THE SOCIAL DIMENSION

CHAPTER III
SOCIAL PERFORMANCE AND SAFE TAILINGS MANAGEMENT: A CRITICAL CONNECTION

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1. INTRODUCTION: IS SOCIAL PERFORMANCE RELEVANT TO TAILINGS FACILITIES?

The starkest indicator of a catastrophic tailings facility failure is loss of human life. There is no more devastating outcome. If a tailings facility has a significant flow failure in a locality where people live or work, where protections are absent, and local capacity to respond is low, tragedy is likely to unfold. While the loss and damage from a catastrophic failure can be forensically documented, quantified and classified, the lived experience for affected people is one of trauma and distress. These considerations provided the backdrop to our work as communities and social performance specialists on the Expert Panel for the Global Industry Standard on Tailings Management (the 'Standard').

Preventing loss of life and responding to worst case scenarios involves anticipating what might unfold under different circumstances. This requires an understanding of the social norms, rules and protocols that would apply in the event of a failure event. This knowledge offers the much needed insight into people's ownership and use of land and territory, systems of social and political organisation, livelihood systems, and human exposure to credible failure modes and potential impacts. It follows, therefore, that this knowledge must be available to developers, regulators and local people before a facility is built, and before a failure occurs. Early access to data and information may even enable decisions that entirely avoid the possibility of harm to people.

A catastrophic tailings facility failure is not solely defined by loss of life. Though lives were not lost at Mount Polley, traditional custodians characterised the tailings facility failure at this operation as catastrophic. First Nations groups have expressed, quite publicly, that the damage to places of cultural

> **Box 1: Global Industry Standard on Tailings Management Glossary definition of 'catastrophic failure'**
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> A tailings facility failure that results in material disruption to social, environmental and local economic systems. Such failures are a function of the interaction between hazard exposure, vulnerability, and the capacity of people and systems to respond. Catastrophic events typically involve numerous adverse impacts, at different scales and over different timeframes, including loss of life, damage to physical infrastructure or natural assets, and disruption to lives, livelihoods, and social order. Operators may be affected by damage to assets, disruption to operations, financial loss, or negative impact to reputation. Catastrophic failures exceed the capacity of affected people to cope using their own resources, triggering the need for outside assistance in emergency response, restoration and recovery efforts.

and ecological significance and the associated loss and trauma from this event was catastrophic for their communities, with lasting effect.

Some dam specialists have argued that the Mount Polley event should not be described as catastrophic because the consequences of the failure did not meet the necessary threshold in the engineering Consequence Classification tables. In their view, any application of the descriptor 'catastrophic' where lives were not lost serves no function other than to invoke unnecessary emotion. By contrast, we argue that the way a tailings facility failure is described or classified must be understood as a

function of position, privilege, and perspective. Our experience of working in the area of mining and social performance is that there are often differences in how actors understand and interpret a supposedly 'common' event. Reconciling the professional and the personal, the cultural and the commercial, and the differences between local and global understandings of 'development' and 'disaster' is, we would argue, the essence of social performance work.

This chapter explains how and why social performance work is critical to tailings facility management. It describes the logic that underpins the inclusion and integration of social performance elements throughout the Standard, and our work to ensure that these elements were stabilised during the various rounds of consultation and feedback. It also provides our perspective on what is needed to ensure the effective participation of social performance in the Standard's implementation into the future.

1.1   DEFINING SOCIAL PERFORMANCE

We use the term 'social performance' to refer to how a company handles its commitments, interactions and activities as they relate to local communities. The practical tasks involved in this work include, amongst other things: scoping and overseeing applied, field-based, studies and surveys; gaining access to land; negotiating agreements, compensating for loss and disruption; mitigating and managing impact and benefit streams; and ensuring that project-affected people receive timely and accessible information and that their grievances are investigated and remedied where needed. Effective social performance practice prioritises respect for human rights, harm avoidance and equitable benefit sharing.

This arena of work is often mischaracterised as a one-dimensional activity encompassed solely by the concept of 'community engagement'. This characterisation misses the vital role that the social performance function can play in using field-based data to influence how a mining project is configured and managed throughout its lifecycle. Community engagement remains a priority but equating social performance work with relational work 'outside the fence' does not adequately describe this field of practice (Kemp 2010). Social performance work also involves engaging internally within companies, to influence how mining takes place. Such work, done properly, involves relational, scientific, organisational and legal dimensions, with the latter anchored in instruments of international human rights law.

