

**Company name: Marks & Spencer**

**Total weighted score: 41.2\* out of 100**

### Weighted score by measurement area

Weighted Score	Out of	Measurement area
10.5	20.0	Governance and strategy
5.5	17.5	Representation
2.6	17.5	Compensation and benefits
9.8	17.5	Health and well-being
6.6	17.5	Violence and harassment
2.5	5.0	Marketplace
3.8	5.0	Community

(\*) The scores in this detailed assessment are unweighted (out of 2) and, therefore, change when weights are applied per the [Gender Benchmark Methodology 2020](#). Differences between the total weighted score and the sum of the weighted scores across measurement areas may occur due to rounding, but this has not had any overall effect on the ranking.

### Governance and strategy (20% of total score)

#### CORPORATE

Indicator	Score (out of 2)	Assessment
<b>1. Strategic action</b>	1.5	MET: The company has made a public commitment to gender equality and women's empowerment as a signatory to the UN Women's Empowerment Principles.
		MET: The company has included gender equality into its Inclusion Strategy.
		NOT MET: There is no evidence that the company has undertaken a self- assessment or third-party assessment or certification for gender equality
		MET: The company discloses at least 2 gender-specific, timebound, measurable targets aimed at advancing gender equality and women's empowerment, such as having 25% women in management positions in its Food and Clothing & Home first-tier manufacturing sites and 50% female representation in the company's senior management team by 2022.
<b>2. Senior leadership accountability</b>	0	NOT MET: The company's current targets on gender equality and women's empowerment sit within "Plan A 2025". The company announced that it is working to evolve Plan A, but in its 2020 Plan A Report group-level governance and sign-off on future targets have not been publicly disclosed and it is therefore unclear exactly who has overall responsibility for the company's gender equality and women's empowerment work.
		NOT MET: The company's current targets on gender equality and women's empowerment sit within "Plan A 2025", however since the announcement to evolve Plan A, group-level governance and sign-off on future targets has not been publicly disclosed to assess who has oversight of these targets and how regularly.
<b>3. Gender-responsive</b>	1	MET: The company has identified at least 1 gender-related risk as salient, suggesting it does screen for gender-specific risks as part of this process.

<b>human rights due diligence process</b>	MET: The company has assessed the following labour rights issues as salient to its business (Discrimination; Forced Labour; Freedom of Association Health and Safety; Living Wages; Water and Sanitation; Working Hours) and it becomes clear within the narrative that its focus on discrimination is primarily on gender discrimination.
	NOT MET: While the company utilised Care International's Global Rapid Gender Analysis for COVID-19 to understand specific risks to women and inform its COVID-19 response, it does not meet our criteria of at least 2 women focused stakeholder groups.

## WORKPLACE

Indicator	Score (out of 2)	Draft assessment
<b>4. Sex-disaggregated data</b>	<b>0.5</b>	NOT MET: There is no evidence that the company collects, analyses and monitors sex-disaggregated grievance data (e.g. number of grievances reported, number of grievances remediated), at least annually.
		MET: The company collects, analyses and monitors sex-disaggregated data on the gender balance of its workforce across various levels of leadership at least annually.
		NOT MET: There is no evidence that the company collects, analyse and monitor sex-disaggregated data on the percentage of employees participating in its professional development, at least annually.
		NOT MET: There is no evidence that the company collects, analyses and monitors sex-disaggregated data on turnover and absenteeism, at least annually.
		NOT MET: There is no evidence that the company collects analyses and monitors sex-disaggregated data on its global gender pay gap, at least annually.
		NOT MET: There is no evidence that the company collects, analyses and monitors sex-disaggregated data on the remediation of violence and harassment grievances at least annually.
		NOT MET: There is no evidence that the company collects, analyses and monitors sex-disaggregated data on the total procurement spend that is directed to women-owned businesses.
		NOT MET: There is no evidence that the company collects, analyses and monitors sex-disaggregated data on injuries, fatalities and absenteeism of workers in the supply chain.
<b>5. Grievance mechanism</b>	<b>2</b>	<p>MET: The company's grievance mechanism includes at least 6 gender-responsive elements:</p> <ul style="list-style-type: none"> <li>- Confidential</li> <li>- Anonymous</li> <li>- Alternate access to a party concerning the grievance, if the perpetrator is the direct supervisor of the aggrieved party</li> <li>- Allows verbal submission of grievances via a telephone line</li> <li>- Ensures protection of the aggrieved party (non-retaliation)</li> <li>- Is available in multiple language or has interpreters available</li> </ul>
<b>6. Employee engagement</b>	<b>0</b>	NOT MET: Whilst the company's Gender Equality Network holds events and raises important discussions on gender equality via its online social communities, it is not clear if this engagement mechanism also provides as a feedback mechanism for employees to raise issues on gender equality & women's empowerment to be addressed through changes to policy and practice.
		NOT MET: Whilst the company created a Gender Identity Line Manager Guide to support colleagues who are transgender following employee feedback from across its inclusion networks, including the Gender Equality Network, this is not specific to gender equality and women's empowerment, per the UN definition.
	<b>2</b>	MET: The company asked Oxfam to undertake a collaborative piece of research to understand the reality for workers in global supply chains, which included a focus on

