



M&S FOOD HUMAN RIGHTS STANDARD

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| Document Owner | Senior Ethical Trade & Human Rights Manager |
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| What's changed? | New format (previously known as Ethical Trading Requirements) |
| Who is it aimed for? | Suppliers and M&S Technologists |

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Purpose:

To protect the **customer**, maintain brand **integrity** and ensure M&S's **commitment to respecting human rights** by ensuring M&S Food is sourced to the human rights standard defined in this document.

Overview:

[M&S's Human Rights Policy](#) states our commitment to respect internationally recognised human rights in line with the principles and guidance contained in the [United Nations \(UN\) Guiding Principles on Business and Human Rights](#).

The [Global Sourcing Principles](#) set out M&S's beliefs, establish the standards for suppliers working with us and outline M&S's commitments to suppliers. The Global Sourcing Principles are drawn from international standards and internationally collaborative codes like the [Ethical Trading Initiative \(ETI\) Base Code](#).

Our M&S Food Human Rights Standard draws on our corporate M&S Human Rights Policy and the Global Sourcing Principles to clearly communicate the human rights outcomes we expect to be met in operations and supply chains. We expect all people working in our supply base and in their supply chain to be treated with respect, and their health, safety and basic human rights to be respected and promoted.

The M&S Food Human Rights Standard is designed to clearly communicate our human rights requirements of our supply base and evolves our approach by:

- Defining 6 clear and concise pillars with demonstrable outcomes
- Ensuring effective human rights due diligence within our supply partners own operations and supply chain
- Empowering our supply partners to be responsible for their own human rights due diligence in line with these requirements
- Supporting and coaching suppliers who are seeking to drive their standards by signposting relevant guidance and tools for continuous improvement.

Scope:

Direct supplying sites that manufacture or pack food that carries the Marks & Spencer (M&S) Brand, Co-packers, A List Raw Material suppliers and Tier 1 Packhouses.

Out of Scope:

Wine suppliers and hardware suppliers are managed through their product standards. If you are unsure, please contact the M&S Ethical team.

Roles and Responsibilities:

All M&S direct and A list suppliers:

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- Must read and implement the requirements within this document. Suppliers must inform M&S of any challenges associated with complying to these requirements as well as any human rights concerns or allegations against their organisation or their supply chain

M&S Technologists:

- Will ensure relevant suppliers are aware of, and implement the requirements, including monitoring where relevant.

M&S Ethical Team:

- Will update the guidance where necessary and support suppliers and technologists with driving these standards.

Other related standards or policies

This Human Rights Standard should be read in conjunction with the specific product or industry M&S Human Rights requirements linked to pillar 1: Driving standards each and every day.