The Standard's Glossary defines a 'stakeholder' as any affected or interested party, located anywhere, with an interest in any aspect of tailings facility management. Social performance work, by contrast, primarily involves engaging with a local set of stakeholders, many of whom will be directly affected by operational activities. These stakeholders have a distinctly situated set of rights, interests, obligations and entitlements that cannot be de-linked from the context within which they are ascribed and exercised (Joyce 2019).

The place-based focus of social performance differentiates this practice domain from:

- public relations, which is primarily concerned with protecting and enhancing a company's reputation

- government relations, which is concerned with maintaining a certain equilibrium with the state, and

- investor relations, which focuses on assuring investors that they will profit financially from their engagement with the company.

While a mining company's supply chain raises an important set of social performance and human rights considerations, social performance in mining is largely anchored to the point of extraction. It is here that waste is generated and stored, and where tailings facilities are located.

2. WHERE DO THE 'SOCIAL' ELEMENTS FEATURE IN THE STANDARD?

Social performance spans all six Topic Areas of the Standard, with specialist components defined in 14 (18 per cent) of the Standard's 77 Requirements, with a further 18 Requirements (23 per cent of the Standard) requiring operators to integrate social performance inputs into processes, systems and decisions about tailings facility management.

The first sub-section below describes the placement and position of the specialist, and more obvious, social performance components. The second sub-section draws connections between these and other parts of the Standard. As we explain, the level of depth and breadth in this Standard differentiates it from other voluntary standards and schemes relating to either tailings management or social performance.

2.1 SPECIALIST SOCIAL PERFORMANCE COMPONENTS

Four social performance Requirements are bundled under Topic I Affected Communities. The upfront positioning of these components provides a strong signal that the catastrophic failure of a tailings facility is a salient human rights issue, and requires respect for human rights, including human rights due diligence, from the very outset of a project and throughout the tailings facility lifecycle (1.1)[1].

The Standard also requires operators to work to obtain and maintain free, prior and informed consent from indigenous and tribal peoples, where circumstances warrant it (1.2). Meaningful engagement (1.3) is fundamental to the Standard's goal of achieving zero harm to people, as is the requirement for an operational-level, non-judicial grievance mechanism that effectively handles issues relating to the tailings facility and its potential failure (1.4). The sharing of information to support these and other local-level processes is explicitly required.

Social performance components also feature prominently in Topic II, Integrated Knowledge Base. Under this topic, social, environmental, and local economic considerations are packaged together, given the often inextricable link between these aspects at the operational level. The Standard requires that knowledge is developed from the outset of project planning, and that operators build an understanding of the context within which a tailings facility exists or may exist in the future (2.1). This must include knowledge of downstream areas. Similarly, the knowledge base provisions include a requirement to understand human exposure and vulnerability in the event of a credible flow failure (2.4).

Operators are also required to conduct impact assessments and develop mitigation plans where material adverse impacts are anticipated (3.3). These assessments are to be updated, both periodically and when there is a material (adj.) change to the tailings facility or the social, environmental and local economic context (3.4). Such changes may include, for instance: the closure or commencement of another major project; a radical change in land use (e.g. from farming to an urban settlement); water or food shortages following a major climatic event (e.g. drought or flood); increased in or out-migration; or a major conflict or security event.

Topic III, Design, Construction, Operation and

Monitoring of the Tailings Facility, may appear to be an exclusively technical section, written for engineers and tailings facility specialists. However, while this section is certainly weighted to this audience, it does not exclude other disciplines, and in fact encompasses a range of social performance elements. For example, following the provision requiring the operator to consider additional steps to minimise consequences (5.7), the Standard requires the operator to follow international standards if involuntary resettlement is pursued to achieve this aim (5.8).

Another important feature of the Standard is that it includes requirements for both risk reduction and consequence minimisation. Operators are required to reduce risk, which includes both probability and consequences, to as low as reasonably practicable (ALARP). They are also expected to decouple these two concepts and to think solely about the consequences of the event, without considering the probability of that event occurring; that is, to take additional reasonable steps to minimise consequences to people and the environment. This, in effect, reinforces the requirement to reduce risk to ALARP, but compels Operators to consider impacts to people and the environment as a priority.

