

**Renewable Energy & Human Rights Benchmark 2023
Company Profile**

Company name Ørsted
Sub-sector Project developer
Overall score 33.7% weighted average

Section score	Weighting	For section
45.6%	20%	1. UNGP core indicators
17.4%	40%	2. Salient human rights risks
0.0%	20%	3. Serious allegations
87.9%	20%	4. ACT assessment as conducted by the World Benchmarking Alliance*

Please read the disclaimer at the end of this scorecard and refer to the full methodology when perusing this scorecard. The methodology as well as additional analysis can be found here: business-humanrights.org

The use of the label "Not met" in the research does not necessarily mean that the company does not meet the requirements as they are described in the accompanying bullet point short text. Rather, it means that the analysts could not find information in public sources that met the requirements as described in full in the 2023 Renewable Energy & Human Rights Methodology document. It is possible that a Company meets the criteria without yet publishing the relevant evidence of doing so. This may include cases where a company has claimed to meet the criteria in the engagement phase or otherwise but where the public record was still not sufficient to meet the criteria by the relevant cut off dates.

Detailed assessment

1. UNGP core indicators based on the 2022 CHRB methodology (20% of total)

A. Policy commitments and governance

Indicator Code	Indicator name	Score (out of 2)	Explanation
A.1.1	Commitment to respect human rights	2	The individual elements of the assessment are met or not as follows: Score 1 • Met: International Bill of Human Rights: The Company states that 'We are committed to respect key international human rights standards and conventions such as: the International Bill of Human Rights; the fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work'. [Orsted Global Human Rights Policy , December 2021] Score 2 • Met: Commitment to UNGPs: The Company states that 'Ørsted is committed to respect human rights and we consider the UN Guiding Principles on Business and Human Rights as well as the OECD Guidelines for Multinational Enterprises as authoritative global frameworks that we commit to respect'. [Orsted Global Human Rights Policy , December 2021] • Met: Commitment to OECD MNE Guidelines: See above. [Orsted Global Human Rights Policy , December 2021]
A.1.2.a	Commitment to respect the human rights of workers: ILO Declaration on Fundamental Principles and Rights at Work	2	The individual elements of the assessment are met or not as follows: Score 1 • Met: Commitment to ILO core principles: The Company states that 'We are committed to respect key international human rights standards and conventions such as: the fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work'. [Orsted Global Human Rights Policy , December 2021]

* For information on the ACT methodology and scoring criteria please refer to the [World Benchmarking Alliance](#).

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Met: Explicitly lists all four ILO core principles: The Company states its commitments for human rights include: 'the freedom of association and the effective recognition of the right to collective bargaining; the payment of decent wages enabling employees to meet their basic needs, and to provide adequate welfare protection; the elimination of all forms of forced or compulsory labour; the effective abolition of child labour; the elimination of discrimination in respect of employment and occupation'. [Orsted Global Human Rights Policy, December 2021] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Expects suppliers to commit to ILO core principles: See below. The Code for business partners includes requirements regarding each ILO core area. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] • Met: Explicitly lists all four ILO core principles for suppliers: In the Code of conduct for business partners, the Company discloses the employment standards include prohibition of child labour and all form of forced labour, respecting freedom of association and collective bargaining, and zero tolerance of any form of discrimination. The Company indicates that business partners include suppliers, joint venture partners, counterparties in mergers and acquisitions, etc. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net]
A.1.4	Commitment to remedy	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to remedy adverse HRs impacts: The Company states that 'We commit to providing or helping provide appropriate remediation to harmed individuals, workers, and local communities in situations where Ørsted has identified that we have caused or contributed to a negative impact'. [Orsted Global Human Rights Policy, December 2021] • Not Met: Expects suppliers to make this commitment [Orsted Global Human Rights Policy, December 2021] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Commitment to collaborate with judicial or non-judicial mechanisms: The Company states that 'We commit to providing or helping provide appropriate remediation to harmed individuals, workers, and local communities in situations where Orsted has identified that we have caused or contributed to a negative impact through relevant judicial and non-judicial mechanisms.' [Orsted Global Human Rights Policy, December 2021] • Met: Commitment to work with suppliers on remedy: The Company states that 'Our grievance and remediation approach includes to commit to remedy adverse impacts which are directly linked to our operations, products or services through our suppliers' or business partners own mechanisms or through collaborating with our suppliers or business partners on the development of third party non-judicial remedies'. [Orsted Global Human Rights Policy, December 2021]
A.2.1	Commitment from the top	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Board level responsibility for HRs • Not Met: Describes HRs expertise of Board member <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Board member/CEO signal importance of HRs in their communications: The Company's CEO Mads Nipper made a statement via LinkedIn outlining the Company's sustainability process. On human rights, which were presented as one of two 'selected challenges' he wrote that 'Our corporate-wide human-rights impact assessment highlighted the areas across our value chain where we need to strengthen our human rights practices. Based on this, we are developing an overall human rights action plan covering key business areas and processes; we will also publicly communicate on our progress and lessons learnt.' However, human rights is only one of several issues addressed in the statement. The main focus of the statement was put on environmental issues, namely climate change and bio diversity. The statement does not make it clear why human rights are considered important to the Company. [Mads Nipper LinkedIn post, 2023: linkedin.com]

B. Embedding respect and human rights due diligence

Indicator Code	Indicator name	Score (out of 2)	Explanation
B.1.1	Responsibility and resources for day-to-day human rights functions	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Score of 1 on A.1.2.a

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Met: Senior responsibility for HRs implementation and decision making: The Human Rights Policy states that that 'The Sustainability Committee oversees the Global Human Rights Policy, monitors its implementation, approves our human rights impact assessment on own operations and approves external Hur reporting'. The Sustainability Committee is appointed by the Group Executive Team and chaired by the CFO. [Orsted Global Human Rights Policy, December 2021]& [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes day-to-day responsibility for implementing HRs commitments • Not Met: Day-to-day resources and expertise allocation in own operations • Not Met: Resources and expertise allocation in supply chain
B.2.1	Identifying human rights risks and impacts	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes process of identifying risks in own operations: The Company states that 'We regularly conduct human rights impact assessments to ensure that rights are respected in our corporate conduct and decision-making processes. These assessments are crucial to identify the most important human rights risks and design consequent actions'. The Company also states that 'With modern slavery risks increasing around the world, we're exercising heightened due diligence and identifying high risk areas, placing a strong emphasis on vulnerable workers'. It further elaborates that 'The 2022 human rights impact assessment is Ørsted's third corporate-level human rights evaluation – the first having taken place in 2015. This recent evaluation was facilitated by an external organisation and involved interviews with Ørsted employees from various departments and regions. It also included extensive document review and discussions with rightsholders, relevant stakeholders and experts. The assessment took into consideration the nature of Ørsted's products, services, operations and technologies, as well as human rights in relevant regions throughout the value chain. By taking this comprehensive approach, we were able to identify our salient human rights areas.' [Our Salient Human Rights, N/A: orsted.com] & [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] • Met: Describes process for identifying risks in business relationships: See above, the process spans the value chain. The company further states that 'Before we enter relationships with other business partners, such as joint venture partners or corporate power purchase agreement clients, we identify the ESG risks of the business partners, and conduct an assessment (including human rights impacts) of high-risk business partners.' [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] & [Responsible Business partner program (web): orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes global risk identification system incl. stakeholder consultation • Not Met: Describes how risk identification system is triggered by new circumstances • Not Met: Describes risks identified in relation to new circumstances
B.2.2	Assessing human rights risks and impacts	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes assessment process and discloses salient HRs risks: The Company states that 'We regularly conduct human rights impact assessments to ensure that rights are respected in our corporate conduct and decision-making processes. These assessments are crucial to identify the most important human rights risks and design consequent actions.[...] The 2022 human rights impact assessment is Ørsted's third corporate-level human rights evaluation – the first having taken place in 2015. This recent evaluation was facilitated by an external organisation and involved interviews with Ørsted employees from various departments and regions. It also included extensive document review and discussions with rightsholders, relevant stakeholders and experts. The assessment took into consideration the nature of Ørsted's products, services, operations and technologies, as well as human rights in relevant regions throughout the value chain. By taking this comprehensive approach, we were able to identify our salient human rights areas. Salient human rights refer to the rights that are most at risk of severe negative impacts through a company's activities or business relationships. These rights are determined by factors such as the scale of harm to individuals, the scope of people affected, the difficulty in remedying the harm, and the likelihood of it occurring.' The Company also discloses that it has identified six salient human rights areas, including labour conditions, occupational health and safety, access to