<b>7. External stakeholder engagement</b>	gender equality. It has also worked with the DFID Work and Opportunities for Women programme.
	MET: The company has integrated feedback from Work and Opportunities for Women to enable it to better collect sex-disaggregated data on women in the supply chain, via the Sedex Gender Report.

## SUPPLY CHAIN

Indicator	Score (out of 2)	Assessment
<b>8. Commitment in the supply chain</b>	<b>1</b>	NOT MET: The company has a Workplace Communications programme which provides suppliers with a two day training course and toolkit available for all suppliers, but no details could be found if this includes gender-specific questions.
		MET: The company has a clear, measurable and timebound target to achieve 25% women in management positions in tier-1 factories by 2022.
		MET: The company had Work Opportunities for Women (WOW) conduct the Women Workers in Garment Value Chains: Visibility and Data Analysis 2018 to assess the companies progress towards the target addressing women leadership in the supply chain and make recommendations on how to work towards achieving the target.
<b>9. Grievance mechanism in the supply chain</b>	<b>1.5</b>	PARTIALLY MET: The company makes its grievance mechanism available to workers in the supply chain and ensures workers are aware of the mechanism by leaving confidential phone number cards with worker and union representatives to allow grievances to be raised. External individuals or communities who are directly affected by the issue can also make a complaint, but the company does not collect, analyse and monitor sex-disaggregated data in its supply chain (e.g. number of grievances reported, number of grievances remediated)
		PARTIALLY MET: The company requires suppliers to have a procedure that allows workers to raise workplace grievances and this must be clearly communicated to the workers. However, there is no information to suggest that it requires suppliers collect sex-disaggregated data on the grievances reported or that external individuals and communities have access to the supplier's grievance mechanism.
<b>10. Corrective action process in the supply chain</b>	<b>1</b>	MET: The company's audit process screens for gender-related issues among its suppliers, such as: <ul style="list-style-type: none"> <li>- Sexual harassment</li> <li>- Discrimination based on gender</li> <li>- Discrimination against married women</li> <li>- Access to toilets separated by gender</li> <li>- Non-retaliation against trade union members</li> <li>- No Discrimination policy</li> <li>- No policy to prevent harassment and abuse</li> </ul>
		NOT MET: Whilst the company requires non-compliance issues to be remediated according to Sedex guidelines and follows Sedex recommended timescales, the company does not publish these guidelines for reference and they are not publicly available, therefore there is no evidence of a set period of time in order to remediate the gender-related issue.
		NOT MET: Whilst the company has stated that critical issues will result in termination of the relationship if not remediated within a suitable timeframe, the company has not publishes the Sedex guidelines it references, to confirm whether any gender-related issued are considered critical.

