

# Group Procedure myVoice Procedure

**GOV-C-003**

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**Group:**  
Procedure

**Function:**  
Business Conduct Office

**No. of Pages:**  
12

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**Effective:**  
March 15, 2021

**Supersedes:**  
Provision of Whistleblowing  
Services at Rio Tinto  
Speak Up Procedure

**Auditable from:**  
March 15, 2022

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**Owner:**  
Business Conduct Office

**Approved:**  
Feb 2021

**Approver:**  
Executive Committee

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**Target audience:**  
Everybody

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**Direct Linkages to Other Relevant Policies, Standards, Procedures or Guidance Notes:**

The Way We Work

Business Integrity Standard and Procedure

**Document purpose:**

The global myVoice Procedure provides guidance to every employee, contractor or third party about how to voice concerns relating to Rio Tinto, its business or its people in confidence and without fear of retaliation.

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## 1. Purpose of this procedure

At Rio Tinto, we strive to create an environment that is reflective of our values, where people feel safe, included, and respected. We know that from time to time there will be issues that may not be reflective of our values. When that happens, we want you to know that you should feel safe to come forward and voice your concerns.

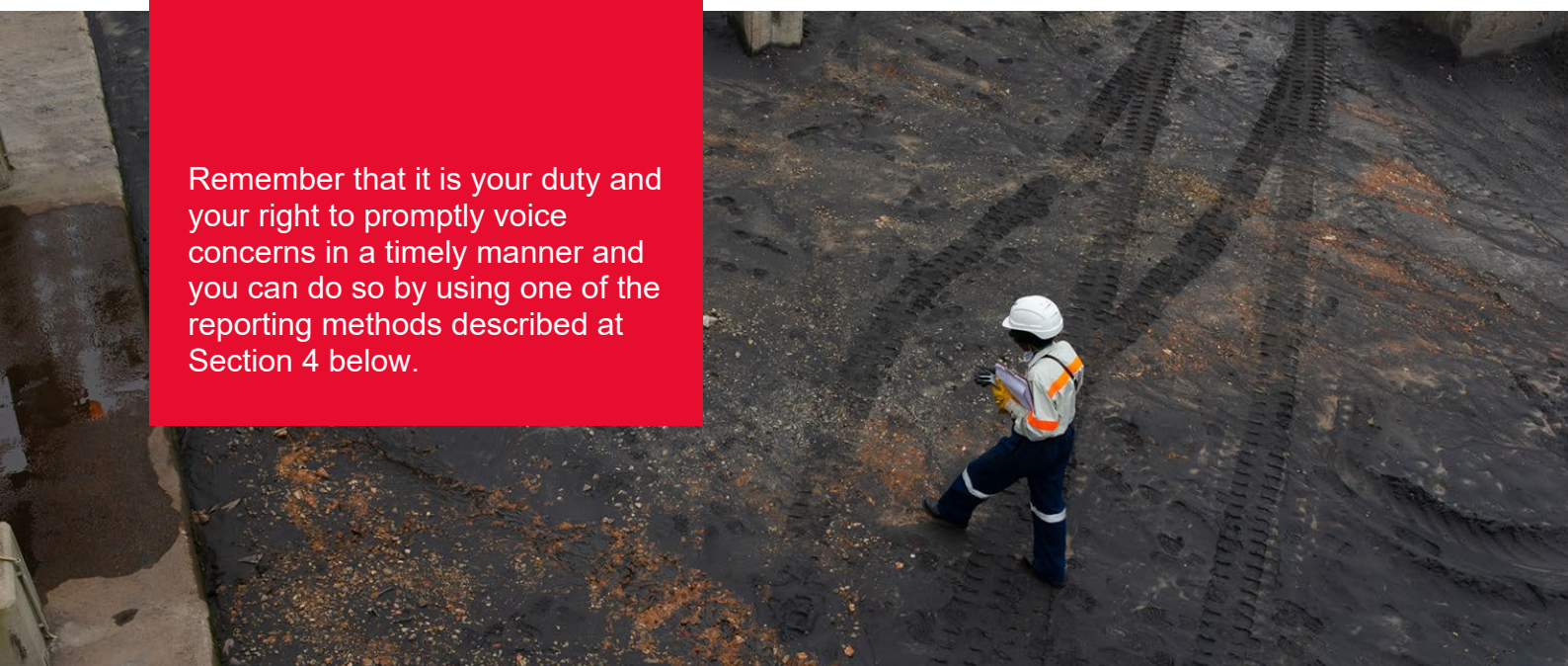
In the following sections, we outline our principles and what we do when we receive information about concerns. This procedure will help you to understand how you can confidentially and safely report your concerns.

