



# The Copper Mark Assurance Process

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## 1 Introduction

The Copper Mark is a credible assurance framework to promote responsible production practices and demonstrate the copper industry's contribution to the United Nations SDGs. With The Copper Mark, we can improve the lives of our colleagues and neighbors, strengthen the communities in which we do business, and increase the value we deliver to our customers and their consumers.

Assurance is the process by which The Copper Mark ensures that sites meet the requirements of the relevant standard(s). The Copper Mark seeks to implement an assurance process that is recognized by stakeholders as credible, incorporates best international practice, and aligns with the following five organizational principles:

### 1. Pragmatic

The Copper Mark is achievable, implementable and fit-for-purpose. Companies are able to use documented evidence as a significant contribution to the assessment.

### 2. Inclusive

The Copper Mark is accessible to all companies in scope, at whatever stage along their journey to sustainability and to all sizes of operations.

### 3. Recognition

The Copper Mark recognizes existing standards systems, reporting frameworks, and certifications in order to avoid redundancy and to promote the use of these initiatives.

### 4. Progressive

The Copper Mark acknowledges that a period of implementation is required to achieve full conformance with its standards.

### 5. Continuous improvement

The Copper Mark monitors overall progress through annual reviews of the implementation of improvement actions.

Aligned with the principle on recognition, The Copper Mark seeks to avoid redundancy and promote the use of existing initiatives. The Copper Mark collaborates closely with other metal associations and partner organizations to create efficiencies. Main partners are the Responsible Minerals Initiative, the Nickel Institute, the International Zinc Association, the International Molybdenum Association, and the International Lead Association.

As a result of these partnerships, the Copper Mark Assurance Process is available for sites producing copper, nickel, molybdenum, zinc or lead and wishing to be assessed against one or more of the Copper Mark standards below as applicable to their operations:

1. The Copper Mark Criteria for Responsible Production ([Copper Mark Criteria](#)). These include **all** of the following:
  - a. [Risk Readiness Assessment \(RRA\)](#) of the Responsible Minerals Initiative (RMI).
  - b. [RRA-Copper Mark Criteria Guide of February 2020](#).
  - c. [The Joint Due Diligence Standard for Copper, Lead, Nickel and Zinc of February 2021 \(Joint Due Diligence Standard\)](#).
2. [The Copper Mark Chain of Custody Standard](#) (Chain of Custody Standard).
3. [The Joint Due Diligence Standard for Copper, Lead, Nickel and Zinc of February 2021](#) (stand-alone assessment)

**The Copper Mark Assurance Process applies regardless of the Copper Mark standard against which the site is assessed.**

The Copper Mark Chain of Custody Standard is a voluntary add-on to the Copper Mark Criteria. Assessments against both standards follow the same processes and timelines, even if the Chain of Custody Standard is added on after the initial assessment of the Copper Mark Criteria.

Requirements that are specific to one standard or another are delineated in this document as appropriate.

*Figure 1: The Relationship between the Copper Mark Standards*

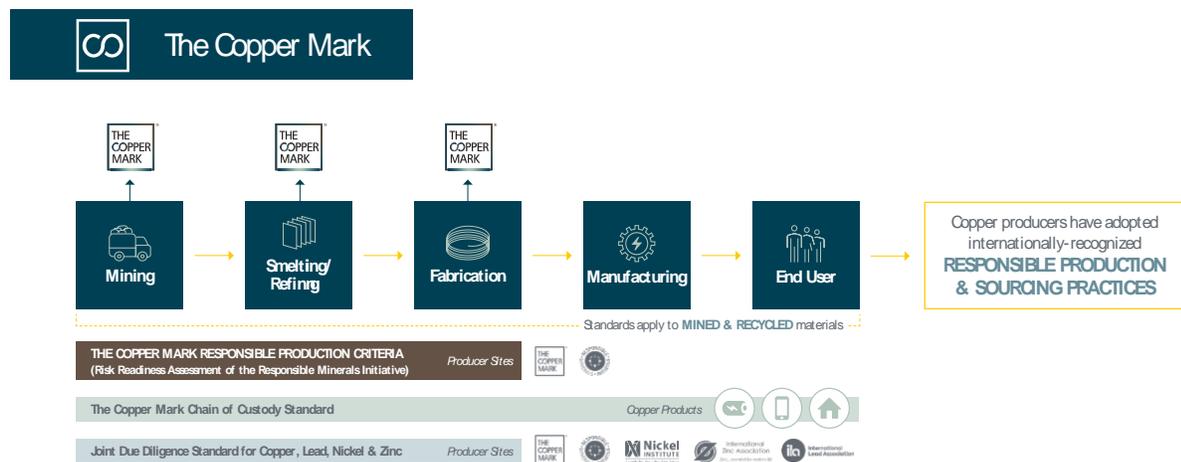
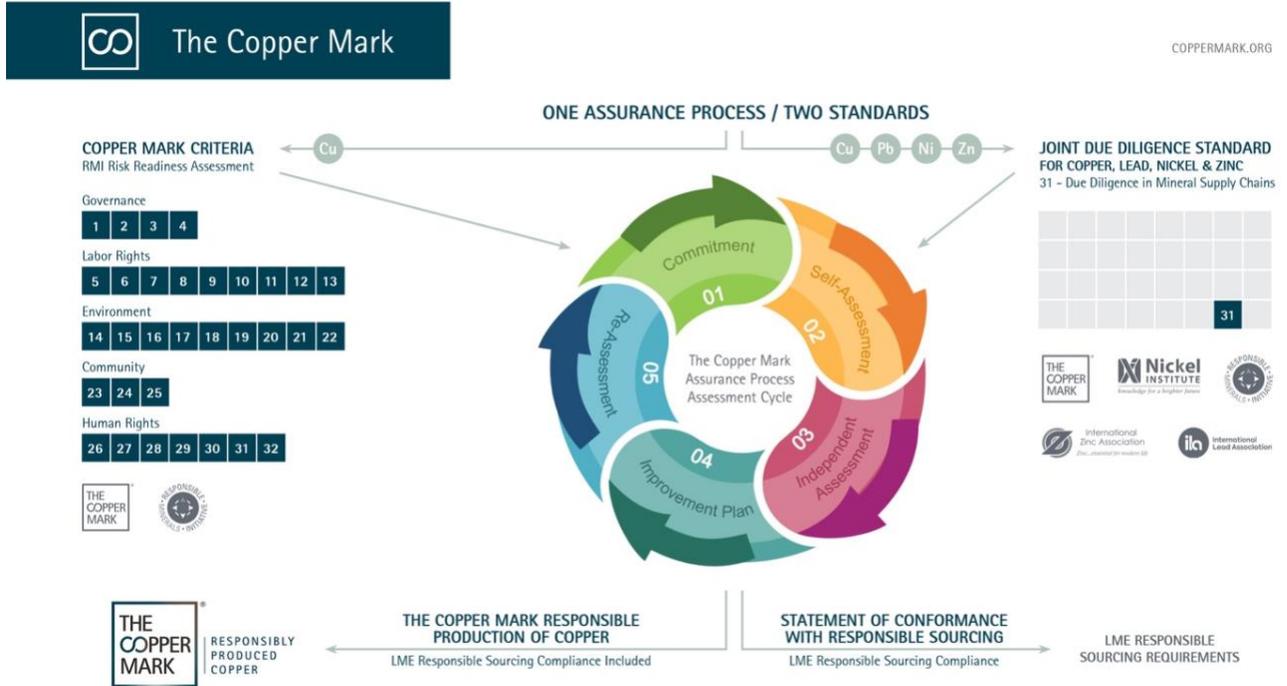


Figure 2: The Relationship between the Copper Mark Criteria and the Joint Due Diligence Standard



## 2 Participating Entities

There are three principal entities that participate in The Copper Mark Assurance Process, each of which have particular roles and responsibilities:

- A. Sites
- B. Copper Mark [Assessors](#)
- C. The Copper Mark

### A. Sites

The Copper Mark Assurance Process must be implemented at site-level. A site may comprise several activities in different locations in the same geographic area and under the same management control.

The following sites are eligible to take part in The Copper Mark Assurance Process:

1. Participant: a site involved in the extraction, processing, treatment, mixing, recycling, handling, or otherwise manipulating one or more of the principle covered metal products.

A Participant is assessed against all 32 Copper Mark Criteria. Only Participants are eligible to make Copper Mark Claims in accordance with [The Copper Mark Claims Guide](#).

2. Other eligible sites: any company extracting, producing and/or trading copper, lead, molybdenum, nickel, or zinc materials from mine sites, including producers of refined metal products, which are generally referred to as the refiner. The Joint Due Diligence Standard also applies to producers of nickel chemical compounds and all nickel raw intermediate materials (including ferro-nickel, nickel pig iron, and nickel oxide sinter) entering production of stainless steel, alloys, batteries, and plating, and where no refining takes place.

