: The Company states that they commit to the ICMM Position Statement on Indigenous Peoples and Mining for engaging with indigenous peoples. The Company code of conduct states 'Our commitment is satisfied by the completion of host government processes or compliance with domestic laws where they are generally consistent with the principles of the ICMM Position Statement, including jurisdictions that follow International Labour Organisation Convention No. 169.' [Code of Business Conduct, 2016: bhp.com] • Met: Expects BPs to respect these rights: The Code of Conduct, which covers indigenous rights, covers contractors and controlled entities. Non-controlled joint ventures and minority interests are 'encouraged to adopt similar principles and standards'. [Code of Business Conduct, 2016: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: FPIC commitment: The Company has an indigenous peoples strategy. In the Indigenous Peoples Strategy the Company clarifies that they are consistent with the ICMM Position Statement on Indigenous Peoples and Mining, which covers FPIC. [BHP Indigenous Peoples Policy Statement, 04/06/2018: bhp.com] • Not met: Vol Guidelines on Tenure: The Company UK Modern Slavery Statement states that the Company's activities respect 'the land tenure rights of landowners and the rights of communities that live near our operations.' However, the Company has not specifically mentioned the Voluntary Guidelines on Responsible Governance of Tenure. [Respecting human rights and UK Modern Slavery Act Statement, 2017: bhp.com] • Met: IFC performance standards: In the Company's sustainability report the Company states that they are committed to implement programs consistent with the International Finance Corporations Performance Standards 5, Land Acquisition and Involuntary Resettlement. [Sustainability Report, 2017: bhp.com] • Not met: Zero tolerance for land grabs • Met: Respecting the right to water: The Company details in their sustainability report that in line with SDG 6 (ensure access to water and sanitation for all) the Company will collaborate to enable integrated water resource management in all catchments where they operate by FY2030. The Company 2017 Sustainability Report states that "access to water is a human right". [Annual Report, 2017: bhp.com & Sustainability Report, 2017: bhp.com] • Not met: Expects BPs to respect all these rights

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.4	Commitment to engage with stakeholders	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: Commits to stakeholder engagement: The Company's Code of Business Conduct states 'We understand that our business can impact local communities both positively and negatively, either through our own activities or as a result of our business relationships with other parties. We seek to work with relevant stakeholders to identify and address concerns and expectations and to maximise potential opportunities from our Company'. <p>The Company also states that they seek to 'identify and consider the concerns and expectations of all stakeholders, especially those most affected by our operations and take their views into account in decision-making.'</p> <p>Score 2</p> <ul style="list-style-type: none"> Met: Commits to engage stakeholders in design: The Company has a diagram in their 2017 sustainability report which shows their collaborate community approach and how engaging with stakeholders influences the development of plans and grievance mechanisms. [Sustainability Report, 2017: bhp.com]
A.1.5	Commitment to remedy	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: Commits to remedy: The Company's code of business conduct states 'We respect human rights, which means identifying and understanding any potential or actual adverse impacts of our operations on the rights of others and planning to eliminate or reduce them. We implement prevention, mitigation and, where appropriate, remediation processes'. The Company's 2017 Sustainability Report also states that they 'seek to remediate any adverse human rights impacts we have caused or to which we have contributed.' [Code of Business Conduct, 2016: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> Met: Not obstructing access to other remedies: The Company's 2015 Sustainability Report states that the grievance mechanisms must not "not impede access to judicial or administrative remedies". [Sustainability Report, 2015: bhp.com] Met: Collaborating with other remedy initiatives: The Company has a diagram in their 2017 sustainability report which shows their collaborate community approach and how engaging with stakeholders influences the development of grievance mechanisms. [Sustainability Report, 2017: bhp.com] Met: Work with EX BPs to remedy impacts: The GLDs, which cover remedy, are covered by the code of Business Conduct which applies to contractors and suppliers and non-controlled JVs and minority interests are encouraged to adopt similar principles and standards. [Code of Business Conduct, 2016: bhp.com]
A.1.6	Commitment to respect the rights of human rights defenders	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: Zero tolerance attacks on HRs Defenders (HRDs): The Company Code of Conduct states that they prohibit any form of retaliatory action being taken against anyone for raising or helping to address a business conduct concern. However, it is not clear what the company mean by 'business conduct concern' and if this would be extended to HRDs. [Code of Business Conduct, 2016: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> Not met: Expects EX BPs to reflect company HRD commitments: The Company Code of Conduct extends to business partners. [Code of Business Conduct, 2016: bhp.com]

A.2 Policy Commitments (5% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.2.1	Commitment from the top	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: CEO or Board approves policy: The Code of Business Conduct, which covers human rights, is signed by the Chief Executive Officer Andrew Mackenzie. [Code of Business Conduct, 2016: bhp.com] Met: Board level responsibility for HRs: The Chief Executive Officer is responsible to the BHP Billiton Board for the ethics and culture of the Company. This includes human rights. [Code of Business Conduct, 2016: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> Met: Speeches/letters by Board members or CEO: Andrew Mackenzie spoke about human rights at the Melbourne Mining Club 100th Luncheon on the 5th of December, 2017. The CEO stated 'Business must not just wishfully count on the universal values of democracy, human rights and open trade. We have to champion them and live them, along with beliefs in fairness, inclusion and cultural diversity.' [Andrew Mackenzie, BHP Chief Executive Officer, at the Melbourne Mining Club 100th Luncheon (Speech), 05/12/2017: bhp.com]
A.2.2	Board discussions	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: Board/Committee review of salient HRs: The 2017 Annual Report details that the Sustainability Committee is responsible for overseeing and monitoring material health, safety, environmental and community matters (including human rights risks). The board Human Rights risks are identified as a salient sustainability risk in the Company 2017 annual report. [Annual Report, 2017: bhp.com] Met: Examples or trends re HR discussion: Human Rights risks are identified as a salient sustainability risk in the Company 2017 annual report. This assessment was carried out by the board. Discussion relating to these issues are also detailed in the report. [Annual Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> Met: Both examples and process: As above.
A.2.3	Incentives and performance management	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: Incentives for at least one board member: The Company Senior Executive team has short-term KPI incentives on HSEC performance. The company specifies this includes Total Recordable Injury Frequency. [Annual Report, 2017: bhp.com] Met: At least one key EX RH risk, beyond employee H&S: The Sustainability Committee assists the Remuneration Committee in determining appropriate HSEC metrics to be included in the KPI scorecard and also assists in relation to assessment of performance against those measures. Sustainable HSEC and financial performance measures are built into incentive plans. The Company clarifies that HSEC Scorecard targets include environmental and community incidents, risk management, health, environment and community initiatives - with regards to quality of life, community perceptions and community complaints. Some of these are encompassed as elements of human rights, however, human rights are not specifically mentioned. [Annual Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> Met: Performance criteria made public: The performance criteria is detailed in the 2017 annual report. [Annual Report, 2017: bhp.com]

