

# FREQUENTLY ASKED QUESTIONS

## Common questions and answers

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## ABOUT NAVEX

### What is NAVEX?

NAVEX is a comprehensive and confidential reporting tool to assist management and employees to work together to address fraud, abuse, and other misconduct in the workplace, all while cultivating a positive work environment.

### Why do we need a system like NAVEX?

- We believe that our employees are our most important asset. By creating open channels of communication, we can promote a positive work environment and maximize productivity.
- Publicly traded companies are required by law to have an anonymous reporting vehicle to address accounting and auditing fraud directly to the audit committee.
- An effective reporting system will augment our other efforts to foster a culture of integrity and ethical decision-making.

## REPORTING – GENERAL

### May I report using either the Internet or the telephone?

Yes. With NAVEX, you have the ability to file a report via either the telephone or the Internet.

### What type of situations should I report?

The NAVEX system is designed for employees to report any violation of our stated Code of Conduct, the law or another concern you may have.

### If I see a violation, shouldn't I just report it to my manager, security, or human resources and let them deal with it?

When you observe some behavior you believe violates our code of conduct, we expect you to report it.

Ideally, you should bring any concerns forward to your direct manager or other member of our management team. We recognize, however, that there may be circumstances when you are not comfortable reporting the issue in this manner. For that reason, we have partnered with NAVEX to manage our NetApp Compliance Hotline to receive your concern.

### Why should I report what I know? What's in it for me?

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We all have the right to work in a positive environment. With that right comes the responsibility of acting in an ethical manner and letting the appropriate people know if someone is not acting appropriately. By working together, we can maintain a healthy and productive environment. Corporate misconduct can threaten the livelihood of an entire company.

## **Does management really want me to report?**

We certainly do. In fact, we need you to report. You know what is going on in our company - both good and bad. You may have initial knowledge of an activity that may be cause for concern. Your reporting can minimize the potential negative impact on the company and our people. Also, offering positive input may help identify issues that can improve corporate culture and performance.

## **Where do these reports go? Who can access them?**

Reports are entered directly to a NAVEX secure server to prevent any possible breach in security. NAVEX makes these reports available only to specific individuals within NetApp who are charged with evaluating the report, based on the type of violation and location of the incident. Each of these report recipients has had training in keeping these reports in the utmost confidence. If your concern is a question, or perhaps a dilemma for which advice is sought, your concern may be passed to someone qualified to provide that advice, such as an appointed subject matter expert, a member of our Legal team, or our HR department.

## **What happens if a concern requires an investigation?**

Reported violations of the law, our Code, and our policies will be reviewed, investigated if appropriate, and treated confidentially to the extent reasonably possible and according to NetApp policy. Everyone who works at NetApp has a duty to cooperate fully with investigations and to promptly, completely, and truthfully comply with all requests for information, interviews, or documents. Sometimes, an Investigation will be conducted by people, agencies, or law firms outside of NetApp. You must not alter or destroy documents or records in response to an internal or external investigation or other legal request.

## **Special Rules for Our Hotline Internationally?**

Reports may be made on an anonymous basis, but individuals are encouraged to submit their name with their report. Concerns expressed anonymously tend to be more difficult to address effectively but will nonetheless be considered and dealt with by NetApp in consideration of local laws also.

EU reporters can make reports orally, in writing or request an in-person meeting through your local HR teams, by using the contact information outlined in the NetApp Speak Up Policy (available for employees on the Integrity and Compliance Office site), or through the Navex hotline tool.

For Italy, Ireland Netherlands, further contact information is below.

# FREQUENTLY ASKED QUESTIONS

Italy: ng-organismo-di-vigilanza@netapp.com
Ireland: NG-IrelandLocalReporting@netapp.com
Netherlands: NG-NetherlandsLocalReporting@netapp.com

## External Reporting

If you feel that you cannot raise your concerns in this way and reasonably believe the information you wish to report is true, you may consider reporting the matter to a competent external authority. NetApp does not prohibit anyone from reporting concerns or making lawful disclosures to any governmental authority about conduct believed to violate laws or regulations.

### France

The authorities responsible for receiving reports, reporting feedback, and providing follow-up on external reports are notably the following:

- The Défenseur des Droits
- The DGCCRF
- The HAS
- The CNIL
- The DGT
- The DGEFP
- The judicial authority

The exhaustive list of such authorities can be accessed

at <https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000046357368>.

Further details on how to make an external report with the competent authorities can be found on the respective websites of the different authorities.