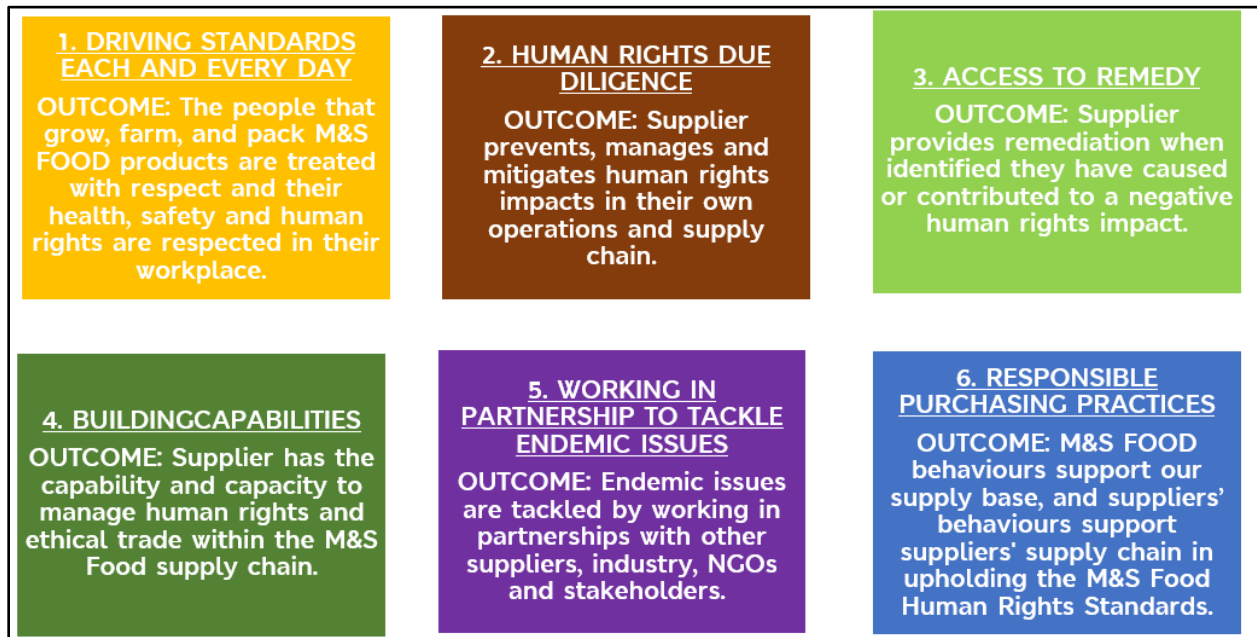
Contact

For any query related to this standard please email: Food.Ethicaltrade@marks-and-spencer.com

Our approach to Human Rights

Our approach to respecting and promoting human rights in our supply base is centred on 6 pillars. This standard outlines our requirements for each of these pillars and our approach to verifying these.

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Outcome: **Demonstrates** that actual and potential human rights impacts are effectively managed

Requirement: **What** you must do to deliver the outcome.

Guidance: **How** you could achieve the requirements and outcomes

This document defines what the Requirements are to achieve the Outcomes but enables suppliers to show how they meet them through their own systems, due diligence, mitigations and controls. To support suppliers driving standards in achieving the outcome appropriate Guidance documents and materials are provided.

We will use a variety of mechanisms to assess suppliers' compliance with the Requirements and whether the Outcomes are being achieved.

1) Driving standards each and every day¹

OUTCOME: The people that grow, farm, manufacture and pack M&S FOOD products are treated with respect and their health, safety and human rights are respected in their workplace.

All direct and A-list suppliers must ensure manufacturing sites, packhouses, farms and fisheries producing M&S FOOD products uphold minimum labour standards within national law, the Global Sourcing Principles, and have a plan to continuously improve to meet the ETI Base Code each and every day of the year.

Requirements:

- All manufacturing sites, A-list and packhouses must meet M&S FOOD HUMAN RIGHTS REQUIREMENTS: Manufacturers, A-list and Packhouses

¹ Please refer to relevant M&S Food Human Rights Requirements for specific details.

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- All Producers of all fresh and frozen produce supplied, must meet M&S FOOD HUMAN RIGHTS REQUIREMENTS: Select Farm Produce

2) Human Rights Due Diligence

OUTCOME: Supplier prevents, manages, and mitigates human rights impacts in their own operations and supply chain.

Supplier can demonstrate their approach to human rights due diligence in their own operations and their supply chain. This should include:

- assessing actual and potential human rights risks,
- identifying key hotspots and areas of risk linked to specific product or supply chain issues,
- developing an action plan for mitigating risks and if relevant remediating workers,
- monitoring and reviewing action plans.

For Guidance, please consult the forthcoming Human Rights Due Diligence Toolkit and Webinars.

Requirements:

- 2.1 Supplier must have their own human rights due diligence approach in place and a plan for how this will be achieved.
- 2.2 Supplier must conduct human rights raw material risk assessments including ethical traceability on key high-risk ingredients. This will be checked as part of the integrity audit.
- 2.3 Nominated suppliers must present their human rights due diligence approach and plan on an annual basis to their category and the ethical team for review.
- 2.4 Nominated suppliers will agree their human rights priority area/s of focus within their Joint Business Plan and this/ these will be reviewed on an annual basis with the category. *This/ These priority area/s might be part of a larger industry initiative and will also be in partnership with M&S Food.*

3) Access to Remedy

OUTCOME: Supplier provides remedy when identified they have caused or contributed (through action or in action) to a negative human rights impact.

