

INCLUSION, DIVERSITY & EQUAL OPPORTUNITIES POLICY

POLICY STATEMENT

M&S is an equal opportunity employer that is committed to inclusion and diversity. 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.

INCLUSION

At M&S we know that our colleagues have different backgrounds and cultures; and are of all ages, abilities, and genders. Whoever you are, we want you to feel welcome, accepted, and able to fulfil your potential.

We strive to have an authentic, inclusive culture where you can bring yourself to work, and feel comfortable with a sense of belonging. We want colleagues to feel safe, respected and valued for who they are, whether that's as individuals, or as a diverse group.

Our mixture of people and ideas is what makes M&S unique. All colleagues bring fresh perspectives, solutions and new ideas as our different backgrounds allow us to collectively see things from all angles and deliver the best for our customers and each other.

Our ambition is to have an open and inclusive culture for all our people, and if you feel you're not being treated in this way, or you see behaviour which is not inclusive, we want to know so we can do something about it.

DIVERSITY

We respect and appreciate what makes our colleagues different, and we strongly believe that our colleagues ought to reflect the diversity of the communities in which we operate.

Our colleagues all have different levels of education, socio-economic status, experience and length of service. Many have caring responsibilities, health conditions or disabilities and different ways of interpreting information, such as people living with Asperger's (neurodivergence). Some colleagues have criminal records, or deeply held beliefs and values.

Everyone is different, everyone is welcome, and we do not discriminate against our colleagues on the basis of their diversity, as defined by the law.

EQUAL OPPORTUNITIES

Unlawful discrimination and bias are not tolerated within M&S. 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, provide equality 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 which work is to be done. Requests to vary these terms will be carefully considered.

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- We take action to stop any subtle or explicit forms of racism where we find it.
- 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.

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 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.

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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

We will not tolerate discrimination from our colleagues! We expect every colleague to demonstrate inclusive behaviour and contribute to a psychologically safe environment where ideas can be shared, and where we can challenge one another in a respectful way to collaborate as a team.

Additionally, at M&S, we have a zero-tolerance approach to any forms of bullying and harassment such as racial harassment, both subtle, micro-aggressions or explicit, homophobic or sexist comments.

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 DISCRIMINATION

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 in any form, but we encourage you to do this if you feel able to.

Speaking to the person(s) involved to remind them that their behaviour is unwanted or makes you feel uncomfortable, and asking them to stop, can be an effective way of helping others understand the impact of their behaviour. It also gives them the opportunity to do the right thing, apologise, and stop what is causing concern or offence. Your line manager will support you with this if that would help. If the issue is with your line manager, talk to their line manager or another senior manager, who will make sure your concerns are addressed.

If the issue remains following this, or you feel unable to take a direct approach, 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

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.

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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.

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. M&S also posts regular updates internally on our Inclusion Hub, which can be found on M&S World.

"M&S encourages and inspires every colleague to achieve their full potential, in an environment characterised by dignity and respect. Our targets, goals and commitments include, driving greater equality in the workplace, making steps towards improving our gender pay gap and using measures such as, external benchmarking, to assess our gender diversity. We also strive to make our recruitment processes attractive for all and continue to invest in appropriate mandatory diversity and unconscious bias training for all colleagues." – (M&S Annual Report, 2020).

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 dialling:

→ Stores: 74747474

→ All Other Lines (free): 0800 092 4445

→ Non-Free Line: 0345 304 7474

Distribution – Line Manager Advisory Services Logistics.

COMPLIANCE

FURTHER INFORMATION

Policy Owner	People Director
Compliance Lead	Head of Colleague Experience
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