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	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 responsibility fo HR (inc ILO): A commitment to the 10 UN Global Compact principles (with principles 3 and 6 based on the ILO Declaration on Fundamental Principles and Rights at Work) is part of the Company's Code of Conduct. Responsibility of the code is set at CEO, Manager, and individual employee level. The Company states that Management have primary responsibility for the design and implementation of an effective HSEC management system. The Company also states that 'Each of our operations assigns accountability for compliance with our mandatory human rights performance requirements to appropriate senior managers and leaders.' [Code of Business Conduct, 2016: bhp.com & Respecting human rights and UK Modern Slavery Act Statement, 2017: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> Met: Day-to-day responsibility: The Company also states that 'Each of our operations assigns accountability for compliance with our mandatory human rights performance requirements to appropriate senior managers and leaders.' The Company has clarified to the CHRB The Chief External Affairs Officer has day to day accountability for Human Rights policy and process. BHP's Board oversees our sustainability approach, with the Sustainability Committee assisting with governance and monitoring. The Sustainability Committee also oversees 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 HSEC and human rights performance. Members of the Sustainability Committee are Non-executive Directors who have been determined by the Board to be appropriately skilled in HSEC matters. [Respecting human rights and UK Modern Slavery Act Statement, 2017: bhp.com] Not met: Day-to-day responsibility for EX BRs
B.1.2	Incentives and performance management	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: Senior manager incentives for human rights: The Operations Management Committee/Executive Leadership Team has incentives for Health, Safety, Environment and Community (HSEC) KPIs. The Company also states that In order to link HSEC matters to remuneration, 25 per cent of the short-term incentive opportunity for Operations Management Committee members was based on HSEC performance during FY2017. This includes a listing of the four elements of the HSEC metrics for this scorecard (meeting Score 2) which includes from the Table 5 key industry risks: Health and safety; Indigenous peoples rights and FPIC; Land rights and Security. [Annual Report, 2017: bhp.com] Met: At least one key EX HR risk, beyond employee H&S: The Company also states that In order to link HSEC matters to remuneration, 25 per cent of the short-term incentive opportunity for Operations Management Committee members was based on HSEC performance during FY2017. [Annual Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> Met: Performance criteria made public: This information is detailed in the Annual Report. [Annual Report, 2017: bhp.com]
B.1.3	Integration with enterprise risk management	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: HR part of enterprise risk system: The Company states that they undertake 'stakeholder identification and analysis, social impact and opportunity assessments, community perception surveys and human rights impact assessments to identify, mitigate or manage key potential social and human rights risks.' This is part of the Company's disclosure relating to the management of principle risks in their annual reporting. <p>The Company indicates that HRIAs carried out in 2016 'verified our human rights risk management systems and identified a number of potential human rights related issues in areas including land access, socio-economic impacts of in-migration and enhancing local economic opportunities for employment and procurement'. The Company governance, risk management and internal controls underpinning their sustainability framework undergo a process of internal audit: 'Our internal audit function annually evaluates the design and operational effectiveness of our sustainability processes, including HSEC and HSEC data processes across a sample of our operations. Audit results are used to create detailed management plans to address the identified gaps. Key findings are reported to board Committees including, where appropriate, Board Risk and Audit Committee. [Annual Report, 2017: bhp.com & Sustainability Report, 2016: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> Met: Audit Ctte or independent risk assessment: The HSEC Community also undertakes an assessment of the Company's risks related to health, safety, the environment and community - which is inclusive of human rights risks. The Company's annual reporting also undergoes a process of internal audit carried out by the Group Risk Assessment and Assurance (RAA) that provides assurance of the risk management systems at BHP. [Annual Report, 2017: bhp.com]
B.1.4.a	Communication /dissemination of policy commitment(s) within	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: Communicates its policy to all workers in own operations: The Company states that All employees are required to undertake annual training in relation to the Code of Business Conduct to promote awareness and understanding in the behaviours expected of them. Demonstration of the values described in Our

