

Religion or Belief Policy

Loughborough University supports equality of opportunity and the promotion and celebration of diversity. The University is committed to eradicating discrimination on the grounds of Religion and Belief in order that staff, visitors and contractors can feel safe and supported in a learning, working and living environment, which positively reinforces equality of opportunity. The University recognises the divisive and harmful effects of discrimination on the basis of Religion and Belief which may subject people to negative attitudes and treatment. The policy requires equal treatment for all under The Employment Equality (Religion and Belief) Regulations 2003 (see Appendix A). These Regulations apply to discrimination on the grounds of religion, religious belief or similar philosophical belief and non-belief.

The University aims to ensure that all staff and applicants at Loughborough University are treated solely on merit, ability and potential in recruitment, selection, training, development and promotion. Compliance with the regulations will ensure that individuals are not subjected to unlawful direct or indirect discrimination based on their religion or belief.

Association

The Regulations also cover association, for example being discriminated against on grounds of the religion or belief of those with whom an individual associates (for example, friends and/or family).

Loughborough University Commitment

All employment opportunities at the University are open to all irrespective of their Religion, Belief or non belief, appointments will be made purely on the basis that individuals attributes and abilities best meet the requirements of a specific Job Description and Person Specification.

The University will promote its commitment to Equality and Diversity and in this particular context, Religion, Belief and non-Belief Religion, by endeavouring to:

Create a secure environment by ensuring that employees at all levels in the organisation feel safe to be open about their religion or belief if they so wish.

This will be achieved by:

- Ensuring that employees and people seeking employment, are not treated less favourably than anyone else in recruitment, terms and conditions, promotions, transfers, dismissals and training on the basis of their religion or belief
- Reviewing all practices, policies and procedures to make sure that they meet legislative requirements, including dress codes and holiday procedures, to ensure they are non-discriminatory

- Considering disciplinary action against staff who discriminate on the basis of Religion, Belief or non Belief, against employees, people seeking employment, visitors or contractors
- Ensuring that the guidelines for individuals to follow are clear if they feel they have been discriminated against, harassed or victimised
- Consulting on relevant issues through the Staff Religion and Belief Group
- Ensuring that staff are allowed appropriate time off to attend the Staff Religion and Belief Group if they so wish, where this is operationally possible
- Recognising the right of individual staff to be open about their Religion, Belief or non Belief and for their position to be respected or to be recognised.
- Recognising an individual's right for their Religion, Belief or non Belief to be kept private if they prefer this to be the case
- Avoiding and eliminating discrimination on the grounds of Religion, Belief or non Belief by including this in mandatory equality training programmes to heighten awareness, challenge discriminatory behaviour and encourage good practice
- Providing other appropriate training for staff on issues concerning Religion, Belief or non Belief, which also clarifies their responsibilities
- Ensuring that procedures and processing of information are confidential and reassuring staff that this is the case

Recruitment

The University will:

- Regularly review and monitor recruitment and selection procedures to make sure that they are fair and reflect current best practice
- Ensure that all managers who recruit new staff attend recruitment and selection training
- Promote the University as an Equal Opportunities employer

Responsibilities

At the institutional level, the Vice-Chancellor and Chief Operating Officer have overall responsibility for ensuring the University complies with the Religion and Belief Regulations.

The Human Resources Committee and its Sub-Committee for Equality and Diversity are responsible for the development and implementation of this Policy.

Managers and supervisors at the University have a particular duty to ensure that none of the staff, for whom they are responsible, are subjected to disadvantage on the grounds of their Religion, Belief or non Belief.

University staff, visitors and contractors all have a responsibility to ensure that individuals do not suffer unlawful discrimination.

Personnel Services will provide information about equality policies on the basis of Religion and Belief, as well as strategies for preventing discrimination, including training, publications and events.

Employment Tribunals may hold individuals responsible for discrimination and harassment, if this occurs in the workplace, or at a time and place associated with the workplace, for example, a work related social gathering. Individuals who harass may also be ordered to pay compensation.