For Guidance, please consult forthcoming Human Rights Due Diligence Toolkit and Webinars.

Requirements:

- 3.1 Supplier ensures its own workers, including agency workers, have access to a direct workplace grievance mechanism (or operational grievance mechanism).
- 3.2 Supplier ensure their direct suppliers have in place direct workplace grievance mechanisms/ operational grievance mechanisms.
- 3.3 Supplier must protect workers from any form of reprisals and ensure that there is no retribution in relation to any grievance brought forward.

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- 3.4 Supplier actively engages in bringing about remediation, working alone or in cooperation with other actors where a negative human rights impact has been identified.
- 3.5 Supplier establishes response plans and remediation policies to respond to severe human rights issues.

4) Building Capabilities

OUTCOME: Supplier has the capability and capacity to manage human rights and ethical trade within the M&S FOOD supply chain.

Requirements:

- 4.1 Supplier demonstrates a commitment to human rights and ethical trade at the highest level of the organisation.
- 4.2 Supplier invests in the capacity and capability of its people to manage human rights and ethical trade within their own operations and supply chain.
- 4.3 Supplier participates in M&S' Human Rights/ Ethical supplier exchange programme (3 sessions per year - 2 sessions related to own operations and one focused on broader supply chain).
- 4.4 Supplier participates in industry groups. M&S Food encourages suppliers to be members of the Food Network for Ethical Trade (FNET): a supplier-led initiative aiming to use the collective leverage of suppliers and retailers to bring about positive change in global food supply chains working conditions by providing guidance, resources, training and opportunities for collaboration.

5) Working in partnership to tackle endemic issues

OUTCOME: Endemic issues are tackled by working in partnerships with other suppliers, industry, NGOs, and stakeholders.

Requirements:

- 5.1 Supplier commits to work with M&S Food and others to tackle endemic issues which are broader than their specific supply chain or suppliers. M&S Foods key strategic areas are: Tackling labour exploitation and Modern Slavery, Enhancing Livelihoods and Worker Representation and Voice.
- 5.2 In high-risk supply chains, suppliers engage with external stakeholders including government, NGOs and trade unions to understand their business's human rights impacts. Where appropriate, suppliers engage external stakeholders in programmes and projects to improve working conditions and respect for human rights.
- 5.3 Supplier joins specific programmes tackling endemic issues that relate to their sourcing countries, industry, or supply chains. E.g., FNET, ETI, Fairtrade, Stronger Together, Spanish Ethical Trade Forums, Issara, ETI Italy Working Group.

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6) Responsible Purchasing Practices

OUTCOME: M&S FOOD behaviours support our supply base, and suppliers' behaviours support suppliers' supply chain in upholding the M&S Food Human Rights Standards.

Responsible purchasing practices are in place throughout the M&S supply base and their full supply chain.

Requirements:

- 6.1 M&S Food keeps buying practices under review and ensures that our behaviour supports suppliers in complying with our human rights standards.
- 6.2 M&S Food treats suppliers with respect and consideration in all our communications.
- 6.3 M&S will always seek to comply with GSCOP in relation to our dealings with Groceries suppliers.
- 6.4 M&S Food values an open and regular dialogue with our suppliers and responds to their feedback. Internal and external surveys including the GCS and Advantage surveys are important to monitoring perceptions of our behaviours and processes.
- 6.5 Suppliers adopt equivalent requirements in their own supply base to ensure responsible purchasing practices uphold M&S Food Human Rights Standards.
- 6.6 Suppliers feedback to M&S where our behaviour creates compliance issues further along the supply chain.