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	Company's own operations		<p>Charter and the Code is part of the annual employee performance review process. The Code covers human rights. The code is available in a variety of languages. The Company is committed to the 10 principles of the Global Compact. [Annual Report, 2017: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Communication of policy commitments to stakeholder: The Code applies to business contractors and controlled entities. Non-operated JV partners are also encouraged to adopt similar principles and standards. [Code of Business Conduct, 2016: bhp.com] • Not met: How policy commitments are made accessible to audience: The Company states that all employees are required to undertake annual training in relation to the Code of Business Conduct. The Code of Business conduct is also available in Spanish, Portuguese, Chinese and Indonesian. The Company describes how in 2014, the Code was revised to simplify the language and provide links to further tools and resources if our employees and contractors require further guidance. [Our Code, 31/05/2018: bhp.com]
B.1.4.b	Communication /dissemination of policy commitment(s) to business relationships	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: Steps to communicate policy commitments to BRs: The Company states that contractors working at our operated assets are required to comply with HSEC standards and requirements. However, it is not clear whether this extends to joint venture partners or how to code of conduct is communicated to business relationships. [Annual Report, 2017: bhp.com] • Not met: Including to EX BPs: The Company disclosed to the CHRB that 'Our Supply Source to Contract GLD* provides the framework to determine the extent to which our suppliers align with our HSEC and business conduct requirements. These requirements include zero tolerance to breaches of law as well as controls to prevent human rights infringement, including child labour, inhumane treatment of employees and forced or compulsory labour'. The Company has not published any public documents describing steps taken to communicate its human rights commitment(s) to its business contractors. [CHRB 2016 Response, 31/05/201: business-humanrights.org] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: How HR commitments made binding/contractual • Not met: Including on EX BPs
B.1.5	Training on Human Rights	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: Trains all workers on HR policy commitments: According to the Company, all company employees are required to undertake annual risk-based Code training. This covers human rights commitments. The Company also states that 'demonstration of the values described in Our Charter and the Code is part of the annual employee performance review process'. The Company's commitment includes the 10 principles of the UN Global Compact. [Annual Report, 2017: bhp.com] • Met: Trains relevant managers including security personnel: The Company trains all staff (including managers) on the code of conduct. Training of higher-risk security contractors, which are applied through the company's mandatory requirements for security contractors includes compliance with the VPs (and appropriate training) and are set out in the company's Our Requirements for Security and Emergency Management standard. The Company states that during FY2017, over 99% of the Company's security employees and contractors completed security training (which includes the Company's requirements for Safety and Security standard that ensures human rights are upheld). The Company annually reviews alignment with the voluntary principles and implements improvement plans to address any gaps. [Sustainability Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Both requirements under score 1 met
B.1.6	Monitoring and corrective actions	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: Monitoring implementation of HR policy commitments: The Company states that their operations identify and document key potential human rights risks by undertaking a Human Rights Impact Assessment, which is reviewed whenever there are changes that may affect the impact profile. Where a HRIA identifies a material risk, a Human Rights Management Plan is required to be implemented and reviewed annually. Under the Company's requirement standards, operations must conduct a human rights impact assessment every three years. The Company's commitment includes the 10 principles of the UN Global Compact. [Sustainability Report, 2017: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Met: Monitoring EX BP's: The Company states that 'assets' or 'operations' cover operated joint ventures. The 2017 Modern Slavery Statement also states that the Company 'requires the human rights implications of all our activities to be considered and for due diligence to be undertaken on our partners and contractors to assess their alignment with our human rights standards'. The Company states that this is outlined where relevant under contractual obligation with contractors. <p>The Company's 2017 Modern Slavery Act Statement outlines a monitoring requirement for suppliers. This covers minimum mandatory HSEC and business conduct requirements. The Company's commitment includes the 10 principles of the Global Compact, and requirements for business partners include all ILO Core. [Respecting human rights and UK Modern Slavery Act Statement, 2017: bhp.com & Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Describes corrective action process • Not met: Example of corrective action • Not met: Discloses % of supply chain monitored
B.1.7	Engaging business relationships	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: HR affects selection extractives business partners: The Company states 'We set minimum mandatory requirements for all our suppliers and relevant contractors, including zero tolerance in relation to child labour, forced or compulsory labour, freedom of association, living wage, non-discrimination and diversity, workplace health and safety, community interaction and treatment of employees.' <p>The 2017 Modern Slavery Statement also states that the Company 'requires the human rights implications of all our activities to be considered and for due diligence to be undertaken on our partners and contractors to assess their alignment with our human rights standards'. [Code of Business Conduct, 2016: bhp.com & Sustainability Report, 2017: bhp.com]</p> <ul style="list-style-type: none"> • Met: HR affects on-going business partner relationships: The Company has document titled Our Requirements for Supply standards, which sets out the specific human rights considered which are zero tolerance requirements. However, this does not cover collective bargaining. The Our Requirement for Supply Standards applies to anyone involved in engaging, contracting or transacting with suppliers. The Code of Business Conduct requires due diligence on partners and contractors to assess alignment with human rights. <p>The Code of Business Conduct is provided to all third parties and they are informed of the Company's expectations when working for or on behalf of the Company. The Code of Business Conduct notes how the Company engages with joint ventures to ensure suitable governance mechanisms are in place. The Code of Business Conduct requires due diligence on partners and contractors to assess alignment with human rights. [Code of Business Conduct, 2016: bhp.com & Our Requirements for Supply Standard, 29/05/2018: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Met: Both requirement under score 1 met: The 2016 Sustainability Report describes Supply GLD process and numbers of suppliers terminated and the ways in which the Company engage on required supplier standards. [Sustainability Report, 2016: bhp.com] • Met: Working with business partners to improve performance: The Company provides an example of Cerrejon, a non-operated joint venture and how the company seeks to 'identify and develop livelihood projects that suit community members. [...] Cerrejón management also continues to work with local communities to understand and mitigate issues associated with resettlements. Through Cerrejón's social investment mechanisms, the operation maintains a focus on improving access to sustainable livelihoods particularly in the areas of capacity building, food security, access to water, farming and entrepreneurship'. It also discloses that 'A range of concerns have been expressed by communities near Cerrejón, including impacts associated with resettlements, health, sustainable livelihoods and drought conditions. We remain committed to requiring outcomes that reflect strong community engagement processes'. [Sustainability Report, 2016: bhp.com]
B.1.8	Approach to engagement with potentially affected stakeholders	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: Stakeholder process or systems: Systems to identify affected and potentially affected stakeholders are detailed in the Company's GLD community document. The Company also has a Stakeholder Engagement Management Plan. [Sustainability

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			<p>Report, 2017: bhp.com & Our Requirements for Supply Standard, 29/05/2018: bhp.com</p> <ul style="list-style-type: none"> • Met: Frequency and triggers for engagement: The Company states how they will every five years 'Complete and update a social impact and opportunity assessment following Appendix 1 to identify gaps and opportunities for community engagement, development and social investment.' and every three years 'complete a community perception survey'. The Company also states that they will 'Identify human rights impacts by performing a human rights impact assessment by following Appendix 1 and verify with stakeholders every three years. Review if there are changes that may affect the impact profile. If operating in a country where the Maplecroft Human Rights Risk Index is less than 5.0, validate the impact assessment every three years with a qualified human rights specialist.' [Community Requirements GLD, 29/05/2018: bhp.com] • Met: workers in SP engaged: The Company's Community GLD applies to contractors and employees (this covers operated Joint Ventures). [Community Requirements GLD, 29/05/2018: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Analysis of stakeholder views and company's actions on them: The Company provides an analysis of the Samarco Fundao Dam Failure and details their response and engagement with stakeholders. The Company discloses 'Fundação Renova is relocating and rebuilding the communities of Bento Rodrigues, Paracatu and Gesteira, in consultation with the affected community members. The community members identified their new locations through a participatory process, which concluded in a vote overseen by an independent audit company.' [Sustainability Report, 2017: bhp.com]

