



S+N California Supplemental Candidate Privacy Notice

Last revised: August 2024

This California Supplemental Candidate Privacy Notice (“Notice”) supplements the information contained in the [S+N Global Candidate Privacy Notice](#), to include specific information for California residents as required under the California Consumer Privacy Act, as amended by the California Privacy Rights Act (the “CCPA”).

This Notice explains:

1. The categories of personal information we may collect about you;
2. The categories of sources from which we collect your personal information;
3. The purposes for which we use your personal information;
4. The categories of third parties to which personal information is disclosed for a business purpose;
5. The categories of personal information sold or shared for purposes of cross context behavioral advertising;
6. Your privacy rights and how to exercise them; and
7. Changes to this Notice.

Scope

This Notice applies to the personal information of California residents who are candidates, job applicants, or talent community members of Smith and Nephew (“Candidates”). This Notice informs California Individuals about the categories of personal information that Smith and Nephew collected about them in the preceding 12 months, as well as categories of personal information that will be collected in the future.

“Personal Information” means information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular individual or household. Personal information does not include publicly available information from government records or deidentified or aggregated information and information excluded from the scope of the CCPA, such as health or medical information covered by the Health Insurance Portability and Accountability Act of 1996 (HIPAA) or personal information covered by certain sector-specific privacy laws, including the Fair Credit Reporting Act (FCRA) and the Gramm-Leach-Bliley Act (GLBA).

“Sensitive Personal Information” is a subcategory of personal information and includes the following: (a) social security, driver's license, state identification card, or passport number; (b) account log-in, financial account, debit card, or credit card number in combination with any required security or access code, password, or credentials allowing access to an account; (c) precise geolocation; (d) racial or ethnic origin, religious or philosophical beliefs, or union membership; (e) the contents of mail, email and text messages, unless Smith and Nephew is the intended recipient of the communication; (f) genetic data; (g) biometric information used to uniquely identify an individual; (h) information

collected and analyzed concerning an individual's health; or (i) information collected and analyzed concerning an individual's sex life or sexual orientation.

1. The Categories of Personal Information We May Collect About You

Category	Examples	Collect for Candidates	Collect for Emergency contacts
Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, photographs, or other similar identifiers	Yes	Yes
Sensitive identifiers	Social Security, driver's license, state identification card, or passport number, bank account information for payment related purposes.	Yes	No
Protected classifications under federal or California law	Age, race, color, ancestry, national origin, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression pregnancy, childbirth, breastfeeding and related medical conditions), sexual orientation, military or veteran status, genetic information (including familial), health information, political activities or affiliations, and status as a victim of domestic violence, assault or stalking	Yes	No
Internet or other electronic network activity information	Including, but not limited to, browsing history, search history, and information regarding an individual's interaction with an internet website, application, or advertisement	Yes	No
Geolocation data	Physical location or movements	No	No
Sensory Information	Audio and visual data and recordings (in the case of remote interviews).	Yes	No

Category	Examples	Collect for Candidates	Collect for Emergency contacts
Professional or employment-related information	Job preference and work availability, qualifications, employment history and experience, compensation, military service, reference and background check information, including relevant criminal history and credit history, pre-employment test results, post-offer medical and medical examination information and results, including drug test results, immigration and work eligibility, leave information, benefits and enrollment information, and information provided during the interview and hiring process	Yes	No
Education information	Educational institutions attended or level of education, professional licenses held, certifications received, school transcripts and records, or any additional education or training undertaken during employment	Yes	No
Inferences drawn from other personal information	Profile reflecting the consumer's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes	Yes	No
Personal communications	Contents of mail, email or text messages on accounts or services not owned, or subscribed-to, by the Company only for purposes of legitimate company investigations and, to the extent required by law, with your authorization	No	No
Login credentials	Online account credentials associated with your candidate profile	Yes	No

2. The Categories of Sources from which We Collect Your Personal Information

Category	Examples
You	Information provided through your application, assessments, surveys, interviews, career events, or otherwise provided to us directly by you.
Third Parties	Information provided by job references, previous employers, staffing agencies, career event organisers and background check vendors.
Public Internet Sources	Information you may post online (e.g., LinkedIn) or otherwise publicly available information about you.
Public Records	Court records or credentialing and licensing information.

