

Global Policy Privacy

Smith+Nephew

1 April 2021



Principles

We care for our employees, customers, patients and third party partners by protecting their privacy.

We respect the privacy of individuals and are committed to handling **Personal Information** responsibly and in compliance with applicable privacy and data protection laws.

We protect the confidentiality of Smith+Nephew **Confidential Information** and use it only for Smith+Nephew business purposes.

We treat intellectual property as Confidential Information.

We do not use Confidential Information or **Third Party Information** for personal reasons or personal gain.



Scope and Responsibilities

This policy applies to all Smith+Nephew employees. Our employees are responsible for ensuring that the applicable elements of this policy are cascaded to the third parties with whom we do business including without limitation distributors, consultants, logistics providers, subcontractors, sub-dealers, sales representatives, agents and service providers.

Our **Code of Conduct and Business Principles** provides the legal and ethical framework to guide what we do every day and this policy provides the respective principles and rules. If we fail to follow our Code, we face fines, penalties, blacklisting, reduction in business and reputational damage. In addition, our employees face disciplinary action and potentially termination of employment.

Company management are responsible for ensuring that appropriate processes, procedures and documentation within their organisations are created and maintained to demonstrate compliance with this policy.

Additional tools, information and support on implementation of this policy are available on the internal **Global Compliance Programme website**. Each employee should contact their Compliance Officer or S+N Legal if they require further guidance or support on the implementation of this policy.

Where local law is stricter or conflicts with this policy, local law takes priority.

Requirements

A. Collection, Protection and Use of Personal Information

Through the normal course of business, we may have access to or collect Personal Information about our employees, our customers and their patients, or our third party partners.

We only collect Personal Information where there is a genuine need to do so and we only collect the information that is necessary for, and relevant to, the specific purpose for which it is collected.

We do not collect or process special categories of Personal Information (such as health data) unless necessary. Where this information must be collected, we put additional measures in place as required.

We do not process Personal Information for a purpose other than that for which it was collected. We do not share Personal Information without the consent of the individual(s) concerned.

We only share Personal Information with third parties where there is a legitimate interest and the third party offers a level of protection of Personal Information that is at least equivalent to that which we have implemented.

Where required we provide notice to individuals or obtain their consent when we are collecting their Personal Information. This notice and the consent include the purpose for the collection of their Personal Information.

We ensure that the Personal Information we hold is accurate and, where necessary, kept up to date.

We only keep Personal Information for as long as is necessary for the purpose for which it was collected.

We ensure that Personal Information is kept secure, using appropriate technical and organisational measures to protect the Personal Information against unauthorized or unlawful access as well as against accidental loss or damage. We only transfer such information between jurisdictions when certain business criteria are met and then only in accordance with the requirements of relevant laws.

Requirements

B. Protection of the Rights of Individuals

We process Personal Information in accordance with the rights of individuals and ensure that individuals can assert their rights granted by the applicable privacy laws.

When informed, we ensure that inaccuracies in the Personal Information that we hold are corrected.

We comply with local law and regulation in assessing requests from individuals that their Personal Information be deleted or not processed.

We allow individuals to opt-out from receiving direct marketing and, where required, we obtain opt-in consent prior to sending such communications

C. Third Party Information

We honour any confidentiality agreements and related obligations relating to Third Party Information.

Employees may disclose Confidential Information or Third Party Information where required to do so by law enforcement officers, a regulatory agency or otherwise by law. Before doing so the employee must inform the Legal and Compliance department, except where this is not permitted by law.

We ensure that Third Party Information is received in accordance with a confidentiality agreement that covers only the Third Party Information needed for the specified business purpose, and that the disclosure of Third Party Information is limited to that which is described in the confidentiality agreement.

Individuals should seek the advice of their supervisor or the Legal and Compliance department any time they are in possession of information or documents from Third Parties which they have any reason to suspect may be confidential, proprietary or should not be in their possession.



Reporting Violations

We know that we shall report any breach of this Policy that we discover. Failure to report is a violation of the Code of Conduct. By having the courage to raise awareness of potential issues, we help protect our reputation, our employees and our customers. Reports can be made by contacting:



- A **Compliance Officer**;
- The **Legal department**;
- The **HR department**;
- A **line manager**; or
- **Integrity Line**

We will make sure no action is taken against anyone who reports, in good faith, actual or suspected misconduct.



Definitions



Confidential Information means confidential, secret, and proprietary documents, materials, data and other information, in tangible and intangible form, relating to Smith+Nephew and its businesses and existing and prospective customers, suppliers, investors and other associated third parties. Examples include, but are not limited to, unpublished patents, customer lists, details of contracts, future business ideas, know-how, financial forecasts, and trade secrets.

Personal Information means any information that relates to any living individual who is directly or indirectly identifiable from those data, whether in isolation or in combination with other available information.

Third Party Information means any business, financial, technical or other information received by an individual from a third party that is subject to an obligation of confidentiality pursuant to an express agreement between the Company and the Third Party or by operation of law.



Smith+Nephew

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For a current version of this document, please refer to the Company intranet.

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