Topic V, Emergency Preparedness and Recovery is critically important from a social performance perspective. Requirement 13.1 anticipates meaningful engagement with employees and contractors in the development of Emergency Preparedness and Response Plans, and 'locks in' the role of project-affected people in the co-development of community-focused emergency preparedness measures. Requirements 14.1 to 14.5 cover the long-term recovery of people and the environment in the event of a catastrophic failure event − a topic that is not covered in any other tailings or social performance standard.

Requirement 14.1 asks operators to take reasonable steps, before a failure event, to meaningfully engage with public sector agencies and other organisations that would participate in medium- and long-term social and environmental post-failure response strategies. These agencies are likely to be quite different to the first responder groups engaged for Requirement 13.1. Requirements 14.2 to 14.5 apply after a catastrophic failure and would involve post hoc impact assessments, and stakeholder engagement to develop and implement plans that enable the participation of affected people in restoration and recovery works and ongoing monitoring activities.

2.2 EMBEDDED INTERDISCIPLINARY CONNECTIONS

The Standard embeds social performance in ways that may not appear obvious on first pass. For instance, in Topic II, Integrated Knowledge Base, the Standard calls for social performance knowledge to be included in early technical decisions given that these decisions determine, to a large extent, how a facility will affect people and the environment. Typically, this knowledge is not generated until the regulatory approvals or environmental permitting stage, which is often not early enough to support key decisions about tailings facility management. Decoupling the generation of social knowledge from regulatory requirements, and 'front end loading' that process, means that mine planners and tailings facility designers are better placed to minimise negative consequences to people and the environment from the very outset of project planning. Early access to information may even enable planners to identify sensitive or 'no go' areas, potentially saving time, resources and unnecessary conflict down the track.

To provide a specific example: under Topic II, Knowledge Base, the multi-criteria alternatives analysis (3.2) should be iterative and apply diverse criteria for the selection of sites, technologies and management strategies (e.g. upstream, downstream, centre line, in-pit and so forth). Having robust and relevant information available means that social performance can contribute to deliberations and actively influence outcomes. Successive reviews of alternatives will flag the need for more granular or different data and information, with each stage of the analysis building on new inputs. Through this iterative process, in conjunction with other disciplines, social performance inputs can be scaled up as options are narrowed down.

Throughout the Standard, social performance is positioned as integral to tailings facility management. This includes a series of requirements under Topic III, Design, Construction, Operation and Monitoring of the Tailings Facility. For instance, numerous social performance aspects from Topic II, Integrated Knowledge Base, would be used to inform the Consequence Classification. Topic III also includes requirements to use social management (6.1) and social monitoring (7.1) systems in the management of a tailings facility, as appropriate to the data and information that becomes available. The Expert Panel carefully built these types of evidence-based interconnections throughout the Standard, as an underlying logic.

Topic IV, Management and Governance requires the establishment of a tailings governance framework and confirms the Environmental and Social Management System (ESMS) as an integral component (8.2). This topic nominates one or more Accountable Executive(s) as responsible for, amongst other matters, avoiding or minimising the consequences of a tailings facility failure for local people (8.4). Other requirements include multi-disciplinary risk assessments (10.1), and the review (10.2) and audit (10.3) of the ESMS as it relates to the tailings facility.

Accountable Executives will need to rely on social performance knowledge and expertise in order to discharge their duty to minimise adverse social consequences (8.4). In the same way, the Standard specifies that a Responsible Tailings Facility Engineer (RTFE) should liaise not only with operations and mine planners, but also with social and environmental teams on matters that are relevant to the tailings facility (8.5). This may include, for instance, being involved in processes of stakeholder engagement and information sharing, responding to grievances or concerns about the facility, or changes in downstream land use about which the RTFE may not be immediately aware. These changes could include, for instance, an increase or decrease in human settlements, the influx of artisanal miners into areas identified in the dam breach analysis as potentially impacted, or damage to downstream engineering measures through community activity. In this way, the social performance footprint extends well beyond the more 'obvious' elements of the Standard.