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

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.2.1	Identifying: Processes and triggers for identifying 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: Identifying risks in own operations: The Company states that their operations identify and document key potential human rights risks by undertaking a Human Rights Impact Assessment, which is reviewed whenever there are changes that may affect the impact profile. Where a HRIA identifies a material risk, a Human Rights Management Plan is required to be implemented and reviewed annually. Under the Company's requirement standards, operations must conduct a HRIA every three years. [Sustainability Report, 2017: bhp.com] • Met: identifying risks in EX business partners: The Company states that 'assets' or 'operations' cover operated joint ventures. The 2017 Modern Slavery Statement also states that the Company 'requires the human rights implications of all our activities to be considered and for due diligence to be undertaken on our partners and contractors to assess their alignment with our human rights standards'. [Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Ongoing global risk identification: The Company states that at all times they 'Identify human rights impacts by performing a human rights impact assessment by following Appendix 1 and verify with stakeholders every three years. Review if there are changes that may affect the impact profile. If operating in a country where the Maplecroft Human Rights Risk Index is less than 5.0, validate the impact assessment every three years with a qualified human rights specialist.' [Community Requirements GLD, 29/05/2018: bhp.com] • Met: In consultation with stakeholders: Every three years, each HRIA is verified through an engagement process with stakeholders and, in medium- and high-risk jurisdictions, validated by a qualified human rights specialist. [Community Requirements GLD, 29/05/2018: bhp.com] • Met: In consultation with HR experts: If operating in a country where the Maplecroft Human Rights Risk Index is less than 5.0, the Company validates the HRIA every three years with a qualified human rights specialist. [Sustainability Report, 2017: bhp.com] • Met: Triggered by new circumstances: The Code of Business Conduct highlights how pre-approval, and conducting due-diligence is required before engaging business partners. In the 2017 Modern Slavery Statement the Company discloses 'A risk-based approach that includes consideration of human rights and community impact issues is required by Our Requirements standards for our decisions around acquisitions and divestments, new activities in high risk countries and major capital projects.' [Code of Business Conduct, 2016: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> Met: Explains use of HRIAs or ESIA (inc HR): The Company details the use and method of Human Rights Impact Assessments in the Community GLD. [Community Requirements GLD, 29/05/2018: bhp.com]
B.2.2	Assessing: Assessment of risks and impacts identified (salient risks and key industry risks)	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: Salient risk assessment (and context): In their Modern Slavery Act Statement the Company discloses information regarding the Company's salient risk assessment and management. This information is in the Due Diligence section and the Risk Assessment section of the Statement and includes information regarding how geographical and other factors impact the assessment. The Company states that their risk identification and assessment processes in relation to human rights apply the risk management framework to specific business activities. <p>The Modern Slavery Statement includes information regarding the Global Slavery Index (GSI) ratings of the countries where 95% of the Company's direct suppliers operate. [Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: bhp.com]</p> <ul style="list-style-type: none"> Met: Public disclosure of salient risks: The Company discloses in their 2017 Sustainability Report that their salient human rights risks for their industry include Occupational Health and Safety, labour conditions, activities of security forces, and the rights of indigenous peoples and communities near their operations. <p>The Company states that no new HRIAs were completed in FY2017. However, the Company discloses how a Human Rights Management Plan continues to be reviewed and implemented at the Olympic dam operation.</p> <p>In the FY16 Sustainability Report the Company publicly discloses the HRIA conducted for two of the Company's assets. These assessments were done for the Pampa Note asset in Chile and the IndoMet Asset in Indonesia. This includes a description of outcomes at a level which the Company considers appropriate. [Sustainability Report, 2017: bhp.com & Sustainability Report, 2016: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> Met: Both requirements under score 1 met
B.2.3	Integrating and Acting: Integrating assessment findings internally and taking appropriate action	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: Action Plans to mitigate risks: The Company states in its Sustainability report 2017 'Where a HRIA identifies a material risk, a Human Rights Management Plan is required to be implemented and reviewed annually'. [Sustainability Report, 2017: bhp.com] Met: Example of Actions decided: The Company states that no new HRIAs were completed in FY2017, however a Human Rights Management Plan continues to be reviewed and implemented at the Company's Olympic Dam asset in South Australia. The Company states that there are two key areas relating to use of land and access to BHP owned pastoral stations and local governance that were identified in FY2014. [Sustainability Report, 2017: bhp.com] Not met: Including amongst EX BRs: The Company has not disclosed any public documents with description of how it integrates and acts on findings related to extractive business partners. <p>Score 2</p> <ul style="list-style-type: none"> Not met: Both requirements under score 1 met
B.2.4	Tracking: Monitoring and evaluating the effectiveness of actions to respond to 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: System to check if Actions are effective: In the 2017 Sustainability Report the Company discloses 'We obtain assurance of operational compliance with our human rights commitments and relevant standards through independent internal audits.'. The Company also states 'In FY2018, the Human Rights Policy and Practice Working Group will propose a number of recommendations to enhance the way BHP implements our human rights commitments across the business, from managing human rights risk in the supply chain to the processes used to identify and manage human rights risk.' [Sustainability Report, 2017: bhp.com] Met: Lessons learnt from checking effectiveness: Examples of learning from tracking include the Samarco case under the heading "What it means for BHP Billiton - what we will do differently" in the 2016 Sustainability Report and further material under the heading of "Human Rights Impact Assessments". <p>The Company provides updated information regarding the Samarco dam disaster in the 2017 Sustainability Report. [Sustainability Report, 2017: bhp.com & Sustainability Report, 2016: bhp.com]</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			Score 2 • Met: Both requirement under score 1 met: As above.
B.2.5	Communicating : Accounting for how human rights impacts are addressed	0.5	The individual elements of the assessment are met or not as follows: Score 1 • Met: Comms plan re identifying risks: The Company has demonstrated as per indicator B.2.1 how it communicates the system to identify human right risks and impacts for both own operations and extractive business partners. • Met: Comms plan re assessing risks: The Company has demonstrated as per indicator B.2.2 how it communicates the system to assess human right risks and impacts and which are its salient issues. • Not met: Comms plan re action plans for risks • Not met: Comms plan re reviewing action plans • Not met: Including EX BRs Score 2 • Not met: Responding to affected stakeholders concerns • Not met: Ensuring affected stakeholders can access communications

