

DIVERSITY, EQUITY, INCLUSION & EQUAL OPPORTUNITIES POLICY

POLICY STATEMENT

M&S is an equal opportunity employer that is committed to Diversity, Equity and Inclusion.

We want every colleague to feel comfortable being themselves, and to feel safe in speaking out in a culture where we understand and respect each other's differences.

This policy applies to all employees in the UK and describes our approach to inclusion, diversity and equal opportunities, and is written in line with the Equality Act 2010 and equality laws in Northern Ireland.

This policy is not part of your formal terms and conditions of employment, and we may review, amend or withdraw the policy from time to time.

DIVERSITY

The diversity of our colleagues brings a richness to M&S. They all have different and unique lived experiences, beliefs, characteristics, backgrounds, values, conditions, outlooks, styles, opinions, and much more. We appreciate and respect the things that make us different from each other.

We believe diverse contributions are important to help us represent and serve the diverse communities we operate in.

Everyone is valued equally without judgement, and everyone is welcome. We do not discriminate against anyone on the basis of their diversity, as defined by law.

EQUITY

We recognise that people have different circumstances and needs, and some may face different barriers to overcome so that they feel able to be themselves and be at their best.

We proactively seek to identify and act on opportunities in our processes and ways of working to try and create a level playing field, where everyone has fair access to support and opportunities.

INCLUSION

Inclusion isn't an initiative. It's how we think, talk, behave, design and create in a way that leaves people feeling considered and catered for.

We aim to create an inclusive and welcoming environment for everyone. A culture that encourages colleagues to be as much of their true self as they want to, to thrive and to fulfil their potential.

Everyone has an individual and a collective responsibility to make this a reality and create a strong sense of belonging for our colleagues. If you

feel that you or others aren't being treated in an inclusive way, we want to know so that we can do something about it.

EQUAL OPPORTUNITIES

Unlawful discrimination of any kind is not tolerated at M&S and we take steps to mitigate and remove bias from processes and decision making. Our equal opportunities approach supports the fair treatment of all colleagues.

We have a number of inclusive policies and processes in place, to ensure that we act fairly and avoid unlawful discrimination in all aspects of employment. This includes recruitment, promotion, opportunities for training, pay and benefits, discipline and selection for redundancy.

We expect our managers to make objective decisions, free from prejudice and based only on work criteria, competencies and individual achievements. We strive to ensure that all colleagues are treated with dignity at work.

Anyone found to be in breach of these policies will face disciplinary action which may result in their dismissal from the company.

We will not unlawfully discriminate against you, and equality will be championed at each point in your colleague journey:

- Your performance will be objectively assessed every year against your goals and job requirements.
- Personal or home commitments will not form the basis of employment decisions except where necessary.
- Our Flexible Working policy (available on the MyHR Knowledge Base) is designed to support different working practices including the number of hours to be worked, the times at which these are to be worked and the place at

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which work is to be done. Requests to vary these terms will be carefully considered.

- We have zero tolerance to any type of discrimination, and take action to both prevent it and address it if it does happen
- We will make reasonable adjustments to our working practices to overcome barriers caused by disabilities.
- We will take steps to eliminate unconscious bias from our decision-making, and to promote equality with a focus on building and sustaining a diverse talent pipeline.
- We will support lifelong learning through coaching and honest performance-related feedback.

RESPECT MATTERS

At M&S, we're committed to providing a safe and respectful workplace for everyone, every day. Every colleague should feel comfortable to come to work and be themselves, working in a culture that's inclusive and free from any form of discrimination, bullying, harassment or victimisation.

This is only possible if everyone plays their part, and we expect every M&S colleague to always act in a way that:

- Welcomes and values the differences of others
- Shows regard for people's dignity; and
- Respects the boundaries of others

If you experience or witness that doesn't align with these principles, we want to know about it so we can address it.

For more information on this, see our Respect Matters Policy on MyHR Knowledge Base.

DISCRIMINATION – THE LAW

It is our aim to go beyond the minimum legal requirements, to promote equality and inclusive behaviour at work.

