

TRADING STANDARDS AND CONSUMER PROTECTION POLICY

POLICY STATEMENT

We are committed to trading safely and legally and ensuring that we put the customer at the heart of everything we do.

We achieve our objectives by complying with all applicable legislation and regulations in relation to consumer protection including the Consumer Protection from Unfair Trading Regulations 2008, the Consumer Rights Act 2015 and The Weights and Measures (Packaged Goods) Regulations 2006.

BACKGROUND

M&S' systems in place for the management of trading standards and consumer protection are set out in relevant policies and procedures, which can be accessed via the intranet. Trading standards and consumer protection touch on every element of the work we do. This includes the service we provide and the products we sell in the UK and overseas.

We have built a strong Primary Authority partnership with Birmingham City Council to enable us to operate effectively within the required legal framework.

YOUR RESPONSIBILITIES / OUR COMMITMENT

M&S provides suitable and sufficient resources to ensure compliance with consumer protection legislation and regulations. This includes the provision of training, policies and standard operating procedures.

We ask that you complete all appropriate training (including refresher training) and comply with all policies and procedures.

COMPLIANCE

- **Inspections:** Stores will receive a Fire, Health & Safety and Compliance (FHSC) inspection, based on a risk matrix which is determined by several factors. The inspection includes sampling of training records and questioning store colleagues on their compliance with applicable consumer protection policies. All external enforcement visits and accident reports are tracked for 'close out'. The FHSC measure is used by the Retail Group for performance management.
- **Weights and Measures:** To comply with weights and measures regulations, we carry out supplier audits and inspections to mitigate the risk of placing on the market and/or supplying underweight products to the consumer. All weighing equipment at tills and deli counters is

checked weekly and inspected by a third party to ensure compliance with statutory requirements.

- **Alcohol Licences:** We engage alcohol licensing specialists (on a retainer basis) to make applications on our behalf for the appropriate licenses for our stores. Our specialists provide advice and represent M&S in relation to any investigation into underage sales.
- We operate an underage sales policy and Challenge 25. Third party test purchases are performed to assess the implementation of the underage sales policy for alcohol and knives.
- **Consumer Terms and Conditions:** We comply with our statutory obligations and regularly update our terms and conditions for both online and in-store purchases. In addition to statutory rights, we operate a "goodwill" returns policy, which means consumers can return an item within 35 days, subject to certain limitations.
- **Ticketing and Décor:** To ensure that all stores display the legal ticketing and décor that specific merchandise and activities require, our structure, processes and controls have been designed to ensure awareness and compliance of our pricing and promotional principles. Pricing and promotions training is mandatory for all Buyers and Central Planners. Colleagues are encouraged to seek advice from their business unit subject matter experts or the Legal Department if clarity is required or new business initiatives are being considered. Compliance with our Food & Hospitality Pricing and Ticketing Policy is assessed on a regular basis.
- **Stock Takes/Audits:** Internal stock takes are performed twice a year and an external audit of the process is carried out annually (currently by Deloitte).
- **Minimum Unit Pricing:** We comply with Minimum Unit Pricing ("MUP") laws in both Scotland and Wales, which means the final price of a product, including any promotional discount and/or staff discount cannot be below MUP. The M&S Beers, Wines and Spirits team ("BWS") operate an additional price list in Scotland and Wales with minimum selling prices and the BWS promotional strategy incorporates guidance provided by the Welsh Government to

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ensure stores trade legally. Any alcohol purchased online is distributed from our English distribution centres, which means that MUP is not applicable.

→ **Product Recall:** We follow our internal product recall and red alert policy where a product safety issue is indicated, and we notify our Primary Authority at the earliest opportunity.

REPORTING AND QUERIES

Any questions in relation to the applicable policies and procedures for trading standards and consumer protection can be raised with the relevant business unit subject matter expert and, where relevant, escalated to the Legal Department.

FURTHER INFORMATION

Policy Owner	Managing Director Food
Compliance Lead	Head Of Business Continuity
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