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>remedy, communities' rights, modern slavery, and human rights defenders. [Our Salient Human Rights, N/A: orsted.com]</p> <ul style="list-style-type: none"> • Met: Describes how process applies to supply chain: See above, the process spans the value chain. [Our Salient Human Rights, N/A: orsted.com] • Met: Public disclosure of results of HRs risk assessment: The Company discloses the six salient human rights areas it has identified as Labour conditions, occupational health and safety, access to remedy, communities' rights, modern slavery, and human rights defenders. [Our Salient Human Rights, N/A: orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Meets all requirements under score 1 • Not Met: Describes how assessment involved affected stakeholders
B.2.3	Integrating and acting on human rights risks and impact assessments	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Describes system to prevent, mitigate and remediate HRs issues: The Company states that 'We seek to identify and prevent actual or potential adverse human right impacts that we may be directly or indirectly involved in through our business activities or business relations. We do by conducting regular human rights impact assessments of our own operations, of our supply chain, and of the projects we engage in prior to and during project construction. Through these assessments we develop and implement mitigating action plans and monitor their implementation and we communicate around our progress and impact.' It further states that 'We regularly conduct human rights impact assessments to ensure that rights are respected in our corporate conduct and decision-making processes. These assessments are crucial to identify the most important human rights risks and design consequent actions. By considering these rights in our policies and processes, we want to contribute to a culture of respect and a fairer and more equitable society' [Orsted Global Human Rights Policy, December 2021] & [Our Salient Human Rights, N/A: orsted.com] • Met: Describes how global system applies to supply chain: The Company states that 'We choose to work together with our suppliers to improve our sustainability performance by supporting them in improving theirs. If relevant, we will collaborate in identifying actions towards improving social, environmental and ethical performance and continuously support our suppliers during implementation of the agreed improvement plan.' It further states that 'Evaluated business partners are provided areas of improvement and defined deadlines for closing gaps on topics in our Code of Conduct.' It also states on its Website "our Salient Human Rights" that 'We continuously work on improving the relevance and scope of our Code of Conduct for business partners, as well as the due diligence process we use to implement it. As part of our supplier due diligence process, we not only address specific issues with individual suppliers but also identify broader issues and develop appropriate actions to mitigate them'. [Responsible Business partner programme (web): orsted.com] & [Modern slavery act statement 2022, 26/06/2023: orstedcdn.azureedge.net] • Met: Example of actions decided on at least 1 salient HRs issue: The Company discloses the following actions taken so far on the salient risk regarding community engagement: /Our Global Human Rights Policy covers the impacts on local communities, addressing topics such as land rights and indigenous peoples' rights. Our Stakeholder Engagement Policy ensures that we engage with relevant stakeholders, including communities, and mentions the concept of free, prior, and informed consent of indigenous peoples. As our main focus has been to construct offshore wind farms, most of our community engagement and impact mitigation efforts have been directed towards fishermen, with whom our local teams have extensively collaborated. With our expanding geographical scope and increased focus on onshore energy projects, we anticipate a more complex nature of impacts on local communities, requiring even more engagement in the future.' [Our Salient Human Rights, N/A: orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Meets all requirements under score 1 • Not Met: Describes how stakeholders involved in decisions about actions taken
B.2.4	Tracking the effectiveness of actions to respond to human rights risks and impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes system for evaluation effectiveness of actions • Not Met: Example of lessons learned from evaluation effectiveness of actions <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Involves stakeholders in evaluation effectiveness of actions

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B.2.5	Communicating on human rights impacts	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Provides two examples of comms with stakeholders: The Company has conducted community engagement for its Hornsea 3 project. In this context it has held briefing sessions and stakeholder meetings as 'A mix of stand-alone events with local stakeholder groups to discuss issues of interest will be held throughout the consultation period.' It also held consultation events with the purpose of 'Meeting people and seeking feedback at a series of local community events'. It further published briefing notes and other documents to inform stakeholders. Regarding its Ocean Wind 1 project in New Jersey the Company discloses that 'During the development phase, Ørsted conducted environmental studies to verify project design. We presented project plans to elected officials, local regulators, community members, and other stakeholders. We've held 30 open houses across southern New Jersey to tell the public about Ocean Wind 1, including its community benefits and impacts, and met with hundreds of local stakeholders to develop and expand the local offshore wind supply chain.' [Hornsea 3 Events Engagement Report, May 2023: orstedcdn.azureedge.net] & [Ocen Wind 1 project (web): oceanwindone.com] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Describes challenges to effective comms and how it is working to address them: The Company has provided comments for this sub indicator. However, these could not be found in the public domain and could therefore not be considered in the assessment.