Public accountability for tailings facilities must respond to a set of discernible local-level concerns for public health and safety. While the documents listed under Topic VI, Public Disclosure and Access to Information will likely be in the hands of other functions, such as external affairs and legal, many of these concerns fall within the purview of social performance. Regularly publishing and updating information (15.1) and responding to reasonable requests for additional information (15.2) is fundamental to meaningful engagement at the local-level, and for generating trust across the stakeholder spectrum.

2.3 GAPS AND OMISSIONS

The Standard sets a new benchmark for integrating social performance considerations into a deeply technical area. Nonetheless, there are some aspects that were not fully resolved by the Expert Panel and at this point are not integrated into the Standard. For instance, the Standard does not confirm the rights of

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1. Numbers in parentheses refer to the relevant requirement of the Standard.

project-affected people to *participate* in tailings-related decisions that affect their lives. This language sat uncomfortably with some tailings facility specialists, reflecting the gap that still exists in understanding how social performance work supports rather than undermines technical decision-making. The essence of the concept (i.e. 'participation') is addressed, such as through the glossary definition for 'meaningful engagement'. In our view, this need not have been a contested term, and will be one of a number of concepts that is likely to become part of the Standard as it evolves.

It is also the case that we were not always familiar, or comfortable, with the terminology and concepts used in other disciplinary areas, and other disciplines adjusted some of their language to account for our preferences and understandings. For instance, the use of 'material' in a sustainability reporting sense is well established, whereas to engineers, 'material' is a physical substance or object. Finding agreement on these terms was often difficult. In our view, deep and sustained engagement between experts from different disciplines would help to build mutual understanding in other similarly complex and contested topic areas. The imperative created by the Standard to move beyond comfortable disciplinary 'streams', and engage in interdisciplinary work is a significant undertaking, with potential upsides for people and the environment and ultimately mining companies themselves.

Acknowledging the challenges, our priority in this process has been to put forward a workable and technically accurate Standard that included critical social performance components that were well integrated with the technical aspects of the standard. While we certainly support the version of the Standard that has been endorsed by the co-conveners, we are also of the view that it should not be regarded as an immutable document, but rather, as the basis for interdisciplinary discussion that will continue to evolve over time.

3. WHAT IS DIFFERENT ABOUT THIS STANDARD?

In its initial phase of work, the Expert Panel was tasked with reviewing international standards and guidelines about tailings facilities to understand coverage of our respective disciplinary areas. We were also tasked with reviewing standards and guidelines within our own areas of specialisation for coverage of tailings facilities. This process of review continued throughout the Standard drafting process. While there are many voluntary standards and schemes in active use, we focused on those in which a connection was expected or was identified. These are listed in Table 1.

The best example of a voluntary standard that is beginning to forge some connections between tailings facility management and social performance can be found in the Tailings Management Protocol and the Indigenous and Community Relationships Protocol for the Mining Association of Canada's (MAC's) Towards Sustainable Mining scheme. Both of these protocols were updated following the Mount Polley failure. Key aspects of social performance are addressed in the tailings-specific protocol, with some cross reference to the community-specific protocol. That said, social performance is not integrated to the degree that has been achieved in the Standard. In regard to the numerous other sustainability standards that we reviewed, but that are not in the table, our principal observation is that the connections between the technical aspects of tailings facility management and social performance are absent.

In this sense, we confirm that, from a social performance perspective, the 'step change' in the Global Industry Standard on Tailings Management is that it connects leading practice social performance to the topic at hand and demonstrates the criticality of integrating social performance into this high-stakes field of practice. There is no equivalent standard in this respect.

Table 1. Voluntary standards: social performance strengths and opportunities to strengthen