Confidentiality

The disclosure of a person's Religion, Belief or non Belief is an issue of confidentiality. The University's standard confidentiality protocol means that an individual's belief will only be discussed or disclosed with their consent. Disciplinary action may be considered if this is not respected

Complaints

Complaints about discrimination on the basis of Religion, Belief or non Belief against staff are taken very seriously at Loughborough University and could, on full investigation, provide grounds for disciplinary action that may lead to dismissal or expulsion from the University. Furthermore, individuals may render themselves liable to prosecution under the Protection from Harassment Act (1997).

Dealing with Discrimination

Staff are strongly advised not to delay if they feel they have a complaint. Before things get out of hand there may be steps that can be taken to resolve matters, for example, if you feel you are being harassed, you may contact a member of the Harassment Panel (now called "Confide"), a trade union representative or Personnel Adviser. All complaints are dealt with in confidence and action will not normally be taken without the complainant's consent.

If it is deemed that the safety of an individual(s) is at risk of serious harm, confidentiality in these circumstances may be overridden by legal obligations to disclose.

Appendices

There are appendices which should be read in conjunction with this policy these can be found below:

Appendix A - Employment Equality (Religion and Belief) Regulations 2003

Appendix B - Definition of terminology - Discrimination and the Harassment and Bullying Policy

For a definition of discrimination and the Harassment and Bullying Policy and guidelines to the University's Grievance Procedure for staff please see the Personnel Services website at

<http://www.lboro.ac.uk/admin/personnel/geninfo/griev.html>

Please see also the Harassment and Bullying Policy at <http://www.lboro.ac.uk/admin/personnel/policies/harass&bullying.htm>

Appendix C - Definitions – Religion and Belief

Appendix D - Contacts and Information – Religion and Belief

Equal Opportunity Codes of Practice

The University has agreed the following Codes of Practice and equal opportunities guidelines, which are available from Personnel Services and are on the personnel website:

<http://www.lboro.ac.uk/admin/personnel>

Disability and Employment Policy

Race Equality Policy

Sexual Orientation Policy

Code of Practice on Equal Opportunities

Code of Practice on Inclusive Language

Two Ticks Disability Symbol Procedure

Code of Practice on ICT Pornography

Good Recruitment Guide

Code of Practice for the Employment of Research Staff

Gender in Appraisal

Policy Statement on the Employment of Ex-Offenders

Code of Practice on Disability and Employment

Religion or Belief Policy

Appendix A

Employment Equality (Religion or Belief) Regulations 2003

On 2nd December 2003 "The Employment Equality (Religion or Belief) Regulations 2003" came into effect, which protect against discrimination on the grounds of Religion, Belief and non-belief in the work place, in recruitment, terms and conditions, promotions, transfers, dismissals, training, including vocational training and in some cases after the employment relationship has ended.

The Regulations govern the training, employment and membership of the following categories of people:

- Employees
- Contract Workers
- Office Holders
- Members of Trade Organisations
- Members of Professional Bodies
- Career advice or employment agency clients
- Students of further and higher education

The Regulations' provisions are intended to encourage tolerance and protect the dignity of people in the workplace.

What Grounds Do the Regulations Cover?

The Regulations apply to discrimination on grounds of religion, religious belief or similar philosophical belief and non-belief.

Perception - They cover discrimination on grounds of **perceived** as well as **actual** religion or belief, for example assuming, either correctly or incorrectly, that someone has a particular religion or belief.

Association - The Regulations also cover **association**, for example being discriminated against on grounds of the religion or belief of those with whom you associate (for example, friends and/or family).

The Regulations also outlaw discrimination on grounds of religion or belief by:

- Barristers in relation to an offer of pupillage or tenancy;
- Advocates in relation to taking anyone as a pupil;
- Partnerships within firms;
- Trade organisations;
- Qualifications bodies;
- Providers of vocational training;
- Institutions of further and higher education;

- Employment agencies.