Remember that it is your duty and your right to promptly voice concerns in a timely manner and you can do so by using one of the reporting methods described at Section 4 below.

Concerns and reports of misconduct are received and managed by the Business Conduct Office, a dedicated team that is independent of other lines of business, who work to ensure that reports are treated confidentially, fairly, respectfully, and safely.

## 2. Who can voice concerns?

Anyone who has concerns or information relating to misconduct or improper circumstances or behaviours connected to Rio Tinto may raise such issues under this Procedure. This includes, just to name a few, current and former employees, contractors, suppliers, service providers, trainees, joint venture partners, members of the communities where we operate, and also their partners, dependant and relatives.



Remember that it is your duty and your right to promptly voice concerns in a timely manner and you can do so by using one of the reporting methods described at Section 4 below.

### 3. When should I voice concerns?

If you become aware, or have reason to suspect, that misconduct or improper circumstances or behaviours connected to Rio Tinto are contemplated, occurring, or may have occurred, you are strongly encouraged to raise your concerns in a timely manner. Some examples of misconduct are listed in the footnote<sup>1</sup> for your reference.

At the time you raise your concern you may not know the category it fits into and this is fine. What really matters is that you raise your concern and do so in a timely manner. By voicing your concerns, you give Rio Tinto the opportunity to address instances of potential misconduct that may cause harm to people, to the reputation, or the success of Rio Tinto. You also help Rio Tinto to continue nurturing a safe, inclusive, and respectful working environment throughout the organisation.

### 4. How do I voice my concerns?

You can discuss your concerns with your line leader, a more senior leader, or your Human Resources partner. Where your concern relates to misconduct or improper circumstances or behaviours connected to Rio Tinto, they will in turn report the matter through one of the myVoice channels.

You can also safely and confidentially report concerns directly in the following ways:

- Log a report on the [myVoice Hotline website](#)
- Call myVoice Hotline on the numbers available on the [myVoice Hotline website](#)
- Email the Business Conduct Office directly at: [myvoice@riotinto.com](mailto:myvoice@riotinto.com)
- Talk to any member of Ethics & Compliance or Legal, who will escalate the matter to the Business Conduct Office.

### 5. What information should I provide?

When you voice your concerns, you should provide as much information about the issue as you can to help the Business Conduct Office to address them effectively. To that end, we encourage you to provide the background, context, history and reason for the concern; the dates, places and, if possible, names of those involved; and any documents that may be relevant to the situation. If you do not have all these details, do not let this hold you back from raising your concerns and providing additional details later.

We understand and respect that some people feel more comfortable not disclosing their identity, so you can report concerns anonymously and remain anonymous, if you wish.

We encourage you to stay in contact with the Business Conduct Office by using the myVoice Hotline so that we can keep an open line of communication.