Standard	Scope	Social performance strengths	Opportunities to strengthen
Tailings Management Protocol, as part of MAC's Towards Sustainable Mining (TSM) scheme.	Tailings-specific standard. Facility focused. Supported by the Guide to the Management of Tailings Facilities, and the guide to Developing and Operation, Maintenance, and Surveillance Manual for Tailings and Water Management Facilities.	Requirements to understand community expectations about tailings facility management through local-level engagement. Requires community engagement in emergency planning.	No requirement to respect human rights with reference to the UNGP. No requirement for participation of project-affected people in decisions about public safety. No coverage of long-term recovery after a failure. No requirements for public disclosure.
Position Statement Tailings Governance Framework, ICMM.	Tailings-specific position statement.	Nil.	No coverage. Excludes ICMM Principle 9 on Social Performance.
Standard for Responsible Mining, Initiative for Responsible Mining Assurance.	Comprehensive sustainability standard with a waste-specific chapter and social performance chapters. Applies site-wide.	Focus on preventing harm to people and the environment. Disciplinary depth within chapters.	Few explicit cross references between social performance and tailings facilities. No coverage of long-term recovery after a failure or public disclosure in the Waste and Materials Management Chapter. No coverage of waste or tailings in the Human Rights Chapter.
International Finance Corporation's (IFC) Environmental and Social Performance Standards, IFC.	Comprehensive social and environmental performance standards. Applies project-wide.	Focus on minimising risk to people and the environment. Disciplinary depth and systems focus.	No substantive cross-references between social performance and tailings facilities.
TSM Indigenous and Community Relationships Protocol, Mining Association Canada (MAC).	Applies site-wide. Broad focus on building local-level relationships, and managing impacts and benefits throughout the mine lifecycle.	Disciplinary depth. Includes a list of tailings-related issues that may be of interest to people at the local-level.	Use of tag clause: '…including those associated with tailings management (as applicable)', but few substantive points of connection back to the Tailings Management Protocol.
The International Council on Mining and Metals' social performance-related principles, performance standards, guidance materials and tools.	Broad focus on building local-level relationships, and managing impacts and benefits throughout the mine lifecycle.	Disciplinary depth. Reference to a range of leading practice standards.	Across the ICMM's full suite of 'social performance' documents, few explicit connections are made between social performance and tailings facilities.

4. WHAT WAS INVOLVED IN INTEGRATING SOCIAL PERFORMANCE INTO THE STANDARD?

We use the analogy of a 'push-pull' dynamic to describe our efforts at integrating social performance into the Standard. A 'push' dynamic occurs when a producer or supplier works to convince a consumer to use their product or service. A 'pull' dynamic occurs once a consumer is convinced and begins to request that service because they see inherent value in it. In this section, we take social performance as an available service, and tailings facility engineers, specialists and other accountable persons as potential consumers of that expertise and knowledge. We sought to create an inherent 'pull' for social performance, to avoid social performance practitioners having to routinely justify their role at the operational level.

The inclusion of social performance aspects in the Standard was logical for some stakeholders, and the composition of the Expert Panel suggests that its inclusion was part of the ambition from the very outset of the GTR. Nonetheless, we encountered strongly held arguments from some of those who made public submissions, some members of the advisory group, and others from within industry, that social performance should be removed from the Standard or relegated to guidance material. The reason given for excising social performance from the Standard was that it diverted attention away from the physical integrity of tailings facility and detracted from the important task of preventing catastrophic failures. Our argument that context is crucial to preventing catastrophic outcomes and minimising consequences was not accepted by all. As a result, we found ourselves working to make the case that social performance is critical to preventing catastrophic failures.

Take the example of the process of determining the consequence classification for a facility. Ideally, when dam designers classify a facility, they call upon social performance knowledge and expertise in determining potential loss of life and other consequences across health, social, cultural, infrastructure and economic categories in their tables. Engineers should expect that information about human exposure is available and accurate, and that expertise is on hand to assist with deliberations about the classification, should this be necessary. They should also expect that the information is appropriate to the site and the context in which they are operating, recognising that in some cases, significant effort will be required to collect and collate that information. Engineers should not assume that they have this knowledge, or just rely on guess-

work to estimate life and loss in the external context. Instead, they should expect to work in an environment where social performance knowledge and expertise is available to them when they, and others, need it.

Social performance specialists should likewise expect that they will have access to the resources they need to commission and conduct the necessary studies and build accurate and accessible information. It is sometimes the case that financial and human resources are available, but that the lead time for conducting studies is inadequate. Studies conducted in remote areas with difficult transportation routes, across language groups, and in situations where consent is required to proceed with data collection, need to be scheduled and planned to ensure that adequate time is allowed, with in-built flexibility and contingencies.