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Glossary of Terms

| Terms | Definition/ Explanation |
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| Ethical traceability | Ensuring that there is traceability of the people linked to a product, through out the supply chain. |
| High-risk ingredients | These are ingredients that have a high human rights risk, M&S will provide suppliers a list of high risk ingredients. |
| Human rights due diligence approach | Human rights due diligence involves the actions taken by a company to both identify and act upon actual and potential human rights risks in its operations, supply chains and the services it uses. |
| Human rights raw material risk assessments | A human rights risk assessment of raw materials identifying key human rights risk linked to raw material and actions in place to mitigate risk. This will be developed into the integrity audit. |
| Nominated Supplier | Suppliers will be informed on an annual basis if they are in scope to present their human rights due diligence, if they are a sole supplier to M&S they will fit in this category and / or if they supply products that have a high risk human rights profile. |

Country Risk List

(Sedex Radar Agricultural Country risk assessment)

| Country | Risk Rating Sedex (Agriculture) Category | Verification Needed | Country Specific Requirements needed |
|------------|--|---------------------|--------------------------------------|
| Albania | High risk | X | |
| Algeria | High risk | X | |
| Angola | High risk | X | |
| Argentina | High risk | X | |
| Armenia | High risk | X | |
| Australia | Medium risk | | |
| Austria | Medium risk | | |
| Azerbaijan | High risk | X | |
| Bahrain | High risk | X | |
| Bangladesh | High risk | X | |
| Belarus | High risk | X | |
| Belgium | Medium risk | | |
| Belize | High risk | X | |

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| Benin | High risk | X | |
| Bermuda | High risk | X | |
| Bhutan | High risk | X | |
| Bolivia | High risk | X | |
| Bosnia and Herzegovina | High risk | X | |
| Botswana | High risk | X | |
| Brazil | High risk | X | |
| Brunei Darussalam | High risk | X | |
| Bulgaria | Medium risk | | |
| Burkina Faso | High risk | X | |
| Burundi | High risk | X | |
| Cambodia | High risk | X | |
| Cameroon | High risk | X | |
| Canada | Medium risk | | |
| Cape Verde | High risk | X | |
| Cayman Islands | High risk | X | |
| Central African Republic | High risk | X | |
| Chad | High risk | X | |
| Chile | Medium risk | | |
| China | High risk | X | |
| Colombia | High risk | X | |
| Comoros | High risk | X | |
| Cook Islands | High risk | X | |
| Costa Rica | Medium risk | | |
| Côte d'Ivoire | High risk | X | |
| Croatia | Medium risk | | |
| Cuba | High risk | X | |
| Cyprus | Medium risk | | |
| Czech Republic | Medium risk | | |
| Denmark | Medium risk | | |
| Dominica | High risk | X | |
| Dominican Republic | High risk | X | |
| Ecuador | High risk | X | |
| Egypt | High risk | X | |
| El Salvador | High risk | X | |
| Equatorial Guinea | High risk | X | |
| Estonia | Medium risk | | |
| Ethiopia | High risk | X | |
| Faroe Islands | Medium risk | | |

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| Fiji | Medium risk | | |
| Finland | Medium risk | | |
| France | Medium risk | | |
| French Guiana | High risk | X | |
| French Polynesia | High risk | X | |
| Gabon | High risk | X | |
| Gambia | High risk | X | |
| Georgia | High risk | X | |
| Germany | Medium risk | | |
| Ghana | High risk | X | |
| Gibraltar | Medium risk | | |
| Greece | High risk | X | |
| Greenland | Medium risk | | |
| Grenada | High risk | X | |
| Guam | Medium risk | | |
| Guatemala | High risk | X | |
| Guinea | High risk | X | |
| Guinea-Bissau | High risk | X | |
| Guyana | High risk | X | |
| Haiti | High risk | X | |
| Honduras | High risk | X | |
| Hong Kong | Medium risk | | |
| Hungary | Medium risk | | |
| Iceland | Medium risk | | |
| India | High risk | X | |
| Indonesia | High risk | X | |
| Ireland, Republic Of | Medium risk | | |
| Israel | Medium risk | | |
| Italy | Medium risk | | |
| Jamaica | High risk | X | |
| Japan | Medium risk | | |
| Jersey | Medium risk | | |
| Jordan | High risk | X | |
| Kazakhstan | High risk | X | |
| Kenya | High risk | X | |
| Korea, Democratic People's Republic of | High risk | X | |
| Korea, Republic of | Medium risk | | |
| Kosovo, Republic of | Medium risk | | |

