

# Frequently Asked Questions

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## 1. What is EthicsPoint?

EthicsPoint is a globally accessible and multi-lingual service that anyone can use at any time to report potential misconduct or raise questions regarding BHP's Code of Conduct. A report can be made via EthicsPoint either via telephone or online.

EthicsPoint is available in English, Chinese, Spanish, Portuguese, and Malay. If you have difficulty accessing EthicsPoint in your preferred language please contact Ethics at [Ethics.Team@bhp.com](mailto:Ethics.Team@bhp.com).

## 2. When do I make a report?

If you think a decision or action does not reflect *Our Charter* values or is not in line with *Our Code*, you have a responsibility to report that matter. You don't need to be directly affected by an issue to raise it.

Reports unrelated to Our Code should continue to be reported through the appropriate channels and not within EthicsPoint. For example, common employee Payroll queries should be directed via the appropriate payroll team servicing the employees region.

## 3. How do I make a report?

Navigate to [the BHP EthicsPoint website](#) to make a report. EthicsPoint is hosted on external servers and is not part of BHP's website or Digital Workspace. This website enables two methods to lodge a report, the online Intake Questionnaire Form or via telephone.

When you raise a report you will always be asked whether "*you wish to disclose your identity for this report?*" If you select "*no*" your report will be logged anonymously whereby your name and contact details will not be requested.

Whether you choose to identify yourself or remain anonymous, you are encouraged to include sufficient detail in your report to enable an investigation to be commenced. Examples of sufficient detail may include; Names of those perpetrating the alleged misconduct, names of potential witnesses, and descriptions of the problematic behaviour.

Regardless of the method you choose to lodge your report, always record the unique report key and password to ensure you can continue to receive updates from the Ethics team, the Investigator, as well as enabling yourself to post additional information into your report if requested.

### **Make a report online**

To lodge an online report select the "Raise a report online" button on the EthicsPoint website. You will then be prompted to enter information into the EthicsPoint Intake Questionnaire Form, attach any relevant documents and select submit.

### **Make a report via telephone**

Alternatively, you can choose to "Raise or follow up on a report via telephone" which provides contact numbers per global region listed. Proceed to click on the region relevant to your location and then contact the phone number to log your report via an EthicsPoint representative. This representative will ask you the series of questions also listed in the Intake Questionnaire Form. The representative will not be providing advice on your individual circumstances, however they can capture your report in your own words.

#### **4. Line leader accountability**

BHP people leaders must record reports of behaviour that goes against Our Code immediately into EthicsPoint by selecting “Raise a line leader report online”. Our independent Ethics team will then assess the incident so that there is an appropriate escalation and response.

#### **5. Who sees my EthicsPoint report?**

Access to EthicsPoint is strictly controlled, and only nominated employees who are eligible recipients to whistle-blower disclosures or those directly involved in the investigation can access an EthicsPoint report. The key users of EthicsPoint are the Ethics and Investigations team, and in some circumstances nominated subject matter experts from various Functions including (yet not limited to); Human Resources, Health, Safety & Environment, or Legal. If a nominated employee with access to EthicsPoint is named in a report, their access to the case will be restricted.

#### **6. Keeping up-to-date with my report (including access key)**

It is important to continuously access your EthicsPoint report using your unique report key and password, to:

- Respond to questions from the Ethics team who may need to clarify aspects of your report to determine the most appropriate escalation or investigator
- Clarify information as requested from the investigator to progress the investigation, or to
- Request and receive updates on your report

If sufficient information is not provided in your report, proceeding with an investigation may not be possible. Therefore, it is important to regularly access the “follow ups” section of your report to provide any further information as requested.

When you submit the original report, you will be asked to record a report key and set a password. If you do not record your report key and password you will be unable to access the report again.

#### **Q: How can I check on the progress of my report?**

**A:** Navigate to the EthicsPoint website and select one of the following options to check the progress of your report:

- “Follow-up on a report online”, or
- “Raise or follow up on a report via telephone”

##### **Follow-up a report Online:**

To follow-up a report online, proceed to enter the report key and password to access your report and navigate to the follow-ups section to check for any new correspondence.

##### **Follow-up a report via telephone:**

To follow up on a report via telephone, you can ring the relevant hotline number for your region and quote your report key and password to request any known updates from the operator.

**Q: What is a report key?**

**A:** A report key is an automatically generated unique code that you receive once an EthicsPoint report is submitted. It is used to identify each EthicsPoint report raised in EthicsPoint. You need to retain a record of your report key to access your report again in future.

**Q. What happens if I lose my report key or password?**

**A:** If you misplace your report key or password, a new one cannot be provided. This is to protect the security of all reports received.

In these circumstances we encourage you to lodge another report via EthicsPoint, with the same information and noting it is in relation to your prior report. This enables you to receive and provide ongoing communication via the follow-ups mechanism of the new report.

**7. Confidentiality and protections against retaliation**

When you speak up, the information you provide will be dealt with confidentially. If you wish to remain anonymous, all reasonable steps will be taken to reduce the risk that you will be identified as a result of responding to your concern. This means the information you provide will only be shared where this is necessary for the purposes of the investigation, and measures to protect your identity will be put in place as far as possible.

We don't allow any form of punishment, discipline or retaliatory action to be taken against anyone because they chose to speak up, or because of their participation in an investigation process.

If you feel that you have been retaliated against because you spoke up or participated in an investigation process you should report it immediately to your line leader, 2 Up leader, Human Resources, Ethics and Compliance, Legal or via EthicsPoint.