C. Remedies and grievance mechanisms

Indicator Code	Indicator name	Score (out of 2)	Explanation
C.1	Grievance mechanism(s) for workers	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Grievance mechanism accessible to all workers: The Company states that 'any potential violation of the policy can be reported through our Whistleblower Hotline. The Whistleblower Hotline can be used by employees, business partners, suppliers' customers, community stakeholders, and other stakeholder groups with an affiliation to Ørsted.' [Orsted Global Human Rights Policy, December 2021] & [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Grievance mechanism available in appropriate languages and workers made aware: The whistleblower channel is available in 23 languages on its website. The Whistle Blower Hotline is included in the Company's Code of Conduct. The Company further states that 'A Good Business Conduct eLearning course is part of Ørsted's onboarding process for new employees and it is provided as a refreshment training on a biannual basis for all other employees. This gives guidance to employees on Ørsted's expectations with respect to their behaviour both within the organisation as well as when dealing with external parties.' However, it is not clear how the Company communicates the channel to all workers. [Modern slavery act statement 2022, 26/06/2023: orstedcdn.azureedge.net] & [Good Business Conduct Policy, 29/10/2019: orstedcdn.azureedge.net] Met: Describes how workers in supply chain access grievance mechanism: See above. The Whistleblower Hotline is available for its business partners, which include suppliers. Met: Expects suppliers to convey expectation to their suppliers: The Company states that 'Our business partners must cooperate with Ørsted in connection with the performance of risk/impact assessments, inspections, monitoring, reporting, stakeholder engagement and grievance mechanisms, and they must implement steps to mitigate any risks identified. They should apply appropriate policy, procedure, management system and due diligence measures in their own operations and cascade the requirements of the Code of Conduct in their supply chain. Our business partners must supervise their contractors' and sub-contractors' adherence to the Code of Conduct'. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net]
C.2	Grievance mechanism(s) for external individuals and communities	1.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Grievance mechanism accessible to all external individuals and communities: The Company states that 'The Whistleblower Hotline can be used by employees, business partners, suppliers, customers and other people with an affiliation to Ørsted.' However, it is unclear if individuals and communities that are not affiliated with the Company can access the channel. The Company further states that 'The reporting system can be used by employees (as well as former and coming employees as well as paid or voluntary), shareholders, business partners,

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>suppliers, customers, and any affected community.' [Whistleblower hotline, N/A: orsted.whistleblownetwork.net]</p> <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Grievance mechanism available in appropriate languages and affected stakeholders made aware: The Whistleblower Hotline is available in 12 languages. The Company further states that 'We regularly evaluate the list of available languages for the Whistleblower Hotline based on the profiles of the employees and contractors for each of our locations and assets.' However, no information was found on how stakeholders are made aware of the mechanism. [Whistleblower hotline, N/A: orsted.whistleblownetwork.net] • Met: Describes how external individuals/communities access grievance mechanism: The Company indicates that suppliers should 'Establish mechanisms accessible to all workers, rights holders, and stakeholders, providing for safe and confidential reporting of any concerns related to the scope of the Code of Conduct without fear of retaliation.' [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] • Met: Expects supplier to convey expectation to their suppliers: The Company states that 'They should apply appropriate policy, procedure, management system and due diligence measures in their own operations and cascade the requirements of the Code of Conduct in their supply chain.' [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net]
C.7	Remedying adverse impacts	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes approach taken to remedy adverse HRs impacts • Not Met: Describes how remedy would be provided if no adverse impact identified <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Describes changes to systems, processes and practices to prevent future impacts • Not Met: Describes approach to monitoring/implementing agreed remedy • Not Met: Describes approach to learning from incidents if no adverse impacts identified

CSI. Responsible lobbying and political engagement fundamentals

Indicator Code	Indicator name	Score (out of 2)	Explanation
CSI.18	Responsible lobbying and political engagement fundamentals	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Publicly available policy statement(s) (or policy(ies)) setting out lobbying and political engagement approach.: The Company states that ' We engage with stakeholders and register in transparency registers of political systems in compliance with applicable laws and regulations.' However, no evidence was found of the Company's approach beyond applicable laws and regulations. [Stakeholder Engage Policy, 05/2022: orstedcdn.azureedge.net] • Not Met: Publicly available policy statement that specifies the Company does not make political contributions: The Company states that 'we do not support any political party, group or individual, neither directly or through third parties. We are a member of certain industry associations, which may decide to give such donations'. However, the indirect contribution through its membership in trade associations is a form of political contributions. The Company provided feedback regarding this indicator. However, it was not material for the assessment. [Good Business Conduct Policy, 29/10/2019: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Meets all requirements under score 1 • Not Met: Disclosure of expenditures on lobbying activities: The Company provided feedback for this indicator. However, it was not considered material for the assessment. • Not Met: Requirement for third-party lobbyists to comply with the Company's lobbying and political engagement policy (or policies)

2. Salient human rights risks (40% of total)

D. Indigenous Peoples' and Affected Communities' Rights

Indicator Code	Indicator name	Score (out of 2)	Explanation
D.1.PD	Commitment to respect indigenous peoples' rights	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to respect indigenous peoples' rights with explicit reference to UN Declaration: The Company states that 'We are committed to respect key international human rights standards and conventions such as, the International Bill of Human Rights and the fundamental rights set out in the International Labour Organization's Declaration on Fundamental Principles and Rights at Work. This includes a commitment to ensuring respect indigenous people, minorities, and other vulnerable groups' rights in line with international law and standards as described in the UN Declaration on the Rights of Indigenous Peoples'. With regards to its value chain, the Company requires business partners to 'Collaborate actively with Ørsted to engage with, consult, and be responsive to, potentially affected local stakeholders, including indigenous peoples.' and 'Establish participation and meaningful consultation with indigenous peoples where projects are affecting or using the customary, ancestral, and collective lands, territories, and resources of indigenous peoples.' The Global Human Rights Policy applies also to business partners. [Our Salient Human Rights, N/A: orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Description of process for identifying indigenous persons and customary lands. <p>Commitment to FPIC (in line with ILO No.169)</p> <ul style="list-style-type: none"> • Not Met: Recent example of obtaining FPIC or not pursuing indigenous people's land/resources
D.2.PD	Engagement with all affected communities	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes how local communities identified and engaged in the last two years: The Company provided additional comments for this sub indicator. However, those could not be found in publicly available sources and were therefore not considered for the assessment. • Not Met: Provides two examples of engagement with communities: The Company provided feedback regarding this sub indicator. It has conducted community engagement in 2023 in the context of ongoing engagement throughout the project. The Company provided another example, however, the engagement took place outside of the two year timeframe set by this sub indicator. It was therefore not considered for the assessment. [Hornsea 3 Events Engagement Report, May 2023: orstedcdn.azureedge.net] • Not Met: Examples of engagement refer to marginalised groups and provide additional detail <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Analysis of stakeholder views on company's HRs issues: The Company presents an analysis of stakeholder input received in the 2023 engagement on the Hornsea 3 project. However, the report does not detail stakeholder views on the Company's human rights issues. [Hornsea 3 Events Engagement Report, May 2023: orstedcdn.azureedge.net] • Not Met: Describes how stakeholders views influenced company's HRs approach: The Company provided additional comments for this sub indicator. However, those could not be found in publicly available sources and were therefore not considered for the assessment.
D.3.PD	Benefit and ownership sharing policy	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to identify benefit and ownership sharing: The Company provided feedback regarding this indicator. However, the information is not yet publicly available and could therefore not be taken into consideration for the assessment. • Not Met: Commitment includes right to decide own priorities for communities: The Company provided feedback regarding this indicator, citing several examples of community benefit funds (UK, Poland) and one co-ownership offer (Scotland). However, this sub indicator is looking for a general statement of commitment, rather than individual examples. [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Disclosure of statistics for each project describing demographics of benefit/ownership sharing • Not Met: Disclosure how affected communities participated in decision-making