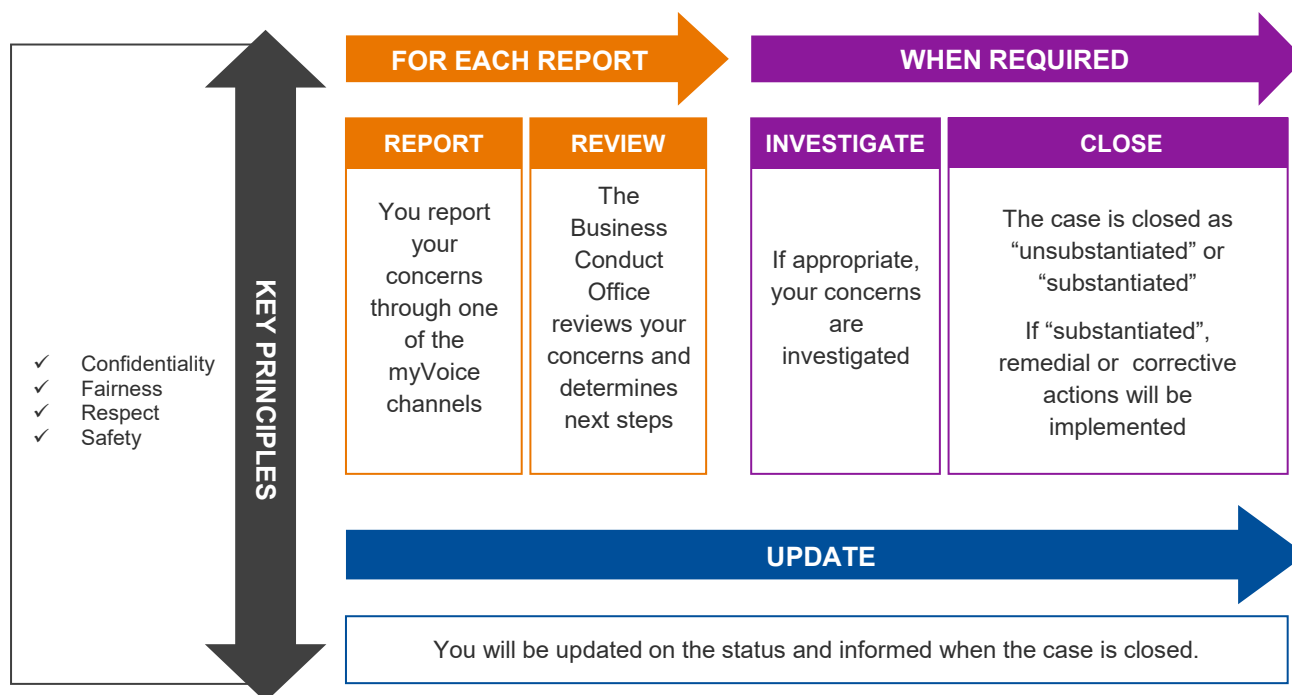
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<sup>1</sup> Material breaches of our standards, policies and procedures (including The Way We Work); illegal conduct, such as theft, dealing in, or use of illicit drugs, violence or threatened violence, or criminal damage against property; fraud, money laundering, terrorist financing, tax evasion or misappropriation of funds; offering, giving or accepting a bribe; conflicts of interest; financial irregularities including false accounting, financial misstatements and misrepresentations; conduct causing danger to people, the environment or the financial system; sexual harassment, discrimination, bullying or harassment; human rights issues such as modern slavery or the infringement of indigenous peoples' rights; and failure to comply with, or breach of, legal or regulatory requirements including disclosure obligations.

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## 6. What happens after I make a report?

The following diagram sets out the key steps that will occur when you voice your concerns under this Procedure.



You will receive an acknowledgement when your report has been received by the Business Conduct Office, who will then review and assess the report and decide on next steps.

If appropriate, your report will be allocated for investigation. Investigations will be conducted respectfully, impartially and fairly. People who are mentioned in your report will also be treated fairly: concerns will be handled confidentially.

If you have provided contact details or are contactable anonymously through the myVoice Hotline, you will be updated if your case is allocated to investigation. You may be asked to confidentially participate in the investigation such as by continuing to provide information or additional details. We will endeavour to provide you with appropriate progress updates, as necessary, subject to legal, privacy, and confidentiality considerations, and you will be informed when the case is ready to close.