## Representation (17.5% of total score)

### WORKPLACE

Indicator	Score (out of 2)	Assessment
11. Gender equality in leadership	0.5	NOT MET: Less than 40% of the members of the board are women (33%)
		NOT MET: Less than 40% of the senior executives are women (12.5%)
		MET: Between 40-60% of senior management are women (42%)
		NOT MET: More than 60% of middle management are women (61%)
12. Professional development and promotion	0.5	PARTIALLY MET: The company has at least 3 programmes geared towards women within the company, but it does not appear to track the number of women participating in the professional development programmes offered.
		NOT MET: There is no evidence found to suggest the company collects sex-disaggregated data on percentage of employees promoted.
13. Occupational segregation	0	NOT MET: There is no evidence the company collects sex-disaggregated data on the gender balance of its workforce by occupational function.
14. Turnover and absenteeism	0	NOT MET: Whilst the company collects turnover data, it is not sex-disaggregated and it is only for the UK and ROI.
		NOT MET: There is no evidence that company collects sex-disaggregated data on the annual absenteeism levels of employees

### SUPPLY CHAIN

Indicator	Score (out of 2)	Assessment
15. Gender equality in leadership in the supply chain	1	NOT MET: Whilst there is evidence that the company has worked with the DFID Work and Opportunities for Women programme to collect sex-disaggregated data by leadership level in Bangladesh, in order to highlight the current gaps in collecting this data for the full supply chain, there is no evidence that the company currently collects or requires its suppliers to collect this data.
		MET: The company supports its suppliers in offering professional development opportunities to women workers in the supply chain, including through its Gender Equality and Returns programme (GEAR), Work and Opportunities for Women (WOW) and Promoting Opportunities to Women for Equal Rights (POWER) initiative and tracks participants.
16. Non-discrimination against pregnant and/or married women workers in the supply chain	1	MET: The company's Supplier Code of Conduct includes a clause prohibiting discrimination against pregnant AND married women
		NOT MET: The company recommends its suppliers provide non-discrimination and harassment training, but there is no evidence that it requires its suppliers to provide training (e.g. unconscious bias training) to its hiring managers to ensure a non-biased approach to the recruitment and promotion of married / pregnant women workers
		NOT MET: There is no evidence that the company provides support to its suppliers to prevent discrimination against married or pregnant women workers.

<b>17. Enabling environment for freedom of association and collective bargaining in the supply chain</b>	2	MET: The company prohibits suppliers from discriminating against, or otherwise penalising, worker representatives or trade union members.
		MET: The company requires suppliers to develop a processes for communicating and consulting with workers and their democratically elected representatives to share information on the business and to gather feedback. It also requires that a gender committee should be considered to ensure women’s health and rights are considered and their voice heard by management. The company also has a two day training course and toolkit available for all its suppliers that covers how to develop or improve the provision of, and management interaction with, trade unions, worker committees, effective communication channels and trade union relationships. The company also works with the Ethical Trading Initiative’s social dialogue programme in Bangladesh, which is designed to help foster constructive industrial relations through training.
<b>18. Gender-responsive procurement</b>	0	NOT MET: There is no evidence that the company has made a public commitment to gender-responsive procurement.
		NOT MET: There is no evidence that the company procures from women-owned businesses.
		NOT MET: There is no evidence that the company has taken specific actions to increase its support for women-owned businesses.

## Compensation and benefits (17.5% of total score)

### WORKPLACE

Indicator	Score (out of 2)	Assessment
<b>19. Gender pay gap</b>	0	NOT MET: There is no evidence that the company collects sex-disaggregated pay gap data on its global operations, but it does collect this data for its UK operations, as required by law.
		NOT MET: There is no evidence that the company collects sex-disaggregated pay data by different pay bands for its global operations, but it does shares the percentage of men and women in each pay quartile for its UK operations.
		NOT MET: There is no evidence that the company collects sex-disaggregated pay data by occupational function.
		NOT MET: There is no evidence that company includes other financial benefits when analysing its global gender pay gap, though it does so for its UK operations.
		NOT MET: There is no evidence to suggest that the company uses a third party to undertake or verify its gender pay gap analysis.
		NOT MET: The company has made steps to promote equal gender pay and has timebound targets, but for the UK only.
<b>20. Paid carer leave</b>	0	NOT MET: There is no evidence that the company has a global policy of providing at least 14 weeks of paid primary carer leave, for full-time employees.
		NOT MET: Whilst the company have a parental leave policy and flexible working policy, there is no evidence that the it implements concrete actions (excluding policies) that promote the return to work and retention of workers after primary care leave.
		NOT MET: There is no evidence that the company has a global policy of providing at least two weeks of secondary carer leave to full-time employees.
		NOT MET: There is no evidence to suggest that the company implements concrete actions that promote the uptake of secondary carer leave.
<b>21. Childcare and other family support</b>	0	NOT MET: There is no evidence that the company offers childcare or other family support to its employees.
<b>22. Flexible work</b>	1	PARTIALLY MET: The company offers flexible working hours to its employees, but there is no evidence that it tracks the uptake.
		PARTIALLY MET: The company offers flexible work locations to its employees, but there is no evidence that it tracks the uptake.

