

PRIVACY NOTICE & GUIDANCE FOR USING MEDTRONIC VOICE YOUR CONCERN LINE IN THE EEA, THE UK & SWITZERLAND

The Medtronic Voice Your Concern Line is a confidential telephonic and online reporting system to facilitate the receipt and handling of reports by Medtronic staff members, and anyone having a business relationship with Medtronic, regarding potential violations of Medtronic's legal and ethical obligations. The entity responsible for processing your personal data through the Medtronic Voice Your Concern Line (i.e., the data controller) is the Medtronic company employing you or with which you have a business relationship ("Medtronic"). Please check our locations page at www.medtronic.com for the latest information on our global locations.

When and How to Use the Medtronic Voice Your Concern Line

The Medtronic Voice Your Concern Line supplements Medtronic's regular information and reporting channels to allow you to ask a question or report a concern or suspected violation of the Medtronic Code of Conduct, policies, procedures or applicable laws and regulations. See the appendix for a list of reportable issue types. The Medtronic Voice Your Concern Line should not be used to report on issues covered by medical secrecy, secrecy of judicial deliberations, investigative secrecy and legal privilege or other issues than those permitted under local laws. If your concern pertains to a matter that, under your local laws, may not be accepted by Medtronic through the system, you will need to use Medtronic's regular information and reporting channels to report the matter.

Use of the Medtronic Voice Your Concern Line is optional and entirely voluntary. If you are a Medtronic employee, you will not suffer any adverse consequences for not using it, but you have nevertheless a duty to report any potential misconduct. It is important that if you have a question about whether an action is lawful or compliant with the Medtronic Code of Conduct or company policies and procedures, you speak up. Whenever you have a question or concern that may need to be reported, you should first talk to your manager or supervisor. You also can use the "open door" policy to talk to someone else in management, including speaking to your Human Resources, local Legal or Compliance representative or Business unit or geography leadership. If, for whatever reason, you feel unable to use those channels, or if you think that your concerns have not been handled properly, and if your concerns fall within the scope of the Medtronic Voice Your Concern Line, you may report them through the Voice Your Concern Line, using one of the following mechanisms:

1. Calling the toll-free Medtronic Voice Your Concern Line at the number provided for your location. To find that number, please visit www.voiceyourconcernline.com. The Medtronic Voice Your Concern Line is staffed 24 hours a day, 365 days a year.

2. Logging onto www.voiceyourconcernline.com and file an online report for your location.

Once you submit your report through the Medtronic Voice Your Concern Line, you will be informed, within a reasonable timeframe and no later than three (3) months, about the action envisaged or taken as a follow-up to your report and the grounds for the choice of that follow-up. Please be aware that the information you provide through the Medtronic Voice Your Concern Line may result in decisions that affect others. Therefore, we ask that you only provide information that, to the best of your knowledge, is correct and factual, and has a direct link with the matter you report. Medtronic has a strict non-retaliation policy for any report made in good faith, i.e., you will not be disciplined if you report concerns based on good faith allegations, even if they later turn out to be incorrect or if Medtronic decides to close the matter. However, knowingly providing false or misleading information may result in consequences, including disciplinary proceedings, up to and including termination, or judicial proceedings.

Personal Data We Collect and How We Use It

What personal data we collect

We will collect and use the following types of personal data through the Medtronic Voice Your Concern Line, as applicable:

- Your name and contact details (if you decide not to report anonymously through the Medtronic Voice Your Concern Line), your relationship with Medtronic and log-in credentials;
- The name, position and contact details of all individuals who may be reported, and where applicable, individuals involved, consulted or heard during the receipt or handling of the report, facilitators and third persons who are connected with you as the reporting person;
- A description of the suspected violation, including all relevant facts and details;
- Information included in the evidence gathered in the course of the investigation, the report of the investigation and the outcome of the report; and
- Any question you may have.

We may obtain the above information directly from you or from third parties in the course of the investigation (e.g., when we conduct interviews with relevant parties).

Please be reassured that, if you provide your name and contact details through the Medtronic Voice Your Concern Line, your identity will be kept confidential by the personnel in charge of handling your report. In particular, your identity will not be disclosed to the reported individual(s). However, we may disclose information revealing your identity if you consent to such disclosure or if we are required to do so by law, such as in response to a court order.

Please do not provide any data consisting of racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, data concerning health or data concerning a person's sex life or sexual orientation, about yourself or another person, unless this information constitutes a key element of your report.