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D.4.PD	Local wind & solar energy access, affordability	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Actions taken to support access and affordability of renewable energy in the value chain: The Company provided feedback regarding this sub indicator. However, it was not material for the assessment. • Not Met: Including a timebound actions plan and reporting targets <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Public support for government policies addressing energy access

E. Land and resource rights

Indicator Code	Indicator name	Score (out of 2)	Explanation
E.1.PD	Respect for land and natural resource tenure rights	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to respect land ownership/natural resources as in VGGT. Discloses how identifies legitimate tenure holders.: The Company states in its Global Human Rights Policy a 'commitment to ensuring: to respect land rights of legitimate tenure rights holders as set out in the UN Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests.' However, no evidence was found on how the Company identifies legitimate tenure holders. [Orsted Global Human Rights Policy, December 2021] • Met: Disclosure of locations of projects including numbers in urban, rural, natural areas: The Company discloses the locations of its project at site level. [Asset Book: orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Extends expectation to business relationships • Not Met: Steps taken to use leverage to resolve land rights issues or disclosure that no such issues arose
E.2.PD	Just and fair physical and economic displacement policy implementation including free, prior and informed consent	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to follow IFC PS 5 for physical and economic displacements • Not Met: Commitment not to relocate without FPIC and to providing compensation <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Publishes statistics on numbers affected by relocations (current and planned projects) • Not Met: Publishes regular reviews of living conditions after relocation • Not Met: Description of approach to physical and economic displacement

F. Security and conflict-affected areas (incl. responsible mineral sourcing)

Indicator Code	Indicator name	Score (out of 2)	Explanation
F.1.PD	Operating in or sourcing from conflict-affected areas	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment to heightened HRDD in conflict affected areas • Not Met: Steps taken to assess and mitigate these risks with conflict sensitive lens <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: How stakeholders are involved in the process to mitigate risks
F.2.PD	Evidence of security provider human rights assessments	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Regularly conducts risk assessment regarding security forces <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Commitment to Voluntary Principles on Security and HRs • Not Met: If applicable, discloses use of private security providers and uses only ICoCA members. <p>If direct employment of security, commitment to follow ICoCA itself.</p>
F.3.PD	Responsible sourcing of minerals: Arrangements with suppliers	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Statement on OECD Guidance aligned due diligence: The Company states that 'Twice a year, we talk with our key first-tier suppliers to align our supply chains with the OECD due diligence guidance on responsible mining. This means we're asking suppliers to ensure they have strong company management systems and to identify and address any social and environmental risks in their supply chains.' <p>[Modern slavery act statement 2022, 26/06/2023: orstedcdn.azureedge.net]</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Met: Requirement on OECD Guidance aligned due diligence in contracts/codes with suppliers: The Company states that its Code of Conduct for Business Partners defines requirements for business partners. 'Requirements are the minimum standards which our business partners should respect and comply with to continue doing business with Ørsted.' Regarding minerals, metals, and dual use, the suppliers are required to 'follow OECD's due diligence requirements with respect to the sourcing, extraction, and handling of minerals and metals used in the supply chain.' This is a binding requirement placed on suppliers. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] • Not Met: Describes work with suppliers on risk assessment and improving DD: See above. The Company further states that it focuses on supply chain traceability and industry associations to address this issue. However, no clear statements were found on the steps taken with suppliers, such as capacity building. [Modern slavery act statement 2022, 26/06/2023: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Disclosure of supply chain mapping
F.4.PD	Responsible sourcing of minerals: Risk identification in mineral supply chains	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Describes risk identification and disclosure in line with OECD Guidance: The Company states that 'In 2022, we took the first steps towards implementing the OECD's guidelines in our full minerals and metals supply chain. We mapped the performance of 17 suppliers to the first three steps of the OECD guidelines.' However, no evidence found of a description of the actual process followed for identifying and prioritising risks and impacts in its supply chain. [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expectation of suppliers to disclose supply chain mapping: The Company indicates that 'We sent a senior executive letter to 11 suppliers and their sub-suppliers asking them to engage with IRMA and to start mapping their own supply chains. The response was generally positive, and the action points will be discussed in the ongoing dialogue with the suppliers. We started mapping the supply chains for two of our key metals, iron and copper, to identify and address human rights risks at mine level.' However, it is unclear if the engagement with the 11 suppliers mentioned included an expectation to publicly disclose the results of their supply chain mapping. [Responsible sourcing for metals and minerals, N/A: orsted.com] • Not Met: Risk identification process covers all minerals: The Company provided feedback regrading this indicator. However it was not material for the assessment.
F.5.PD	Responsible sourcing of minerals: Risk management in the mineral supply chain	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Suppliers using minerals in equipment provided to describe steps taken to respond to risks in supply chain: The Company states that 'we're asking suppliers to ensure they have strong company management systems and to identify and address any social and environmental risks in their supply chains.' • Not Met: Those suppliers to describe monitoring of risk prevention/mitigation measures: See above. However, it is unclear how this is monitored by the Company. • Not Met: Those suppliers to disclose significant improvement over time: See above. No evidence of this disclosure was found. <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: How suppliers and affected stakeholders engaged on strategy: The Company describes its engagement with suppliers on the issue. It further states that 'We engage with industry groups, such as the Initiative for Responsible Mining Assurance (IRMA), to advocate for responsible mining practices and learn from end users in other industries – like electronics and automotive – facing similar challenges.' However, engagement with the IRMA is not considered a proxy to engagement with affected stakeholders. No further evidence was found of how affected stakeholders are engaged with on the strategy for management of this risk. [Responsible sourcing for metals and minerals, N/A: orsted.com] • Not Met: Processes cover all minerals: The Company provided comments for this indicator. However, they were not material for the assessment.

G. Protection of human rights and environmental defenders

Indicator Code	Indicator name	Score (out of 2)	Explanation
G.1.PD	Commitment to respect the rights of human rights and environmental defenders	1	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Zero tolerance of threats/attacks on HRDs: The Company states that it is committed to 'not retaliate against human rights, environmental or indigenous defenders lawfully exercising their right to freedom of expression, association, peaceful protest or assembly, or protest, and regardless of whether they are workers or community members affected by Ørsted operations.' [Orsted Global Human Rights Policy, December 2021] Met: Expectation on business partners in value chain to make this commitment: The Company's Global Human Rights Policy applies to its business partners [Orsted Global Human Rights Policy, December 2021] <p>Score 2</p> <ul style="list-style-type: none"> Not Met: Description of how working with HRDs to create safe and enabling environment

