

## Canadian Modern Slavery Statement for the year ended 31 December 2023

### Reporting entities

This statement (**Statement**) (or report) is made pursuant to the Canadian *Fighting Against Forced Labour and Child Labour in Supply Chains Act* (the **Canadian Act**) for the following entities (together, the reporting entities): Smith & Nephew Inc. (Canada) and other reporting entities within the group individually reporting under the Canadian Act: Smith & Nephew USD Limited, TP Limited, Smith & Nephew (Overseas) Limited and Smith & Nephew plc (**Smith+Nephew**). This Statement relates to the financial year ended December 31, 2023 (**Reporting Period**).

### Structure, Operations, and Supply Chain

Smith & Nephew Inc. (Canada), Smith & Nephew USD Limited, TP Limited and Smith & Nephew (Overseas) Limited are subsidiaries of Smith & Nephew plc. We, Smith & Nephew plc and its subsidiaries (the **Group**) conduct our business with integrity, honesty and professionalism. These principles are embodied in our Culture Pillars: Care, Collaboration and Courage. These Culture Pillars guide the behaviour of everyone at Smith+Nephew, no matter where in the world we are located. We must all also follow and understand applicable laws, our Code of Conduct and relevant Group policies and procedures. Our Code of Conduct can be found on our website: <https://www.smith-nephew.com/compliance/code-of-conduct-and-business-principles/>. Further, Smith & Nephew plc publishes on behalf of itself and its relevant subsidiaries, an annual modern slavery statement pursuant to the UK *Modern Slavery Act 2015* Section 54. A copy of this Statement is located [here](#).

At Smith+Nephew we work with third parties who adhere to business principles, and health, safety, social and environmental standards, consistent with our own. Third parties who carry out business on our behalf, directly or indirectly, must also understand and follow applicable laws when carrying out that business, and manage their suppliers in accordance with the same standards.

Smith+Nephew is committed to:

- Taking a robust approach to preventing slavery and human trafficking in its corporate activities and supply chains.
- Supporting the Universal Declaration of Human Rights of the United Nations. This means we respect the human rights, dignity and privacy of the individual and the right of employees to freedom of association, freedom of expression and the right to be heard.
- Not using any form of forced, compulsory or child labour.
- Helping third parties working for and on our behalf through additional guidance to explain how our Code of Conduct specifically relates to those who perform services for and on our behalf. Our Third Party Guide to working with Smith+Nephew is located on our website at: <https://www.smith-nephew.com/compliance/code-of-conduct-and-business-principles/third-party-guide-to-working-with-smith-nephew/> and sets out our requirements for third parties based on the laws, regulations and industry codes that apply to Smith+Nephew.

### About Smith+Nephew and the Group

Smith+Nephew is a portfolio medical technology business focused on the repair, regeneration and replacement of soft and hard tissue. We exist to restore people's bodies and their self-belief by using technology to take the limits off living. We call this purpose

'Life Unlimited'. Our 330 employees (who are part of the 18,000 Group employees) deliver this mission every day, making a difference to patients' lives through the excellence of our product portfolio, and the invention and application of new technologies across our three global business units of **Orthopaedics, Advanced Wound Management and Sports Medicine & ENT**.

- **Orthopaedics** includes an innovative range of Hip and Knee Implants used to replace diseased, damaged or worn joints, robotics-assisted enabling technologies that empower surgeons, and Trauma products used to stabilise severe fractures and correct bone deformities.
- Our extensive **Advanced Wound Management** portfolio provides a comprehensive set of products to meet broad and complex clinical needs, to help healthcare professionals reduce the human and economic consequences of wounds.
- Our **Sports Medicine and Ear, Nose and Throat (ENT)** businesses offer advanced products and instruments used to repair or remove soft tissue. They operate in growing markets where unmet clinical needs provide opportunities for procedural and technological innovation.

Smith+Nephew supplies and distributes a range of products across each of these business units within Canada.

Smith+Nephew's supply chains are significant and complex, having over 800 direct suppliers of goods and services across the Group as a whole.

## **Manufacturing and quality**

Smith+Nephew takes great pride in its expertise and maintains focus on delivering products that are safe and effective for patients. We operate manufacturing facilities in North America, South America, Europe, UK, Switzerland and Asia, and have central contracted distribution facilities in the US, Europe and Asia.

