

1 Introduction

BMC's Code of Conduct and the Third-Party Code of Conduct require directors, officers, employees and Third-Party Resources to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of BMC, we must practice honesty and integrity in fulfilling our responsibilities and comply with applicable policies, laws and regulations. This includes an obligation to report misconduct, including potential or suspected misconduct, and to cooperate fully in investigations. BMC has adopted this policy to promote a climate of accountability and to encourage concerns to be reported before they can disrupt the business or operations of the Company. BMC will not tolerate retaliation against any person who, acting in good faith, reports suspected misconduct, asks questions or raises concerns.

2 Scope and Compliance

This policy is applicable to all BMC directors, officers, employees and Third Party Resources All BMC directors, officers, employees and Third Party Resources are required to comply with this policy as described in the [Overview of Company Policies](#). As with all corporate policies, failure to comply with this policy may result in disciplinary action, including termination of employment.

3 Definitions

- Third-Party Resources: Contingent Workers and other persons or entities who are either doing business with or acting for or on behalf of BMC anywhere in the world, including distributors, resellers, partners, sales representatives, suppliers, vendors, subcontractors, consultants, intermediaries, or agents.
- Reporting Party: An individual who, acting in good faith, reports suspected misconduct, asks questions or raises concerns.

4 Policy Statement

4.1 Reporting Concerns

BMC directors, officers, employees and Third-Party Resources who have reason to believe the Company, an employee or a third party doing business on behalf of the Company has violated, may violate or is acting in a manner that appears to violate any law, regulation, the Code of Conduct, Third-Party Code of Conduct or other corporate policies are expected to immediately report such activity to any of the following resources:

- Local Management; or
- Compliance & Ethics Office; or
- Legal Department; or
- Assurance; or
- Global Security; or
- Human Resources; or

- The BMC Ethics HelpLine, a confidential reporting option provided by a third-party service, is available via phone and online:
 - www.bmcHelpLine.com
 - 1-800-461-9330
 - Local telephone numbers are available in many countries and can be found at www.bmcHelpLine.com.
- Global Privacy Officer (inquiries and complaints relating to the collection, use, storage, access and transfer of personal information – See [Data Privacy Binding Corporate Rules Policy](#) Appendix 5).

The intentional filing of a false report, whether orally or in writing, is a violation of the Code of Conduct and this policy.

4.2 Treatment and Investigation of Concerns

All reports will be taken seriously and will be addressed promptly and professionally by authorized personnel, which may include but is not limited to members of the Legal, Compliance & Ethics, Assurance, Security and/or Human Resources departments (“Investigators”). BMC directors, officers, employees and Third-Party Resources are required to cooperate fully in investigations conducted by Investigators or authorized members of BMC’s external legal and accounting firms. Confidentiality of the Reporting Party’s identity will be maintained to the extent possible. The specific action taken in any particular case depends on the nature and seriousness of the conduct or circumstances reported and the quality of information provided. Upon conclusion of the investigation, Investigators will recommend appropriate remedial or corrective action to management. The findings of investigations and any remedial or corrective actions taken as a result of such investigations are confidential. Records will be retained relating to each report, the actions taken to investigate and any remedial or corrective actions in accordance with BMC’s Records Management Policy and/or applicable laws and regulations.

4.3 Non-Retaliation

BMC will not tolerate retaliation in any form against any person who, acting in good faith, reports suspected misconduct, asks questions or raises concerns. Any person who engages in such retaliation, directly or indirectly, or encourages others to do so, may be subject to disciplinary action, including termination of employment.

5 Related Information

- [Overview of Corporate Policies](#)
- [Data Privacy Binding Corporate Rules Policy](#)
- [Code of Conduct](#)
- [Third-Party Code of Conduct](#)
- [Third-Party Resources Policy](#)

6 Document Information

Category:	Corporate
Oversight Executive:	John King, Vice President – Assurance
Content Owner:	Mark Eversole, Director - Assurance
Origination Date:	July 30, 2002
Last Review Date:	August 2020
Modified by:	Joshua Stratmann, Compliance & Ethics Analyst
Next Review Date:	August 2022