Other eligible sites are assessed only against the Joint Due Diligence Standard and **are not eligible to make Copper Mark Claims** in accordance with [The Copper Mark Claims Guide](#).

Sites' responsibilities when using The Copper Mark Assurance Process include:

- Selecting the Copper Mark standard(s) for the assessment.
- Committing to complete the Assurance Process including through contractual agreements with The Copper Mark.
- Nominating and providing an appropriate level of support and resources to a contact person who will coordinate with The Copper Mark.
- Committing the requisite resources to meet the criteria of the applicable Copper Mark standard.

- Maintaining records related to their participation in The Copper Mark Assurance Process.
- Completing self-assessment surveys and receiving assessors on-site.
- Contracting an approved Copper Mark Assessor; and
- Making necessary information available to determine their conformance with Copper Mark standards.

## **B. Copper Mark Assessors**

Copper Mark assessors are independent parties approved by The Copper Mark to carry out assessment activities. Assessors provide external validity to The Copper Mark's Assurance Process through site visits to assess site conformance to the standard. The Copper Mark reviews and approves assessor applications using the criteria listed in Section 4.

Copper Mark assessors have the following responsibilities:

- Complete the Copper Mark's approval process for assessors
- Sign a commitment to conduct an assessment in accordance with the Copper Mark policies and procedures, and expectations on quality, independence, and professional conduct.
- Participate in all required training.
- Maintain approval as defined in the Copper Mark Assessor Management Procedure.
- Review site assurance and certification reports submitted for recognition of equivalence.
- Prepare for the site assessment in collaboration with the site and the Copper Mark.
- Conduct site assessment visits and prepare assessment reports; and
- Provide feedback and recommendations on the sites' improvement plans and findings from site-visits.
- Conduct follow-up and re-assessments as required and commissioned by the site.

## **C. The Copper Mark**

The Copper Mark is responsible for the planning, execution, and reporting of The Copper Mark Assurance Process. It oversees the delivery of assessment activities, including the approval of Copper Mark Assessors, reporting of assessment results and monitoring improvement plans as well as claims and logo use. It is accountable for all compliance and decisions related to sites using the Assurance Process.

The Copper Mark has the following responsibilities for the implementation of the Assurance Process:

- Manage the approval and maintenance process for Copper Mark assessors.
- Assess equivalent systems for recognition of their standard and assurance requirements.
- Confirm and remove eligibility of participants to make Copper Mark claims and use The Copper Mark logo.
- Maintain a log for Copper Mark assessor reports, and for sites' improvement plans.
- Provide guidance and interpretations on the Copper Mark standards and this Assurance Process.
- Identify the need for, and oversee the implementation of, system improvements.

### **3 Scope**

The scope of the assessment is dependent on the type of standard against which the site is being assessed. The site is responsible to select the standard(s). The Copper Mark Criteria, inclusive of the Joint Due Diligence Standard, are mandatory for all participants. Participants may choose to voluntarily add the Chain of Custody Standard. The Joint Due Diligence Standard is a voluntary stand-alone option for all other eligible sites.

An independent site assessment is required for all sites that use the Copper Mark Assurance Process.

There are four main considerations for the scope, to be determined by the Copper Mark, the site and the assessor before the assessment based on the standard applied:

1. operations,
2. applicable criteria,
3. metals,
4. infrastructure and activities.

### 3.1 Assessment Scope

Scope is determined based on the following table.

Table 1: Assessment Scope

	Copper Mark Criteria	Chain of Custody	Joint Due Diligence Standard
Mandatory / Voluntary	Mandatory	Voluntary	Mandatory for Participants Voluntary for other eligible sites
<b>Operations</b> <i>Note that a site must have been operating for at least 3 months before undergoing the Site Assessment.</i>	Participants	Participants that produce copper	Participants and Other eligible sites
<b>Metals</b>	At least one of: copper, nickel, zinc, molybdenum	Copper only	At least one of: copper, nickel, zinc, molybdenum
	Any by-products or other metals produced at the same location under the same management (including copper, nickel, zinc, and molybdenum)		Determined by the site: Any by-products or other metals produced at the same location under the same management (including copper, nickel, zinc, and molybdenum)
<b>Infrastructure and activities in scope</b>	All activities even if different locations but in the same geographic area and under the same management control. Including: <ul style="list-style-type: none"> <li>• Mines</li> <li>• Smelters</li> <li>• Refineries</li> <li>• Manufacturers / fabricators</li> <li>• Wastewater treatment facilities</li> <li>• Waste management facilities</li> <li>• Warehouses</li> <li>• Administrative offices</li> <li>• Roads</li> <li>• Railways</li> <li>• Ports</li> </ul>	All activities even if different locations but in the same geographic area and under the same management control. Including: <ul style="list-style-type: none"> <li>• Mines</li> <li>• Smelters</li> <li>• Refineries</li> <li>• Manufacturers / fabricators</li> <li>• Warehouses</li> </ul>	All activities even if different locations but in the same geographic area and under the same management control. Including: <ul style="list-style-type: none"> <li>• Mines</li> <li>• Smelters</li> <li>• Refineries</li> <li>• Manufacturers / fabricators</li> <li>• Warehouses</li> <li>• Administrative offices</li> </ul>
<b>Criteria</b>	All, except: <ul style="list-style-type: none"> <li>• Those pre-determined in the Criteria Guide to be not applicable to certain operations</li> <li>• Those determined to be covered by equivalence (Section 3.2 below)</li> </ul>		

## 3.2 Equivalence

A core principle of The Copper Mark is to recognize “equivalent systems” that are materially comparable in scope and intent to both the Copper Mark standards and Assurance Process. Equivalent systems are defined as having standards and assurance requirements. These may include sustainability systems, good practice frameworks, certifications, or externally assured management systems.

In order to impact the site’s assessment, the equivalent system must cover at least one criteria of a Copper Mark standard. There are four scenarios for equivalence:

Number of criteria covered by the equivalent system	Equivalent Standard	Equivalent Assurance
Full Copper Mark standard	X	X
Full Copper Mark standard	X	
One / some criteria of the Copper Mark standard	X	X
One / some criteria of the Copper Mark standard	X	

The Copper Mark supports integrated assessments where participants undergo one assessment against multiple standards. Sites who consider using an integrated assessment are encouraged to contact the Copper Mark as early as possible to facilitate the preparation, conduct and reporting for such assessments.

### 3.2.1 Copper Mark Responsibility

The Copper Mark is responsible for determining and communicating equivalent systems recognized for both standards and assurance. The process on how the Copper Mark prioritizes and assesses systems, as well as how it seeks recognition from others is defined in [The Copper Mark Recognition Process](#).

Sites who are considering using equivalent systems or integrated audits should contact the Copper Mark early in the process.

### 3.2.2 Site Responsibility

The site is responsible for submitting the full assessment or certification reports during Step 2 of the Assurance Process. Assurance or certification reports submitted after Step 2 are not considered.

Sites are responsible for ensuring that all Copper Mark requirements, whether standard or assurance, are covered in the assessment or certification report. **This includes ensuring that equivalent systems recognized for their standard but not assurance are assessed using the Copper Mark Assurance Process.**

### 3.2.3 Assessor Responsibility

For equivalent systems, assessors are responsible for reviewing the reports submitted by the site and determining whether they meet the following requirements:

- The assurance or certificate is in effect or valid at the time of submission.
- The assurance or certificate is no more than 24 months old or plans for re-assessment or re-certification are underway and communicated to The Copper Mark.
- The assurance or certificate is valid for at least 12 additional months following submission or plans for reassessment or recertification are underway and communicated to The Copper Mark.
- The assurance or certificate covers the same scope as the site participating in The Copper Mark, including operations, locations, and materials.
- Improvement plans are in place to close any gaps within the next 12 months.
- Relevant issues identified in due diligence checks are covered in the report.

Based on the determination, assessors are responsible for determining which criteria are applicable in the assessment, in accordance with the [Copper Mark Recognition Process](#). These determinations must be reflected in the assessment plan, as discussed in Section 4.4.2.

### 3.2.4 Systems that Cover the Full Set of Criteria

For equivalent systems that cover all criteria of Copper Mark standard and are recognized for both its standard and assurance, the participant shall submit the certification or assurance report instead of a self-assessment.

The Copper Mark will commission an approved assessor to conduct a review of the equivalent certification or assurance.

The commissioned assessor shall determine whether the equivalent certification or assurance was conducted in accordance with the Copper Mark Recognition Process including the points in 3.2.3 above and:

- The equivalent assurance process was followed
- All applicable criteria were including in the assessment

If the assessor determines the certification or assurance should be recognized, the assessor will draft the summary report in accordance with the requirements detailed in section 4.4.4 below.

At the time of the release, there is only one system for which this sub-section is applicable.