3. The Purposes for which we use Your Personal Information

We may process your personal information for the following purposes:

a. To consider your application

For example, we will use your personal information to:

- Reply to your application. If someone else referred you to us or we obtained your information from other sources, we will use your personal information to contact you and let you know about our recruitment process;
- Create a profile of you;
- Assess how suitable your profile is for the job you are applying for;
- Evaluate all our candidates and create a shortlist; and
- Conduct interviews and assessments during the recruitment process.

b. For pre-employment screening, if we decide to offer you employment

For example, we will use your personal information to:

- Contact referees mentioned in your application to check the suitability of your application;
- Check your background, references and other information you gave us, to the extent allowed by law; and
- Prepare an offer of employment and other documents we use at this pre-contract stage of our recruitment process.

c. To enable your participation in S+N's talent community

For example, we may use your personal information to:

- Create a candidate profile of you in S+N's Talent Community;
- Consider you for job opportunities we have now, or future ones, in any of the S+N group of companies. This means we may share your information with other S+N entities;
- To let you know about job opportunities or to ask you to update your profile;
- To invite you to and manage your participation in career events (both online and physical); and
- To provide you with updates relating to Smith+Nephew.

d. To manage and improve our recruitment processes as well as our business operations related to the recruitment and onboarding process

For example, we may use your personal information to:

- Manage our network and information systems security;
- Keep records related to our hiring processes;
- Measure the recruitment process against our aspirations to ensure we are adhering to fair employment practices;
- Prepare and perform management reporting and analysis, including analytics and metrics, related to the recruitment process; and
- Improve our applicant selection process and related applicant selection systems.

e. To achieve other purposes

For example, we will use your personal information:

- To comply with applicable laws and regulations;
- To respond to requests from competent public authorities;
- To tell you about changes to our terms, conditions and policies;
- To exercise or defend S+N against potential, threatened or actual litigation;
- To protect S+N, your vital interests, or those of another person;
- To provide work related accommodations or health and insurance benefits to you and to your dependents;
- To evaluate S+N's progress in achieving its diversity hiring goals to ensure equal opportunity monitoring and reporting, including to comply with related applicable laws and regulations.
- To respond to and handle your queries or requests; and
- When we sell, assign or transfer all or part of our business.

4. Information about the use of automated processing

For information about our use of automated tools, please see section 7 of our global candidate notice.

5. The Categories of Third-Parties to which Personal Information is Disclosed

Smith and Nephew has disclosed in the preceding twelve (12) months your personal information including all categories of personal information listed in number one above to a third party for a business purpose. When we disclose personal information for a business purpose, we only disclose to the extent necessary to achieve the purpose of the disclosure and only if the disclosure is permitted by the CCPA and other applicable laws. Further, prior to disclosure we enter into a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

To the extent applicable to your specific situation, we have over the past twelve (12) months disclosed your personal information with the following categories of third parties for a business purpose: (a) specialised service providers who perform recruitment and pre-employment screening activities; (b) event and travel agencies; (c) technology suppliers who provide, manage and/or support S+N's systems and portals; (d) partners who assist us in the management of our recruitment activities; (e) regulators, courts, governments and law enforcement authorities; (f) professional advisors, such as auditors, accountants and lawyers. Note that Smith and Nephew may be required by law to disclose personal information (a) in a court proceeding; (b) in response to a court order, subpoena, civil discovery request, other legal process, or (c) as otherwise required by law. Further, we may disclose personal information when we believe disclosure is necessary to comply with the law or to protect the rights, property, or safety of the company, customers, or others.

6. The Categories of Personal Information Sold or Shared for Purposes of Cross Context Behavioral Advertising

Smith and Nephew does not sell or share personal information covered by this Notice for the purposes of cross context behavioral advertising.