What Grounds are Not Covered?

The Religion or Belief Regulations **do not** protect against discrimination on grounds of belief if they are not alike or similar in philosophical belief, for example being a fanatical supporter of a particular football club, or being a supporter of a particular political party, because of strongly held political views, or in relation to a hobby or pastime.

What Behaviours Do The Regulations Cover?

Direct discrimination - treating people less favourably than others on grounds of Religion or Belief

Indirect discrimination - applying a provision, criterion or practice which disadvantages people of a particular Religion or Belief, which is not justified as a proportionate means of achieving a legitimate aim

Harassment - unwanted conduct that violates a persons' dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment;

Victimisation - treating people less favourably because of something they have done or in connection with the Regulations, e.g. made a formal complaint of discrimination or given evidence in a tribunal case.

See also Appendix B: Definition of terminology - discrimination and the [Harassment and Bullying Policy](#).

Recruitment

Genuine Occupational Requirement (GOR) - this may apply if it can be demonstrated that the job holder must be of a particular religion or belief in relation to the nature of the work and the context in which it is carried out. However the definition is intended to be very narrow and employers must still be able to show that it is a requirement of the job in order to adhere to the ethos of the organisation and that it is proportionate to apply the requirement.

For example a care home managed by a religious charity, providing it can show that they are founded on an ethos of a religion or belief, may be able to apply a genuine occupational requirement, (GOR), to jobs. However, they may also be required to show that each GOR is reasonable when considering the nature of a post and the context within which it is carried out.

Responsibilities

Employer Responsibilities

Employers cannot instruct staff to carry out a discriminatory practice.

Burden of proof - the onus is on the employer to show that any difference in treatment was justified once an Employment Tribunal or Court is satisfied from the facts that there is a case to answer.

Relationships, which have come to an end - it is unlawful, in certain circumstances, for an employer to discriminate against a former employee, after the working relationship between them has ended. If it can be shown that the act is closely linked to the former relationship this may be discriminatory, for example, if the employer refuses to give a reference because of someone's religion.

Staff Responsibilities

Staff could be personally liable for discrimination arising out of harassment and this may also constitute a disciplinary offence.

Positive Action

All selection for recruitment or promotion must be on merit, irrespective of religion or belief, otherwise it may be deemed to be discriminatory.

However if people from certain religions or beliefs, are in a minority in the workplace it is legal to take certain steps to redress the effects of previous inequality of opportunity.

Such positive action measures that are legal include:

- Advertisements which encourage applications from a minority religion
- Placing recruitment advertisements in certain publications
- Providing specific training for people with certain religions or beliefs
- Training of existing employees for work, which has historically been the preserve of individuals from a particular religion or belief

Further Information

For more information about the policy scheme or your contribution towards it please contact the Equality and Diversity Adviser or your faculty Personnel Adviser.

References:

Information has been taken from a number of sources including:

ACAS - Employment Equality Regulations 2003: Religion or Belief and the Workplace - Guidance <http://www.acas.org.uk/publications/pdf/religion.pdf>

DTI Equality and Diversity – Employment Regulations 2003
http://www.dti.gov.uk/er/equality/eeregs_a.htm#b1

Religion or Belief Policy

Appendix B

Definition of terminology - Discrimination and the Harassment and Bullying Policy

Discrimination

To be discriminated against means to be treated less favourably on the grounds of Religion, Belief or non-belief and includes discrimination. There are now four definitions of discrimination in law in Britain: direct, indirect, victimisation and harassment.