### 3.3 Relevant Parts of the Assurance Process

Table 2: Assurance Process Relevance by Standard

Activity	Participants	Other eligible sites
<b>Applicable Copper Mark standard(s)</b>	Copper Mark Criteria, including the Joint Due Diligence Standard Chain of Custody Standard (voluntary)	Joint Due Diligence Standard
<b>Step 1: Commitment</b>	Letter of Commitment and Company Agreement	Pre-assessment Questionnaire and Joint Due Diligence Standard Agreement
<b>Step 2: Self-Assessment</b>	√	Voluntary
<b>Step 3: Independent Assessment, Site Assessment</b>	√	√
<b>Step 4: Improvement Plan (where applicable)</b>	√	√
<b>Step 5: Re-assessment</b>	√	√
<b>Eligible to use claims in accordance with The Copper Mark Claims Guide</b>	√	No
<b>Sites using this process published on website</b>	<u>√</u>	<u>√</u>
<b>Results published on website</b>	√	√

## 4 The Copper Mark Assurance Process Steps

### 4.1 Overview and Timeline

This section provides details on the steps of the Copper Mark Assurance Process for its users. The Assurance Process generally includes five core steps that are described in more detail in the following sections.

Figure 3: Overview of The Copper Mark Assurance Process Cycle

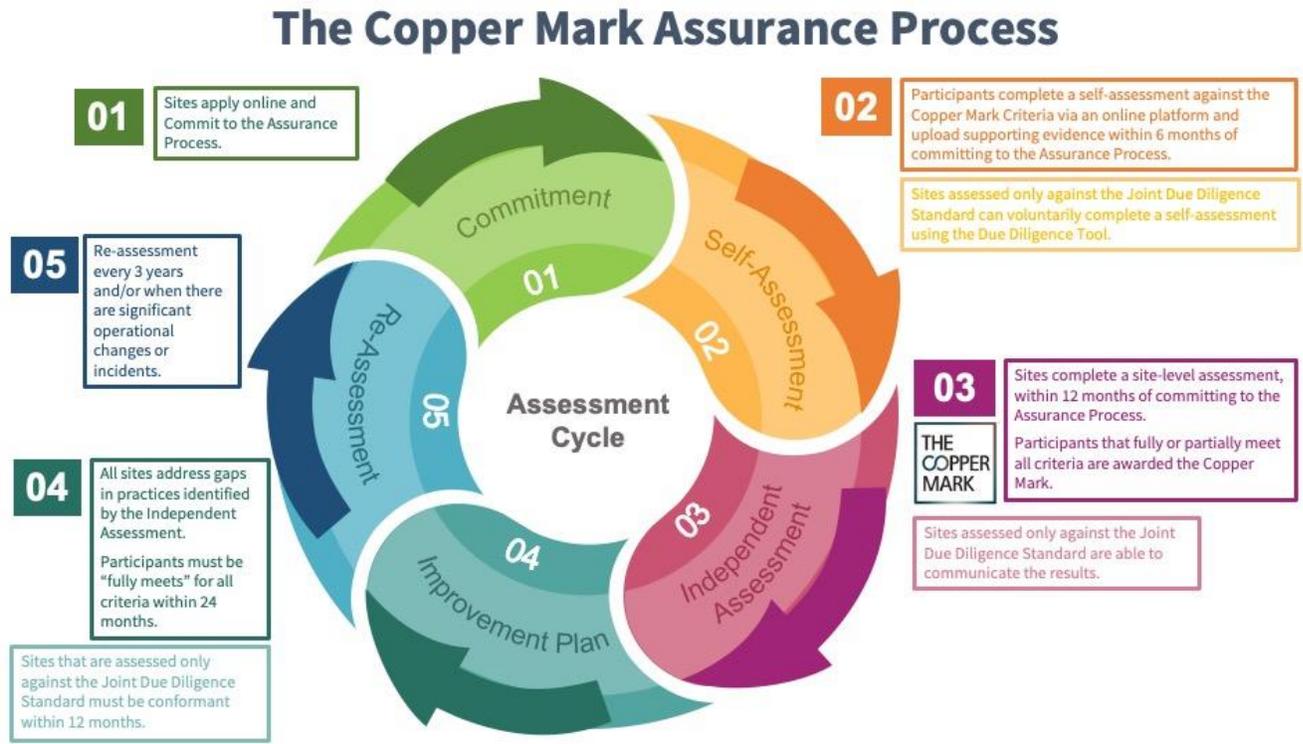
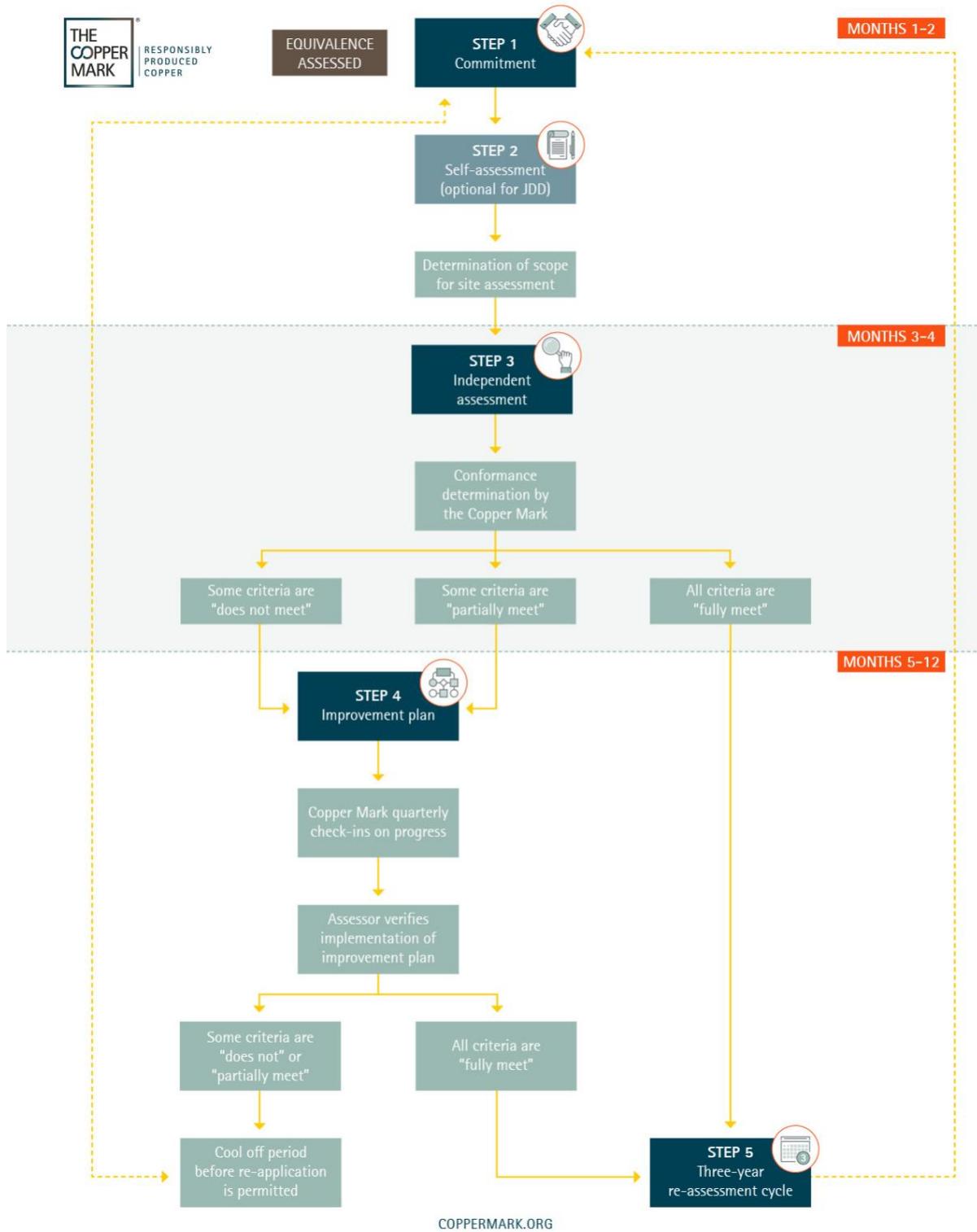


Figure 4: The Copper Mark Assurance Process Timeline



\*JDD is used for Joint Due Diligence Standard and CoC is used for Chain of Custody Standard for purposes of the infographic

## 4.2 Step 1: Commitment

Activity	Participants	Other eligible sites
<b>Step 1: Commitment</b>	Letter of Commitment and Company Agreement	Pre-assessment Questionnaire and Site Agreement

### 4.2.1 Application

A Site begins the Assurance Process by signing the relevant documents and paying the associated fees. A company may submit multiple sites at the same time.

The Company Agreement / Site agreement may be completed at company level and apply to multiple sites. The Letter of Commitment and the Pre-assessment Questionnaire must be completed at site level.