Investigation outcomes are confidential, and therefore you may not normally be told whether or not a particular concern has been substantiated. You can be assured, however, that your concerns will be taken seriously and addressed appropriately.

## 7. How will Rio Tinto protect me if I raise concerns?

### 7.1 Confidentiality

The Business Conduct Office will make every reasonable effort to ensure that your identity is protected and remains confidential. This may include steps such as removing identifying personal information in written material. Additionally, if your report is anonymous, we will seek to communicate with you through myVoice Hotline and/or via an anonymised email address.

To protect your confidentiality, the Business Conduct Office will ensure that those involved in handling and investigating your report are trained to understand their obligations in relation to confidentiality / anonymity.

If you voice your concerns on an anonymous basis to the Business Conduct Office, they may ask through the anonymous messaging platform if you are willing to consent to disclose your identity to those involved in an investigation. You do not have to provide consent if you do not want to, although in some instances this may impact our ability to investigate the matter effectively. The Business Conduct Office will discuss this with you so that you can make a decision with which you are comfortable.

Information that is likely to lead to your identification may be disclosed where it is reasonably necessary to investigate your report. The Business Conduct Office and those investigating the matter will take all reasonable steps to prevent you from being identified.

Only where it is necessary, we may disclose your identity to a lawyer for the purpose of obtaining legal advice or representation or supporting an investigation, to law enforcement authorities, or to certain agencies such as corporate or tax regulators.

### 7.2 Protection against detrimental conduct and retaliation

Rio Tinto strictly prohibits and does not tolerate detrimental conduct or retaliation in response to an individual holding or raising a concern. Detrimental conduct or retaliation occurs when a person causes or threatens to cause detriment to you or someone else because the person believes or suspects that you (or someone else) made, or could make a report under this Procedure, and the belief or suspicion is the reason, or part of the reason, for the detrimental conduct or retaliation.

Detrimental conduct or retaliation includes threats, intimidation, humiliation, bullying, harassment, discrimination, harm including psychological harm, injury, dismissal or a negative impact on your position, change in duties or damage to reputation.

Protection against detrimental conduct or retaliation also applies to individuals conducting, assisting or participating in an investigation under this Procedure.

Rio Tinto will also seek to protect you from detrimental conduct or retaliation by providing you with details of available support services, such as the Employee Assistance Program, and engaging with HR representatives if there are concerns about your health and wellbeing.

It is important you understand that reasonable actions taken in relation to the performance of your duties, including disciplinary and performance management processes, will not normally be considered detrimental conduct or retaliation.

If you know or suspect that retaliation or detrimental conduct has occurred or is occurring, you should report it in accordance with this Procedure.

### 7.3 Legal protections

Rio Tinto will respect and comply with any local laws that apply to you.

For further information about Australian laws in relation to speaking up, please read the Australian Whistleblower Procedure that is annexed to this document.

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## 8. When does this procedure not apply?

This Procedure does not apply to deliberately false reports. You should never make a report about another person or event that you know or believe to be false. Doing so is against our values and may give rise to disciplinary action against you.

Further, this Procedure does not apply to personal work-related grievances. A personal work-related grievance relates to your current or former employment and has personal implications for you. Personal work-related grievances include:

- interpersonal conflicts with another employee; and
- challenges to decisions around performance evaluations, promotions or disciplinary action.

You should raise personal work-related grievances with your line leader or your relevant human resources contact.

If, however, you are uncomfortable speaking about the issue with both your line leader and relevant human resources contact, or you have already shared a concern and feel it is not being addressed appropriately, you can raise your concern under this Procedure.

## 9. More information

For questions or more information about this Procedure, please contact the Business Conduct Office at [myvoice@riotinto.com](mailto:myvoice@riotinto.com) and our [Frequently Asked Questions](#).

## 10. Annexure

### AUSTRALIAN WHISTLEBLOWER PROCEDURE

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## Section 1. Purpose of this procedure

This Australian Whistleblower Procedure is a whistleblower policy for the purposes of the *Corporations Act 2001* (Cth).