All these factors need to be considered in making this knowledge available for the purposes of supporting safe tailings facility management. The outcome required by the Standard will not be achieved if the social performance function is unable to furnish engineers and other specialists with quality data, information and analysis. The Standard seeks to address this by 'front-end loading' the study process by insisting that social performance knowledge is built from the outset of project planning (alongside other types of knowledge), and pulled into the decision-making process, as needed, throughout the tailings facility lifecycle.

Leading companies already require the early development of a robust knowledge base to use in their engagement processes, studies, and planning and management processes. One area where even leading companies may not have ventured is in re-thinking the composition of Independent Tailings Review Boards (ITRBs). Most ITRBs are comprised of engineers and other technical specialists as needed for specific site conditions. With the Standard's focus on the context in which a facility is located, we would expect that the ITRB will, from time to time, include social performance in their review processes. This may involve, for instance, a review of the operator's assessment of human exposure and vulnerability to confirm that it interfaces adequately with the dam breach analysis. As an important line of defence, the ITRB should be 'pulling' social performance into the review processes whenever circumstances warrant.

In practice, the push-pull dynamic that we describe here is fluid and can range from open collaboration to a more reluctant, even combative, type of engagement. There is a risk that some technical

specialists will remain unconvinced that social performance knowledge is relevant to the prevention of catastrophic failure and the safe management of tailings facilities. Thus, despite what the Standard requires on paper, it is possible that critical data about the social and local economic context will not be documented, and that information about social change over time will become de-linked from tailings facility management. Our aim has been to bring social performance to the forefront of the conversation about the safe management of tailings facilities, and to make the connection between social performance and technical aspects as explicit as possible. In doing so, we seek to extend what is currently understood to be 'best practice' in this arena.

5. DOES THE SOCIAL PERFORMANCE FUNCTION NEED TO BE STRENGTHENED?

If the Standard is immediately taken up, there will likely be a shortage of qualified and experienced professionals to meet demand. This problem exists across multiple disciplines, including in mine engineering and other specialist areas. In some companies, work will be required to build both social performance competency and organisational functionality to support the Standard. In this section, we consider some of the challenges that need to be overcome for social performance to contribute to the ongoing success of the Standard.

5.1 CHALLENGES AT THE PROFESSIONAL LEVEL

Social performance emerged as a specialized field in mining more than 20 years ago. Initially referred to as 'community relations' (Zandvliet and Anderson 2009; Kemp and Owen 2013), the field has developed in response to evolving stakeholder expectations and international standards. Leading companies have progressively incorporated these standards into their corporate policy frameworks. Most social performance practitioners are site-based, reflecting the grounded and characteristically place-based nature of the work. This means, however, that these practitioners tend to have relatively limited opportunities to interface with the global initiatives that are defining best practice in their field. The nature of the work also means that specialists spend much of their time engaging externally and can become disconnected from the business. Opportunities

for peer-learning, and career development, remain relatively limited.

The field of social performance has many points of entry. Anecdotal evidence suggests that practitioners have a diversity of qualifications and experience, which can range from geology to environment, and from health services to security and policing. Some will have knowledge gaps in the technical aspects of mining, whereas others will have gaps in technical aspects of social performance. Locally hired practitioners may have deep knowledge of the context, but no formal training in either mining or social performance. Yet, there are few structured professional development pathways that enable social performance practitioners to address competency gaps.[2] At the time of writing, several university-based postgraduate programs had been disbanded due to low enrolments. Short courses and specialised forums are available but tend not to form part of a professional or formal qualification. The social aspects of mining have gained increased visibility at industry conferences; however, the emphasis tends towards showcasing company activities and achievements, rather than reflecting the needs of the cohort for professionalisation.

While there is a need to strengthen the competency of social performance practitioners, there is a parallel need to strengthen competencies in other disciplines. Practitioners and leaders from other disciplines that are active in the company-community interface should understand how social performance relates to their work. For instance, tailings facility specialists would ideally understand what is involved in a social baseline, an impact assessment and a human rights due diligence process, and in turn what they might utilise as outputs from these processes. Where social performance competency is built across an organisation it can harness collective capability to meaningfully engage project-affected people, communicate about risks and consequences, avoid or mitigate impacts, and contribute to safe tailings facility management over the long term. Interdisciplinary work involves both deep disciplinary expertise, and a structured approach to working across disciplines on cross-cutting issues.