The Copper Mark will countersign after the Business Partner Setup is complete.

### 4.2.2 Business Partner Setup

The Copper Mark conducts a due diligence review of all sites and assessment firms wishing to participate in the Copper Mark Assurance Framework in accordance with its Human Rights Policy and Human Rights Procedure.

The first step of the due diligence process is the Business Partner Setup, which is required to ensure compliance of the Copper Mark with all laws and regulations.

An applicant will be rejected in the following instances:

- The entity is located in a sanctioned country
- An owner, main shareholder, managing director, CEO, officer, or trustee of the entity appears on the sanctions list of the European Union, Switzerland, United Kingdom, or United States

The second step of the due diligence process is to conduct a media scan of sites and assessment firms on environmental, social, and governance issues broadly. In this step, staff conducts or commissions a third-party to conduct a search on publicly available information. The Copper Mark may also draw upon grievances lodged via the [Grievance Mechanism](#). Outcomes of the media scan are recorded and monitored.

The results of the media scan is shared with the approved assessor selected by the site and incorporated into the scope of the Independent Site Assessment (Step 3). The Copper Mark maintains records of the outcome of the assessment to demonstrate closure of the identified issues. Where issues are not closed, the site may not receive or maintain the Copper Mark.

### 4.2.3 Commencement Date

Once Business Partner Setup is complete, the Copper Mark will countersign all documents and list the site on the Copper Mark website. The date that all documents

are signed is called the Commencement Date, and officially starts the Assurance Process timeline, obliging the Site to complete steps 2-5 as appropriate.

### 4.3 Step 2: Self-Assessment

Activity	Participants	Other eligible sites
<b>Step 2: Self-Assessment</b>	√	Voluntary

Participants complete a self-assessment survey on the RMI’s RRA online platform and submit it to The Copper Mark for review. Participants may submit supporting documentation to The Copper Mark through an alternative platform where requested.

When submitting the self-assessment, Participants shall:

1. Provide site-level information;
2. Provide the reports for existing certifications, initiatives, and standards that apply to the site;
3. Upload supporting documentation for each of The Copper Mark Criteria and ensure evidence is clearly linked to the relevant criterion; and
4. For criteria that are not applicable, the Participant should explain why the criteria is not applicable to the site and provide relevant, verifiable documentation to support the explanation, where possible.

Self-assessments **do not** need to be completed when all criteria are fully covered through an equivalent certification or independently verified system. In this case, sites shall submit the equivalent certifications or externally assured management system and associated evidence, such as independent audit reports.

### 4.4 Step 3: Independent Site Assessment

Activity	Participants	Other eligible sites
<b>Step 3: Independent Site Assessment</b>	√	√

**The Copper Mark requires that all applicable criteria are independently assessed at the site level.**

#### 4.4.1 Assessor Selection

The site may select an assessor or team of assessors for the site assessment from the registry of approved assessors maintained by the Copper Mark, or request that an assessor or team of assessors of its own choosing be considered for approval by the Copper Mark. In such cases, assessor(s) will be required to provide sufficient evidence

to the Copper Mark to demonstrate how they met the Copper Mark requirements for assessors and to allow for a reasonable amount of time for the Copper Mark to review the application. The Copper Mark expects that most assessments will require a team of assessors.

Only assessors that have been approved by the Copper Mark as having met the Copper Mark requirements for assessors – listed and defined in Section 5 – may undertake site assessments.

The Copper Mark retains all rights to approve assessors.

The Copper Mark will distinguish assessors or assessment firms that are only approved for certain standards, geographies, types of operations, or subject-matter expertise.

#### 4.4.2 Applicable Criteria

All criteria of the relevant Copper Mark standards are to be assessed unless the assessor confirms that the criterion is:

1. Not applicable to that specific site because of the type, geography, or circumstance;
2. Fully met through an equivalent site assessment and there are no potential issues raised through due diligence for that criterion; or
3. Partially met through an equivalent site assessment in which case only the areas that were not previously assessed onsite are included.

#### 4.4.3 Planning for the Independent Site Assessment

Prior to the independent site assessment, the assessor shall plan the assessment. The plan is based on:

1. Scoping information provided in Section 3: mandatory requirements for operations, metals, infrastructure and activities, and equivalence depending on the applied standard.
2. Equivalence: the assessor shall review equivalent systems and associated evidence, such as independent audit reports, in accordance with Section 3.2.2.
3. Desk-based research: the assessor shall conduct desk-based research to understand the inherent risks in the assessment and to develop the stakeholder engagement plan (see Annex II). The assessor may incorporate the due diligence conducted and provided by the Copper Mark or the assessor, even if covered through an equivalent assurance or certification.
4. Review of self-assessment, where applicable: the assessor shall review the Participant's self-assessment and corresponding evidence. This review helps the assessor become familiar with the policies, procedures, and potential control risks.

5. A risk-based approach: Assessors are required to take a risk-based approach to gather and analyze information systematically on a site's performance against the applicable Copper Mark standard(s) to optimize efficiency and reduce the compliance burden for sites. A risk-based approach is understood to be the most appropriate way to prioritize data gathering and analysis that recognizes:
- Inherent risks – the legal, social, and geographic context in which the site operates;
  - Control risks – the management systems the site has in place and the voluntary initiatives and responsible practices which the site is active in or follows; and
  - Detection risks – the likelihood that the assessment methodology will identify gaps where they exist.

Assessors are expected to understand the site's operations, business activities, supply chain, and context with a view to identify and assess risks that have the most potential to cause significant gaps between the operation's practices and the expectations of Copper Mark standards.

Assessors shall dedicate more time to the evaluation of higher risks. This may include increased sampling and / or utilization of subject-matter experts and may result in additional time on site. The assessor must include a description of the sampling methodology in the report.

Using the above considerations and the information provided during scoping, the assessor must develop an assessment plan. The assessment plan should clearly reflect how the assessor considered and addressed the information obtained during the assessment planning, including but not limited to:

- Which assessment methodology (ISO 19011, ISAE 3000 or equivalent) the assessor applies;
- The inherent, control, or detection risks identified by the assessor
- The results of the Copper Mark due diligence report
- Criteria with equivalent systems

The assessor must submit the assessment plan in English to the Copper Mark before the scheduled assessment, with enough time for review by the Copper Mark.

At the request of the assessor, site, or the Copper Mark, the parties may hold a planning call.

#### 4.4.4 Independent Site Assessment

During the site assessment, the Assessor shall check on-site the status of the site's performance against the applicable Copper Mark standards.

Copper Mark Assessors must use the applicable Copper Mark standard(s) to complete the Independent Site Assessment.

The Copper Mark requires all assessments to be conducted in line with

1. All requirements defined in this Assurance Process, **and** either:
2. The ISO 19011:2018 Guidelines for Auditing Management Systems; **or**
3. **A reasonable assurance engagement** conducted in accordance with ISAE3000, or equivalent.

The process to conduct the site assessment must include:

1. Planning and preparation:
  - Complete activities defined in Sections 4.4.2 and 4.4.3; and
  - Organize the logistics of the site assessment.
2. Assessment activities must include:
  - Opening meeting
  - Management and worker interviews
  - Document review
  - Direct observations of the site operations, buildings and grounds
  - Risk-based sampling of records and data that takes into account inherent risks; control risks; and detection risks
  - Stakeholder interviews with relevant stakeholders, such as Indigenous Peoples groups and local communities, NGOs, community organizations, upstream supply chain actors, and government entities, in accordance with the Stakeholder Engagement Guidance provided in Annex II
  - Closing meeting including a review of any potential gaps in achieving “fully meets”
  - Note that assessors are not expected to review criteria that are considered equivalent or not applicable during the on-site assessment but are expected to bring to the attention of the Copper Mark and include in their report any areas of concern observed. The Copper Mark will engage the site and, where possible, the equivalent standard owner, to resolve conflicting evidence or assessment conclusions. Sites may also use The Copper Mark Grievance Mechanism to resolve disputes.
3. Reporting: The assessor shall draw assessment conclusions based on the site assessment and shall clearly indicate gaps identified.
  - The report must follow Appendix 1: Site Assessment Report Format.
  - When conducting an assessment that includes a choke point as defined in the Joint Due Diligence Standard, the assessor must also complete and submit the Joint Due Diligence Tool. This applies for all assessments against the Joint Due Diligence Standard and for Criteria 31 for applicable sites.

- **Reports must be in English.**

The Assessor shall draft their report and submit it to the site. The Copper Mark, site and assessor engage in an iterative process to finalize the report. The site is requested to comment on factual accuracy and not to dispute the findings in this review.