This Australian Whistleblower Procedure ("Australian Procedure") provides guidance on how you can safely, confidentially and without fear of retaliation voice concerns relating to Rio Tinto, its business or its people, under Australian law.

This Australian Procedure supplements Rio Tinto's myVoice Procedure, by providing additional information required under Australian law and describing additional protections available under Australian law.<sup>2</sup>

This Australian Procedure is available on the Rio Tinto website and company intranet. It applies to entities within the Rio Tinto Group of companies ("Rio Tinto").

## Section 2. Who does this Australian procedure apply to?

The myVoice Procedure is global and applies to everybody. In addition, this Australian Procedure applies to you if you meet the following criteria to be an eligible whistleblower:

- you are a Rio Tinto current or former employee, officer, associate, individual contractor or employee of a contractor, volunteer, work experience student, individual supplier or employee of a supplier, or a dependant or relative of any of the above; and
- there is a connection between your report and Australia – i.e.: you are: (1) an Australian citizen; (2) Australia-based; (3) speaking up about a situation relating to an Australian Rio Tinto operation; or (4) speaking up about conduct alleged to have occurred in Australia.

If you are unsure whether this Australian Procedure applies to you, you are welcome to contact the Business Conduct Office to discuss.

## Section 3. When will I be protected under Australian law?

In order to obtain protection under Australian whistleblower laws you must meet all of the following criteria:

- You are an eligible whistleblower (as set out at Section 2 above).
- You have a reasonable basis to suspect that misconduct or an improper state of affairs or circumstances has occurred in connection with Rio Tinto (as set out at section 4 below).
- You make your disclosure to an eligible recipient or another person authorised under the Australian whistleblower laws to receive disclosures (as set out at section 5 below).

Disclosures to a lawyer to obtain legal advice about protections under Australian law, are also protected. In special circumstances, disclosures to a journalist or member of Parliament may also be protected and are explained further at section 5 below.

Provided that you reasonably believe or suspect your report to be true, you will still be protected under Australian law even if your report is not made in good faith, turns out to be incorrect, or is made anonymously. However, as stated in Section 8 of the myVoice Procedure, if you deliberately make a report that you believe to be false, you will not be protected and this may give rise to disciplinary action.

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<sup>2</sup> The protections available under Australian law are statutory protections under the *Corporations Act 2001* (Cth) and the *Taxation Administration Act 1953* (Cth).

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## Section 4. When should I voice my concerns?

You are strongly encouraged to promptly voice your concerns by using one of the reporting methods described in Section 5 below.

To be protected under Australian law, your report must disclose reasonable grounds to suspect that misconduct or an improper state of affairs or circumstances connected to Rio Tinto has occurred. Some examples are provided in Section 3 of the myVoice Procedure.

It is important you understand that personal work-related grievances are not protected under this Australian Procedure. Please refer to the description of personal work-related grievances in Section 8 of the myVoice Procedure.

## Section 5. How do I voice my concerns?

To be protected under Australian law, you must make your report to one of the following authorised eligible recipients:

- A member of the Business Conduct Office, either directly or through the myVoice Hotline
- A director, Company Secretary or other officer of any Rio Tinto entity
- A senior leader of Rio Tinto (Managing Director, Vice President or equivalent level and above)
- An internal or external auditor (including a member of an audit team conducting an audit) or actuary
- A person registered under Australian law as a tax agent or Business Activity Statement ('BAS') agent (in relation to Rio Tinto's tax or BAS related matters)

You can make a report to any of the eligible recipients listed above in person, by phone, by email or by letter and their details are available on the Rio Tinto intranet.

You should be aware that reports made to your line leader may not be protected by Australian whistleblower laws, unless your line leader is an authorised eligible recipient as identified above.