How we use your data

We will use your personal data for the following purposes, as applicable:

- receiving and handling the report submitted through the Medtronic Voice Your Concern Line;
- carrying out all the necessary checks, investigations or analyses;
- determining the appropriate outcome and any potential remediation: if an investigation indicates that a violation of the Medtronic Code of Conduct, policies, procedures or applicable laws or regulations has occurred, Medtronic will take such action as it determines appropriate under the circumstances;
- ensuring the protection of the individuals concerned; and
- exercising or defending legal claims.

We will do so to the extent necessary to achieve Medtronic's legitimate interests in conducting business in compliance with all applicable laws and regulations and in accordance with the highest ethical principles, or to comply with a legal obligation to which Medtronic is subject.

Data Sharing & International Transfers

The information you provide will be stored on servers hosted by Medtronic's third-party service provider, NAVEX Global, Inc. in the U.S. ("NAVEX"), which operates the Voice Your Concern Line on behalf of Medtronic. When a question or concern is introduced through the Medtronic Voice Your Concern Line, a report will be prepared by NAVEX and then forwarded to appropriate Medtronic representatives responsible for investigation and follow-up. Each report will be reviewed to confirm whether further investigation is warranted and to determine the appropriate method of investigation. Unless otherwise required by law, the information within the Medtronic Voice Your Concern Line may only be used by specially trained individuals who need to access it to fulfil their duties, to answer your questions or investigate the report, in accordance with Medtronic policies. These individuals may include appropriate Compliance, Human Resources, Audit, Legal, Security or management functions and employees within Medtronic, or technical staff at NAVEX as necessary for their operation of the Voice Your Concern website. Medtronic may also use external advisors to assist in investigating the report. Some of these recipients may be located in countries other than the country in which the information was originally collected, including in the United States. When we transfer your personal data to third countries, we will implement appropriate safeguards, including the European Commission's Standard Contractual Clauses, to meet data protection and transfer requirements, where applicable. In addition, NAVEX is

certified to the EU-U.S. Data Privacy Framework (EU-U.S. DPF), the UK Extension to the EU-U.S. DPF, and the Swiss-U.S. Data Privacy Framework. Details of this certification is available [here](#). U.S. companies that comply with the Data Privacy Framework are considered as ensuring an adequate level of data protection under Article 45 of the EU General Data Protection Regulation ("GDPR"). Subject to applicable laws, you may request a copy of these safeguards by contacting us as specified in the How to Contact Us section below.

Notifying Subjects of Reports

If you are the subject of a report, you will be notified as soon as practical and provided information about the fact that you are the subject of a report, the departments that may receive the report, and how to exercise your privacy rights. However, where there is substantial risk that such notification would jeopardize Medtronic's ability to effectively investigate the allegation or gather the necessary evidence, notification will be delayed as long as such risk exists. Again, the provided information will not reveal the identity of the individual who raised the concern or jeopardize the rights of other individuals involved. Medtronic will also provide you a fair and equitable opportunity to address the allegations as part of the comprehensive investigation.

Data Retention

If a report falls within the scope of the Medtronic Voice Your Concern Line, personal data contained within that report will be retained for the time necessary to carry out investigations, decide on the final outcome of the investigations and take all appropriate follow-up actions, where applicable. If disciplinary or court proceedings are initiated as part of that follow-up, your personal data will be retained for the duration of the proceedings and until the matter is final. Personal data contained within a report may be further retained to take into account Medtronic's legal retention obligations, carry out quality audits of Medtronic's internal reporting processes, or for evidentiary purposes. Personal data contained in a report that falls outside the scope of the Medtronic Voice Your Concern Line will be promptly deleted.

Your Privacy Rights

Subject to applicable law, you may request access to and rectification or erasure of your personal data, or restriction of our use of your personal data. You may also object at any time, on grounds relating to your particular situation, to the use of your personal data through the Medtronic Voice Your Concern Line when that information is used based on our legitimate interests. To exercise these rights, please contact us as specified in the How to Contact Us section below.

Depending on your location, you may have the right to file a complaint with a data protection authority

Commented [FC1]: @Beach, Jennie: I understand from Katie (Gerwing-Stokes) that the data is currently not deleted in NAVEX. NAVEX says in their agreement that MDT is responsible for any data retention periods during the term of the agreement. We therefore need to determine (and effectively apply) retention periods. In light of the above, it is my understanding that the teams (handling reports) will need to manually delete reports, as applicable. The retention period indicated here is commonly accepted by EU data protection authorities.