#### 4.4.5 Critical Notifications

Assessors must notify the Copper Mark within 24 hours if any of the following are identified during an assessment:

- Stakeholders' or assessors' safety danger because of the implementation of the assurance process or caused by the site.
- Stakeholders experience threats or retaliation for participating in the assurance process
- Assessors are denied access to documents, locations, or individuals necessary for the completion of the assessment
- Evidence of serious fraud, bribery or corruption, including links to criminal activity
- Other illegal activity

The Copper Mark will assess implement the [Human Rights Procedure](#) and / or the [Grievance Mechanism](#) to address the critical notification as appropriate.

#### 4.4.6 Issuing a Decision

The Copper Mark will review the Site Assessment Report and issue a decision on whether the site has met the requirements of the applicable Copper Mark standard(s) within **ten business days** of receiving the final report. The decision will be documented. Once the summary report has been finalized, the Copper Mark will provide the following information to the site:

- The performance determination;
- Details of the gaps identified;
- The date by which the improvement plan is required to be submitted;
- The date for which implementation of the improvement plan is required; and
- The frequency and requirements for the check-in on implementation of the improvement plan.

#### 4.4.7 Remote Assessments

In principle, remote assessments are not accepted in The Copper Mark Assurance Process.

A remote assessment is an offsite assessment where the assessor or assessment team are not physically present at the site. The scope of the assessment is the same as an on-site assessment. A remote assessment is a “virtual assessment,” which utilizes technology to visually review components of the assessment that are normally observed in-person. The remote assessment should be differentiated from a desk-top assessment, which only reviews the documents and records of a site.

In some rare instances, due to exceptional circumstances, The Copper Mark may consider remote assessments for a site for some criteria. This is determined on a case-by-case basis after a review of all available information.

#### 4.4.8 Observers to the Site Assessments

The Copper Mark, assessor, or site may request to have an additional party attend the independent site assessment.

The Copper Mark staff may wish to observe a site assessment for various reasons including but not limited to: staff training; identifying opportunities for improvement within the assurance framework; and monitoring assessor quality.

Interpreters or translators may also be required to help with local-language interviews or document review. Where these individuals are not approved assessors, they are considered observers.

Other observers, for example trainee assessors, or representatives from external organizations, may also be requested to attend but may only do so with the express consent of the site.

Observers may not interfere with the assessment or the assessor’s determination. Observers are subject to all policies and procedures of the Copper Mark, the site, and the assessor or assessment firm.

With the exception of Copper Mark staff, the assessor has the right to exclude observers from interviews with workers, contractors, and stakeholders.

Observers may be required to sign a confidentiality agreement at the request of the site, the assessor and / or The Copper Mark.

The Copper Mark, the site, and the assessor must be notified of all observers at least **ten business days** prior to the Site Assessment to obtain consent and ensure they have agreed to all relevant policies and procedures.

#### 4.4.9 Assessment Outcomes

Sites for which all criteria are “fully meets” shall proceed to Step 5.

Sites for which one or more criteria are “does not meet” or “partially meets” must proceed to Step 4.

*Table 3: Assessment Outcomes*

Status	Improvement plan required	Eligible to make claim related to the site	Eligible to make Product Claims
Copper Mark Criteria			
All criteria are “full meets”	No	Yes	No
One or more criteria are “partially meets” but none are “does not meet”	Yes	Yes	No
One or more criteria are “does not meet”	Yes	No	No
CoC			
All criteria are “full meets”	No	No	Yes
One or more criteria are “partially meets” but none are “does not meet”	Yes	No	Yes
One or more criteria are “does not meet”	Yes	No	No
JDD Only			
All criteria are “full meets”	No	No	No
One or more criteria are “partially meets” but none are “does not meet”	Yes	No	No
One or more criteria are “does not meet”	Yes	No	No

#### 4.5 Step 4: Improvement Plan

Activity	Participants	Other eligible sites
<b>Step 4: Improvement Plan</b>	√	√

If a site has not fully met all the requirements of the applicable criteria within the Copper Mark standard(s), the site shall develop an improvement plan to address the gaps in performance and share it with the assessor, with the Copper Mark in copy, for review.

The implementation of the improvement plan must be independently assessed. The assessment of the improvement plan:

- Shall include only the areas that need reviewing in accordance with the improvement plan.
- May be desk-based or a site assessment depending on the improvements to be assessed.
- Must be carried out by a Copper Mark approved assessor but does not need to be carried out by the same assessor(s) as the Independent Site Assessment.

#### 4.5.1 Types of Improvement Plans

There are two types of improvement plans implemented by sites using The Copper Mark Assurance Process:

- **Copper Mark Independent Assessments:** this refers to improvement plans resulting from a gap identified during a Copper Mark Independent Assessment. For every criterion that is deemed “partially meets” or “does not meet” by the Assessor, the site must develop and implement an improvement plan.
- **Equivalent Systems:** this refers to improvement plans resulting from a gap identified through an equivalent system. The site may use the assessment process as well as the reporting format of the equivalent system to demonstrate implementation. The Copper Mark monitors the progress to ensure adherence to the Assurance Process timelines.

#### 4.5.2 Timelines for Developing and Implementing Improvement Plans

Table 3: Improvement Plan Timelines

Standard	Deadline to Submit Improvement Plan	Deadline to Complete Assessment against Implementation of Improvement Plan	Deadline to be assessed as “fully aligned” for all criteria
Copper Mark Criteria	20 business days from receiving the decision from the Copper Mark	12 months from the last day of the independent site assessment	24 months from the commencement date
Chain of Custody Standard			
Joint Due Diligence Standard		12 months from the commencement date	12 months from the commencement date

**Equivalent Systems:** improvement plans in this path must be submitted during Step 2 of the Assurance Process: Self-Assessment.

In Step 2, the assessor looks at the improvement plan as part of the review for equivalence: “Corrective action plans are in place to close any gaps within the next 12 months.”

### 4.5.3 Monitoring

The Copper Mark will record each gap, relevant system, improvement plan, and date the assurance of the implementation of the improvement plan is due.

On a quarterly basis, the Copper Mark will check-in with sites to assess progress and identify challenges in implementing improvement measures before deadlines expire. The Copper Mark will keep a record of the response until all applicable criteria are independently verified as “fully meets.”

For equivalent systems, if it becomes clear that the site is not implementing an improvement plan within that system’s process, the Copper Mark may:

- Require the site to have a follow up assessment through an independent desktop review and included in the next independent site assessment conducted through the equivalent system.
- Require the site to have a follow up assessment on the criteria that were not “fully meets” using this Assurance Process.

### 4.5.4 Outcomes from the Follow-up Assessment

The following are the possible outcomes at the deadline to be “fully meets” for all criteria, summarizing the status at the end of the deadline, and the status at the end of the independent site assessment.

Table 4: Improvement Plan Outcomes

	End of the Deadline		
	All criteria are “fully meets”	One or more criteria are “partially meets” but none are “does not meet”	One or more criteria are “does not meet”
<b>Copper Mark Criteria</b>			
All criteria are “fully meets”	Continue to Carry the Copper Mark	Suspended or removed	
One or more criteria are “partially meets” but none are “does not meet”			
One or more criteria are “does not meet”			
<b>CoC</b>			
All criteria are “fully meets”	Continue to make product claims	Cannot make product claims	
One or more criteria are “partially meets” but none are “does not meet”			
One or more criteria are “does not meet”			
<b>JDD Only</b>			

All criteria are “fully meets”	Continue to communicate statement of conformance	Removed from assurance process
One or more criteria are “partially meets” but none are “does not meet”		
One or more criteria are “does not meet”		

When a site is suspended:

- A participant may no longer use The Copper Mark logo and claims
- The Copper Mark will note the suspension on the website, indicating the reason for suspension.

In exceptional circumstances, the Copper Mark may allow for more than the defined timeframe for the site to implement all required improvement measures to become “fully meets” with all applicable criteria. A longer timeframe will be reviewed on a case-by-case basis and extensions can only be granted if the site is able to provide evidence that the required improvement measures cannot reasonably be implemented within the given timeframe. In this case, a reasonable timeframe is agreed between the site and The Copper Mark before results are communicated.

#### 4.6 Step 5: Re-Assessment

Activity	Participants	Other eligible sites
<b>Step 5: Reassessment</b>	√	√

Sites must demonstrate continued conformance through a full re-assessment (Step 5) **every three years**. All sites are required to complete Step 1 again before the three-years expire.

The three years are triggered from the following dates:

- The date of the Letter of Award for a participant that has received the Copper Mark either for having fully or partially met all applicable criteria.
- The date of the decision that a participant has not received the Copper Mark and must first complete Step 4.
- The date of the conformance determination for sites assessed only against the Joint Due Diligence Standard.

A full or limited re-assessment of a site can also be triggered sooner than the three years. If there are significant changes in the scope of the assessment or significant events or incidents that occur in the interim, then the site is obliged to inform The Copper Mark. The Copper Mark reserves the right to require that the site completes Steps 2 through 4 as appropriate even when doing so falls before the mandated three-year re-assessment cycle.