### Spain

A national external reporting authority has not yet been incorporated. We note there are however the following Anti-fraud/Anti-corruption regional authorities:

- Andalusia: Oficina Andaluza Antifraude (OAAF);
- Balearic Islands: Oficina de Prevención y Lucha contra la Corrupción en las Illes Balears (OAIB);
- Catalonia: Oficina Antifraude de Catalunya (OAC);
- Region of Navarra: Oficina de Buenas Prácticas y Anticorrupción de la Comunidad Foral de Navarra (OANA); and
- Region of Valencia: Agencia Antifraude de la Comunidad Valenciana.

### Italy

Italian Anti-Corruption Authority (*Autorità Nazionale Anticorruzione* or **ANAC**), available on [ANAC website](#).

# FREQUENTLY ASKED QUESTIONS

## Netherlands

The authorities responsible for receiving reports, reporting feedback, and providing follow-up on external reports are the following:

- The Whistleblowers Authority (het Huis) ([www.huisvoorklokkenluiders.nl](http://www.huisvoorklokkenluiders.nl)).
- The Netherlands Authority for Consumers & Markets (de Autoriteit Consument en Markt) ([www.acm.nl](http://www.acm.nl)).
- The Dutch Authority for the Financial Markets (de Autoriteit Financiële Markten) ([www.afm.nl](http://www.afm.nl)).
- The Dutch Data Protection Authority (de Autoriteit persoonsgegevens) ([www.autoriteitpersoonsgegevens.nl](http://www.autoriteitpersoonsgegevens.nl)).
- De Nederlandsche Bank N.V. ([www.dnb.nl](http://www.dnb.nl)).
- The Inspectorate for Health and Youth Care (de Inspectie gezondheidszorg en jeugd) ([www.igj.nl](http://www.igj.nl)).
- The Dutch Healthcare Authority (de Nederlandse Zorgautoriteit) ([www.nza.nl](http://www.nza.nl)).
- The Authority for Nuclear Safety and Radiation Protection (de Autoriteit Nucleaire Veiligheid en Stralingsbescherming) ([www.autoriteitnvs.nl](http://www.autoriteitnvs.nl)).
- The Labour Inspectorate ([www.nlarbeidsinspectie.nl/](http://www.nlarbeidsinspectie.nl/)).
- The Human Environment and Transport Inspectorate ([www.ilent.nl](http://www.ilent.nl)).

## Germany

In Germany external reporting channels include, in particular, the external reporting office of the federal government, which is to be located at the Federal Office of Justice, the Federal Financial Supervisory Authority (BaFin) and the Federal Cartel Office:

Federal Office of Justice (*Bundesamt für Justiz*)

- By phone: 0049 228 99 410 6644
- At the website: [Startseite - Externe Meldestelle \(Bundesamt für Justiz Schlichtungsverfahren\)](#)
- By post: Bundesamt für Justiz, Externe Meldestelle des Bundes, 53094 Bonn

In special cases: Federal Financial Supervisory Authority (*Bundesanstalt für Finanzdienstleistungsaufsicht*)

- By phone: 0049 228 4108 2355
- At the website: [Home - BKMS System \(bkms-system.net\)](http://bkms-system.net)
- By post: Bundesanstalt für Finanzdienstleistungsaufsicht, Hinweisgeberstelle, Graurheindorfer Straße 108, 53117 Bonn

In special cases: Feder Cartel Office (*Bundeskartellamt*)

- By phone: 0049 228 9499 5980
- At the website: [Übersicht \(bkms-system.net\)](http://bkms-system.net)
- By e-mail: [Externe-Meldestelle@bundeskartellamt.bund.de](mailto:Externe-Meldestelle@bundeskartellamt.bund.de)
- By post: Bundeskartellamt – Externe Meldestelle – Kaiser-Friedrich-Str. 16, 53113 Bonn

The federal states may also establish external reporting channels.

Depending on the nature of the concern you may want to make a report to an institution, body, office or agency of the European Union.

## Ireland

A list of 'prescribed persons' is available on the Irish Government's website [here](#).

# FREQUENTLY ASKED QUESTIONS

The contact details for the Protected Disclosure Commissioner are as follows:

Protected Disclosures Commissioner

By Email: [info@opdc.ie](mailto:info@opdc.ie)

By Phone: 01 639 5650.

At the website <https://www.opdc.ie/how-to-report-wrongdoing/>

## **Isn't this system just an example of someone watching over me?**

The NAVEX system concentrates on being a positive aspect of our overall philosophy, and allows us to ensure a safe, secure, and ethical workplace. You are encouraged to seek guidance on ethical dilemmas, provide positive suggestions, or communicate a concern. Effective communication is critical in today's workplace and this is a great tool to enhance that communication. We have carefully chosen the best reporting tool to meet our compliance obligations while maintaining a positive reporting environment.

