



## **GemFair Whistleblowing Policy**

### **1. Context**

This document outlines GemFair's policy and procedure to manage incident reporting and whistleblowing. As a member of the Anglo American Group, GemFair [SL] Ltd adheres to the Group Whistleblowing Policy, including making use of the YourVoice Programme. The full policy can be found [here](#).

### **2. Objectives of GemFair's Whistleblowing Policy and Procedure**

GemFair acknowledges that there must be a free and confidential mechanism through which stakeholders involved in or impacted by GemFair and its artisanal and small-scale mining (ASM) suppliers' operations can voice their concerns, complaints or grievances.

In keeping with best practice in establishing a due diligence management system and in following the OECD's *Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas*, GemFair offers several mechanisms through which grievances can be reported.

### **3. Whistleblowing Policy**

#### **a. Scope of reportable issues**

Individuals are invited to report any serious issues that contravene GemFair's Responsible Artisanal and Small-Scale Mining Assurance Programme. Potential incidents include, but are not limited to:

- the use of the worst forms of child labour;
- forced labour and human trafficking;
- gross violations of human rights, such as torture, cruel, inhuman and degrading treatment or widespread sexual violence;
- war crimes or other serious violations of international law;
- militarization of artisanal and small-scale mine sites or transport routes;
- direct or indirect support of non-state armed groups at mine sites and transportation routes who illegally control mine sites or transportation routes, carry out illegal taxation or extortion of money or minerals;
- money laundering or the financing of terrorist groups;
- impeding traceability in any way, including, but not limited to: smuggling, non-disclosure of synthetic diamonds, treated diamonds or diamond simulants, fraudulent misrepresentation of minerals;
- otherwise bringing the industry into disrepute, such as by participating in any conduct that seeks to deceive, cheat or delude GemFair, including smuggling or any undeclared or misrepresented trade in treated diamonds, whole or partial synthetic diamonds or diamond simulants or any trade misrepresenting the colour, clarity, caratage, cut and provenance of the diamond;
- illegal taxation or extortion of minerals at any point in the mining or transportation of minerals;
- illegal involvement of public and/or private security forces;
- bribery or facilitation payments;
- non-payment of taxes, fees, or royalties;
- non-payment of minimum wages;
- wilful or negligent acts or omissions resulting in serious injury or death;
- wilful misuse of GemFair equipment;
- failure to comply with any legal obligation; and
- any other legal or ethical concern.

**The identity of the individual who discloses information about wrong-doing in good faith will be protected, even if the disclosure turns out to be inaccurate. GemFair will neither enact nor endorse any form of retribution, discrimination or bullying on the whistle-blower. Likewise, if the whistle-blower prefers to**



remain anonymous, GemFair will take all measures within the law to protect the whistle-blower's identity. If GemFair is required by law to disclose the identity of the whistle-blower, GemFair will take all efforts to protect the source from retaliation, in collaboration with authorities.

**b. Key reference documents**

- GemFair urges Suppliers to refer to GemFair's Sourcing from Conflict-Affected and High-Risk Areas (CAHRA) Policy, including GemFair's position on human rights abuses, child labour, forced labour, corruption, bribery and facilitation payments, among others.
- GemFair's Sourcing from CAHRA Policy is a subset of and aligned with De Beers Group's Responsible Sourcing Policy.

**4. How to Use GemFair's Whistleblowing Mechanism**

GemFair offers whistle-blowers several ways to voice concerns. GemFair will take every effort to ensure that whistleblowers will be safeguarded against retaliation and their anonymity will be fully protected. Whistleblowers can report in the following ways.

**4.1 Mechanism 1: Contact the GemFair Programme directly.**

- **Phone:** The GemFair duty line can be reached at: +232 (0) 750 919 84 or +232 (0) 302 445 95. This line is regularly monitored. The whistle-blower can give the duty line a missed call, at which point, the duty officer will call the whistle-blower back, so as to avoid any charges for the whistle-blower.
- **Email:** Disclosures can also be received at any time via email: [hello@gemfair.com](mailto:hello@gemfair.com).
- **In person:** Disclosures can be made to any GemFair staff member, and at the GemFair office in Koidu: 158 Kainkordu Rd. Koidu, Kono District, Sierra Leone.

GemFair staff have been trained to manage disclosures and are committed to protecting the anonymity of whistle-blowers. Incidents will be elevated to GemFair's management and responses to the complaint will be made within reasonable timeframes (see section 6 on how disclosures are investigated). Both male and female staff members are available to receive disclosures.

**4.2 Mechanism 2: Anonymous, third-party managed incident reporting line via Anglo American's YourVoice system.** YourVoice is a dedicated and anonymous line for whistleblowers to report any potentially unlawful, unethical or unsafe conduct or practices.