C. Remedies and Grievance Mechanisms (15% of Total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers	2	The individual elements of the assessment are met or not as follows: Score 1 • Met: Channel accessible to all workers: EthicsPoint is BHP Billiton's 24-hour, multilingual business conduct hotline and online case management system, which is managed by an independent third party. EthicsPoint can be accessed by anyone (including all workers) to raise any concerns regarding the behaviour of BHP Billiton employees or those representing BHP Billiton. EthicsPoint also links to the Code of Business Conduct - which covers human rights - and sets the standard for behaviour and guidance. [EthicsPoint, 03/06/2018: secure.ethicspoint.com] Score 2 • Met: Number grievances filed, addressed or resolved: The Company discloses the percentage of business conduct cases by category. This includes 8% of cases related to health and safety. This includes concerns that have been raised through line managers or Human Resources Personnel and through EthicsPoint. The Company discloses that there were no significant security-related incidents with possible human rights implications in FY2017. The Company also discloses that 'Our operations recorded no new social, environmental and human rights grievance cases through local grievance mechanisms in FY2017. There were two cases from FY2016 that are ongoing which we are committed to seeing through to resolution.' [Sustainability Report, 2017: bhp.com] • Met: Channel is available in all appropriate languages: The Code of Conduct states 'BHP Billiton's EthicsPoint is a multi-lingual worldwide service designed to facilitate the resolution of business conduct queries and issues that are not raised and resolved locally. You may choose to remain anonymous when raising a concern through EthicsPoint.' EthicsPoint website can be accessed in Spanish, Portuguese, Indonesian and Chinese. There are also numbers to call across Australia, Asia, Europe, Africa and the Americas. However, it is unclear whether operators are available in all appropriate languages. [Code of Business Conduct, 2016: bhp.com] • Met: Opens own system to EX BP workers: Contractors and operated-Joint Venture operations can use EthicsPoint to make grievances. Non-controlled joint ventures and minority interests are encouraged to adopt similar principles and standards. [Code of Business Conduct, 2016: bhp.com]
C.2	Grievance channel(s)/mechanism(s) to receive complaints or concerns from external individuals and communities	2	The individual elements of the assessment are met or not as follows: Score 1 • Met: Grievance mechanism for community: EthicsPoint is BHP Billiton's 24-hour, multilingual business conduct hotline and online case management system, which is managed by an independent third party. EthicsPoint can be accessed by the community to raise any concerns regarding the behaviour of BHP Billiton employees or those representing BHP Billiton. EthicsPoint also links to the Code of Business Conduct - which covers human rights - and sets the standard for behaviour and guidance. The Company states in the sustainability report 2017 'At a regional and local level, each asset is required to plan, implement and document stakeholder engagement activities. This includes newsletters and reports; community perception surveys and consultation groups; implementing community complaints and grievance mechanisms; and representation on specific industry association committees and initiatives.' [Sustainability Report, 2017: bhp.com]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Met: Describes accessibility and local languages: EthicsPoint is the Company's 24-hour, multilingual business conduct hotline and online case management system, which is managed by an independent third party. Complaints can be made anonymously. The EthicsPoint site is also available in English, Spanish, Portuguese, Chinese and Indonesian. Furthermore there are free call numbers for countries across Asia, Africa, United Kingdom and across the Americas and Caribbean. [EthicsPoint, 03/06/2018: secure.ethicspoint.com] • Met: EX BP communities use global system: At a regional and local level, each asset (including operated Joint Ventures) is required to plan, implement and document stakeholder engagement activities. This includes implementing community complaints and grievance mechanisms. EthicsPoint can be used by anyone to raise any questions or concerns regarding the behaviour of BHP Billiton employees or those representing BHP Billiton - which includes contractors (as emphasised in the Code of Conduct as well). [Sustainability Report, 2017: bhp.com & EthicsPoint, 03/06/2018: secure.ethicspoint.com]
C.3	Users are involved in the design and performance of the channel(s)/mechanism(s)	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: Engages users to create or assess system: The 'Our Collaborative Community Approach' diagram in the 2017 Sustainability Report highlights how working together with the community can influence complaints and grievance mechanisms. The Company also states 'In alignment with the UN Guiding Principles on Business and Human Rights, all our operations are required to have local mechanisms that record complaints and grievances, and address complaints and grievances in a timely manner. These mechanisms range from informal interactions and regular community forums to formal complaint systems.' [Sustainability Report, 2017: bhp.com] • Met: Description of how they do this: The Company discloses that grievance mechanisms range from e from informal interactions and regular community forums to formal complaint systems. In the 'Our Collaborative Community Approach' diagram in the 2017 Sustainability Report the Company highlights how working together and 'understanding communities', which includes identifying stakeholders, conducting social baseline studies, understanding the local human rights contexts and associated impacts, working with local people to identify and secure indigenous cultural heritage, can shape complaints and grievance mechanisms. [Sustainability Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Engages with users on system performance: Although the Company complaints and grievance analysis is included in the 'Our Collaborate Community Approach' diagram, it is unclear whether the company engages with users on system performance explicitly. [Sustainability Report, 2017: bhp.com] • Not met: Provides user engagement example on performance • Not met: EX BPs in creation or assessment
C.4	Procedures related to the mechanism(s)/channel(s) are publicly available and explained	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: Response timescales: Ethics Point - the business conduct hotline and online case management system is managed by an independent third party. The Company also states that individuals can speak to 'your supervisor, manager or Human Resources representative.' A Group Legal Representative is also noted as an individual that people can raise their grievances with. <p>The Company states that complainants will receive an initial response within three working days of complainants raising a concern through EthicsPoint. The Company also states 'In alignment with the UN Guiding Principles on Business and Human Rights, all our operations are required to have local mechanisms that record complaints and grievances, and address complaints and grievances in a timely manner.' [EthicsPont FAQs, 03/06/2018: secure.ethicspoint.com & Code of Business Conduct, 2016: bhp.com]</p> <ul style="list-style-type: none"> • Met: How complainants will be informed: Complainants raising a grievance through EthicsPoint will be provided with a 'report key' and be asked to create a password. This will allow complainants to access the case to review the progress of the concern, include additional information or upload attachments, follow up on the concern or answer any questions to assist with the assessment of the case. [EthicsPont FAQs, 03/06/2018: secure.ethicspoint.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Escalation to senior/independent level: The escalation process is also described in the EthicsPoint FAQ sheet '...may need to refer the matter to a subject matter expert or independent investigator. If you are an employee or contractor

Indicator Code	Indicator name	Score (out of 2)	Explanation
			and are concerned about your Asset's involvement, you can request that the matter is investigated independently to your Asset.' [EthicsPont FAQs, 03/06/2018: secure.ethicspoint.com]
C.5	Commitment to non-retaliation over complaints or concerns made	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 statement prohibiting retaliation: The Code of Business Conduct prohibits any form of punishment, disciplinary or retaliatory action being taken against anyone for raising or help to address a business conduct concern. [Code of Business Conduct, 2016: bhp.com] • Met: Practical measures to prevent retaliation: The company states that retaliation is grounds for discipline, including dismissal. The Company allows grievances to be made anonymously, and the grievance mechanism is operated by an independent third party. The Company states in the Code of Business Conduct 'If you have been retaliated against for raising a concern you should report it immediately.' [EthicsPoint, 03/06/2018: secure.ethicspoint.com & Code of Business Conduct, 2016: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Has not retaliated in practice: The Company states in the CHRB Tracker Response that 'it has never brought retaliatory suit against those with credible cases of human rights impacts or the lawyers representing them or fired workers who have brought cases against it on human rights issues or engaged in violent acts or threats against livelihood, careers or reputation of claimants of their lawyers'. [CHRB 2016 Response, 31/05/201: business-humanrights.org] • Met: Expects EX BRs to prohibit retaliation: The Company ensures there is no retaliation through a description of GLDs as minimum mandatory standards and through their internal audit process. The Code applies to contractors and controlled JVs. Non-controlled joint ventures and minority interests are encouraged to adopt similar principles and standards. [Code of Business Conduct, 2016: bhp.com]
C.6	Company involvement with State-based judicial and non-judicial grievance mechanisms	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: Won't impede state based mechanisms: The Company states in its Sustainability report 2015 that local-level complaints and grievance mechanisms 'must not impede access to judicial or administrative remedies'. <p>The 2016 Sustainability Report, the Company states 'We would provide reasonable cooperation and seek to participate constructively in the event a claim were brought against BHP Billiton through a recognised state-based non-judicial grievance mechanism. We would seek to agree the most appropriate forum, if a claim were brought through more than one mechanism or through a mechanism without a reasonable nexus'. However, the Company does not disclose something similar in the 2017 Sustainability Report. [Sustainability Report, 2016: bhp.com]</p> <ul style="list-style-type: none"> • Met: Complainants not asked to waive rights: The 2016 Sustainability Report states that the Company does not require affected individuals or communities permanently to waive their legal rights to bring a claim through a judicial process as a condition of participating in a BHP Billiton grievance mechanism. [Sustainability Report, 2016: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Will work with state based or non judicial mechanisms: The 2016 Sustainability Report, the Company states 'We would provide reasonable cooperation and seek to participate constructively in the event a claim were brought against BHP Billiton through a recognised state-based non-judicial grievance mechanism. We would seek to agree the most appropriate forum, if a claim were brought through more than one mechanism or through a mechanism without a reasonable nexus'. [Sustainability Report, 2016: bhp.com] • Not met: Example of issue resolved (if applicable): The Company states that there are two human rights grievance cases from FY2016 'that are ongoing which we are committed to seeing through to resolution.' However, the Company does not provide an example of issues resolved. The Company provides information regarding the Cerrejon resettlements, however, the Company states 'Resettled communities and Cerrejon have collectively discussed and addressed common issues and concerns to work towards mutually agreed solutions. Work is continuing to follow up on progress and identify solutions required to close any remaining gaps.' [Sustainability Report, 2017: bhp.com]
C.7	Remedying adverse impacts and	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 how remedy has been provided: The Company details the resettlements at Cerrejon in the 2017 and 2016 Sustainability Report. The Company highlights a range of concerns that have been expressed by the surrounding