H. Labour rights (incl. protection against forced labour)

Indicator Code	Indicator name	Score (out of 2)	Explanation
H.1.PD	Health and safety	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Met: Discloses quantitative H&S information (injury rates or lost days, and fatalities): The Company reports that the fatalities were 0 in 2022. The total recordable injury rate (TRIR) for own employees was 2.1 (injuries per million hours worked) and the total TRIR for contractor employees was 4.2 in 2022. [ESG Performance Report 2022, 31/12/2022: orstedcdn.azureedge.net] Not Met: Expectation extends to relevant business relationships: No information found on data for suppliers. [ESG Performance Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> Met: Sets targets for H&S performance (including injury rates or lost days and fatalities): The Company has target to make TRIR 2.5 by 2025. As the Company has continuously been reporting zero fatalities it is assumed this is the target it has set. [ESG Performance Report 2022, 31/12/2022: orstedcdn.azureedge.net] Met: Met targets or explains why not or how improve H&S management systems: The Company has met its targets in this reporting period. [ESG Performance Report 2022, 31/12/2022: orstedcdn.azureedge.net]
H.2.PD	Forced labour risk management	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> Not Met: Board level oversight over policies on forced labour in supply chain. How relevant stakeholders informed board discussions Not Met: Suppliers to have these arrangements in place: The Company states in its Code of Conduct for Business Partners that 'All forms of forced, bonded, indentured, and trafficked labour and involuntary prison labour are prohibited.' However, no evidence found of a requirement for board level responsibility with oversight of its policies on forced labour, and board discussions being informed by affected stakeholders' experiences. The Company provided feedback regarding this sub indicator. However, it was not material for the assessment. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Met: Discloses ongoing efforts to prevent and mitigate forced labour in own ops and supply chain: The Company states that 'In 2022, we updated our Code of Conduct for business partners to address modern slavery risks more directly. In addition to prohibiting forced labour, we now explicitly prohibit the charging of recruitment fees that often leads to debt bondage. We've also included clear requirements on accommodation [...] In response to concerns raised through internal and external channels in the APAC region, we've conducted targeted screenings of individual suppliers. [...] To address the issue of forced labour in the supply chains of solar panels, which has become more apparent in recent years, we actively engage in industry initiatives aimed at finding solutions that benefit the entire industry. For example, we're part of SolarPower Europe's supply chain transparency working group, supporting the development of the Solar Stewardship Initiative, which aims to establish a responsible solar value chain. In the US, we've joined the Solar Energy Industry Association. Internally, we've developed a solar sourcing strategy to mitigate supply chain risks and strengthen the traceability of key components of solar panels.' As next steps it indicates that 'In the first quarter of 2023, we began collaborating with other end-users of the Singaporean marine sector. Together, we visited Singapore to introduce our collaboration to important stakeholders and identify systemic challenges in addressing significant risks in the supply chain. [...] Conduct a baseline assessment on selected sites in relevant markets when the presence of migrant workers will be identified. This will help us better understand the extent of the risk of unethical recruitment that leads to debt bondage. Implement targeted competence-building programmes for employees in high-risk regions and categories to raise awareness of modern slavery risks.' [Our Salient Human Rights, N/A: orsted.com] • Not Met: Factors to be considered when ending a business relationship
H.3.PD	Prohibition of forced labour: Wage practices	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Requirements on paying in full and on time in supplier codes and contracts: The Company states in its Code of Conduct for Business Partners that 'Payment must include wages, overtime (if applicable), and paid leave. Wages are required to be paid directly to the worker and on time. A payslip must be issued at the end of every pay period specifying the rate of compensation, benefits, and legitimate deductions.' [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] • Not Met: Describes work with suppliers on paying workers regularly, in full and on time: The Company indicates that 'Our work is based on a systematic due diligence process used to assess partners' and suppliers' adherence to our code of conduct for business partners (CoC). We include the CoC in all contracts to establish a solid commitment from our business partners and suppliers. We identify performance gaps through a combination of risk screenings, extended risk screenings, and CoC assessments, either before or after contract signing. These take category and country risks into consideration. Any gaps we identify are followed up by an improvement plan, which is implemented and monitored jointly between Ørsted and our supplier or business partners.' However, this sub indicator is looking for proactive work, such as capacity building on the specific issue of paying workers in full, directly and on time. [Responsible Business partner program (web): orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment scope of failure to pay workers in full and on time in supply chain • Not Met: Analysis of trends demonstrating progress
H.4.PD	Prohibition of forced labour: Restrictions on workers	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Requirements on free movement in supplier codes and contracts: The Company states in its Code of Conduct for Business Partners that 'Allow workers to move freely during their employment and terminate their employment subject to reasonable notice periods without incurring unreasonable or unlawful penalties. Business partners are not to retain any original identity documents, or financial guarantees issued by workers in favour of the business partner'. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<ul style="list-style-type: none"> • Not Met: Describes working with suppliers on free movement of workers: The Company indicates that 'Our work is based on a systematic due diligence process used to assess partners' and suppliers' adherence to our code of conduct for business partners (CoC). We include the CoC in all contracts to establish a solid commitment from our business partners and suppliers. We identify performance gaps through a combination of risk screenings, extended risk screenings, and CoC assessments, either before or after contract signing. These take category and country risks into consideration. Any gaps we identify are followed up by an improvement plan, which is implemented and monitored jointly between Ørsted and our supplier or business partners.' However, this sub indicator is looking for proactive work, such as capacity building on the specific issue of the free movement of workers. [Responsible Business partner program (web): orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of scope of restriction of movement in supply chain • Not Met: Capacity building to enable suppliers to cascade forced labour policies down supply chain
H.5.PD	Freedom of association and collective bargaining	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Commitment on FoA/CB and requirements in suppliers codes and contracts: The Company states in its Code of Conduct for Business Partners that 'Workers are to have the freedom to exercise the right to form or participate in work-related organisations and unions, and in collective bargaining without fear of discrimination, harassment, intimidation, retaliation, and violence. Business partners are to engage in dialogue with workers and their organisations (where applicable) in accordance with industry standards, applicable laws, and regulations in the country of operation and any applicable collective bargaining agreements and conduct such dialogues in good faith.' In its Global Human Rights Policy, the Company states that it has a commitment to ensuring 'the freedom of association and the effective recognition of the right to collective bargaining'. However, no evidence found that the Company prohibit intimidation, harassment, retaliation and violence against trade union members or equivalent workers bodies and trade union representatives in its own operations. [Orsted Global Human Rights Policy, December 2021] & [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] • Not Met: Describes work with suppliers on FoA/CB: The Company indicates that 'Our work is based on a systematic due diligence process used to assess partners' and suppliers' adherence to our code of conduct for business partners (CoC). We include the CoC in all contracts to establish a solid commitment from our business partners and suppliers. We identify performance gaps through a combination of risk screenings, extended risk screenings, and CoC assessments, either before or after contract signing. These take category and country risks into consideration. Any gaps we identify are followed up by an improvement plan, which is implemented and monitored jointly between Ørsted and our supplier or business partners.' However, this sub indicator is looking for proactive work, such as capacity building on the specific issue of paying workers in full, directly and on time. [Responsible Business partner program (web): orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Assessment of scope of restriction of FoA/CB in supply chain • Not Met: Analysis of trends demonstrating progress
H.6.PD	Living wage (in supply chains)	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Requirements on living wage in supplier codes and contracts: The Company states in its Code of Conduct for Business Partners that 'The wages/pay structure must allow workers to cover their essential needs, including some discretionary income for themselves and their dependents'. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] • Not Met: Describes work with suppliers on living wage, beyond tier 1 suppliers <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Requirement for suppliers to regularly review definition of living wages with relevant trade unions