Products are shipped to individual country locations (including Canada) that hold small amounts of inventory locally for immediate supply to meet customer requirements.

## **Governance and Oversight**

Our strategy and approach to delivering on our commitments to prevent slavery and human trafficking is driven by our Chief Executive Officer and Executive Committee and implemented by various teams within the organisation. The Board has oversight of environmental, social and governance (ESG) matters and approval of sustainability and ESG strategy is a matter reserved to the Board.

Our Culture & Compliance Committee reviews our policies, procedures and progress in this area and reviews the Modern Slavery Statement prior to approval by the Board. Our ESG Operating Committee regularly monitors our progress in this area and has developed internal key performance indicators and metrics in order to monitor our progress against our achievement of ESG objectives and to review relevant policies and procedures. The ESG Operating Committee reports to our Executive Committee and progress reports are shared with the Board and its Committees.

## **Identifying forced labour and child labour risks in our business operations and supply chains**

### **Risks of modern slavery practices in operations and supply chains**

Smith+Nephew assesses the risk of modern slavery practices within its directly employed workforce to be low. The majority of workforce are direct employees and are engaged in

skilled roles. We have low use of labour agencies and undertake enhanced due diligence when engaging staff through such agencies, for example by requiring that the agency has completed all necessary right to work checks and identification verifications. We undertake regular reviews to ensure that the work conditions and salaries of our workforce are at or above the levels required by applicable laws and regulations (including the *Fair Work Act 2009* (Cth) and any relevant Industrial Awards).

An increased risk of modern slavery has been identified when engaging third-party providers within Canada to provide Smith+Nephew with goods and services. These third-party providers predominantly relate to the provision of goods and services that do not directly relate to the manufacture of the Smith+Nephew products sold in Canada. These goods and services include telecommunications and IT services, some labour hire, professional services, facilities maintenance and cleaning, property leases and logistics and transportation services. Some of these providers are in higher risk areas such as cleaning, and transportation. However, the modern slavery risk with these third-party providers is assessed as low.

We have identified an increased risk of modern slavery when we engage third-party suppliers situated outside Canada to provide Smith+Nephew with goods and services. These third-party providers primarily supply goods and services that directly relate to our products sold in Canada. However, for many of our suppliers the risk of modern slavery within their supply chain, is still considered relatively low due to the highly regulated nature of the medical technology industry and the need for our suppliers to purchase quality materials and components to meet Smith+Nephew specification requirements, often working in accordance with specific direction of Smith+Nephew or the Group. Materials and components in final products are additionally subject to quality control verifications undertaken by skilled employees who are required to assure the origin of the relevant products and compliance with Smith+Nephew or Group specifications.

Some suppliers however may be assessed as as medium or high risk primarily due to:

- the countries within which some of the products are manufactured and/or because the raw materials sourced for their production originate from high-risk countries for modern slavery practices;
- the raw materials for a number of products are in industries that are considered high risk for modern slavery practices (such as mining); and
- some of their manufacturing processes may utilise elements of low skilled labour.

Further there is an increased risk of modern slavery practices with sub-suppliers with whom Smith+Nephew does not have a direct relationship. This is due to the more limited visibility and control Smith+Nephew has with respect to the use of such sub-suppliers. Accordingly, we are working as part of our risk assessment and due diligence programmes to promote and encourage transparency and best practice and limit risk within sub-tier supply chains.

## **Policies and due diligence processes: actions taken to assess and address modern slavery risks**

We undertake a risk assessment and due diligence for all new suppliers prior to their onboarding and have also completed screening and due diligence of our existing tier 1 suppliers according to our risk-based approach. Our process includes evaluating modern slavery and human trafficking risk for each supplier, to include assessment of the sub-tier supply chain.

As part of our risk assessment, we consider the location of the supplier and the category of supply in order to determine whether the supplier should be designated as potentially high risk for modern slavery/human trafficking compliance. Suppliers identified as potentially

high risk during our initial assessment are listed for further monitoring and review as part of our annual follow up programme.