Indicator Code	Indicator name	Score (out of 2)	Explanation
	incorporating lessons learned		<p>community associated with resettlements, health, sustainable livelihoods and drought conditions. A roundtable process has been established so that the resettled communities and Cerrejon can address common issues and concerns post resettlement, including livelihood creation.</p> <p>In the 2017 Sustainability Report the Company details that 'Resettled communities and Cerrejon have collectively discussed and addressed common issues and concerns to work towards mutually agreed solutions. Work is continuing to follow up on progress and identify solutions required to close any remaining gaps.'</p> <p>Score 2</p> <ul style="list-style-type: none"> • Met: Changes introduced to stop repetition: The Company also provides in depth details of their response to the Samarco dam disaster, including changes to systems and new practices adopted to prevent similar adverse impacts. The Company publicly committed to disclosing results of their investigation into the disaster and has committed to preventing a similar event from occurring. • Met: Approach to learning from incident to prevent future impacts: As above • Not met: Evaluation of the channel/mechanism: Although the Company has discussed the Cerrejon and Samarco case studies, the Company does not provide information regarding the evaluation of the effectiveness of the grievance channel/mechanism .

D. Performance: Company Human Rights Practices (20% 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: Living wage target timeframe: The Company states that they set mandatory requirements for all suppliers and relevant contractors, including in relation to a living wage. However, the Company has not disclosed a living wage target timeframe. [Sustainability Report, 2017: bhp.com] • Not met: Describes how living wage determined: The Company states in their 2017 Modern Slavery Act statement that 'Wages and benefits paid for a standard working week must satisfy, at a minimum, national legal standards or local industry benchmarks, whichever is higher. 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, the Company has not specified that this must include the involvement of relevant trade unions. [Modern Slavery Act 2015 (UK) FY2017 Statement, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Pays living wages • Not met: Reviews livings wages definition 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 Company is an EITI supporting Company. [Governance and Transparency, 01/06/2018: bhp.com] • Met: Reports of taxes beyond legal minimums: The Company publishes an 'economic contribution report'. The report includes country-by-country reports of its payments to governments in 2017. [BHP Economic Contribution Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Reports taxes and revenue by country: The Company publishes tax revenue by country in the 2017 Economic Contribution Report. [BHP Economic Contribution Report, 2017: bhp.com] • Met: Steps taken re non EITI countries: represented on the Board of the Extractive Industries Transparency Initiative (EITI), whose 2016 Standard requires the 52 EITI implementing countries to develop 'road maps' towards the establishment of Beneficial Ownership Registers. The Company also supports the introduction of public disclosure requirements relating to beneficial ownership.
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: Commits not to interfere with union rights and collective bargaining and prohibits intimidation and retaliation: The Company Our Requirements for Supply Standard includes provisions relating to Freedom of Association. This states that a supplier must '- adopt an open attitude towards the legitimate activities of trade unions;

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>- allow their workers' representatives to carry out their legitimate representative functions in the workplace and not be discriminated against.' This is one of the company's 'zero tolerance requirements.' However, it is not clear whether these 'zero tolerance requirements' are applicable to the Company's own workers. [Our Requirements for Supply Standard, 29/05/2018: bhp.com]</p> <ul style="list-style-type: none"> • Met: Discloses % covered by collective bargaining: The Company states in FY2017, 55 per cent of employees were covered by collective arrangements. [Sustainability Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Both requirement under score 1 met
D.3.4	Health and safety: Fatalities, lost days, injury 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: Injury Rate disclosures: The Company reports a total recordable injury frequency rate (calculated based on the number of recordable injuries per million hours worked) of 4.2. [Sustainability Report, 2017: bhp.com] • Met: Fatalities disclosures: The Company reports one work-related fatalities in FY2017 at the Company's Escondida asset. [Sustainability Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Set targets for H&S performance: The Company has a target for zero fatalities and a target for year-on-year improvement with their total recordable injury frequency. [Sustainability Report, 2017: bhp.com] • Met: Met targets or explains why not: The Company states 'We were encouraged that events with the potential to cause a fatality which had an associated injury reduced by 30 per cent compared with FY2016. This can be attributed to field leadership, in-field verification of critical controls and an increased focus on what we need to do to avoid single fatality risks.' The Company also discussed the fatality, and another fatality that occurred in FY2018. The Company also presents the targets set by the Company and whether or not they were met. [Sustainability Report, 2017: bhp.com]
D.3.5	Indigenous peoples rights and free prior and informed consent (FPIC) (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: Process to identify indigenous rights holders: The Company demonstrates in their 'collaborative community approach' diagram in the 2017 Sustainability Report that they are 'working with local people to identify and secure indigenous cultural heritage'. • Met: How engages with communities in assessment: The Company has committed to implement an 'Indigenous Peoples Strategy' across all assets through the deliver of regional Indigenous Peoples Plans. The Company states 'Our Indigenous Peoples Strategy (Strategy) details how we implement the Statement and focuses our engagement with Indigenous peoples on four priority areas: governance; economic empowerment; social and cultural support; and public engagement.' [Sustainability Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Commits to FPIC (or ICMM): The Company's Indigenous Peoples Policy statement commits to the ICMM Indigenous Peoples and Mining Position Statement which covers Free Prior and Informed Consent. [BHP Indigenous Peoples Policy Statement, 04/06/2018: bhp.com] • Met: Gives recent example FPIC or dropping deal: The Company provides an example of a new agreement with the Yinhawangka people and in the 2016 sustainability report a case study of an agreement with the Banjima people. [Sustainability Report, 2016: bhp.com]
D.3.6	Land rights (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: Approach to identification of land tenure rights holders: The Company states in their 2017 sustainability report 'We seek to identify the customary owners, occupiers and users of land on which we intend to operate. Following this identification process and collaboration with Indigenous peoples' representative organisations, we may amend work plans to reduce potential impacts on landowners and users.'