**The Copper Mark gathers this information through ongoing monitoring conducted in accordance with the Human Rights Due Diligence Procedure, the Copper Mark Grievance Mechanism, and / or disclosures provided by the site.**

Significant changes or events may include:

- A significant change of a site operationally or through acquisition (e.g., suspension, change in mining methods, move to care and maintenance);
- A change in the beneficial ownership or operating entity of the site through a divestment, entering into a joint venture, merger or acquisition;
- A grievance lodged against the site in accordance with The Copper Mark Grievance Mechanism that may indicate gap against any of the criteria in Copper Mark standards (for more information on grievances, see [The Copper Mark Grievance Mechanism](#));
- A change of input from 100% recycled material to include mined material; and
- A change in sourcing practices or circumstances that triggers the site to confirm “red flags.”<sup>1</sup>

For Participants, additional significant changes or events to the above may include:

- A significant environmental incident resulting in significant negative environmental impacts<sup>2</sup>; or
- A significant industrial accident or incident resulting in one or more fatalities; or
- A significant incident resulting in significant negative impact on human rights.

Sites are required to annually submit a link to their public “Step 5” report as part of Criterion 31 of the Copper Mark Criteria and the Joint Due Diligence Standard as well as confirm whether there are any significant changes or events as defined above, should there have been any.

Failure to submit the above may also trigger a re-assessment sooner than the three-year cycle.

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<sup>1</sup> As defined in the [Joint Due Diligence Standard for Copper, Lead, Nickel and Zinc](#).

<sup>2</sup> Significant negative environmental impacts include but are not limited to: negative impacts from air emissions, releases to surface water or groundwater that exceed permit allowances; non-treatment or improper disposal of hazardous or non-hazardous waste; changes to local biodiversity or ecosystems; impacts on endangered species; impacts on critical habitat or protected areas; impacts on communities that cause illness, injury or fatalities, or that negatively impact community access to or quality of water; spills or releases requiring significant clean up and/or evacuation or relocation of local communities; or contamination of land or soil.

## 5 Assessor Selection and Evaluation

### 5.1 Selection

Assessors or teams of assessors will be approved by the Copper Mark based on the following requirements<sup>3</sup>:

<p><b>Objectivity</b></p>	<p>Assessors must be independent<sup>4</sup> of the company being evaluated and its supply chain to ensure the objectivity, confidentiality, and non-existence of conflicts of interest.</p> <p>Assessors cannot have been employed directly by or provided consulting or advisory services related to the scope of The Copper Mark Criteria to the site within the last three (3) years.</p> <p>Assessors must disclose any business or financial relationship with or financial interest in the site or entities in its supply chain within the scope of the assessment. Potential conflicts of interest will be evaluated by the Copper Mark.</p> <p>Assessors cannot have provided any consulting services to the site or its supply chain entities within the scope of the assessment within the past three (3) years.</p>
<p><b>Experience</b></p>	<p>Experience conducting assessments of a similar scope under another scheme or current certification as a management system auditor from a recognized assessment body that includes an examination or other competency verification component.</p>
<p><b>Expertise</b></p>	<p>Demonstrated knowledge, understanding, and at least five (5) years working experience in the implementation, maintenance, or auditing of the following applicable areas in mining and/or in smelting and refining:</p> <ul style="list-style-type: none"> <li>• Environmental management systems, including but not limited to biodiversity conservation, water stewardship, and impact assessments;</li> <li>• Occupational health and safety management systems;</li> <li>• Labor, industrial relations, and human resources management systems;</li> <li>• Social impact assessments and human rights due diligence in accordance with the UN Guiding Principles for Business and Human Rights;</li> <li>• Community relations and stakeholder engagement;</li> </ul>

<sup>3</sup> These are minimum requirements that may be further detailed in The Copper Mark Assessor Management Process.

<sup>4</sup> Assessors should be independent of the activity being assessed wherever practicable, and should in all cases act in a manner that is free from bias and conflict of interest (adapted from ISO 19011:2018)

	<ul style="list-style-type: none"> <li>• Compliance and ethics;</li> <li>• Mineral supply chain due diligence in accordance with the OECD Due Diligence Guidance;</li> <li>• Sustainability reporting.</li> </ul>
	Demonstrated skills and experience performing stakeholder interviews in local communities through culturally appropriate means.
	Knowledge of ISO 19011 Guidelines for Auditing Management Systems or ISAE 3000 International Standard on Assurance Engagements.
Qualifications	Completion of university degree in a relevant field.
	Completion of The Copper Mark training modules as assigned.
	Experience and proficiency of at least one Assessor in the country and national language of the relevant site(s). Translators may be used to supplement other Assessors in the team who are not proficient in the local language.

Assessors who apply for approval to assess the Joint Due Diligence Standard only must meet all of the requirements with the exception of section on expertise. In this case, assessors shall demonstrate knowledge, understanding, and at least five (5) years working experience or ten (10) audits of **mineral supply chain due diligence in accordance with the OECD due diligence guidance** in mining, smelting, or refining.

All fully approved assessors are also approved to conduct assessments against the Chain of Custody Standard.

The Copper Mark maintains an up-to-date list of approved Assessors that includes a description of their competencies in line with the requirements above; evidence of qualifications; conflict of interest disclosures; confidentiality agreements; training records; and results of The Copper Mark observations, including any pending improvement actions (see 5.3 Evaluation).

A site may only contract the same assessor or firm for 3 assessment cycles (i.e., up to 9 years). At that time, the site must switch assessors or assessment firms.

Assessors may utilize interpreters or technical experts in the assessment. These individuals must be independent of the site unless this is not feasible due to logistical constraints. The names and affiliations of these experts shall be included in the report.

## 5.2 Training

Assessors are required to undergo the Copper Mark training modules prior to conducting an assessment against Copper Mark standards. The Copper Mark will maintain records of successful training completion.

### 5.3 Evaluation

The Copper Mark will review and monitor the ability of Assessors to carry out assessments in accordance with the Copper Mark requirements, based on the objectives and scope of the assessment and judged against assessment records.

This process is detailed in [The Copper Mark Assessor Management Procedure](#).

## 6 Reporting

On receipt of the assessment report from the Assessor, the Copper Mark will:

- Conduct a quality review in accordance with [the Copper Mark Assessor Management Procedure](#).
- Review the report and confirm that the assessment process and gaps are consistent with the instructions in The Copper Mark Assurance Process and Copper Mark standards.
- Provide feedback to the assessor and request clarification on findings and assessment activities where appropriate.
- Engage in an iterative process with the assessor and site to ensure accuracy and quality in both the report and summary report.
- Document the scope and relevant details about the site including the name and geographic location of the site, the date conformance becomes effective and expires, and when re-assessment is due.

The Copper Mark will list the site on the website along with a summary report using the Copper Mark's template. This will include at a minimum:

- The name of the site and unique Copper Mark number.
- The type of operations (Mine, Smelter & Refiner, Mine & Smelter / Refiner, Fabricator, etc.).
- The duration of the conformance and its expiry date.
- Date of the assessment activities and the assessment period.
- Assessment activities and methodology, including sampling methodology.
- Any recognized equivalent systems.
- Assessment conclusions for each criterion.
- Statement of conformance; and.
- Any non-applicable criteria.

Other data obtained through the assurance process, surveys or other ways may be published by the Copper Mark in aggregated form for the purpose of its annual report, impact or grievance reports, with due respect to anti-trust laws.

## 7 Data Confidentiality

The Copper Mark will access information about sites provided in:

- The Letter of Commitment (including Annexes), the Pre-Assessment Questionnaire and / or the Letter of Intent;
- Completed self-assessments;
- Assessment reports for the purposes of assessment; and,
- Continuous improvement plans.

The Copper Mark will sign an agreement with sites including confidentiality clauses. Sites are recommended to sign confidentiality agreements directly with their chosen Copper Mark assessor(s).

## 8 Grievance Mechanism

As an independent assurance system, The Copper Mark has a [Grievance Mechanism](#) to process:

**Grievances against the Copper Mark.** Grievances about the implementation of the Copper Mark’s policies, procedures, and operating processes for which its management and board of directors has direct governance responsibility.

**Grievances against a site assessed using the Copper Mark Assurance Process.**

Grievances against a site which does not conform with or follow the guidance of all applicable Copper Mark policies, procedures, and documents. The objective of the Grievance Mechanism is to ensure that grievances raised with the Copper Mark are handled in a timely, comprehensive, consistent, transparent, and effective manner. It is intended to allow Copper Mark stakeholders to raise concerns, have these investigated and provide a remedy, in particular where rights are violated.

## 9 Program Communication and Evaluation

### 9.1 Communication

The Copper Mark will communicate the elements of the program, including any updates to requirements, the assurance process or guidance documents, through its website and associated documents that are accessible on the website. Assessors and sites engaged in the Assurance Process will receive a “notice of change” when substantive changes are made to either the Copper Mark standards or the Assurance Process.