5.2 STRUCTURAL AND SYSTEMIC ISSUES

Researchers have raised issues about how companies are configuring their social performance functions and

whether they are 'fit-for-purpose' (Owen and Kemp 2017). It is common, for instance, for projects that involve resettlement, or mining on indigenous peoples' lands, to have limited access to specialist expertise. Where expertise is procured from other sectors, specialists are not always 'on-boarded' in terms of understanding the technical aspects of mining, such as the design and operation of tailings facilities. It is essential that social performance expertise is geared to the mining project, and the context in which it is situated. This same logic applies to tailings facilities. Expertise must be geared towards the facility, the local operating context and the expectations of affected and interested stakeholders.

Another consideration is alignment with the Standard's goal of zero harm to people. Global mining companies are readily prioritising strategies aimed at enhancing their reputation and demonstrating 'benefit'. However, a predominant focus on building up reputation can inadvertently skew an operator's focus towards appearance, rather than performance. The Standard has a clear focus on risks to people, rather than risk to the operator's reputation. Consider a mine with a tailings facility in a context where an urban majority realises benefits through direct employment, business opportunities, and community investment, while downstream settlements carry the burden of risk in terms of the potential consequences of failure. The Standard aims to avoid this scenario by requiring operators to focus on both probability and consequences. An enhanced corporate reputation may be the outcome of such measures, but it should not be the driver.

Finally, we observe that the social performance function is at a disadvantage in terms of its position in most corporate hierarchies. Over the past few years, many of the largest mining companies have brought their social performance functions under communications or external affairs, and many are now represented at the executive and board level under this banner. We see the function being re-orientated towards reputation-enhancing initiatives that have little bearing on how a mining complex is designed or configured, including how waste is managed and how tailings facilities are designed and operated. The priority should be on installing a social performance function with the resources and influence it needs to operate effectively. As we have outlined, this should involve the social performance function being 'pulled' into decisions on the basis that interdisciplinary work is critical to preventing catastrophic failure, rather than the function having to 'push' its way into conversations in order to contribute to operational decisions.

6. CONCLUSION: WHAT LIES AHEAD FOR SOCIAL PERFORMANCE IN THIS ARENA?

The Standard is a next generation regulatory framework, in which social performance is integrated, not separated, from consequential decisions at the operational level. Social performance is not symbolically positioned alongside the technical aspects of tailings management, but rather, positioned to influence outcomes. If the Standard is broadly adopted, effort will be needed to increase industry capacity in social performance. Industry capacity is currently low, and specialist knowledge and expertise are not widely available. Moreover, the position of the social performance function within corporate hierarchies may not be aligned to the task. Appropriate organisational structures, disciplinary diversity and an inclusive approach to managing risk to people and the environment are keys to 'moving the needle' to a level that satisfies stakeholder expectations in this arena.

The challenging process of getting to an agreed standard reflects the tensions present across the industry between disciplines, and with different stakeholder groups. There have been constructive conversations during the Global Tailings Review and some progress made towards building mutual understanding. We hope that the current appetite for difficult conversations continues into the future. Tailings facilities require precision in design, construction and management. As complex engineered structures, they must apply robust design criteria to maintain physical integrity throughout their lifecycle. At the same time, there is a recognition that both engineered structures and human systems are fallible. The Standard supports industry efforts to move beyond purely technical solutions to bolster safeguards, enhance public accountability, and position the goal of zero harm to people and the environment, with zero tolerance for human fatality as a clear priority.

KEY MESSAGES

1. Mining companies should avoid equating the social performance function solely with community engagement, and work to strengthen the scientific, organisational and legal dimensions of this function.

2. Senior management should 'hard-wire' social performance into operational management practices to maximise the value of the function.

3. Companies should review whether operational-level social performance functions are 'fit-for-purpose' (i.e. appropriate to both the tailings facility and the local context) and adequately resourced.

4. A high-level of interdisciplinary effort is required to support the safe management of tailings.

5. Managers at all levels of a mining company should maintain a willingness to engage in and promote cross-disciplinary conversations on specialist topics such as tailings facility management, and actively support inter-disciplinary work.

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