

**SpeakUp office**

# **Non-Retaliation Policy**

**Novartis Global Policy**

**Version: 3.0**

## Document history

Version	Changes
1.0	First version of Policy, based on language currently contained in the “Global Discrimination, Non-Harassment, Civility, and Non-Retaliation Guideline”.
2.0	Minor adjustment of the language
3.0	Minor update to align with global policies nomenclature

## **Contents**

### **1. Introduction**

- 1.1. Purpose
- 1.2. Scope and applicability
- 1.3. Exceptions
- 1.4. Adaptations
- 1.5. Roles and responsibilities

### **2. Non-Retaliation Definition and Principles**

- 2.1. Definition of Retaliation
- 2.2. Prohibition against Retaliation
- 2.3. Reporting incidences of Retaliation
- 2.4. Investigation process
- 2.5. Confidentiality of Reporters and Employees
- 2.6. Immunity from punishment by Novartis for raising a good faith concern
- 2.7. Remedial actions

### **3. Controls**

### **4. Breach of this document**

### **5. Definitions**

### **6. References**

# 1. Introduction

## 1.1. Purpose

Novartis adheres to high business and ethical standards as set forth in our *Code of Ethics* [1]. Novartis promotes a culture of open and honest feedback and encourages everyone to speak up with concerns of suspected or actual Misconduct.

This Non-Retaliation Policy establishes that Retaliation for speaking up in good faith is prohibited. It also explains how the company addresses allegations of Retaliation and how it protects those who raise allegations.

Speaking up is central to Novartis values and those who raise concerns in good faith related to suspected or actual Misconduct should feel confident in doing so. This policy also reflects the company's commitment to respect the human rights of Employees and external partner stakeholders to be free from Retaliation for speaking up, as established in the Code of Ethics.

## 1.2. Scope and applicability

The scope of this Policy is global, and it is applicable to all Employees, contractors and third parties, and Novartis also expects its partners to protect whistleblowers who speak up in good faith.

## 1.3. Exceptions

Exceptions to this Policy are not permitted.

## 1.4. Adaptations

There are no adaptations to this Policy.

## 1.5. Roles and responsibilities

Role	Responsibilities
All Employees	<ul style="list-style-type: none"> <li>Adhere to this Policy</li> <li>Report any suspected or actual Misconduct they may become aware of through one of the channels described in Section 2.3 of this Policy</li> </ul>
Managers	<ul style="list-style-type: none"> <li>In addition to their responsibilities as Employees, managers are also responsible for: <ul style="list-style-type: none"> <li>providing guidance to their direct reports</li> <li>ensuring compliance with this Policy</li> <li>reporting any suspected or actual Misconduct they may become aware of, including any Misconduct complaints that are raised to them by their Employees</li> </ul> </li> </ul>

## 2. Non-Retaliation Definition and Principles

### 2.1. Definition of Retaliation

Retaliation is an adverse action for raising a good faith concern of suspected or actual Misconduct through any channel or for the cooperation in an investigation of suspected or actual Misconduct.

Retaliation may take place against various people depending on the context, not only against Employees accessing or interacting with the grievance mechanism, but also against other persons, such as the Reporter's family members, friends, or colleagues.

Examples of Retaliation may include (but are not limited to):

- **Physical:** all forms of harassment including sexual harassment; physical abuse or violence;
- **Psychological:** Verbal intimidation or threats; inappropriate, discriminatory or disparaging comments; bullying.
- **Economic:** Demotion; less favorable assignments than the Employee would have otherwise received; disciplinary action; termination; salary reduction; preventing promotion; job reassignment.

### 2.2. Prohibition against Retaliation

Novartis prohibits any form of Retaliation against an Employee who raises in good faith a concern about suspected or actual Misconduct through any channel, or who cooperates in an investigation of actual or suspected Misconduct.

The company also expects business partners to prohibit any form of Retaliation as set out in Section 2.1.

### 2.3. Reporting incidences of Retaliation

If an Employee believes that they have been subject to Retaliation for participating in the SpeakUp process, or has witnessed or is aware of Retaliation against another Employee, it must be reported to the SpeakUp Office, via phone or online, or to any of the following channels:

- Any manager;
- Any member of the People & Organization Function;
- The Country President;
- Any member of the Legal Function;
- Any member of the Ethics, Risk & Compliance Function;
- Any member of Global Security.

Reports of alleged Retaliation can be made anonymously, however, anonymity may limit the ability to fully and thoroughly investigate a claim. If an incident is reported anonymously, the Company encourages the Reporter to provide sufficient information so that the matter can be investigated.

### 2.4. Investigation process

Reports of alleged Retaliation are managed by the SpeakUp Office with the support of global investigative functions (Global Security and / or Legal and / or Employee Relations).

Reports of alleged Retaliation are assessed and investigated using the process set out in the *SpeakUp Policy* [2] and *SpeakUp Guidance* [3].