YourVoice is independently monitored by Convercant. Convercant follows up on every whistle-blower if there is contact information. Convercant then removes any information identifying the whistle-blower and passes the incident report on to the GemFair Programme Manager. Each incident is investigated and is summarised by Convercant in a report, which is passed on to the GemFair Programme for review.

Reports can be logged on the YourVoice website: <https://app.convercant.com/en-us/LandingPage/891d5ecc-bf20-e911-80e9-000d3ab6ebad/>.

**4.3 Mechanism 3: Stakeholder committees (forthcoming):** GemFair plans to take part in or initiate local multi-stakeholder committees which will meet regularly to discuss issues in the community related to mining and other themes. These meetings can serve as a forum for individuals to raise and discuss concerns about the programme and other emerging issues in the Sierra Leonean mining sector. The committee is an early alert system for GemFair for issues that could escalate. The meetings will also provide a clear line of communication between GemFair, the participants and the wider community.

**4.4 Mechanism 4: Third-party audits:** GemFair will commission a third-party audit of its due diligence management system and a sample of its artisanal and small-scale mining members at least once during the 18-month GemFair Responsible ASM Assurance Programme cycle. The auditor will be available to discuss any incidents that have occurred or are occurring with stakeholders and report those back to the



GemFair Programme's senior management on the severity of the incident and recommendations for mitigation. The GemFair Programme will then determine an appropriate course of action.

#### **5. Guidance on disclosure**

- When making a disclosure, the whistleblower is encouraged to include as many details of the incident as possible, including when and where the incident occurred, who else was involved and/or witnessed the incident and any evidence the whistle-blower possesses to support the claim.
- Regardless of the whistleblower's choice on anonymity, GemFair will investigate every incident thoroughly and in good faith.

#### **6. Roles and responsibilities**

- GemFair's Programme Manager takes overall responsibility for the coordination and management of GemFair's Whistleblowing Programme and ensures that all complaints and incidents are logged and managed appropriately.
- Staff members in Sierra Leone are the first point of contact for complaints and incidents. In-country staff members receive training on how to recognize, log, redirect and communicate about a complaint or grievance. Staff will communicate with the whistleblower regularly about the progress of the investigation and set realistic expectations from the offset around the timing of its resolution.
- Anglo American Group Legal will be brought into the investigation where incidents or grievances involve or potentially involve a violation of the law. The subject matter will remain under legal privilege.

#### **6. Incident classification**

Incidents or grievances are ranked according to the following classification:

- **Level 1** - Incidents that are considered to be major incidents that have either widespread or irreversible impacts: All breaches of GemFair ASM Standard Core Criteria, and material breaches of GemFair ASM Standard General Criteria<sup>1</sup>
- **Level 2** – All other incidents that are considered to be incidents resulting in low, moderate or high impacts: non-material breaches of GemFair ASM Standard Legitimacy and General Criteria<sup>2</sup>

#### **7. How disclosures via YourVoice are investigated**

Convercent follows up on every whistle-blower if the whistleblower provides contact information. If the whistleblower elects to remain anonymous, Convercent will remove any information identifying the whistleblower and pass the incident report on to the GemFair Programme. GemFair's next course of action is determined per the procedure described in section 9.

#### **8. How disclosures to staff are investigated**

GemFair will in all cases attempt to triangulate the information reported with multiple sources, but in order to maintain confidentiality and carry out an effective investigation, the number of personnel involved will be kept to a minimum.

If the whistle-blower provides contact information, GemFair will provide feedback to the incident report one month of receiving the report and will provide a monthly update until the incident is resolved. It should be noted that investigation of some disclosures may take more time than others.

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<sup>1</sup> Including, but not limited to: gross human rights violations, worst forms of child labour, forced labour and human trafficking, direct or indirect support of non-state armed groups, violence or discrimination, sexual and gender-based violence, directly contributing to conflict, money laundering and financing of terrorism, impeding traceability and otherwise bringing the industry into disrepute.

<sup>2</sup> Including, but not limited to: mining without a valid licence, involvement of public and/or private security forces in mining activities, bribery, corruption or facilitation payments, non-payment of taxes, royalties or fees, wilful misuse of GemFair equipment, non-payment of fair wages, occupational health and safety risks, existing environmental impacts and lack of community consent.



#### **9. Investigation results**

GemFair will inform all relevant parties of the conclusions of its investigation. Where GemFair finds that the incident includes a material breach of any law, GemFair will direct this information to relevant authorities. Anyone making or involved in a complaint is entitled to make an appeal following GemFair's decision.

#### **10. Monitoring, reviewing and reporting**

GemFair will maintain a register of all disclosures, the results of investigations and the actions taken. The register will be reviewed twice a year to observe for trends and ensure that GemFair takes a proactive approach to prevent repeat occurrences, where feasible.

GemFair will report a summary of incidents publicly on a yearly basis.