7. What are your rights regarding your personal information?

In addition to your privacy rights described in S+N's global candidate notice your CCPA rights regarding your personal information are listed here. These rights are not absolute and are subject to certain exceptions and legal obligations.

- **Right to know:** You can request that Smith and Nephew disclose to you: (1) the categories and/or specific pieces of personal information we have collected about you, (2) the categories of sources for that personal information, (3) the purposes for which we use that information, (4) the categories of third parties with whom we disclose the information, and (5) the categories of information that we sold or disclosed to third parties.

Please note that the CCPA's right to obtain copies does not grant a right to the whole of any document that contains personal information, but only to copies of "specific pieces" of personal information. There may be some specific information about you that we are not permitted by law to provide because of legal restrictions or because the information is used for security purposes, such as information collected in an internal investigation.

You can make a request to know up to twice a year, free of charge.

- **Right to delete:** You can request that Smith and Nephew delete personal information we collected from you and tell our service providers to do the same, subject to certain exceptions (such as if we are legally required to keep the information).
- **Right to opt-out of sale or sharing:** You may request that Smith and Nephew stop selling your personal information and disclosing your personal information for cross context advertising. As noted above, Smith and Nephew does not sell your personal information covered by this Notice and does not share that information for cross context behavioral advertising.
- **Right to correct:** You may ask Smith and Nephew to correct inaccurate information that we have about you.
- **Right to limit use and disclosure of sensitive personal information:** You can direct Smith and Nephew to only use your sensitive personal information (for example, your social security number, financial account information, your precise geolocation data, or your genetic data) for purposes permitted by the CCPA. Note that we describe the purposes for which we collect this information above and we do not process this information for other purposes.
- **Right not to be retaliated against for exercising these rights:** Smith and Nephew will not unlawfully discriminate or retaliate against you for exercising your rights under the CCPA.

Smith and Nephew will respond to requests to know, delete, and correct in accordance with applicable law. You can exercise these rights in the following ways:

- Email privacyenquiries@smith.nephew.com
- Call the Smith and Nephew Speak Up Line at (800) 461-9330

We will acknowledge receipt of your request and will provide you with a response within 45 days. If we need additional time to respond, we will notify you that we need up to another 45 days to respond.



Where feasible, responses to requests for specific information will be provided using a format that is readily readable, including by mailing you a paper copy or providing an electronic copy by email. In order to process your request to exercise your rights, we must first verify it using information necessary to complete your request. We may do this by asking you to:

- Provide personal identifiers we can match against information we may have collected from you previously; and
- Confirm your request using the email and/or telephone account stated in the request.

We will not collect additional personal information from you or require you to create an account with us for the sole purpose of your exercising your rights under the CCPA.

You may authorize another individual, or a business registered with the California Secretary of State, to make requests on your behalf. The individual or business is called an “authorized agent.” We may ask the authorized agent to submit documentation or proof supporting their authority to represent you, and we may ask you to either verify your own identity or confirm that you gave the authorized agent permission to act on your behalf. Parents of minor children may submit a birth certificate of the child in lieu of an affidavit, in order to make requests on the child’s behalf.

8. How Long Do We Keep Your Information

In some jurisdictions, we are legally required to keep your personal information for a certain period. The duration depends on the specific legal requirements of the relevant jurisdiction. Otherwise, we will only keep your personal information for as long as is necessary for the purpose for which it was collected.

At the end of the retention period, your personal information will either be deleted completely or deidentified, for example by aggregation with other data so that it can be used in a non-identifiable way for statistical analysis and business planning.

If we offer you employment, and you decide to accept, the information that we collect during the application process may become part of your personnel file and other human resources systems and used to administer the employment relationship and for related reporting and recordkeeping purposes. In such case, the Employee Privacy Notice will be applicable to the processing of your personal data.

9. Changes to This Supplemental Privacy Notice

We reserve the right to amend this Notice at our discretion and at any time. When we make changes to this Notice, we will post the updated Notice and update the Notice’s effective date.

If you have questions about this Notice, you may contact us by emailing privacyenquiries@smith-nephew.com or contacting the Smith and Nephew Speak Up Line at (800) 461-9330.