All suppliers are required to provide information and evidence regarding their compliance with labour standards in the following areas:

- Employment being freely chosen
- Freedom of association and the right to collective bargaining
- Working conditions
- No use of child labour
- Minimum wage laws
- Operation of appropriate working hours
- Employment free from discrimination
- Regular employment
- No harsh and/or inhuman treatment

Supplier responses to our due diligence questionnaires and any documents provided are reviewed by our Sustainability and global procurement teams and follow up due diligence with the supplier is conducted, where necessary, to evaluate supplier risk. This involves direct communications with suppliers (e.g. emails and phone/video calls) to clarify our requirements and details of supplier's responses or to obtain any outstanding information as necessary.

If the information obtained through the due diligence process substantiates a modern slavery risk or the supplier does not demonstrate that it is able to comply with all applicable law and regulations and/or Smith+Nephew's policies and procedures (including labour standards, sustainability, health and safety and environmental requirements), the relevant supplier will not be on-boarded or steps taken to off-board them where already on-boarded, if the risk or compliance issue cannot be appropriately mitigated or resolved.

Our dedicated Global Procurement Lead, CSR, Sustainability & Supplier Diversity has oversight of and co-ordinates our supplier labour standards and sustainability efforts as a key focus within our due diligence programme.

When issues are identified during our supplier relationship life-cycle, our procurement team and as necessary and our Global Procurement Lead, CSR, Sustainability & Supplier Diversity will work with the supplier to mitigate risks and monitor the supplier/actions taken through our Ariba procurement system, which may include raising a Corrective and Preventative Action (CAPA) on the supplier's registration. We also provide support to suppliers to assist the supplier with establishing procedures or conducting due diligence, including with the supplier's sub-tier suppliers, until the issue and any CAPA is resolved. A corrective action plan will be implemented with a timescale for CAPA resolution, but if a CAPA cannot be resolved or there are repeat occurrences which cannot be resolved, then an exit plan will be established. Where a CAPA is resolved, the relevant supplier will be placed under a three year period of enhanced follow up due diligence ensuring that they are re-screened for continued compliance with our requirements.

### **Third Parties and our Code of Conduct**

We select third parties based on their qualifications, reliability and adherence to applicable laws and our values. We take all reasonable steps through our due diligence and risk assessment process, to select partners that are committed to following the law and who behave ethically. We work with third parties who adhere to our Code of Conduct, Business Principles and health, safety, social and environmental standards consistent with our own. We are committed to sourcing materials from responsible suppliers.

We conduct due diligence of our suppliers on origin, source and chain of custody of conflict minerals in accordance with our Conflict Minerals Policy to encourage transparency in our supply chain. This process was designed according to the five step Organisation for Economic Co-operation and Development (OECD) Due Diligence Guidance.

Our **Third Party Guide to working with Smith+Nephew** states that third parties working with us may not use any form of forced, compulsory or child labour. They must maintain a work environment in which all feel welcome and free of harassment, discrimination or other improper conduct. They must respect the human rights, dignity and privacy of the individual and the right of employees to freedom of association, freedom of expression and the right to be heard. This guidance helps third parties understand, follow and meet our expectations for them to:

- Always respect the human rights, dignity and privacy of the individual.
- Not use forced, bonded, indentured, child or involuntary prison labour.
- Provide a workplace free of harassment and discrimination.
- Build a diverse workforce based on an employee's qualifications and abilities needed for the work to be performed.
- Observe applicable laws and regulations governing wages and work hours.
- Provide regular employment and avoid the use of labour-only schemes where there is no real intent to impart skills.

If a third party violates our guidance, applicable laws, regulations and/or industry codes of conduct, we will review that business relationship and take appropriate action, which may result in termination of the relationship.

## **Compliance with our Code of Conduct**

Third parties working with us must commit to adhere to applicable laws and we seek assurances (through contract, due diligence or otherwise) that each third party who works with us:

- conducts all business on Smith+Nephew's behalf in an ethical manner that is compliant with applicable laws, regulations and industry codes of conduct;
- manages their suppliers in accordance with the same standards;
- notifies Smith+Nephew without delay of any allegation received of a breach of our Code, applicable laws and industry codes that they discover, even if they are not directly involved; and,
- protects whistleblowers' confidentiality and prohibits retaliation against workers who make a report.