## SUPPLY CHAIN

Indicator	Score (out of 2)	Assessment
23. Formal contracts in the supply chain	0.5	NOT MET: The company prohibits temporary labour arrangements that are used to avoid obligations to workers under labour or social security laws and regulations that arise from the regular employment relationship, but does not specifically require all workers to receive a contract.
		PARTIALLY MET: The company prohibits temporary labour arrangements that are used to avoid obligations to workers under labour or social security laws and regulations that arise from the regular employment relationship. It has also developed a Modern Slavery Toolkit for its suppliers, which provides a "sample commitment to modern slavery and forced labour" which includes written contracts being provided by labour providers. However, there is no evidence that it takes other action, such as requiring suppliers to collect sex-disaggregated data by contract type.
24. Living wage in the supply chain	0.5	NOT MET: The company only requires its suppliers to pay their workers all legal wages, but suggests suppliers should work towards paying workers a fair living wage.
		NOT MET: There is no evidence to suggest that the company monitors the payment of living wages.
		PARTIALLY MET: Whilst the company has entered a partnership with Oxfarm to conduct a gap analysis into human rights issues in its supply chains, which included living wages as one of three key issues, it does not require a collective bargaining agreement that addresses the provision of a living wage, have a joint action plan with suppliers to achieve payment of a living wage, provide capacity building training on responsible purchasing practices or conduct living wage assessments in factories.
25. Family-friendly benefits provision in the supply chain	0	NOT MET: The company requires all supplier to have a policy that promotes gender equity in employment practices, and states maternity leave provision, but does not mandate what maternity leave provisions should be to ensure its suppliers offer at least 14 weeks of paid primary carer leave to their workers.
		NOT MET: There is no evidence that the company requires its suppliers to provide at least two weeks of paid secondary carer leave to their workers.
		NOT MET: There is no evidence to suggest that the company requires its suppliers to provide childcare support to their workers.
		NOT MET: There is no evidence that the company requires its suppliers to provide other family support to their workers.

## Health and well-being (17.5% of total score)

### WORKPLACE

Indicator	Score (out of 2)	Assessment
26. Health information and services for employees	1	NOT MET: There is no evidence regarding the costs covered for maternal health information and services, in countries where no or only partial government-funded support is provided.
		NOT MET: There is no evidence regarding the costs covered for sexual and reproductive health information and services, in countries where no or only partial government-funded support is provided.
		MET: The company's Employee Assistance Program (EAP) offers free mental health support, including free counselling and CBT both face to face and via live chat and video conference where preferred.
		N/A: The company does not have U.S. based employees.

## SUPPLY CHAIN

Indicator	Score (out of 2)	Assessment
27. Safe and health work environment in the supply chain	1	NOT MET: The company only requires that its suppliers address 2 of the specific health, safety and hygiene needs of their women workers, including: <ul style="list-style-type: none"> <li>- Provide access to clean drinking water</li> <li>- Provide personal protective equipment</li> </ul> This is not deemed sufficient to affectively address the needs of women workers.
		MET: The company requires all suppliers to undergo a SMETA audit, which covers several gender-related issues.
		MET: The company requires its suppliers to provide health and safety training to workers and has a health programme targeted at women that complements workplace safety guidelines in factories to ensure safer working conditions.
28. Health information and services in the supply chain	1.5	MET: The company made a commitment to rolling out a three-year programme (2017-2020) designed to improve on-site health facilities, strengthen HR processes to address health and labour rights, in particular access to sick leave, maternity leave and facilitating workers' return to work after maternity leave
		NOT MET: The company requires suppliers to have adequate medical assistance and facilities, but it is not clear whether this means on site and if it must include a credentialed health provider.
		MET: The company supports factories through the BSR HerHealth project and Halow+ Health project, which together cover issues including: <ul style="list-style-type: none"> <li>- Menstrual health</li> <li>- Maternal health</li> <li>- Contraception/family planning</li> <li>- Reproductive cancers</li> <li>- STDs/STIs</li> <li>- Linking workplaces with external health services providers, such as local clinics</li> </ul>