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>The Company states in their 2015 sustainability report ' At a very early stage of a project, we seek to identify customary owners, occupiers and users of the land on which we intend to operate, as well as conduct land usage surveys. Knowing who is connected to the land and how it is used is critical to establishing effective community consultation and engagement. This helps to ensure people potentially affected by our operations are fully aware of our activities and have an opportunity to express their concerns and aspirations. In instances where land may be used for customary purposes and no formal land title has been issued, information is requested from relevant organisations, including government authorities with responsibilities for customary land uses, and Indigenous peoples' representative organisations, such as land and tribal councils. Further enquiries are also made directly with the people in the area to help identify those with connections to the land. Arising from this engagement, the operational work plan may be amended to reduce potential impacts on landowners and users ' [Sustainability Report, 2017: bhp.com]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Met: How valuation and compensation works: The Company commits to implement programs consistent with the IFC's Performance Standards 5, Land Acquisition and Involuntary Resettlement. The Company has detailed how for the Samarco Fundao dam disaster, socio-economic programs have been developed to address matters such as 'financial assistance and compensation, resettlement, livelihood and economic development, education, health, culture Indigenous and traditional people, and social dialogue.' The Company discloses how 'around 400,000 people are expected to be entitled to compensation for interruption to water supplies along the Rio Doce. As at 22 July 2017, over 186,000 claims have been accepted for payment, with over 82,000 paid. Over 14,000 families have registered for compensation for other damages, such as property loss or business impacts.' The Company also discloses that around 8000 financial assistance cards have been distributed to people whose livelihoods were impacted. [Sustainability Report, 2017: bhp.com] • Met: Steps to meet IFC PS 5 in state deals: The Company commits to implement programs consistent with the IFC's Performance Standards 5, Land Acquisition and Involuntary Resettlement. The Company states 'this includes acting in a participatory manner that leads to demonstrable improvement in the livelihoods of displaced people or communities.' [Sustainability Report, 2017: bhp.com]
D.3.7	Security (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"> • Met: How implements security (inc VPs or ICOC): The Company is committed to the Voluntary Principles on Security and Human Rights. The Company's Our Requirements for Safety and Security standard and commitment to the external Voluntary Principles on Security and Human Rights require that the Company's security programs are managed to ensure human rights and fundamental freedoms are upheld. The Company annually reviews alignment with the Voluntary Principles on Security and Human Rights and implements improvement plans to address any gaps. [Sustainability Report, 2017: bhp.com] • Met: Example of respecting HRs in security: The Company states that Security and security-related human rights training is conducted regularly. During FY2017, over 99 per cent of the Company's security employees and contractors completed security training. The Company also states that there were no security-related incidents with possible human rights implications in FY2017. [Sustainability Report, 2017: bhp.com] • Met: Ensures Business Partners follow security approach: The Company states that across the Group, the Company's operations (incl. operated joint ventures) conduct an annual review for alignment with the VPs and implement an improvement plan to close identified gaps. During FY2017, over 99 per cent of the Company's security employees and contractors completed security training. Therefore, contractors are also covered by the security approach. [Sustainability Report, 2017: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not met: Assesses and involves communities: The Company states 'Through our commitment to the Voluntary Principles on Security and Human Rights, we seek to protect people from material security risks by applying our performance requirements and engaging relevant stakeholders to develop and manage security programs that respect human rights'. However, it is not clear whether the 'relevant stakeholders' include the local community. [Our Approach - Respecting Human Rights and UK Modern Slavery Act Statement, 04/06/2018: bhp.com] • Not met: Working with local community

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.3.8	Water and sanitation (in own extractive operations, which includes JVs)	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: Action to prevent water and sanitation risks: The Company's Environment and Climate Change GLD takes into account operations direct, indirect, and cumulative impacts and risks to water resources by understanding the social, cultural, ecological and economic values of water at a catchment level within the Company's area of influence. The Company then applies a mitigation hierarchy to address water. [Environment and Climate Change GLD, 04/06/2018: bhp.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Water targets considering local factors: The Company CHR profile response states that their environmental targets outline specific targets on water stewardship that take into consideration water usage by local communities and other users and reports on performance in meeting its targets. <p>In their FY2017 sustainability report the Company states 'The water-related risks and impacts experienced by our operations differ from region to region due to variables such as climate, culture and landscape. To ensure our decisions reflect the context in which we operate, we aim to assess and manage our water-related risks on a regional basis. Where possible, we seek to use lower-quality or recycled water to minimise extraction requirements from higher-quality water resources.' [Sustainability Report, 2017: bhp.com & CHR 2016 Response, 31/05/201: business-humanrights.org]</p> <ul style="list-style-type: none"> • Not met: Reports progress in meeting targets and shows trends in progress made

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: Health and safety • Headline: Samarco Dam Burst • Sources: The Guardian, 08/11/2015 and 13/11/2015 - theguardian.com and theguardian.com BBC News, 17/11/2015 - bbc.com and bbc.com The Wall Street Journal, 13/11/2015 - wsj.com Reuters, 05/11/2015 and 13/11/2015, The Australian, 16/11/2015, Australian Financial Review, 14/11/2015, ABC News, 01/12/2015, Deutsche Welle, 27/01/2016, Company press release, 08/01/2016 and 16/11/2015 bhp.com p.28 • Allegation: 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.
E(1).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 available <p>Score 2</p> <ul style="list-style-type: none"> • Met: Response goes into detail: The Company has responded to the allegations through press releases, reports, joint statements and in the press. Samarco issued a report on 5 January 2016. <p>Following the accident, Samarco said in an initial statement that it had not yet determined why the dam burst or the extent of the disaster. It also stated that competent authorities, such as the Civil Police, were carrying out investigations into the causes of the accident and that Samarco was supplying all the information necessary to expedite the process. It stated: 'In parallel, the Company is counting on the support of international firms, which are working on the investigations and collecting as much information as possible. The objective is for the data obtained – with the participation of experts in geotechnical engineering, geology, seismology and soil mechanics, among others – to explain the causes of the accident and also provide input for potential improvements in the Samarco's production and safety procedures. There is no set date for the completion of the investigations, but in view of the complexity of the accident, it is expected that conclusive reports will be issued within six to twelve months'.</p> <p>Vale and BHP issued a joint statement on 11 November, having visited the site. It included the following: 'As an immediate step, Vale and BHP Billiton pledge to support Samarco in creating an Emergency Fund for rebuilding works and to help</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			the affected families and communities. It is our intention to work with the authorities to get this fund functioning as soon as possible. Vale and BHP Billiton also have health, safety, environment and geotechnical experts onsite supporting Samarco's response. We have also had discussions with Samarco and the authorities about the additional support we can provide. Investigations are continuing and Samarco will provide further updates relating to the response and operations.'
E(1).2	The Company has appropriate policies in place	2	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Met: Company policies address the general issues raised • Met: Policies apply to the type of business relationships involved: The Company has a health and safety policy which applies to business relationships Score 2 <ul style="list-style-type: none"> • Met: Policies address the specific rights in question: The Company has a health and safety policy and undertook a review of its policies and practices. This resulted in "a new BHP Billiton global standard for non-operated minerals joint ventures."
E(1).3	The Company has taken appropriate action	1.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Met: Engages with affected stakeholders: The Company states that it engaged with the community throughout the process it undertook to reach its framework for compensatory actions and the remediation of the impacts from the failure. • Met: Provides remedies to affected stakeholders: The company agreed to pay USD 181 million in financial support to the Renova Foundation and Samarco Mineração until June 30th, 2018. The Company details the steps it has taken in response to the Samarco dam failing on pages 2-5 of its Sustainability Report 2016: "In March 2016, an agreement was entered into by Samarco, BHP Billiton Brasil, Vale and the Brazilian Authorities to provide a framework for compensatory actions and the remediation of the impacts from the failure." This agreement includes "17 environmental and 22 socio-economic programs, to restore and compensate the communities and environment affected by the dam failure". However, it does not provide evidence that <75% of affected community members are satisfied with the compensation arrangements. • Met: Has improved systems and engaged affected stakeholders: Following the dam failure, BHP undertook a governance review of its non-operated joint venture operations and made changes to its risk management and processes; accountability and structure and training to staff on risks. It also conducted a risk review was conducted of all significant dams across their operated assets and joint ventures Score 2 <ul style="list-style-type: none"> • Not met: Remedies are satisfactory to the victims • Met: Has improved systems and engaged affected stakeholders
E(2).0	Serious allegation No 2		<ul style="list-style-type: none"> • Area: Access to water • Headline: Colombia's Constitutional Court decided to suspend Cerrejon's permit to divert stream over lack of consultations with local indigenous groups. • Sources: Colombia: Constitutional Court suspends Cerrejon's permit to divert stream over lack of consultations with local indigenous groups; incl. company statement - Business & Human Rights Centre - 21/08/2017 - business-humanrights.org • Allegation: BHP Billiton is a joint-venture partner (with Anglo American and Glencore) 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. <p>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.</p>
E(2).1	The Company has responded publicly to the allegation	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> • Not met: Public response available: Though Cerrejon itself has responded in detail, BHP Billiton did not refer to Cerrejon's comments and therefore do not meet CHR indicator