All employees and other persons subject to our Code of Conduct are required to report all suspected breaches of the Code to a compliance officer or through other authorised reporting procedures. Any employee or person subject to our Code who is aware of a violation and fails to report it may face disciplinary action, subject to compliance with applicable laws.

We have a robust whistle-blowing procedure in Canada that operates in accordance with local legal requirements. We are committed to upholding our promise in our Code of Conduct that we will not retaliate against anyone who makes a report. Our Group Chief Compliance Officer is responsible for reviewing Smith+Nephew's Code of Conduct and for addressing compliance-related concerns. The Chief Compliance Officer may, depending upon the nature of the violation, report it to the Group Compliance & Culture Committee of the Board.

## **Training**

All staff receive training on our Code of Conduct and Business Principles. Relevant employees (including procurement staff, those working in areas relating to ESG matters and health and safety or advisory functions) undertake annual training on modern slavery issues and risks to enable them to identify and take appropriate actions as necessary, including in dealings with our third party suppliers. The training includes practical examples and guidance to support risk assessments and the taking of necessary actions. The training continued in 2023.

Our Third Party Seller Global Compliance Programme ensures that due diligence is clear before we engage with a distributor or agent who generates demand for our products. We provide training to distributors and agents to reinforce our expectations for compliant and ethical behaviour and set out clear rules for them to follow. Additional compliance guidance is provided to the Smith+Nephew employees who operate our compliance programme and who manage and work with our distributors and agents.

## **Reviewing our progress**

During 2023, we continued to enhance our due diligence and other controls around vendors, suppliers and service providers to increase their robustness and to make it easier for employees to evaluate supplier and third-party related risks. We continued our supplier onsite social audit programme, which we have found to be a positive learning exercise both for our internal teams and our suppliers developing relationships of mutual trust and understanding.

We also commenced a pilot to combine supplier on-site social audits with quality audits. This involved providing training for our supplier quality teams to enable them to complete combined audits through social audit shadowing and focused training sessions lead by our Global Procurement Lead, CSR, Sustainability & Supplier Diversity. We will continue this pilot in 2024, having identified process efficiencies, increased supplier engagement through maximizing local connections, as well as improved awareness of preventing slavery and human trafficking amongst a wider scope of internal and supplier team audit participants.

As part of our audit program, we have prepared a toolkit for cross functional teams to use to support consistency of approach to future onsite social audits, for example questionnaires and a decision guide reflective of our risk based due diligence approach.

We have continued to obtain supplier responses using embedded questionnaires and automatic follow ups within our Ariba Procurement system.

Having an internally led supplier due diligence programme means that we can be agile in our approach, responding to changes in law and regulations and addressing risks through direct communications with our suppliers and maximizing use of agile questionnaires and tracking of responses within our Ariba Procurement system. At the same time, we understand the importance of obtaining external guidance and feedback to ensure that we are effective in our approach and that we are continuously improving.

In 2023, we completed the EcoVadis assessment tool for our German subsidiary and improved our score to 69 out of 100. This places us in the top 8% of all companies according to the EcoVadis rating system.

In the UK, we completed the NHS MSAT (Modern Slavery Assessment Tool) and received confirmation of our continued achievement of Level 3 status.

## **Effectiveness**

As detailed above, our risk management process includes:

- Screening potential suppliers for labour standards risks prior to onboarding;
- Identifying and screening approved suppliers for labour standards risks;
- Conducting further due diligence with suppliers identified as having potential labour standards risks; and,
- Raising corrective action requests and tracking mitigating actions through management review.

## **Future action plans**

Smith+Nephew continuously works hard to identify areas for enhancement and improvement of our global compliance programme.

We will continue to review our performance against customer and stakeholder requirements and industry performance more broadly and in line with our Culture Pillars. We will also continue to review our practices related to modern slavery and human trafficking and comply with the requirements of the *Modern Slavery Act 2018* (Cth).

## **Approval**

This statement was approved by the Board of Smith & Nephew plc and each of its relevant subsidiaries for adoption on 30 April 2024.



**Deepak Nath**

**Chief Executive Officer**

**30 April 2024**