I. Right to a healthy and clean environment

Indicator Code	Indicator name	Score (out of 2)	Explanation
I.1.PD	Environmental impact assessment and remediation	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Conducts public EIA and CIA for renewable energy projects: The Company states that 'We are legally required to conduct environmental impact assessments (EIAs) as part of all our projects to ensure that potential impacts on water and marine resources are avoided, mitigated, and addressed appropriately. Therefore, we have internal processes on legal compliance and water to ensure all assets live up to the requirements'. However, no evidence was found regarding CIAs. In future assessments, the Company will also be expected to explain or demonstrate under what circumstances it undertakes Cumulative Impact Assessments for its renewable energy projects in order to meet this criteria. [ESG Performance Report 2022, 31/12/2022: orstedcdn.azureedge.net] • Not Met: Assessments comply with Espoo Convention and/or the EU Environmental Impact Assessment Directive and fulfil certain standards: The Company indicates that 'The Espoo Convention has been implemented in the UK for the purposes of NSIPs by the Infrastructure Planning (EIA) Regulations 2017. Regulation 32 sets out a prescribed process of consultation and notification.' However, no statement was found indicating that all assessments conducted comply with the convention. No statement was found on operations outside of the UK. [Hornsea Project Four: Preliminary Environmental Information Report (PEIR), 13/06/2019: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Reports on compliance with government-mandated remediation fund requirements: The Company provided feedback regarding this sub indicator, however, only sources in English can be accepted for the assessment. • Not Met: Reports on how an entity guarantees payment for environmental restoration or compensation
I.2.PD	Life cycle assessment	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Expectation for suppliers to conduct regular public life cycle assessments (including risks related to raw material sourcing, waste, and decommissioning): The Company states that 'To increase transparency of our supply chain emissions, we began using asset-specific life cycle assessments (LCAs) of our offshore assets in our external scope 3 reporting, and we established a joint industry programme together with ten energy peers and the Carbon Trust to develop a common standard for measuring emissions. We expanded our expectation for strategic suppliers to cover their electricity consumption with 100% renewable electricity by the end of 2025 to apply to all tier 1 suppliers and developed guidelines to support them.' However, no evidence was found on whether the expectation for suppliers includes conducting LCAs according to the ISO 14040 standard and to include risks related to raw material sourcing, waste, and decommissioning) [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Requires suppliers to have action plans to address adverse impacts identified: The Company states that 'We're working with our strategic suppliers to help them set science-based targets, work towards 100 % renewable electricity usage by the end of 2025, and develop roadmaps to transition to renewable energy. These suppliers represent more than 60 % of our total procurement spend and form some of the most carbon-intensive parts of our supply chain' However, no evidence was found on a requirement for suppliers to have action plans to address adverse impacts. [Decarbonising our supply chain (web): orsted.com]

J. Transparency and anti-corruption

Indicator Code	Indicator name	Score (out of 2)	Explanation
J.1.PD	Anti-corruption due diligence and reporting	2	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Commitment to prohibiting bribes to public officials: The Company states that 'we prohibit all forms of bribery, corruption and kickbacks, given or received, whether made directly or indirectly'. It specifies its Guidelines to include to 'never offer, promise or give any financial (or other) advantage to a government official or business partner to improperly influence a decision or outcome affecting our business.' The Company further includes a definition for whom it considers to be a 'Government Official', including 'a person (elected or appointed) holding any legislative, administrative or judicial position'. [Good Business Conduct Policy, 29/10/2019: orstedcdn.azureedge.net] • Met: Expectation extends to relevant business relationships: The Company states that its Code of Conduct for Business Partners is aligned with the OECD Convention on Combatting Bribery of Foreign Public Officials. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] & [Responsible Business partner program (web): orsted.com] <p>Score 2</p> <ul style="list-style-type: none"> • Met: Reports on any complaints on corruption and bribery: The Company reports that there were 8 substantiated whistle-blower cases regarding responsible business conduct. [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] • Not Met: Reports that no such complaints were made
J.2.PD	Payments to governments & contract transparency	0.5	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Met: Publishing a tax CbCR in line with GRI 207-4, or discloses payments made to governments at project-level including for purchase or rent of land or natural resources related to its renewable energy projects: The Company publishes a full CbCR, in line with GRI 207-4. In future assessments, the Company will be expected to demonstrate it publishes a tax CbCR and a report on its payments to governments at project level, including for purchase or rent of land or natural resources related to its renewable energy projects [Annual Report 2022, 31/12/2022: orstedcdn.azureedge.net] • Not Met: Disclosure of terms, contracts, agreements for those payments <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Supports governments to disclose contracts and licenses on renewable energy project in line with EITI

K. Diversity, equality and inclusion

Indicator Code	Indicator name	Score (out of 2)	Explanation
K.1.PD	Diversity, equality & inclusion training for management and employees	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Provides mandatory and regular training as per ILO No 190: The Company states that 'More than 1,850 employees attended live trainings, and over 600 completed our dedicated e-learning on inclusion. DE&I is now part of the onboarding programme for every employee, and this year, we focused on upskilling our Management Team and HR community as essential drivers for further progress.' However, it is not clear whether the trainings are mandatory or conducted regularly. It further states that 'All people leaders in Ørsted have the additional responsibility to ensure that employees in their team are equally able to access and understand the bullying, discrimination, and harassment policies and guidelines, globally and locally.' However, it is not clear from this statement if this includes providing mandatory and regular training. The Company also indicates it provides support for employees mental health, however, no evidence on mandatory and regular training regarding equality, equity, diversity, anti-discrimination (including gender-based violence) was found in this context. [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] & [Global bullying, discrimination, and harassment policy, 22/03/2022: orstedcdn.azureedge.net]