Discrimination is a type of unfair treatment based on who you are, and it is unlawful to discriminate due to someone's age, disability, sex, gender identity, pregnancy or maternity, race (which includes colour, nationality and ethnic or national origins), sexual identity, faith or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics".

Additionally, it is unlawful to discriminate on the basis of fixed term or part time working or having a spent criminal conviction.

Unlawful discrimination can be:

- **Direct:** This is when someone is treated less favourably because of one or more protected characteristics e.g. taking the mickey out of a colleague's afro hair when this wouldn't happen to a non-black worker.
- **Indirect:** When rules or arrangements are put in place that apply to everyone, but puts someone with a protected characteristic at an unjustifiable disadvantage e.g. including criteria "10 years of experience needed" in a job advert, which unfairly discriminates against younger workers who may have skills and qualifications which counteract their level of experience.

Other types of unfair treatment could include:

- **Bullying:** Bullying is offensive, intimidating, malicious or insulting behaviour, or even an abuse or misuse of power through means that undermine, humiliate, belittle or injure the recipient e.g. singling out a colleague by shouting at them, excluding them, or openly having "favourites" who are treated differently.
- **Harassment:** Harassment is unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the recipient e.g. making disrespectful comments to a Muslim colleague regarding their Hijab.
- **Victimisation:** When someone is treated unfairly because they've complained about discrimination or harassment, or helped someone who was discriminated against.
- **Associative Discrimination:** Where discrimination is based on someone's association with another person belonging to a relevant protected group e.g. making derogatory comments about trans people in front of a colleague who has a trans family member.
- **Perceptive Discrimination:** Where discrimination is based on a perception that someone is a member of a relevant protected group e.g. you promote a less qualified male over another male that you believe is gay.
- **Failure to make reasonable adjustments:** A 'reasonable adjustment' is broadly a change to remove or reduce the effect of:
 - A colleague's disability so they can do their job
 - A job applicant's disability when applying for a job

A refusal to make reasonable adjustments when we should, is discrimination under the law, and we

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expect our M&S Managers to be inclusive and consider ways in which they may make these reasonable adjustments e.g. to allow a colleague more regular breaks if they need to eat regularly to maintain blood sugar levels.

If you have a health condition, we will always make reasonable adjustments to working practises or your workplace to make sure that you aren't substantially disadvantaged at work, including agreeing on flexible working arrangements, or providing additional/different equipment.

CUSTOMERS, SUPPLIERS AND OTHERS NOT EMPLOYED BY US

You must never discriminate unlawfully against customers using or seeking to use goods, facilities or services provided by M&S. There may be reasonable adjustments which you can make in order to support M&S customers, for example, providing assistance to customers wearing Sunflower lanyards to show that they have a hidden disability, or offering to assist customers with Assistance Dogs.

If you have religious or cultural beliefs that restrict your handling of certain products, for example, alcohol or certain meats, please discuss this with your line manager who will ensure adjustments are made where possible.

Colleagues should report any bullying or harassment by customers, suppliers, visitors or others to their line manager.

BULLYING & HARASSMENT

At M&S we have zero tolerance to any form of bullying, harassment, discriminations or victimisation. We expect every colleague to demonstrate respectful and inclusive behaviour.

If you are found, following a reasonable internal investigation, to have behaved in a discriminatory, bullying or offensive way, or to have breached this policy, you will face disciplinary action which may result in your dismissal from the company.

For more information on this, see our Bullying and Harassment Policy on the MyHR Knowledge Base.

IF YOU HAVE A CONCERN ABOUT UNACCEPTABLE BEHAVIOUR

We know that it can be very hard to speak out if you believe that you're being subjected to (or have witnessed) bullying, harassment or discrimination or any other form of unacceptable behaviour but we encourage you to do this if you feel able to.

Step In:

If you feel comfortable to do so, let the individual/s know that their behaviour is unwelcome, explain the impact it's having and ask them to stop.

