



## Religion and Belief in the Workplace – The Quick Read

The Equality Act 2010 protects people from discrimination, harassment and victimisation on the grounds of religion or belief.

Religion is not clearly defined in the Act, but it is generally accepted that religion will have a clear structure and belief system. Also covered by the Act are people with no religion.

Belief generally refers to philosophical belief. These must be genuinely held, not just an opinion or point of view, and concerning a weighty or substantial aspect of human life and behaviour. Political views are not a philosophical belief.

Discrimination on the grounds of religion and belief can arise in the following ways:

- Treating someone less favourably because they follow, or do not follow, a particular religion or belief – this can also include a mistaken belief that they do or do not. This is known as direct discrimination.
- Applying a policy or practice in such a way that it puts people who follow a particular religion or belief at a particular disadvantage. This is known as indirect discrimination.
- Unwanted conduct (harassment) that violates someone's dignity or creates an intimidating or hostile working environment because of their religion or belief. This could include unwanted jokes, inappropriate comments, excluding someone and unwanted physical behaviour.
- Causing someone to suffer a detriment because they raised concerns about discrimination or harassment – this is known as victimisation.

According to ACAS, the areas where religion and belief discrimination may arise most frequently are:

- Recruitment
- Requests for annual leave or time away from work
- Dress code.

ACAS also suggest the following:

### Recruitment

In order to avoid all forms of discrimination, it is good recruitment practice to ensure that any advertisement or job description reflects only the requirements of the role and no irrelevant factors. Training should be provided to interviewers, and selection methods should be fair and objective. Adjustments should be made where necessary.

### Breaks from Work

Managers are not obliged to give staff time off for religious holidays. However, requests should be dealt with carefully and sympathetically, and as flexibly as possible taking into account the needs of the organisation. Where multiple requests are received for the same dates, managers can apply normal rules regarding how many members of staff can be absent at any one time. Take advice from HR if required.

Some religions require people to pray, often at specific times of the day. Staff may request time to do this. It is okay to ask staff to consider taking their breaks to coincide with payer times (and being flexible to allow this), or have some flexibility around their working hours or break times to allow them to pray during work time. Prayer rooms are available within the University.

The best approach is to reach an agreement that can meet the needs of the organisation whilst also allowing the member of staff to have the flexibility they need.

## Dress Codes

Where a dress code or policy is in operation, managers should consider and accommodate wherever possible religious requirements. Flexibility is key. Any restrictions must be necessary and proportionate. Relevant factors can include health and safety. Again, the best approach will be to work with the individual and seek to find a compromise that works for both parties.

## Duties

There are some jobs where an individual may wish to opt out of certain duties because of their religion or belief. This could include handling meat or alcohol for example. Managers should consider such requests and assess whether it is reasonable or possible to agree to them. Managers can refuse requests if there are good reasons or if the refusal is proportionate, such as it would cause serious disruption to the organisation or impact other staff.

## Food and Fasting

Some religions require a period of fasting. Ideally a member of staff who is fasting will tell their manager. Although there is no legal requirement on a manager or an organisation to take any specific action it is good practice to consider how to support them during this time. For example, it may be possible to adjust hours of work during a fasting period, or to temporarily amend duties. If a member of staff makes a request for any adjustment during a period of fasting, this should be carefully considered and accommodated where possible, taking into account the needs of the organisation.

If you need further advice about any particular situation, please contact your local HR Partner or the Equality, Diversity and Inclusion team.