



S+N Privacy Notice for participants in Clinical Studies ("Privacy Notice")

January 2025

This Privacy Notice explains why we collect your Personal Data and how your Personal Data will be processed and protected by S+N in connection with a clinical study in which you have agreed to participate (the "Clinical Studies").

"Personal Data" is any information about you that can be used to directly or indirectly identify you, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity.

S+N acts as the data controller for the Personal Data we obtain from Clinical Studies under certain local laws. In such cases, S+N determines the purposes and the means of processing your Personal Data in compliance with data privacy laws.

1. What Personal Data do we obtain and process as part of the Clinical Studies?

- 1.1 For the purpose of the Clinical Studies, S+N may obtain Personal Data such as your medical history, age, BMI, gender, ethnic origin, health state and information included in questionnaires you are required to submit as part of your participation in the Clinical Studies.
- 1.2 Your Personal Data is collected by the study site team assisting S+N with the research (doctor's office, clinic, hospital, or other healthcare facility where the research is being conducted), or other third parties, such as your primary care doctors or community nurse (if applicable to your study or country).
- 1.3 When any Personal Data relating to you is shared with us, it will be pseudonymized or de-identified (as in the meaning of applicable law in your specific jurisdiction). This means that your name or other direct identifiers will be replaced by an alphanumeric code so that your identity will not be directly identifiable.

2. For what purposes do we process Personal Data?

Subject always to applicable laws, during and after a Clinical Study, we may process your Personal Data for the following purposes:

2.1. Purpose of research activities

- 2.1.1. We may process your Personal Data to the extent necessary for the purposes of scientific research and/or where necessary to pursue in our legitimate interests to conduct clinical studies as part of our research and development activities.
- 2.1.2. We may process your Personal Data where it is necessary for reasons of public interest in the area of public health.

2.2. Safety and reliability purposes

- 2.2.1. We may process your Personal Data to comply with a relevant provision related to safety and reliability purposes (for example where we are required to conduct safety reporting).
- 2.2.2. We may process your Personal Data where it is necessary for reasons of public interest in the area of public health requirements (for example to ensure high standards of quality and safety of our products).

3. Which third parties will your Personal Data be shared with?

Your Personal Data may be shared with:

- 3.1. third parties with whom we have relationships to facilitate the Clinical Studies and/or associated data. For example, we may instruct a third party to monitor and support the Clinical Studies or to monitor the quality of and analyse the associated data on behalf of S+N. If required by applicable law, S+N will enter into an agreement with this third party which contains provisions to safeguard the security and confidentiality of the processing of your Personal Data by the third party;
- 3.2. regulators, courts or competent authorities, to the extent necessary to comply with applicable laws, regulations and rules and requests of law enforcement, regulatory and other governmental agencies or if required to do so by court order;
- 3.3. third parties to whom we sell or transfer, or we consider selling or transferring, part or all of our company, business, shares or assets;
- 3.4. in the event that we are acquired by, or merged with, a third-party entity, or in the event of bankruptcy or a comparable event; and/or
- 3.5. to other companies of the S+N group as necessary for the purposes described in this Privacy Notice.

4. When might we transfer your Personal Data outside of your home country?

- 4.1. Because of the global nature of our business, we may also transfer your personal data to other companies within the S+N group or to third parties located outside of your home country. Such countries may have different laws and data protection compliance requirements to those that apply in the country in which you are located.
- 4.2. Additional information if you are in the EEA, UK or Switzerland: Competent authorities and bodies in the EEA, UK and Switzerland recognise that data protection laws in certain countries outside those jurisdictions provide an adequate level of data protection standards. Where we transfer your data to countries not recognised by those authorities and bodies, we have procedures in place in line with applicable laws to ensure your data receives adequate protection as if it were being processed in the EEA, UK or Switzerland. For example, we may enter into contracts with third parties who would have access to your Personal Data to ensure adequate protection of your Personal Data in accordance with applicable laws.

- 4.3. Any transfer of your Personal Data to third parties will follow applicable laws and the guiding principles of this Privacy Notice.

5. How we protect your Personal Data

S+N is committed to making sure that any Personal Data we collect and process under the Clinical Studies is secure. As required by applicable law, S+N implements appropriate technical, organisational, and physical measures to help protect your Personal Data from being accessed, disclosed, transmitted, altered, stored or destroyed by unauthorized persons.

6. Retaining your Personal Data

- 6.1. In some jurisdictions, we are legally required to keep Personal Data relating to Clinical Studies for a certain period of time. How long we retain the Personal Data depends on the applicable law. If there is no legal requirement to retain your Personal Data, we'll only keep it for as long as is necessary for the purpose for which it was collected.
- 6.2. When we are no longer required to keep your Personal Data, we will either delete it or further de-identify the data, for example by aggregation with other data, so that it can be used in a non-identifiable way for statistical analysis and/or archiving purposes.

7. Your local law may extend some privacy rights to you:

In certain circumstances, local privacy laws may give you rights with respect to your Personal Data. These rights may not be absolute. We will handle requests to exercise rights granted to you by law in accordance with the laws that apply to you. In all cases impacts to health, safety, and integrity or efficacy of the research study will be considered.

- 7.1. Access your personal information including to obtain copies of your personal information (right of access);
- 7.2. Request, without undue delay, the rectification of inaccurate personal data and, taking into account the purpose of the processing, to have incomplete personal data concerning you completed, including by means of providing a supplementary statement;
- 7.3. Request the erasure of your personal data to the extent permitted by applicable data protection law;
- 7.4. Obtain restriction of processing of your personal data to the extent permitted by applicable data protection law;
- 7.5. Object, on grounds relating to your particular situation, to the processing of your personal data conducted by us necessary for the purposes of the legitimate interests pursued by us or a third party as elaborated above;
- 7.6. Receive personal data concerning you which you have provided to us in a structured, commonly used and machine-readable format and to transmit such personal data to another controller without hindrance by us and, where technically feasible, to have such data transmitted directly from us to another controller to the extent permitted by applicable data protection law; and



- 7.7. Lodge a complaint with a competent data protection authority or equivalent in your locale.

If you have any questions about this Notice or our processing of your Personal Data, please contact our privacy team at privacyenquiries@smith-nephew.com or contact us via our Speak Up Line [here](#). For your protection, S+N may need to collect certain minimal data to verify your identity prior to fulfilling your rights request.