Indicator Code	Indicator name	Score (out of 2)	Explanation
			<p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Requires suppliers to do the same: The Company states that 'Ørsted has a clear expectation that business partners promote diversity and inclusion, which is clearly expressed in our Code of Conduct.' It further indicates an 'aspiration' in its Code of Conduct for Business Partners to 'Provide training to relevant workers, particularly workers' representatives, on topics such as communication, leadership, diversity, and inclusion, etc.' However, not clear requirement for suppliers was found to conduct mandatory and regular trainings on the topics indicated in the sub indicator. [Code of Conduct for Business Partners, 10/2022: orstedcdn.azureedge.net] & [Global diversity and inclusion policy, 14/12/2018: orstedcdn.azureedge.net] • Not Met: Provides materials and access to resources for trainings: The Company states that 'We choose to work together with our suppliers to improve our sustainability performance by supporting them in improving theirs. If relevant, we will collaborate in identifying actions towards improving social, environmental and ethical performance and continuously support our suppliers during implementation of the agreed improvement plan' However, no evidence was found on materials and resources regarding issues of equality, equity, diversity, anti-discrimination (including gender-based violence). It further states that 'In 2023, relevant QHSE teams will receive training on the Code of Conduct, specifically addressing the topic of harassment. This training will enhance their ability to identify and report cases of harassment in our supply chain. Additionally, the Responsible Business Partner programme will launch an anti-bullying, discrimination, and harassment campaign for all* vessel supplier categories at Ørsted in 2023' However, it is unclear if the training for suppliers has already been conducted and whether the Company is supplying materials and resources to them in this context. [Our Salient Human Rights, N/A: orsted.com] & [Responsible Business partner programme (web): orsted.com]
K.2.PD	Gender balance and sensitivity	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Timebound action plan to integrate gender lens to all relevant documents including on value chain: The Company has provided feedback regarding this indicator. However, it was not considered material for the assessment. This indicator is looking for action plans to include a gender sensitive view in company policies and strategies. A focus on gender balance is not considered sufficient for this requirement. The Company states that 'We aim to integrate our DE&I efforts into structures beyond our workforce and strengthen processes and practices that promote diversity in all its forms. We will continue to diversify our pool of talent, find ways to include more diverse businesses in our supply chains, and increase our equity efforts.' However, no timebound commitment was found. [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] • Not Met: Demonstrates progress through annual reporting: The Company reports on its progress regarding gender balance throughout its workforce. However, as pointed out above, this is not considered sufficient for this indicator. [Sustainability Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Women and non-binary people make up at least 40% of the Company's board of directors and executives, or executive board: The Company reports that 27% of its Group Executive Team are female and 38% of its independent board members are female. However, the percentage is not within the range 40~60%. The Company provided feedback for this indicator. However, it was not material for the assessment. [Annual Report 2022, 31/12/2022: orstedcdn.azureedge.net]
K.3.PD	Gender wage gap reporting	0	<p>The individual elements of the assessment are met or not as follows:</p> <p>Score 1</p> <ul style="list-style-type: none"> • Not Met: Has closed gender wage gap • Not Met: Timebound commitment to close gender wage gap • Not Met: Reports information at company level across multiple pay bands: The Company reports that the median for gender pay gap is 10% and the median for gender bonus pay gap is 31% in 2022. Gender pay gap refers to the percentage men earn more in salary than women. Gender bonus pay gap refers to the percentage men earn more in bonus payments than women. However, no information reported on gender pay gap across multiple pay bands. [ESG Performance Report 2022, 31/12/2022: orstedcdn.azureedge.net] <p>Score 2</p> <ul style="list-style-type: none"> • Not Met: Expects business relationships to do the same

JT. Just transition[†]

Indicator Code	Indicator name	Score (out of 2)	Explanation
JT.1	Fundamentals of social dialogue and stakeholder engagement in a just transition	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Public commitment to engage in social dialogue with appropriate parties for purposes of bipartite or tripartite negotiations • Not Met: Discloses the categories of stakeholders it engages with on a Just Transition and how they were identified. • Not Met: Disclosure of steps taken to engage with identified stakeholders and its approach to supporting a just transition. • Not Met: Demonstrates social dialogue and meaningful engagement with stakeholders on all aspects of a just transition.
JT.2	Fundamentals of just transition planning	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Demonstrates how it engages in social dialogue, especially with unions and with stakeholders, in the development of its transition planning. • Not Met: Sets time-bound and measurable indicators to mitigate the social impacts of low carbon transition on workers. • Not Met: Sets time-bound and measurable indicators to mitigate the social impacts of low carbon transition on affected stakeholders • Not Met: Sets time-bound and measurable indicators to mitigate social impacts of low carbon transition on business relationships.
JT.3.PD	Fundamentals of creating and providing or supporting access to green and decent jobs for an inclusive and balanced workforce	1	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Met: Public Commitment to create and provide or support access to green and decent jobs, as part of the low carbon transition. • Not Met: Assesses and discloses the risk of employment dislocation caused by low carbon transition and related impacts on affected stakeholders. • Met: Demonstrates measures taken to create and support access to green and decent jobs for affected stakeholders. • Not Met: Demonstrates measures taken to ensure green and decent jobs promoting equality of opportunity for women and vulnerable groups
JT.4.PD	Fundamentals of retaining and re-and/or up-skilling workers for an inclusive and balanced workforce	1	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Met: Public commitment to re-and/or up-skills workers displaced by the transition to a low carbon economy. • Not Met: Disclosure of its process(es) for identifying skills gaps for workers and affected stakeholders, in the context of the low carbon transition. • Met: Demonstrates measures taken to provide re-and/or upskilling, training or education opportunities for relevant stakeholders. • Not Met: Demonstrates measures taken to ensure that the re-and/or upskilling, training or education opportunities promoting equality of opportunity for women and vulnerable groups.
JT.5.PD	Fundamentals of social protection and social impact management for a just transition	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Discloses contribution to social protection systems for relevant stakeholders, and expectations on business relationships to contribute to social protection of affected stakeholders. • Not Met: Discloses its processes for identifying impacts of low carbon transition on workers' and affected stakeholders' social protection. • Not Met: Demonstrates contribution to addressing the impact of the low carbon transition on workers' social protection. • Not Met: Demonstrates contribution to addressing the impact of the low carbon transition on affected stakeholders' social protection.
JT.6.PD	Fundamentals of advocacy for policies and regulation on green and decent job creation, employee retention, education and reskilling, and social protection supporting a just transition	0	The individual elements of the assessment are met or not as follows: <ul style="list-style-type: none"> • Not Met: Discloses process(es) for aligning its lobbying activities with policies and regulation supporting the just transition. • Not Met: Discloses where its lobbying activities do not align with policies and regulation that support the just transition. • Not Met: Discloses action plan addressing misalignment of lobbying activities with policies and regulation that support just transition. • Not Met: Demonstrates lobbying for just transition and regulations enabling green and decent jobs, reskilling and/or social protection

[†] Assessment for this sub section has been conducted by the World Benchmarking Alliance, see: <https://www.worldbenchmarkingalliance.org/climate-and-energy-benchmark/>

M. Responses to Serious Allegations (20% of total)

Indicator Code	Indicator name	Score (out of 2)	Explanation
M(0).0	Serious risks of supply chain forced labour		<p>According to recent data, approximately 35% of the world's polysilicon, and 32% of global metallurgical grade polysilicon, the material from which polysilicon is made, is produced in Xinjiang Uyghur Autonomous Region (XUAR). Investigations by UN bodies, academics and journalists have presented evidence on a number of human rights abuses including the use of forced labour in XUAR. In its July 2022 report to the UN General Assembly, the UN Special Rapporteur on Contemporary Forms of Slavery "regards it as reasonable to conclude that forced labour among Uyghur, Kazakh and other ethnic minorities has been occurring in the Xinjiang Uyghur Autonomous Region of China" and finds that some instances of forced labour in the Region "may amount to enslavement as a crime against humanity". The Special Rapporteur states he "considers that indicators of forced labour pointing to the involuntary nature of work rendered by affected communities have been present in many cases" in the context of "State-mandated systems". Further analysis by independent UN experts concluded that the violations in the Region "may constitute international crimes, in particular crimes against humanity" and have urged China to address their "repeatedly raised concerns about widespread violations of the rights of Uyghurs and other Muslim minorities in the Xinjiang Uyghur Autonomous Region (XUAR) on the basis of religion or belief and under the pretext of national security and preventing extremism". [United Nations General Assembly, 19/07/2022, "Contemporary forms of slavery affecting persons belonging to ethnic, religious and linguistic minority communities - Report of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences": documents-dds-ny.un.org] [United Nations Special Procedures, 07/09/2022, "Xinjiang report: China must address grave human rights violations and the world must not turn a blind eye, say UN experts": ohchr.org] [Sheffield Hallam University, May 2021, "In Broad Daylight - Uyghur Forced Labour and Global Solar Supply Chains": shu.ac.uk] [Business and Human Rights Resource Centre, 02/08/2021, "China: Significant proportion of global solar value chain vulnerable to alleged forced labour in Uyghur Region, says major study": business-humanrights.org]</p>