## **REPORTING SECURITY & CONFIDENTIALITY**

**It is my understanding that any report I send from a company computer generates a server log that shows every website my PC connects with; won't this log identify me as a report originator?**

# FREQUENTLY ASKED QUESTIONS

NAVEX does not generate or maintain any internal connection logs with IP addresses; no information linking your PC to NAVEX is available. In fact, NAVEX is contractually committed not to pursue a reporter's identity. If you feel uncomfortable making a report on your work PC, you have the option of using a PC outside our work environment (such as one located at an Internet café, the library, at a friend's house, etc.) through the NAVEX secure website

## **Can I file a report from home and still remain anonymous?**

A report from home, a neighbor's computer, or any Internet portal will remain secure and anonymous, where permitted by local laws. An Internet portal never identifies a visitor by screen name and the NAVEX system strips away identifying information, such as an IP address, so that anonymity is maintained. Plus, NAVEX is contractually committed not to pursue a reporter's identity.

## **I am concerned the information I provide NAVEX will ultimately reveal my identity. How can you assure me that will not happen?**

The NAVEX system is designed to protect you. In fact, we are contractually committed not to pursue a reporter's identity. To further ensure your anonymity, you - as a reporting party - need to be careful not reveal any identifying details as part of your report. For example, "from my cube next to Jan Smith ..." or "in my 33 years ..."

## **Is the telephone toll-free hotline confidential and anonymous too?**

Yes - so long as anonymous reporting is permitted by local laws. You will be asked to provide the same information you would provide in an Internet-based report; the interviewer will type your responses directly into NAVEX's secure environment. Hotline-based reports have the same security and confidentiality measures applied to them during delivery as Internet-based reports.

## **What if I want to be identified with my report?**

There is a section in the report where you may identify yourself, if you wish.

# FREQUENTLY ASKED QUESTIONS

## TIPS & BEST PRACTICES

### **I am aware of some individuals involved with unethical conduct, but it doesn't affect me. Why should I bother reporting it?**

Our company chooses to promote ethical behavior. All unethical conduct, at any level, ultimately hurts the company and all employees, including you. If you know of any incidents of misconduct or ethical violations, consider it your duty to yourself and your coworkers to report it.

### **I am not sure if what I have observed or heard is a violation of company policy or involves unethical conduct, but it just does not look right to me. What should I do?**

File a report. NAVEX can help you prepare and file your report so it can be properly understood. We would rather you report a situation that turns out to be harmless than let possibly unethical behavior go unchecked because you were unsure.

### **What if my boss or other managers are involved in a violation? Won't they get the report and start a cover-up?**

The NAVEX system and report distribution protocols are designed so implicated parties are not notified about or granted access to reports in which they have been named.

### **What if I remember something important about the incident after I file the report?**

When you file a report, either using the Internet or through NAVEX's Contact Center, you receive a unique report key and are asked to select a password. With the report key and your password, you can return to the NAVEX system again, either by Internet or telephone, and access the original report. At that point, you can add more details.

### **What if you have questions for me concerning my report?**

NAVEX provides functionality that enables company representatives to post questions for you, even if you report anonymously. When you receive your report key, you will be provided with the amount of time we expect for the report to be processed. When that time has passed, we strongly suggest you check to see if any questions have been posted. Providing the opportunity for such dialogue means situations may not only be identified but can also be resolved, no matter how complex.

### **Are these follow-ups on reports as secure as the first one?**

All NAVEX correspondences are held in the same strict confidence as the initial report, continuing under the umbrella of anonymity, if you so choose (and where permitted by local laws).



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## **Can I still file a report if I don't have access to the Internet?**

You can file an NAVEX report from any computer that can access the Internet. You can file from home. Many public locations, including most public libraries, have Internet computers. If you don't have access or are uncomfortable using a computer, you can call the NAVEX toll-free hotline which is available 24 hours a day, 365 days a year. Dialing instructions vary by country; verify the proper dialing instructions with a local team member.

## **What should I do if the telephone number is not working?**

If the telephone number listed above is not functioning, please make your report online through this web site. Please indicate in the report that the telephone number did not work.

## **What should I do if the country I am in is not listed above?**

If there is no service for your location, please make your report online through this web site. Please indicate in the report that dialling instructions for the country you are located in were not available.

## **Will I be notified of the outcome of an investigation after I submit a report?**

When appropriate, reporters may be briefed on the outcome but due to confidentiality and privacy, please note that reporters will not always receive detailed information regarding the action taken because of the investigation.

## **For NetApp employees only**

For more information on how NetApp handles investigations and to view relevant global policies including our Speak Up policy, please visit our Integrity and Compliance Office's site.