Assessors are provided with the relevant documents and protocols prior to assessments.

### 9.2 Program Evaluation

When program requirements change or are updated, and at least every three years, The Copper Mark will review and, as necessary, update its assurance process, requirements, and guidance for sites and Assessors.

The Copper Mark will evaluate whether the program is meeting its own aims and objectives in relation to responsible production in the copper sector as part of this review.

As part of the review, the Copper Mark will consider the continued functionality of both the ISO and ISAE or equivalent approaches. The review will include analysis of internally gathered data, assessment reports and a survey of sites and other stakeholders.

## 10 Glossary

Assessment	An evaluation of the performance of a site against The Copper Mark Criteria.
Assessor	An independent service provider or individual (third party) that is approved by The Copper Mark and contracted by a site to assess and verify conformance with The Copper Mark Criteria or Joint Due Diligence Standard at the site.
Assurance Process	The steps and actions required in The Copper Mark to obtain and consider evidence in order to enhance the degree of confidence regarding conformance with The Copper Mark standards.
Chain of Custody (CoC)	A system of control and transparency, specifically, the documented record of the sequence of companies and individuals that have custody of minerals as they move through a supply chain. <sup>5</sup>
Company	A legal entity formed by a group of individuals or companies to engage in and operate a business. For the purpose of this Standard, the term is used to indicate a business of any business and ownership structure including a partnership, proprietorship, or corporation, or co-operative. A company may engage in and operate one or multiple sites.
Commencement Date	The date the required agreements are signed by both parties. In this document, the Commencement Date triggers the adherence to the Assurance Process.
The Copper Mark	The trading name of the U.K incorporated not-for-profit company that owns and governs the trademark-protected certification mark and logo also known as “The Copper Mark.”
The Copper Mark Chain of Custody Standard	<p>The Copper Mark Chain of Custody Standard sets the rules to support product-level claims related to “<i>Copper Mark copper</i>.”</p> <p>The Chain of Custody Standard is a <b>voluntary add-on option</b> to an assessment against the Copper Mark Criteria. It defines the requirements for a system of control and transparency for copper-containing products that move through a supply chain.</p>

<sup>5</sup> Adapted from OECD (2016), OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas: Third Edition, OECD Publishing, Paris. Pag. 65.

<p>The Copper Mark Criteria for Responsible Production (Copper Mark Criteria)</p>	<p>The Copper Mark uses the Risk Readiness Assessment (RRA) as the basis for evaluating Participants' performance against The Copper Mark Criteria. The RRA condenses over 50 international standards and guidelines into 32 issue areas covering environmental, social and governance aspects of mining, smelting and refining operations. For the full list of criteria, see the Criteria Guide.</p>
<p>The Copper Mark-Related Claim</p>	<p>A claim or representation that is public-facing or used in business to business (B2B) communications, is documented, and consists of one or more of: Use of a Copper Mark logo and / or Text relating to The Copper Mark Assurance Process, which may be alongside The Copper Mark logo, or standalone. This covers Copper Mark Assurance Claims and Copper Mark Marketing Claims.</p>
<p>The Copper Mark standards</p>	<p>The Copper Mark Criteria for Responsible Production (Copper Mark Criteria).). The Copper Mark uses the Risk Read Assessment (RRA) of the Responsible Minerals Initiative (RMI) as the basis for evaluating Participants' performance, including the RRA-Copper Mark Criteria Guide of February 2020.</p> <p>AND</p> <p>The Copper Mark Chain of Custody Standard of July 2022</p> <p>AND</p> <p>The Joint Due Diligence Standard for Copper, Lead, Nickel and Zinc of February 2021.</p>
<p>Equivalent Systems</p>	<p>Systems are defined as having standards and assurance requirements. These may include sustainability systems, good practice frameworks, certifications, or externally assured management systems. A subset of the broadly used term "system" includes Voluntary Sustainability Standard (VSS) Systems, which are standards developed at local, national, or international level by organizations from the public and private sectors on environmental and social improvements.</p>
<p>Joint Due Diligence Standard for Copper, Lead, Nickel, and Zinc</p>	<p>The joint Due Diligence Standard for Copper, Lead, Nickel and Zinc (the Standard) was established by The Copper Mark, the International Lead Association (ILA), the Nickel Institute (NI), the International Zinc Association (IZA) and the Responsible Minerals Initiative (RMI) to enable responsible global supply chain management in the copper, lead, nickel and zinc industries. The Standard is available on The Copper Mark website <a href="#">here</a>.</p>

Other eligible sites	<p>Any company extracting, producing and/or trading copper, lead, nickel, or zinc materials from mine sites, including producers of refined metal products, which are generally referred to as the refiner.</p> <p>The Joint Due Diligence Standard also applies to producers of nickel chemical compounds and all nickel raw intermediate materials (including ferro-nickel, nickel pig iron, and nickel oxide sinter) entering production of stainless steel, alloys, batteries, and plating, and where no refining takes place.</p>
Participant	<p>A site involved in the extraction, processing, treatment, mixing, recycling, handling, or otherwise manipulating one or more of the principle covered metal products.</p> <p>A Participant is a site assessed against all 32 Copper Mark Criteria. Only Participants are eligible to make Copper Mark Claims in accordance with <a href="#">The Copper Mark Claims Guide</a>.</p>
Performance Determination	<p>Level of performance assigned to each risk area based on whether the site’s practices ‘does not meet’, ‘partially meets’, or ‘meets’ The Copper Mark Criteria (see the Criteria Guide for further detail).</p>
Principle Covered Metal Products	<p>For the purpose of this standard, principle covered metal products contain or are made up of copper, nickel, molybdenum, or zinc mined ore, metals, chemicals, alloys or other materials. This includes products up to and including the point where the product is given a special shape, surface or design which determines its function to a greater degree than its chemical composition, and down to but not including the point where a complex object is manufactured.</p>
Remote Assessment	<p>A remote assessment is an offsite assessment where the assessor or assessment team are not physically present at the site. The scope of the assessment is the same as an on-site assessment. A remote assessment is a “virtual assessment,” which utilizes technology to visually review components of the assessment that are normally observed in-person. The remote assessment should be differentiated from a desk-top assessment, which only reviews the documents and records of a site.</p>

<p>Site</p>	<p>The definition of a site is based on activities, product, geographical scope, and management control.</p> <p>A site refers to an operation involved in the extraction, processing, treatment, mixing, recycling, handling, or otherwise manipulating one or more of the principle covered metal products.</p> <p>A site also refers to an operation involved in extracting, producing and/or trading copper, lead, nickel, or zinc materials from mine sites, including producers of refined metal products. This includes an operation involved in the production of nickel chemical compounds and all nickel raw intermediate materials (including ferro-nickel, nickel pig iron, and nickel oxide sinter) entering production of stainless steel, alloys, batteries, and plating, and where no refining takes place</p> <p>A site may comprise several activities in different locations in the same geographic area and under the same management control.</p>
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## Annex I: Site Assessment Report Format

At minimum, the Site Assessment report should include:

- Site profile:
  - Geographic scope
  - Name of site(s)
  - Location
  - Area
  - Type of operation
  - Current production/generation figures
  - Number of employees and contractors
- Standard(s) applied
- Assessor information:
  - Names of assessors
  - Identification of lead assessor
  - Names and affiliation of interpreters or subject-matter experts
- Assessment data including
  - Assessment dates
  - Assessment period
  - Agenda
- Applicable criteria / any not applicable criteria
- Overview of risk-based approach
- Description of the sampling approach(es)
- Description of activities to verify conformance with each of the Copper Mark standard(s) criteria
- Description of performance determination for each of the Copper Mark standard(s) criteria including a clear explanation of the finding for any “partially meets” or “does not meet”
- Overall conformance determination on the set of criteria, when using ISAE 3000 or equivalent
- Continuous improvement plan, if applicable and already developed
- List of key pieces of evidence reviewed (as to be determined by the assessor during the assessment)

- Number and type of interviews by stakeholder category (management, employees, contractors, communities, NGOs, government officials, etc.).
- Limitations, anomalies, or challenges in the assessment

## Annex II: Stakeholder Engagement Guidance

### Overview

The Copper Mark Assurance Process (Assurance Process) allows assessors to conduct assessments in accordance with ISO 19011 Guidelines for Auditing Management Systems or Reasonable Assurance using ISAE 3000 International Standard on Assurance Engagements or equivalent. This Annex details additional expectations on how to conduct stakeholder engagement as part of the Copper Mark Assurance Process. **Assessors must use this guidance for any assessments against the Copper Mark standards.**

### Purpose

The purpose of stakeholder engagement within the Assurance Process is for the assessor to validate, corroborate, confirm or challenge that

- The stakeholder is aware of systems, policies, procedures, and practices depending on the stakeholder and criterion;
- How the site's policies, procedures, and processes are implemented and whether they are implemented as described by the site internally or publicly; and
- Whether the site's policies, procedures, and processes have the intended outcome as defined in the criterion.