2. Speak Up:

You can also raise your concern for further attention via these methods:

- To your Line Manager, their Line Manager or any other Senior Manager
- To your BIG Rep
- If you aren't able to raise your concerns through these channels, then , you can use our confidential reporting facility, either by calling 0800 915 1571 or via our secure web reporting portal www.safecall.co.uk/report.

Taking steps to identify and address any unacceptable behaviour enables us to investigate and handle situations appropriately, minimising the chances of it happening again and helps to create the safe and respectful workplace that we all aim for. If you have exhausted these options or feel unable to step in or speak up, then you can raise a formal grievance – for more information on this, see our Grievance Policy on the MyHR Knowledge Base. We will take your grievance seriously, and an impartial manager will investigate your concerns. Appropriate action will be taken where we find evidence of discriminatory behaviour, in support of our aim of building an inclusive place to work. You will never be penalised for raising a grievance, even if your grievance is not upheld, unless your complaint is both untrue and made in bad faith.

Please see the 'Reporting and Queries' section of this policy for contact details.

OUR NETWORKS

We have colleague networks that bring our diverse communities together, and which can be accessed through our Inclusion and Diversity page on the MyHR Knowledge Base or Teams.

The Health & Wellbeing Network

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This network is set up to serve as a safe point of contact for colleagues seeking to connect about disability, mental health and wellbeing related concerns. It aims to provide support, guidance and resources to help colleagues navigate their challenges and ensure they feel heard, respected at M&S.

The Culture & Heritage Network

For anyone who feels passionate about making M&S an inclusive place to work, regardless of your race, faith or ethnicity, this group provides a space to discuss, question, challenge and take action where necessary to promote racial and religious equality and diversity. The network hosts exclusive events including Black History Month to celebrate the past, promote the present and to build for the future.

The Family & Carers Network

This network represents the different types of families that exist, and acts as a support and sounding board for ideas and suggestions, and includes an interactive blog, where colleagues can post or hear from their peer's experiences of becoming a parent or carer. Regular supportive content is posted on this Teams channel.

The Gender Equality Network

This is a network that is strongly passionate in delivering true gender inclusion and diversity in the workplace by driving gender awareness, as well as encouraging the inclusion of female talent to drive better gender balance in senior roles.

The Cancer Network

The Cancer Network aims to create a safe space where colleagues who have been affected by cancer, whether through personal diagnosis or supporting someone else through it, can share their stories and access specialist and peer support. Members of the network are committed to supporting the business fostering an inclusive culture, address stigma attached to cancer and empower colleagues affected by cancer.

The LGBTQ+ Network

This is a community promoting equality, celebrating diversity, and encouraging everyone to be

themselves. This network focuses on creating an inclusive culture for all our colleagues and customers and challenges the company to be inclusive and to recruit and retain diverse talent.

The Forces Community Network

This is a community of ex-Forces personnel who welcome anyone who is interested in M&S's commitment to The Armed Forces Corporate Covenant. This Network aims to raise awareness of veterans in our workplace, and support business wide activities relating to the Armed Forces community.

The Menopause Network

This network is passionate about raising awareness of and normalising the menopause into everyday conversation. It's a safe space for colleagues to share their personal experience, ask for advice and to learn more about how they can help themselves and others who may be experiencing peri-menopausal and menopausal symptoms. Menopause shouldn't be a taboo subject it's a fact of life that will affect everyone in some way.

COMPLIANCE

Our Board of Directors conduct equality reviews, covering a range of metrics including diversity trends in terms of gender, leadership, ethnicity and age. To track our progress, M&S have publicly set targets, and progress is reported on in our Annual Reports.

REPORTING AND QUERIES

Anyone can use our confidential reporting facility, either by calling 08000 150281 or via our secure web reporting portal www.safecall.co.uk/report. Tell us if you notice something which isn't right – we can make changes if we know about inappropriate behaviour.

For any other advice on this policy, please contact:

Offices & Stores – the Line Manager Advisory Service at Colleague Services.

Distribution – Line Manager Advisory Services Logistics.

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FURTHER INFORMATION

Policy Owner	Chief People Office
Compliance Lead	Talent Director
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