## Violence and harassment (17.5% of total score)

### WORKPLACE

Indicator	Score (out of 2)	Assessment
29. Violence and harassment prevention	0.5	PARTIALLY MET: The company has zero tolerance towards all forms of bullying and harassment, as stated in its "People Principles", however there is no evidence of a standalone policy.
		NOT MET: There is no evidence that the company provides training on violence and harassment to its employees.
		NOT MET: There is no evidence that the company takes additional actions to help prevent violence and harassment in the workplace.
30. Violence and harassment remediation	1	PARTIALLY MET: The company's bullying & harassment policy ensures that violations of the policy, which includes sexual harassment, will result in disciplinary action and may result in the dismissal of the perpetrator. However, there is no evidence that the process does not require private arbitration of violence and harassment claims, that it prohibits the inclusion of a confidentiality provision or that the process offers support for the aggrieved during/after remediation.

## SUPPLY CHAIN

Indicator	Score (out of 2)	Assessment
<b>31. Violence and harassment prevention in the supply chain</b>	<b>1</b>	MET: The company requires its suppliers to commit to a workplace free of harassment.
		NOT MET: There is no evidence that the company require that the violence and harassment policy be made available in one or more local language(s)
		NOT MET: The company states that "suppliers should provide training on non-discrimination and harassment where possible" but it is not a requirement.
		MET: The company participates in HERrespect in India and has also enabled workers in India to take part in the Gender Equality Programme with the British High Commission to help tackle gender discrimination and sexual harassment.
<b>32. Violence and harassment remediation in the supply chain</b>	<b>0.5</b>	NOT MET: There is no evidence that the company monitors its suppliers' remediation process for addressing violence and harassment grievances, it only monitors remediation of grievances it detects through its audits or investigations.
		MET: The company requires its suppliers to have an effective remediation process for addressing grievances.
		NOT MET: There is no evidence that the company requires its suppliers to collect sex-disaggregated data on the remediation of violence and harassment grievances reported by their workers.

## Marketplace (5% of total score)

### MARKETPLACE

Indicator	Score (out of 2)	Assessment
<b>33. Marketing content</b>	<b>1</b>	NOT MET: Whilst the company has 'Responsible Marketing Principles' that are publicly available on its website, these do not include a specific commitment to address how gender stereotypes are portrayed in its marketing campaigns. The company is a signatory to the BRC Childrenswear Guidelines, which has some guidelines on marketing to children in an appropriate way in regard to gender, however, this commitment only covers its childrenswear.
		MET: The company has a marketing approach that seeks to challenge existing gender norms and promote positive images of women and girl



## Community (5% of total score)

### COMMUNITY

Indicator	Score (out of 2)	Assessment
<b>34. Community support</b>	<b>1.5</b>	<p>MET: The company is running a Pilot Project on "Creating Sustainable Livelihoods for Disadvantaged Women" in Tamil Nadu, India. The company also donates to initiatives focused on women's empowerment and gender equality.</p> <p>MET: The company's donations are recurring.</p> <p>MET: The company has tracked the beneficiaries participating in the pilot project in Tamil Nadu, India.</p> <p>NOT MET: The company does not do have evidence of an impact assessment or feedback process.</p>

NB: "NOT MET" in the assessment above indicates WBA could not find information in public sources or the internal documents shared by the company to show that the company meets the requirements, as described in full in the Gender Benchmark Methodology Report 2020 and Scoring Guidelines 2021. This does not necessarily mean that the company is not taking any action under that indicator.