Indicator Code	Indicator name	Score (out of 2)	Explanation
M(0).1	Publication of independently verified full solar panel supply chains to raw materials level, including names of suppliers and locations for all destination markets	0	<ul style="list-style-type: none"> • Not Met: The Company states that 'We have engaged with external supply chain consultants to separately verify the ability of key global solar PV module vendors to comply with our chain of custody requirements. This has provided us with up-to-date insights into the value chain integration, and general sustainability performance and traceability competences of key global solar PV suppliers. We are engaged in SolarPower Europe's Supply Chain Transparency Working Group to support the further development of the Solar Stewardship Initiative, which seeks to establish a responsible solar value chain. We have also signed the Solar Industry Forced Labor Prevention Pledge initiated by the Solar Energy Industries Association. Our due diligence activities and general dialogue with suppliers around our Code of Conduct takes point of departure in the ability to deliver solar PVs with traceability of sub-components and raw materials [...]' On its website the Company further states that 'We continued to make efforts to strengthen our 'Know your counterparty' (KYC) screening programme against sanctions, government watch lists, and adverse media, as well as the performance of our risk-based due diligence of business partners. This involved upgrading our KYC tool to include a wider and more enhanced database, along with an updated risk score to better encompass the risks we encounter.' However, no evidence was found on independently verified disclosure of the Company's full solar supply chain. [Responsible Business Conduct (web): orsted.com] [Orsted's response, 2023]
M(0).2	<p>If mapping identifies suppliers linked to regions where there is a high risk of forced labour including those identified by UN bodies, the company explains steps taken and how these align with steps expected by the UN Guiding Principles (including reference to assessment of severity of risks, leverage, and crucial nature of business relationships). The company indicates that this information is relevant to all destination markets.</p> <p>•Note: Any disengagement needs to be verified and decision-making to continue engagement with "crucial business relationships" in high-risk area needs to be explained, in line with OHCHR Guidance on Business & Human Rights in Challenging Contexts: "Where a business enterprise has determined that a relationship is indeed "crucial" within the meaning of Guiding Principle 19, and that it will be continuing with the relationship on that basis, it should be transparent with stakeholders and the public at large about the decision-making process used to arrive at that determination and the criteria used, which should be objectively reasonable."</p>	0	<ul style="list-style-type: none"> • Not Met: The Company states: '[W]e have engaged in the following actions to address the issue on forced labour: We have strengthened the language in our contracts requiring supply chain traceability and transparency on solar PV supplies. Our solar PV suppliers have committed that their products do not contain Xinjiang sourced poly for our existing US bound projects, and we are working on similar requirements for new projects in other markets as well. We have engaged with external supply chain consultants to separately verify the ability of key global solar PV module vendors to comply with our chain of custody requirements. This has provided us with up-to-date insights into the value chain integration, and general sustainability performance and traceability competences of key global solar PV suppliers. We are engaged in SolarPower Europe's Supply Chain Transparency Working Group to support the further development of the Solar Stewardship Initiative, which seeks to establish a responsible solar value chain. We have also signed the Solar Industry Forced Labor Prevention Pledge initiated by the Solar Energy Industries Association. Our due diligence activities and general dialogue with suppliers around our Code of Conduct takes point of departure in the ability to deliver solar PVs with traceability of sub-components and raw materials as well as the supplier's ability to cascade our Code of Conduct requirements down their supply chain and perform adequate supplier due diligence.' However, the information does not fully meet the criteria (for all markets) on explaining how steps taken align with steps expected by the UN Guiding Principles (including reference to assessment of severity of risks, leverage, and crucial nature of business relationships) at the time this research is conducted. [Orsted's response, 2023]

Disclaimer

This scorecard is based on assessments of publicly available documents on companies' websites by the EIRIS Foundation and BHRRC. Preliminary assessments were shared with companies for feedback. Feedback provided by companies has been analysed and incorporated when relevant to the indicator assessed. Information published or provided by companies after established and communicated cut-off dates[‡] are not included for this year's Benchmark. As such this scorecard should be seen as a reflection of feedback received as of September 2023[§].

The use of the label "Not met" in the research does not necessarily mean that the company does not meet the requirements as they are described in the accompanying bullet point short text. Rather, it means that the analysts could not find information in public sources that met the requirements as described in full in the 2023 Renewable Energy & Human Rights Methodology document. It is possible that a Company meets the criteria without yet publishing the relevant evidence of doing so. This may include cases where a company has claimed to meet the criteria in the engagement phase or otherwise but where the public record was still not sufficient to meet the criteria by the relevant cut off dates.

While the EIRIS Foundations and BHRRC have made reasonable endeavours to ensure that the methodology reflects best and emerging business and human rights practice in identifying, preventing, mitigating and remedying human rights harms as well as other responsible business conduct, it is not currently possible to measure certain human rights harms or other negative impacts directly. As such, a low score in respect of a particular indicator should not be read as implying that harms are necessarily taking place: rather it is a sign that companies have not demonstrated the steps set out in the methodology to reduce the risk of such harms or to uphold other responsible business conduct in the ways described. Conversely, a high score in a particular section or for a specific indicator should not be interpreted as a guarantee of future absence of human rights harm.

Scores for companies in the different project developer sub-categories (electric utilities, oil and gas, independent power producers) should not be compared to one another as these categories have been designed to allow for integration of an assessment of efforts towards full decarbonisation of energy production for electric utilities and oil and gas companies, based on the World Benchmarking Alliance's Oil & Gas and Electric Utilities Benchmark, using ACT methodologies. **Scores for equipment (wind turbines and solar) manufacturers should not be compared to project developer scores** as indicators have been tailored to reflect their position in renewable energy value chains.

Caution should be exercised in interpreting small differences in scores between companies within the same category and particularly small differences in the overall weighted scores because of the diversity of independent elements that are combined to produce the overall weighted scores. Scores should be understood in the context of the methods and weightings explained in the Methodology.

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[‡] Cut-off dates: 30 June 2023 for companies that did not engage with the benchmark; the expiration of the feedback period (between Aug/Sep 2023) for companies that engaged with the benchmark.

[§] Further outreach and engagement with a subset of companies on the specific issue of exposure to forced labour risks was conducted in October 2023.