



Religion and Belief: Guidance for UCL managers

Why do UCL managers need specialist guidance?

UCL is an inclusive, secular university that prides itself on its long-standing commitment to equality and diversity. UCL's commitment to religious equality in particular is integral to its identity and heritage. Moreover, for UCL to merit its reputation as London's Global University it needs to ensure that its managers are equipped with the skills and knowledge to make fairness and equality a reality for staff of different faiths and none.

While UCL's policies and procedures are inclusive there is still a risk of negative attitudes and behaviour towards religious staff, and also non-religious staff. Ignorance and indifference do not themselves constitute discrimination but in organisational settings, they can contribute to an environment in which prejudice thrives. This guidance is designed to raise awareness among managers about their role as leaders in ensuring the working environment is inclusive for those of all faiths and none, to give an overview of the most common requests related to faith and explore how to deal with those requests in a fair and practical way.

What does the law say?

It is unlawful to discriminate against a person on the grounds of their religion or belief.

The Equality Act 2010 outlaws:

1. Direct discrimination - treating people less favourably than others *on grounds of* religion or belief;
2. Indirect discrimination - applying a *provision, criterion or practice* which disadvantages people of a particular religion or belief and which is not justified as 'a proportionate means of achieving a legitimate aim';
3. Harassment - *unwanted conduct* that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment;
4. Victimisation - treating people less favourably *because of a protected act* e.g. a formal complaint of discrimination or given evidence in a tribunal case.

The Equality Act also introduces the provisions of discrimination *by perception* and discrimination *by association*. In other words, it is unlawful to discriminate against someone because you perceive them to have a particular religion or belief, regardless of whether or not they hold that belief e.g. believing that someone with an Asian name is a Muslim and treating them less favourably as a result. Likewise, it is illegal to discriminate against someone because they are associated with someone who holds a particular religion or belief e.g. if someone was married to a Christian and they were treated less favourably because of this.

What constitutes a religion?

Religions are developing and evolving all the time so there is no absolute answer. However, the following faiths are recognised for the purposes of the legislation:

- Baha'i faith
- Buddhism
- Christianity
- Druidry, Paganism and Wicca
- Hinduism
- Islam
- Jainism
- Judaism
- Rastafarianism
- Sikhism
- Zoroastrianism

Denominations within a religion will also be considered as religions, or religious beliefs, such as Catholicism and Protestantism. Less prominent faiths such as Parsee, Shamanism or Shinto are also covered by the Equality Act though there is no consensus on how many followers a faith would need in order to qualify. What is important is that requests or representation from people with less well known religious beliefs should be treated with the same respect as those from people with more well known religions or beliefs.

What constitutes a belief?

'For the purposes of the Equality Act, belief is defined as including philosophical beliefs, such as humanism, which are considered to be similar to a religion. Other categories of beliefs, such as support for a political party, are not protected by the Equality Act'

- Equality and Human Rights Commission (EHRC)

This is a more complex area as the case law is relatively new. The case of *Nicholson vs Grainger PLC* suggests that for a philosophical belief to be afforded protection it must:

- Be genuinely held
- Be a belief and not an opinion or viewpoint based on the present state of information available
- Be a belief as to a weighty and substantial aspect of human life and behaviour
- Attain a certain level of cogency, seriousness, cohesion and importance
- Be worthy of respect in a democratic society and not incompatible with human dignity and/or conflict with the fundamental rights of others

The majority of case law to date concerns beliefs that have centred around environmentalism, vegan/vegetarianism and animal rights, but would not be restricted to these. Other protected beliefs could be a belief in socialism, new age spirituality or secular humanism, but not membership of a political party or anything at odds with the rights of others e.g. a belief in racial supremacy. This guide will be updated regularly in line with the law. However managers should aim to treat requests relating to a philosophical belief with the same respect as those related to religion.

Fair treatment

The many religions of the world have a vast range of doctrinal beliefs, values and customs. Fair treatment involves taking difference into account where practicable, not treating everyone the same. It does not mean always accommodating someone's needs. If in doubt, it is often best to ask the individual concerned. If prompted by a genuine desire to get things right, questions about faith are unlikely to be viewed as offensive, or resented. Managers cannot be expected to know everything about the myriad different faiths and world views, but can reasonably be expected to find out more when presented with a particular workplace situation. Where there are divergent views advice should be sought from the Equality, Diversity & Inclusion Team.

What should managers accommodate?

Religious holidays and holy days

Managers should give due consideration for requests from individuals who wish to observe religious festivals and holy days. Dates for some religious festivals are only approximate as they are based on the lunar calendar and may change from year to year, or according to different doctrines, or local customs. Managers should be prepared to make adjustments to working arrangements, as long as they do not cause undue disruption, to enable staff to participate in religious festivals. Such adjustments could include approving annual leave, time off in lieu (TOIL), unpaid leave, and/or flexible working arrangements.



For example, while a rough date for the Muslim festival Eid is known months in advance, depending on the sighting of the moon, some staff may only find out the actual date the evening before the day they want to take as leave. While it is not common practice to allow leave at such short notice, staff could give an indication that they wish to take one of the following two days off work to allow for flexibility. Where possible it may also be desirable to be flexible about start times where staff participate in religious festivals where they are expected to stay up and pray for most of the night. Staff may not need to take the whole of the next day as leave but would probably appreciate coming into work later.