Protections under Australian law are also available if you:

- make your disclosure to the Australian Securities and Investments Commission ("ASIC"), the Australian Prudential Regulatory Authority ("APRA"), or another prescribed body, or (for tax-related matters) to the Commissioner of Taxation; or
- make a public interest or emergency disclosure to a journalist or a parliamentarian. To make a public interest or emergency disclosure, the disclosure must have previously been made to ASIC, APRA or a prescribed body and written notice provided to the body to which the disclosure was made. In the case of a public interest disclosure, 90 days must have passed since the previous disclosure. It is important for you to understand the criteria for making a public interest or emergency disclosure and we recommend you seek independent legal advice before you do so.

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## **Section 6. What happens after I make a report?**

Refer to Section 6 of the myVoice Procedure for a description of what will happen next.

## **Section 7. How will Rio Tinto protect me if I voice my concerns?**

Refer to Section 7 of the myVoice Procedure for a description of how Rio Tinto will protect you.

If you voice your concerns under this Procedure, Rio Tinto will provide you with the following protections. If you make a report that you know or believe to be true, these protections will still apply even if your concern turns out to be incorrect.

### **7.1 Confidentiality**

Refer to Section 7.1 of the myVoice Procedure for the confidentiality measures Rio Tinto will implement when you make a report.

Your identity will only be disclosed by Rio Tinto with your consent. However, in some cases Rio Tinto may disclose your identity without your consent to the following bodies or people:

- a lawyer for the purposes of obtaining legal advice or legal representation; or
- ASIC, APRA, the Australian Federal Police or another prescribed body, or (for tax-related matters) the Commissioner of Taxation.

### **7.2 Protection against detrimental conduct**

Rio Tinto strictly prohibits and does not tolerate detrimental conduct or retaliation. Refer to Section 7.2 of the myVoice Procedure for the definition of detrimental conduct or retaliation and how Rio Tinto will protect you.

Rio Tinto will also assess the risk of any detrimental conduct or retaliation against you or others in relation to a report, and will consider whether additional protection is needed.

Additional protections may be available to you under Australian law, as described below.

## Section 8. How will I be protected under Australian law?

The table below sets out the legal protections that apply if you qualify for protection under Australian law.

Statutory Protection	Description
<b>Protection from detrimental conduct</b>	<p>Anyone who is proven to have engaged in detrimental conduct (as described at <a href="#">7.2</a> above) may be guilty of an offence and may be liable for damages.</p> <p>In that case, you (or any other employee or person) can seek compensation and other remedies through the courts if you suffer loss, damage or injury because of detrimental conduct (as described at <a href="#">7.2</a> above) and if Rio Tinto failed to take reasonable precautions and exercise due diligence to prevent the detrimental conduct.</p>
<b>Your confidentiality will be protected</b>	<p>A person commits an offence if they obtain your identity or information likely to lead to your identification ("Confidential Information") directly or indirectly because of your report and they disclose that information, unless:</p> <ul style="list-style-type: none"><li>• you consent to the disclosure of the Confidential Information</li><li>• a disclosure of information likely to lead to your identity is reasonably necessary for the effective investigation of the matter and all reasonable steps are taken to reduce the risk of your identification</li><li>• your Confidential Information is disclosed to ASIC, APRA, the AFP or a person or body prescribed by regulation or (for tax- related matters) is reported to the Commissioner of Taxation</li><li>• your Confidential Information is disclosed to a lawyer for the purpose of obtaining legal advice or representation</li></ul>
<b>You will be protected from some types of liability</b>	<p>For example:</p> <ul style="list-style-type: none"><li>• any legal action for breach of an employment contract, duty of confidentiality or another contractual obligation for making the disclosure</li><li>• attempted prosecution for unlawfully releasing information, or other use of the disclosure in a prosecution</li><li>• disciplinary action for making the disclosure</li></ul>

These legal protections do not grant you immunity from liability if you are found to have participated in any misconduct that you report.

## Section 9. More information

For questions or more information about this Australian Procedure, please contact the Business Conduct Office at [myvoice@riotinto.com](mailto:myvoice@riotinto.com).