### 2.5. Confidentiality of Reporters and Employees

The SpeakUp Office and related global investigative functions will handle every report of alleged Retaliation confidentially and in compliance with the principles set forth by the *Ethical Use of Data and Technology Policy* [4].

As a general principle, as few Employees as possible will be informed of specific reports of alleged Retaliation. If Employees need to be informed of reports of alleged Retaliation, this will be done on a need-

to-know basis in order to investigate and resolve the allegations in an appropriate and thorough manner.

However, confidentiality cannot be ensured where Novartis is required by law to disclose an allegation of Retaliation to an authority such as a government agency, or where disclosure is necessary in order to investigate and/or remediate a complaint.

Novartis may choose to publicly disclose the aggregated number of reports of alleged Retaliation received, substantiated and/or resolved.

## **2.6. Immunity from punishment by Novartis for raising a good faith concern**

Any Employee who raises, in good faith, a concern of suspected or actual Misconduct, including Retaliation, will not be subject by the company to negative consequences as punishment for having raised the concern. This includes adverse employment actions, civil, criminal, or administrative actions by the company, regardless of whether the matter is substantiated.

This protection by the company applies indefinitely, including where an Employee may leave the company and return in the same or a different role at a later date.

The company cannot protect an Employee from any investigation, prosecution, claim and/or sentencing by a public authority or court, but is committed to sharing information with public authorities in accordance with applicable laws. Furthermore, in case an Employee has reported the concern in good faith according to section 2.3, the company will undertake best efforts to inform the authority about the circumstances.

This protection does not apply where allegations of Misconduct are raised in bad faith, or where it is established, through an investigation into the allegations of Misconduct, that an allegation was raised with the malicious intent to harass or harm another Employee. Nor does this provision mean that an Employee will be shielded from legitimate adverse action unrelated to the Employee's Retaliation complaint.

## **2.7. Remedial actions**

Appropriate sanctions and/or remedial actions will be implemented for substantiated instances of Retaliation that may include re-training, coaching, warning and other actions up to and including termination of employment, in accordance with local labor laws. As with all concerns raised, Novartis will respond to each incident on a case-by-case basis and seek tailored solutions.

Where an Employee raises an issue that involves their own Misconduct, wholly or in part, and that Misconduct is determined to have occurred, the act of voluntarily coming forward and self-reporting will be considered by Novartis when determining appropriate sanctions and/or remedial actions including any legal or disciplinary action.

The Internal Review Committee is responsible for making recommendations on sanctions and remedial actions in response to substantiated allegations of Retaliation in accordance with the *Internal Review Committee Handbook* [5].

### 3. Controls

Controls for this document are stored in the Novartis Control Register at 'go/controlregister'.

### 4. Breach of this document

Breaches of this document will result in remedial, corrective, or disciplinary actions up to and including termination of employment.

Actual or suspected incidents of misconduct are to be reported in line with our *SpeakUp Policy*.

Novartis will take steps to ensure confidentiality and prohibits any form of retaliation against an Employee who raises in good faith a concern about suspected or actual misconduct through any channel, or who cooperates in an investigation of misconduct.

### 5. Definitions

Term	Definition
<b>Employee</b>	Refers to anyone who holds an employment contract or other form of written employment agreement with Novartis.
<b>Internal Review Committee</b>	Cross-functional and/or cross-unit committee that makes recommendations on sanctions & remediation that should be taken in response to substantiated allegations derived from the SpeakUp Office investigations. Its role includes driving consistency of outcomes for similar types of misconduct.
<b>Misconduct</b>	Conduct that is potentially illegal, violates the Novartis Code of Ethics or other applicable company policies, or falls outside of what is considered proper for a person, a profession or an industry, typically taken with the aim to purposely circumvent rules or to obtain possible personal or company benefit.
<b>Novartis or “the company”</b>	Novartis and its affiliates.
<b>Policy</b>	Refers to this Non-Retaliation Policy.
<b>Reporter</b>	Any individual (either an Employee, a third party Employee or an independent contractor, or any external stakeholder) who raises a concern of suspected or actual Misconduct through any channel or for the cooperation in an investigation of Misconduct.
<b>Retaliation</b>	Any punishment of an Employee for raising a good faith concern of suspected or actual Misconduct through any channel or for the cooperation in an investigation of Misconduct.
<b>SpeakUp Office</b>	Global function part of Ethics, Risk and Compliance, that operates free from bias and conflicts of interest, owns the SpeakUp process and has oversight of all allegations of actual or potential Misconduct.
<b>Reports of suspected or actual Misconduct raised through the SpeakUp mechanism</b>	Reports raised to the SpeakUp Office through any channel

## 6. References

Reference Number	Document Name
1	Code of Ethics
2	SpeakUp Policy
3	SpeakUp Guidance
4	Ethical Use of Data and Technology Policy
5	Internal Review Committee Handbook