**Q: I've been asked to contact the investigator by phone – can I remain anonymous?**

**A:** Yes, you can choose to remain anonymous during telephone contact with the investigator or the Ethics team member. You will be protected under BHP policies and you may also have additional protections under the laws in your country. Our personnel can refer to the BHP [Speaking up with confidence Guidance Note](#) for more information.

**Q: What are the benefits of providing my name and contact details when I report?**

**A:** After making a report, the investigator may contact you to obtain more information to assist the investigation progress. If you choose to make an anonymous report the investigator may communicate with you through the EthicsPoint "follow ups" section of your report. This requires you to regularly login to your EthicsPoint report to receive or respond to any updates or queries.

**Q: My line leader suspects I have made a report to EthicsPoint and I think that's why I received a poor performance review, what can I do?**

**A:** If you believe you have been retaliated against as a result of speaking up or being part of an investigation, you should report it to EthicsPoint immediately. BHP has zero tolerance for retaliation of any kind. BHP does not allow any form of punishment, discipline or retaliatory action to be taken against anyone for speaking up, or co-operating with an investigation. All forms of retaliation are considered misconduct.

**Q: I reported anonymously, but now I want to provide my details – how can I do that?**

**A:** You can provide your details via your EthicsPoint report, or by contacting Ethics via email at [Ethics.Team@bhp.com](mailto:Ethics.Team@bhp.com). If you speak up by entering your concern into EthicsPoint you can submit your report anonymously or provide your identity. If you have provided your identity we will always seek your consent before disclosing your identity for investigative purposes.

Where we have sought and have not received your consent, in some circumstances in order to investigate a matter, it may be necessary to disclose information from your report which could lead to your identification. We may disclose this information without your consent. We will always endeavour to protect your identity.

**8. Investigation processes****Q: What does the Ethics team do with my report?**

**A:** All reports made into EthicsPoint are triaged by the BHP Ethics team who will determine a case category of each report, in alignment with Appendix 2 of Our Requirements for Business Conduct.

**Q: Who will investigate my report?**

**A:** Once an EthicsPoint report is reviewed and triaged by the Ethics team, the matter will be allocated for investigation.

The most serious allegations of misconduct (Category A cases) are escalated to and investigated by the Core Investigations Team (CIT) within the Ethics and Investigations sub-Function and in some cases by external investigation firms.

Reports that fall within Category B and C will be investigated by Human Resources or line leaders where appropriate.

The decision about who to investigate is based on many factors, including the nature of the report, those involved and the location. Where possible, investigations will be conducted by a subject matter expert.

**Q: How will my report be investigated?**

**A:** The investigation approach is determined by the investigator and may include collection of evidence from multiple sources including witnesses and documents.

If detailed analysis is required, such as financial or other record audits, external experts and Cyber Security may be involved in the investigation.

Ethics and Investigations may also request that a relevant Function has input into the investigation, for example HSE may review significant Health and Safety reports.

**Q: How long will my report take to be investigated?**

**A:** The Ethics team will respond to all new reports in a timely manner. Any report that is to be investigated, will be undertaken respectfully, efficiently and thoroughly by the relevant investigator. Each investigation is unique and therefore the time taken to investigate will vary for each report.

**Q: I have documents I wish to share with the investigator – can I do this via EthicsPoint?**

**A:** Yes, documents can be securely uploaded to EthicsPoint when you submit the report, or at any time during the investigation by clicking on the “Attachments” section of the report.

**Q: How will I know if my report has been closed?**

**A:** You will be notified via EthicsPoint when your report is closed. Reports are closed when the investigation is complete, or the investigation cannot proceed further. You will be able to view and respond to your report for up to thirty days after the report is closed.

**Q: My report has been closed but the problem has started again – what should I do?**

**A:** If you report a concern and the problem continues after the case is closed, you should contact your line leader, 2 Up leader, representative for Human Resources, Ethics and Investigations, or submit another report via EthicsPoint.

**Q: How can I withdraw a report?**

**A:** You can post a response in EthicsPoint indicating that you wish to withdraw a report. However, in some cases BHP may be required to pursue the matter, as all breaches of Our Code must be dealt with appropriately.

**9. Investigation outcomes**

Breaches of Our Code compromise Our Charter values and our culture of care and trust. If a breach of Our Code occurs, this will likely result in disciplinary action. We recognise the importance of transparency, therefore we will share as much detail as appropriate within the bounds of the law.

You may not receive all the details about how your report was investigated, the detailed findings or disciplinary action. This is to ensure that the privacy of all individuals associated with the report are protected.

**Q: What happens if I make a false report?**

**A:** Any report that is falsely and maliciously made in EthicsPoint may be subject to disciplinary action.

**Q: How soon will I receive a response?**

**A:** Ethics will provide an initial response upon a report being received to EthicsPoint. It is important that you review your report regularly after submitting it so that you can respond to ongoing enquiries posted by the Ethics team or the investigator.

**Q: I want to report something, but I don't want anyone to get fired or disciplined – I just want the behaviour to stop. Can I suggest an outcome?**

**A:** Reporters are encouraged to provide a suggested outcome in the report section "What would you like to see as an outcome of this report?" While a suggested outcome will be taken into consideration, the ultimate decision will be with BHP, taking into account a number of factors including the nature of the report, the outcome of the investigation and BHP policies and processes.