Direct Discrimination

To treat someone less favourably than others because of their actual or perceived Religion, Belief or non belief

The law prohibits less-favourable treatment based on:

- a person's Religion, Belief or non belief
- the perception of a person's Religion Belief or non belief, whether that perception is correct or not
- a person's association with someone of a particular Religion, Belief or non belief

Example:

If a job applicant states they are a Muslim and the panel decide not to offer her the job, because of her religion, even though she has all the skills and competences required in the job description. This is direct discrimination

Indirect discrimination

This can take place where a criterion, provision or practice is applied which has a disproportionate impact on someone who holds a religion, belief or non belief, unless it can be objectively justified.

Justification would be seen, if there is a legitimate aim, e.g. a real business need, and that the practice is proportionate to that aim, i.e. necessary, and there is no alternative means available.

Policies or procedures, which appear to treat everyone equally, may have the effect of disadvantaging certain groups disproportionately.

Example:

Restricting promotion to staff who are Christian and refusing to promote staff who are Sikh.

Harassment (See also: Harassment and Bullying Policy)

Bullying and harassment are behaviours which, if based on a person's Religion, Belief or non belief are unlawful. Additionally, there are legal implications under Health and Safety legislation. Any bullying and harassment may be a source of great distress to the recipient and the University has a legal 'duty of care' under Health and Safety legislation to protect its staff.

Harassment is unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment

Bullying and harassment are unacceptable forms of behaviour and contrary to the University's aims of fostering an environment where its staff, students, visitors and contractors will be treated with dignity and respect.

An employer can be liable for third party harassment, but only if it can be shown that the employer deliberately put them in that position because of their Religion, Belief or non Belief.

Additionally, the complainant does not have to be the object of the comments. If the discriminatory comments offend someone else then that person has the right to pursue a claim against the perpetrator and the employer.

Example 1:

A member of staff who is a Pagan is continually referred to by abusive nicknames, which they find humiliating and distressing. This is harassment.

Example 2:

A member of staff has a son who is a Buddhist. People in the department often tell jokes about Buddhists and tease the staff member about their son's belief. This may be harassment on grounds of Religion, Belief or non Belief, despite it not being the victim's own belief that is the subject of the teasing.

Victimisation

This would occur if someone is treated less favourably when they make or intend to make a complaint or allegation, have given or intend to give evidence in relation to a complaint of discrimination on the grounds of Religion, Belief or non Belief.

Victimisation applies if an employee is treated less favourably for taking action, or assisting someone else who has taken action

Example 1:

A member of staff gives evidence for a colleague who has brought an Employment Tribunal claim of discrimination on grounds of Religion and Belief. When that worker applies for promotion, her application is rejected, even though she is able to show she has all the necessary skills and experience. Her

manager maintains she is a 'troublemaker' because she had given evidence at the Tribunal and therefore should not be promoted. This would be victimisation.

Example 2:

If someone refuses to comply with a discriminatory instruction and an employer then takes action against them, this could be regarded as victimisation and is unlawful.

Further Information:

Loughborough University Harassment and Bullying Policy
<http://www.lboro.ac.uk/admin/personnel/policies/harass&bullying.htm>

Personnel Services Harassment and Bullying Information
<http://www.lboro.ac.uk/admin/personnel/harassmentandb/index.htm>

References:

Information has been taken from a number of sources including:

ACAS - Employment Equality Regulations 2003: Religion or Belief and the Workplace - Guidance

<http://www.acas.org.uk/publications/pdf/religion.pdf>

DTI Equality and Diversity – Employment Regulations 2003

http://www.dti.gov.uk/er/equality/eeregs_a.htm#b1

Religion or Belief Policy

Appendix C

Definitions – Religion or Belief

Religion or Belief

The Employment Equality (Religion or Belief) Regulations 2003 define religion or belief as "any religion, religious belief or similar philosophical belief." This includes collective worship, a clear belief system and a profound belief affecting a way of life, or world view.

Employment Tribunal and the courts will decide what particular circumstances are covered by the Regulations.

In addition there is limited legal protection against religious discrimination under the Human Rights Act in relation to public bodies. The Race Relations Act already covers Jews and Sikh people as they are recognised as being ethnic groups.