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|----------------------------------|-------------|---|----------------------------------|
| Kuwait | High risk | X | |
| Kyrgyzstan | High risk | X | |
| Lao People's Democratic Republic | High risk | X | |
| Latvia | Medium risk | | |
| Lebanon | High risk | X | |
| Lesotho | High risk | X | |
| Liberia | High risk | X | |
| Libya | High risk | X | |
| Liechtenstein | Medium risk | | |
| Lithuania | Medium risk | | |
| Luxembourg | Medium risk | | |
| Macao | Medium risk | | |
| Madagascar | High risk | X | |
| Malawi | High risk | X | |
| Malaysia | High risk | X | |
| Maldives | High risk | X | |
| Mali | High risk | X | |
| Malta | Medium risk | | |
| Martinique | High risk | X | |
| Mauritania | High risk | X | |
| Mauritius | Medium risk | | Contact Ethical Team for details |
| Mexico | High risk | X | |
| Micronesia, Federated States of | Medium risk | | |
| Moldova, Republic of | High risk | X | |
| Monaco | Medium risk | | |
| Mongolia | High risk | X | |
| Montenegro | Medium risk | | |
| Montserrat | High risk | X | |
| Morocco | High risk | X | |
| Mozambique | High risk | X | |
| Myanmar | High risk | X | |
| Namibia | High risk | X | |
| Nauru | Medium risk | | |
| Nepal | High risk | X | |
| Netherlands | Medium risk | | |
| New Zealand | Medium risk | | |
| Nicaragua | High risk | X | |

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| Niger | High risk | X | |
| Nigeria | High risk | X | |
| North Macedonia | High risk | X | |
| Northern Mariana Islands | Medium risk | | |
| Norway | Medium risk | | |
| Oman | High risk | X | |
| Palau | High risk | X | |
| Palestine, State of | High risk | X | |
| Panama | Medium risk | | |
| Papua New Guinea | High risk | X | |
| Paraguay | High risk | X | |
| Peru | High risk | X | |
| Philippines | High risk | X | |
| Poland | Medium risk | | |
| Portugal | Medium risk | | |
| Puerto Rico | High risk | X | |
| Qatar | High risk | X | |
| Romania | Medium risk | | |
| Russian Federation | High risk | X | |
| Rwanda | High risk | X | |
| Sao Tome and Principe | High risk | X | |
| Saudi Arabia | High risk | X | |
| Senegal | High risk | X | |
| Serbia | Medium risk | | |
| Seychelles | High risk | X | |
| Sierra Leone | High risk | X | |
| Singapore | High risk | X | |
| Slovakia | Medium risk | | |
| Slovenia | Medium risk | | |
| Somalia | High risk | X | |
| South Africa | High risk | X | Growers are requested to attend Stronger Together training |
| Spain | Medium risk | | Suppliers and growers must attend the Spanish Ethical Trade Forum Growers are requested to attend Stronger Together training |

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| Sri Lanka | High risk | X | |
| Sudan | High risk | X | |
| Suriname | High risk | X | |
| Sweden | Medium risk | | |
| Switzerland | Medium risk | | |
| Taiwan | Medium risk | | |
| Tajikistan | High risk | X | |
| Tanzania, United Republic of | High risk | X | |
| Thailand | High risk | X | |
| Timor-Leste | High risk | X | |
| Togo | High risk | X | |
| Tokelau | High risk | X | |
| Tonga | High risk | X | |
| Trinidad and Tobago | High risk | X | |
| Tunisia | High risk | X | |
| Turkey | High risk | X | |
| Turkmenistan | High risk | X | |
| Turks and Caicos Islands | High risk | X | |
| Tuvalu | High risk | X | |
| Uganda | High risk | X | |
| Ukraine | High risk | X | |
| United Arab Emirates | High risk | X | |
| United Kingdom | Medium risk | | |
| United States | Medium risk | | |
| Uruguay | Medium risk | | |
| Uzbekistan | High risk | X | |
| Vietnam | High risk | X | |
| Zambia | High risk | X | |
| Zimbabwe | High risk | X | Sites must undertake a financial risk assessment |

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