When considering requests from staff to work over national public holidays and university closure dates (which are mostly based on Christian holy days) to observe particular religious festivals and to take TOIL, managers need to consider the corporate policy regarding access to UCL buildings during closure periods. Managers involved in both corporate and local decisions regarding requests from individuals to work during closure periods should consider safety, security and the supervision of staff working out of normal working times.

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Some religions have holy days in the week where spiritual/religious observance or particular duties are expected. Flexibility in start and finish times would assist observant Jews who may wish to leave work early on Fridays for Shabbat, as activities such as travelling by car or public transport, cooking, phoning or writing are forbidden after sunset. Similarly, allowing Muslims an extended lunch break on Fridays and the opportunity to make up the time in the course of the week, will enable those who wish to attend the collective ritual noon Friday prayers to do so. It is advised that managers avoid running training courses on Fridays or hold routine meetings on Friday afternoons.

Religious rites

Managers should be mindful that there are religious obligations in relation to birth, coming of age, marriage and death, which can vary according to religion, culture and position in the family. The Policy on Leave for Domestic and Personal Reasons (ucl.ac.uk/hr/docs/leave_domestic_personal_reasons.php) already provides guidance to managers on considering requests for time off for religious observance and family responsibilities and UCL's policy on work-life balance (ucl.ac.uk/hr/docs/work_life_balance.php) will assist further.

Praying and contemplation

Legislation does not require the provision of a prayer/quiet room by an employer, but if an employee requests access to a quiet place for prayer in the working day, an employer may be acting in a discriminatory way if they refuse such a request without careful consideration. There is a Contemplation Room available for UCL staff and students. This room is situated on the path leading from the Bernard Katz Building at the South Junction towards the Henry Morley Building. Where it is not convenient for staff to use the Contemplation Room managers should consider whether shared spaces can be used for prayer/ contemplation. A private room with an obscured view - e.g. frosted glass, sign outside when in use - would be a suitable option.

Managers should be flexible regarding breaks during the day. Before training courses it is suggested that the facilitator asks when employees would like to break in order that those who wish to pray may do so at the appropriate hour. The ACAS guidance points out that to fulfil the obligation to pray may take no longer than to the time to drink a cup of tea.



Religious dress

Many religious and cultural traditions require particular dress, wearing the hair in a certain way or wearing a head covering e.g. *hijab*, a turban or a *yarmulke*. In most cases these should not conflict with any office dress code, uniform or health and safety policy, but sensitivity and flexibility should be shown and efforts made to accommodate the wearing of religious dress in a safe manner.



For information about the dress requirements for UCL identify cards see:
ucl.ac.uk/efd/security/access/identity-cards/

Dietary requirements

Some religions specify dietary laws where certain foods are proscribed, or the mixing of foods is not allowed. Drinking alcohol and smoking tobacco may also be forbidden. Certain meats may be forbidden, such as pork, or meat which has not been slaughtered and prepared according to religious ritual and law. Separate utensils may be required to ensure that milk and meat are not eaten together, or *Halal* meat is not stored or cooked with non-Halal meat, or *kosher* food stored or cooked with non-kosher food.

Where a religion or belief has specific dietary requirements and staff bring food into the workplace, they may need to store and/or heat some foods separately from other food, for example the requirement to keep milk and meat separate, or to avoid contact with pork. Consultation with staff to find a mutually acceptable outcome is recommended.

Managers should be mindful of these restrictions when organising work functions and social events to minimise potential conflicts between a member of staff's religious beliefs and their ability to engage in work social activities. Providing, at a minimum, vegetarian food option and non-alcoholic drinks at social functions where food and drink is offered will usually accommodate most different faiths and beliefs.

Requests for reduced lunch breaks where an employee is observing a fast, should also be considered, bearing in mind the legal minimum of a twenty minute break for every six hours worked.

Further Information

UCL

- For advice on supporting religious staff contact the Equality, Diversity & Inclusion Team
ucl.ac.uk/hr/equalities/contacts/index.php
- Religion and belief webpages – including religious festivals calendar
ucl.ac.uk/hr/equalities/belief/index.php
- Religion and Belief Equality Policy for Students
ucl.ac.uk/academic-manual/part-5/religion-belief-equality

Chaplains

- Charlotte Ballinger - Chaplain to UCL - c.ballinger@ucl.ac.uk, - offers Pastoral Care to all students, regardless of faith background or religious belief. She is available as a resource for any religious or spiritual issues. The Chaplain offers opportunities to engage in discussions regarding faith and ethical issues, takes groups to various lectures, debates and exhibits, and has a regular Wednesday lunch during term time to which all students are welcome. The Chaplain's office, B32 is in the basement of the Medical School Building (entrance via the Rockefeller building on university Street).

External

- ACAS 'Religion or belief and the workplace'
acas.org.uk/media/pdf/f/l/religion_1.pdf
- Equality Challenge Unit research on Religion and Belief in Higher Education – July 2011
ecu.ac.uk/publications/religion-and-belief-staff-and-students-in-he
- Equality and Human Rights Commission Briefing Paper on Religion or Belief – Spring 2011
equalityhumanrights.com/uploaded_files/publications/religion_or_belief_briefing_paper.pdf



*“When distant minds
come together, cherries
blossom”*

*John White,
UCL Alumnus*

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