It should be noted that these Regulations extend beyond the more well known religions and faiths to include beliefs such as Paganism and Humanism. The Regulations also cover people without religious or similar beliefs.

Claims to the Employment Tribunal

Individuals can claim in the Employment Tribunal or County Court if they feel that they have been discriminated against on the grounds of religion or belief. The Court or Tribunal has the power to award compensation, (which is not capped), to the individual and order specific steps to be taken to reduce the adverse effect. A failure to implement those steps may lead to the Tribunal increasing the compensation award.

It will be for the tribunals and higher courts to decide where the issue is disputed. They may consider a number of factors when deciding what is a religion or similar belief. It is likely that they will consider things such as collective worship, a clear belief system, a profound belief affecting the way of life or view of the world.

References:

Information has been taken from a number of sources including:

ACAS - Employment Equality Regulations 2003: Religion or Belief and the Workplace - Guidance <http://www.acas.org.uk/publications/pdf/religion.pdf>

DTI Equality and Diversity – Employment Regulations 2003
http://www.dti.gov.uk/er/equality/eeregs_a.htm#b1



Religion or Belief Policy

Appendix D

Contacts and Information – Religion or Belief

Internal Staff

Loughborough University Religion or Belief Staff Group

Contact: Lesley Mansell, Equality and Diversity Adviser

Telephone: 01509 228026.

Fax: 01509 223608

E Mail: L.A.Mansell@lboro.ac.uk

Chaplaincy – Staff and Students

A team of Christian chaplains are based in the Chaplaincy and work together to serve the university and college communities. They are from different Christian denominations, but are there for anyone, whatever their religious background. Any questions you might have about faith, the meaning of life, what it's all about, then the Chaplains are willing to talk about it.

See the website for information about other religions.

<http://www.lboro.ac.uk/service/chaplaincy/>

Students

Chinese Christian Fellowship (LCCF) www.angelfire.com/super2/lccf/

Christian Union (Loughborough Students Union CU) www.lsucu.org.uk

Loughborough Students Christian Union

http://www.lufbra.net/club_homepage.asp?clubid=3662

Loughborough Students Islamic Society

http://www.lufbra.net/club_homepage.asp?clubid=3637

Festival Calendar

Produced by Personnel Services this is displayed on the electronic notice board on a regular basis. For the whole calendar see the Personnel Services website:
<http://www.lboro.ac.uk/admin/personnel/festivals.htm>

External

Buddhist - Loughborough Buddhist Meditation Group Telephone: 01509 561693
John Storer House, Bedford Square, Loughborough

Christian Churches - A full list of local Loughborough churches including Church of England, Roman Catholic, Methodist, **Baptist, URC and other free church, Orthodox and Lutheran and others can be found on the Chaplaincy website**

Hindu - Geeta Bhawan (Punjabi speaking) Telephone: 01509 233570
Lemyngton Street, Loughborough. LE11 1UH

Shree Ram Krishma Mandir (Gujarati) Telephone: 01509 232401 / 218274
Alfred Street, Loughborough LE11 1NG

Jewish Chaplain Telephone: 0121 4401359 Email: f.cohen@bham.ac.ukThe Chaplain for the whole of the Midlands is **Rabbi Fishel Cohen**

Muslim

Mosque Telephone: 01509 214500
85 King Street, Loughborough LE11 1SB.

Pagan Federation: National Telephone Line: 0906 3020184
<http://www.paganfed.org/>

Sikh

Gurdwara Sahib Temple Telephone: 01509 558027 / 537694
33/34 Clarence Street, Loughborough LE11 1DY

Quakers

John Storer House: **Telephone: 01509 880012**
Wards End, Loughborough, LE11 3HA

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Lesley Mansell, Equality and Diversity Adviser
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Personnel, Loughborough University
Telephone: 01509 228026
Fax: 01509 223903
E Mail: L.A.Mansell@lboro.ac.uk