Commented [BJ2R1]: We will need to amend the agreement with Navex and have them automatically delete the personal data (and retain other data for metrics/reporting purposes), likely at a cost

Commented [FC3R1]: @Beach, Jennie: Jennie, the Data Processing Agreement with Navex will not need to be amended, as it has been drafted broadly, but we may send instructions to Navex regarding data retention. This said, it is my understanding that Navex does not propose a feature that allows automatic deletion of personal data, but I may be wrong. Besides, the data retention period will vary depending on the cases (e.g., in one case, Medtronic may decide to initiate court proceedings following the investigation of a report, or takes disciplinary measures, while in another case, Medtronic may decide to close the matter, without taking any action). I would think that it is up to the investigation team to know all of this and delete the data in the system, based on retention principles. This needs to be checked with Navex. I have asked them (in the DP agreement) to confirm whether they can segregate the data either physically or logically to offer some archiving system. I did not obtain a response. This also needs to be checked with them. A key rule is to make a distinction between the prod. environment (active database where data will be kept for limited periods) and archives where the data could be retained for a longer period.

if you are not satisfied with our response. For contact details of EU data protection authorities, see further http://ec.europa.eu/justice/data-protection/bodies/authorities/index_en.htm.

How to Contact Us

If you wish to exercise your privacy rights or have a question about Medtronic's privacy practices, please contact us at rs.privacyeurope@medtronic.com. You may also contact Medtronic's Data Protection Officer by email, as described below:

- rs.datenschutz@medtronic.com if you are in Germany;
- rs.swissDPO@medtronic.com if you are in Switzerland; or
- rs.europeanDPO@medtronic.com if you are located in other countries.

If you are a Medtronic employee and have questions about voicing your concerns, please contact your local Legal or Compliance representative.

Please be aware that the law of your country may provide for two (2) types of reporting channels to submit a report:

- The internal procedure: this consists of reporting the matter within a business organization (here, Medtronic);
- The external procedure: it consists of submitting the report to a public institution designated for this purpose, including: a judicial authority, a regulatory or supervisory body competent in the specific area concerned by your report, as designated by your country, etc.

You are encouraged to first report to Medtronic's reporting channels, as identified in this notice, for the effective detection and prevention of violations of Medtronic's Code of Conduct. This will allow that the relevant information reaches swiftly those at Medtronic who are closest to the source of the problem, and most able to investigate it.

Appendix

Reportable Issue Types

Our Relationship with Each Other

- Alcohol & Drug Abuse
- Discrimination
- Excessive Expenditures or Other Spending Violations
- Harassment
- Hazards to the Environment
- Hiring/Retention/Performance Concerns
- Improper or Unfair Treatment
- Retaliation
- Theft or Loss of Property
- Threats & Physical Violence
- Unethical Behavior
- Unsafe Working Conditions

Our Relationship with Others

- Bid and Tender
- Breach of Contract
- Improper Gifts, Entertainment, and Business Courtesies from Others
- Improper Payments, Offers, or Other Benefits to a Healthcare Professional
- Inaccurate Representation of Products or Services
- Misconduct of Business Partners or Competitors
- Off-Label Promotion or Sale
- Patient Relations
- Product Quality or Product Safety Issues
- Unauthorized Promotional Materials or Channels
- Unethical Collection, Mishandling, or Disclosure of Confidential or Patient Information
- Unethical Customer Interactions
- Unfair or Inaccurate Statements About Competitors

Our Relationship with Our World

- Environmental Stewardship Concerns
- Human Rights or Labor Law Concerns
- Improper Political Contributions

Our Relationship with Regulators

- Clinical Studies Concerns
- Cooperation with Prohibited Boycott
- Government Audits & Investigations
- Illegal Gifts and Entertainment to Government Official or Enterprise
- Import/Export Issues
- Insider Trading
- Offer or Receipt of Bribes, Illegal Payments or Kickbacks
- Regulatory Concerns
- Trade with Sanctioned Country
- Unfair or Unethical Business Agreements or Practices with Competitors

Our Relationship with the Company & Shareholders

- Accounting or Auditing Issues
- Conflict of Interest
- Falsification of Records
- Improper Use of Social Media
- Inaccurate or Improper Handling of Records
- Misuse of Company Property
- Unethical Collection, Mishandling, or Disclosure of Confidential or Proprietary Information

Other Violation of Law, Regulation or Policy**Other Integrity or Ethical Concern**