The data gathered as part of the stakeholder engagement is just one form of evidence in the Assurance Process. Data received through stakeholder engagement that is not aligned with other evidence may indicate a need for further investigation. In some instances, data received through stakeholder engagement may be enough to inform the assessor's conclusion without further testing.

### Principles

The Copper Mark strives to build trusting, safe, relationships and ongoing communication with stakeholders both directly and indirectly through assessors, sites, and local organizations. In order to do so, the following principles are applied:

- Respect
- Health and safety (both the physical and psychology safety of stakeholders and the assessors)
- Confidentiality
- Good faith
- Cultural sensitivity
- Flexibility
- Transparency

- Quality over quantity

If Assessors or stakeholders have concerns about health, safety, confidentiality, including threats or other forms of intimidation, coercion or retaliation, they should raise them immediately with Copper Mark at any. If assessors or other stakeholders have indications or concerns that interviewees have been coached about the answers they should or should not provide, they should raise these with Copper Mark.

## Planning

Good stakeholder engagement requires sufficient advance planning. Assessors are required to build sufficient time into the project plan to allow for meaningful planning of the independent onsite assessment, and of the stakeholder engagement element in particular.

To support the planning, sites are required to provide complete and accurate stakeholder maps, inform identified stakeholders to the request for engagement and assist in the logistical planning of meetings in a timely, efficient manner.

## Desk-based Research

Assessors must conduct initial research in order to understand:

- The full list of affected stakeholders, including identification of vulnerable stakeholders whether or not they are included on the list from the site
- The geographical spread of affected stakeholders
- The cultural environment of the region
- The current events, challenges, and successes of the region that might contribute to historical conflicts that may contribute to tensions, biases, dependencies, or ulterior motives
- The general relationship between stakeholder groups, individual stakeholders, and the site, including grievances or agendas that are not related to the scope of the assessment but that may impact the engagement

In order to do so, assessors should use the following means:

- Desk-based research
- Discussions with the site, who are expected to provide background information and mapping
- Discussions with the Copper Mark and review of the Copper Mark's due diligence reports
- Discussions with local partners, organizations, and other stakeholders

To the extent that assessors have or can gain first-hand knowledge through site assessment activities, this should be considered as well.

## Identifying Stakeholders

Once the initial research completed, the assessor must identify stakeholders for engagement in the assessment. This involves:

- Reviewing and discussing the site's stakeholder map and risk register
- Its own research on relevant stakeholders and additional stakeholders identified through the site's stakeholder mapping
- Using a risk-based approach to identify the issues that are highest risk and mapping those issues to the relevant stakeholders
- Determining the appropriate sampling approach that includes stakeholder interviews that address both low- and high-risk issues (see more in the sub-section on sampling, below)
- Prioritize, tailor interview questions and logistics, and approach the engagement with a comprehensive understanding of the needs and wants of the stakeholders.

To support the identification of stakeholders, sites are required to provide relevant risk registers in addition to the information provided for the previous step.

Assessors shall use desk-based research, engagement with the site, with local partners, organizations, and other stakeholders to complete this step.

## Sampling Approach

The Copper Mark allows for the sampling of stakeholders in the Assurance Process. Assessors must determine the best sampling approach for the assessment, considering the results of the desk-based research and identification of stakeholders.

**The individuals and groups to be sampled must be selected by the Assessor.**

Assessors are expected to use their professional judgment to develop a sampling size and related plan based on:

- A mix of individual and group interviews. Interviews should include separate engagement with individuals and groups who do not feel represented in community discussions, are in opposition to the majority view of their peers or are otherwise considered vulnerable and individuals or groups particularly at risk from site operations.
- Formal and informal interview settings
- Representative sampling for workers considering distinguishing characteristics such as age, gender, nationality, temporary / full time, employee / contractor, union / non-union, and other elements required to include a minority voice and based on the sampling size defined below.

- In all cases, at least 25% of the sample must be selected at random

As a general rule, assessors shall interview the square root of the total population size.<sup>6</sup> The total number of interviewees may be capped at 60 workers. The exact number of workers to be interviewed is subject to the professional judgment of the assessor.

Assessors must include the sampling methodology applied and any supporting information to explain why that methodology was chosen in the assessment report.

External stakeholder groups must be selected based on the desk-based research, identification and prioritization activities. Individuals or groups within those stakeholder groups to be interviewed should be selected based on the ability to best represent the perspectives of the full stakeholder group.

### Logistics

Assessors should take best efforts to ensure their health and safety as well as that of the stakeholders, with due consideration to confidentiality, anonymity, and an environment of openness and trust. The following are a few key considerations when organizing logistics:

- Interviews are recommended to be held off-site where possible
- Consideration should be given to whether women should be interviewed by female assessors
- The location should be a place where stakeholders feel comfortable or neutral
- Interviews should be conducted without the physical or virtual presence of management or others working at or representing the participant
- Timing of interviews should consider work requirements, daily routines, religious rituals, etc.
- Interviews should be organized to minimize interruptions of the site's operations
- When used, interpreters should be qualified, understand the subject-matter, not be employees of the company, and not pose as a threat. Interpreters may be asked by the site to sign a non-disclosure agreement

Participating sites may support the organization of the logistics of the stakeholder engagement.

If for any reason the assessor is unable to meet with a stakeholder in person, it is recommended to find alternative means, such as:

- Virtual meetings

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<sup>6</sup> This is drawn from a review of comparable voluntary sustainability standard requirements, guidance from the American Institute of Public Certified Accountants, European Union Guidance on sampling methods for audit authorities, and guidance from the Australian Auditing and Assurance Standards Board

- Mobile communication (phone, WhatsApp, WeChat)
- Email
- Surveys
- Meetings with representatives of stakeholders
- Other options as appropriate

In these instances, the assessor should note in the report:

- The inability of the stakeholder to meet in person
- The reason for inability of the stakeholder to meet in person
- Activities taken to gather information through an alternative means
- Whether and if so, how, the inability to meet in person of the stakeholder affects the performance determination
- Recommendations for future engagement as appropriate

### 10.1 Interviews / Communication

The Copper Mark expects assessors to cover specific information related to the Assurance Process and assessment when engaging with stakeholders to ensure a consistent understanding of the Copper Mark, the Assurance Process, and the role of stakeholder engagement therein.

Assessors shall use the interview method(s) that are best suited to preserve the goals of the interview.

#### Introductory information

While there is a clear need to be flexible in the approach, there is introductory information that must always be shared with the stakeholders. Below are the required categories, and a sample script is provided in an assessor package by the Copper Mark:

- Consent to participate in the interview.
- Alternatives to providing information in the interview.
- Introductions to the assessor / team.
- Introduction to the Copper Mark.
- Purpose of the meeting.
- How information will be used and what will be shared with the site.
- How information will be shared with participating stakeholders.
- Scope of activities.

- Limitations on what the assessor and the assessment can and cannot do.
- Measures to ensure confidentiality.
- Feedback loops.
- Room for questions, communication of concerns.

### Interview techniques

The following are considered best practice of how to present oneself when conducting interviews:

- Turn off cell phones and other means of distractions
- Mind your physical presentation and body language
- Keep eye contact except when taking notes
- Listen carefully and do not interrupt
- Acknowledge responses
- Exhibit empathy

In addition, the following should be considered regarding the questions in the interview:

- Questions should cover all relevant areas / criteria or a portion, depending on the stakeholder
- Ask open ended questions and allow the stakeholder to speak to their experience
- Maintain a neutral response without bias or inherent opinion
- Use simple language and avoid jargon
- Make sure the questions are understood
- Be sensitive to the responses
- Be open to understanding local realities, whether good or bad
- Be mindful of actual or perceived power imbalances
- Dress and present oneself in a manner that is culturally appropriate

### Closing

The end of the interview can be equally as important as the introduction. The assessor should include the following at the closing of the interview:

- Offer a final opportunity to provide feedback.
- Thank the stakeholder for his or her time and input.
- Request contact information where there is interest in receiving the summary report from the Copper Mark.

- Provide contact to follow up with additional points or input before the end of the assessment or X date.
- Remind the stakeholders of the availability of the Copper Mark Grievance Mechanism.

### Feedback Loops

Assessors are required to share with stakeholders a leave-behind provided by the Copper Mark that includes contact information and access to the Grievance Mechanism.

The assessor must share with the Copper Mark the contact information for any stakeholder who indicated an interest to receive the summary report. The Copper Mark is responsible for sharing the summary report with those stakeholders.

In addition to the above, sites may consider sharing the findings and key points from the assessment directly with their stakeholders.