Indicator Code	Indicator name	Score (out of 2)	Explanation
			Score 2 <ul style="list-style-type: none"> Not met: Response goes into detail: Though Cerrejon itself has responded in detail, BHP Billiton did not refer to Cerrejon's comments and therefore do not meet CHRB indicator
E(2).2	The Company has appropriate policies in place	0.5	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Met: Company policies address the general issues raised: Its Code of Conduct states: All employees, directors, officers, contractors and suppliers (where under relevant contractual obligation) and controlled entities must adhere to the Code, regardless of location or role. Non-controlled joint ventures and minority interests are encouraged to adopt similar principles and standards" (which we consider reflects the UNGPs requirement for a company's policy commitment to stipulate its expectation of business partners'. The Company refers to water as a human right in the Sustainability Report, however water is not mentioned in the code of business conduct. Therefore it is not clear whether this stance applies to extractive business partners. The code also states: 'We respect the rights of Indigenous Peoples and acknowledge their right to maintain their culture, identity, traditions and customs.....Our commitment is satisfied by the completion of host government processes or compliance with domestic laws where they are generally consistent with the principles of the ICMM Position Statement, including jurisdictions that follow International Labour Organisation Convention No. 169'. However, the Company has not disclosed a public policy stating that it expects its extractive business partners to commit to respect indigenous peoples rights. <ul style="list-style-type: none"> Not met: Policies apply to the type of business relationships involved Score 2 <ul style="list-style-type: none"> Not met: Policies address the specific rights in question
E(2).3	The Company has taken appropriate action	0	The individual elements of the assessment are met or not as follows: Score 1 <ul style="list-style-type: none"> Not met: Engages with affected stakeholders Not met: Encourages linked business to engage affected stakeholders Not met: Provides remedies to affected stakeholders Not met: Has reviewed management systems to prevent recurrence Score 2 <ul style="list-style-type: none"> Not met: Remedies are satisfactory to the victims Not met: Has improved systems and engaged affected stakeholders

F. Transparency (10% of Total)

Indicator Code	Indicator name	Score	Explanation
F.1	Company willingness to publish information	3.68 out of 4	Out of a total of 38 indicators assessed under sections A-D of the benchmark, BHP Billiton made data public that met one or more elements of the methodology in 35 cases, leading to a disclosure score of 3.68 out of 4 points.
F.2	Recognised Reporting Initiatives	2 out of 2	The individual elements of the assessment are met or not as follows: Score 2 <ul style="list-style-type: none"> Met: Company reports on GRI: The Company utilises the GRI as the basis of reporting for their sustainability report. This is confirmed in the independent assurance of the report. The Company's Sustainability Report Navigator includes a GRI mapping table.
F.3	Key, High Quality Disclosures	2.4 out of 4	BHP Billiton met 6 of the 10 thresholds listed below and therefore gets 2.4 out of 4 points for the high quality disclosure indicator. Specificity and use of concrete examples <ul style="list-style-type: none"> Met: Score 2 for A.2.2 : Board discussions Not met: Score 2 for B.1.6 : Monitoring and corrective actions Met: Score 2 for C.1 : Grievance channel(s)/mechanism(s) to receive complaints or concerns from workers Not met: Score 2 for C.3 : Users are involved in the design and performance of the channel(s)/mechanism(s) Discussing challenges openly <ul style="list-style-type: none"> Met: Score 2 for B.2.4 : Tracking: Monitoring and evaluating the effectiveness of actions to respond to human rights risks and impacts Not met: Score 2 for C.7 : Remedying adverse impacts and incorporating lessons learned Demonstrating a forward focus

Indicator Code	Indicator name	Score	Explanation
			<ul style="list-style-type: none"> • Met: Score 2 for A.2.3 : Incentives and performance management • Met: Score 2 for B.1.2 : Incentives and performance management • Not met: Score 1 for D.3.1 : Living wage (in own extractive operations, which includes JVs) • Met: Score 2 for D.3.4 : Health and safety: Fatalities, lost days, injury rates (in own extractive operations, which includes JVs)

Disclaimer

A score of zero for a particular indicator does not mean that bad practices are present. Rather it means that we have been unable to identify the required information in public documentation.

See the 2018 Key Findings report for more details of the research process.

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As CHRB Ltd, we want to emphasise that the results will always be a proxy for good human rights management, and not an absolute measure of performance. This is because there are no fundamental units of measurement for human rights. Human rights assessments are therefore necessarily more subjective than objective. The Benchmark also captures only a snap shot in time. We therefore want to encourage companies, investors, civil society and governments to look at the broad performance bands that companies are ranked within rather than their precise score because, as with all measurements, there is a reasonably wide margin of error possible in interpretation. We also want to encourage a greater analytical focus on how scores improve over time rather than upon how a company compares to other companies in the same industry today. The spirit of the exercise is to promote continual improvement via an open assessment process and a common understanding of the importance of the UN Guiding Principles on Business and Human Rights.