



Religious Observance Policy

Document Profile Box	
Document Reference:	QSSD 1506
Version:	0002
Ratified by:	Trust Board
Date ratified:	March 2008
Name of originator/author:	Equality and Diversity Manager
Name of responsible committee/individual:	Director of Human Resources and Organisational Development
Date issued:	May 2010
Review date:	May 2011
Target audience:	All NEAS Staff
Document owner:	Director of Human Resources and Organisational Development
Authorised signatory:	

1 Introduction

The Trust is fully committed to equality of opportunity and promoting diversity. As such the Trust recognises that not all of its employees will share the same religious or cultural beliefs. These beliefs may have an influence on an individual's approach to situations, require an individual to undertake certain duties or may relate to requests for leave. Through this document the Trust will describe how it will attempt to ensure that all individuals are able to fulfil their cultural or religious beliefs wherever possible.

2 Policy Statement

This policy will apply to all employees of the Trust, subject to the needs of the service.

4 Responsibilities

The Employment Equality (Religion or Belief) Regulations came into force in December 2003, making it unlawful to discriminate against, harass or treat less favourably workers because they follow, are perceived to follow or do not follow a particular (or any) religion or belief. Such behaviour will not be tolerated by the Trust, which is committed to equality and diversity in employment.

As part of its commitment to diversity the Trust recognises that it operates in a multi-cultural and religious environment. The Trust accepts that with regard to current practices any religious facilities, acknowledgements or celebrations are predominantly Christian. To support diversity the Trust wishes to embrace other religions, faiths, and beliefs where possible. To achieve this, the Trust will attempt to:

- Ensure that all staff are able to practice or fulfil religious or cultural beliefs **as far as is practicably possible**.
- Acknowledge occasions other than those which are Christian and encourage all staff to celebrate or acknowledge these special dates.
- Support staff in fulfilling their commitments.

3 Scope of the policy

Directors/Managers are required to ensure that the policy is observed and applied consistently and fairly within their areas of responsibility.

The Director of Human Resources and Organisational Development has prime responsibility for the implementation of this policy and to ensure it is regularly monitored, reviewed and updated.

The Human Resources Department will be responsible for ensuring the implementation of this policy, advising managers, staff and trade unions on the content of this policy and its interpretation, providing training and advice to managers and staff on the operation of this policy, ensuring that all complaints of discrimination or harassment are dealt with in a fair and consistent manner, and that remedial action is taken where necessary.

Employees should ensure that their behaviour at work creates an environment which is free from any form of harassment, victimisation and all other forms of discrimination on the grounds of religion or belief. Employees should be aware that if they are involved in discriminatory actions or practice they may not only face disciplinary action but also legal proceedings against themselves as individuals.

5 Definitions

The following are only intended to be used as a general guide for the purposes of interpreting and applying this document.

Religion and Belief - a recognised religion/belief or similar philosophical belief. This does not include any philosophical or political belief unless it is similar to a religious belief. A recognised religion is likely to include some form of collective worship, a clear belief system, or a profound belief affecting a way of life or view of the world.

Culture - used most obviously to describe social groupings such as people of shared national, ethnic or regional origin. It consists of the shared beliefs, values and attitudes that guide the behaviour of group members.

Race - classification of humans based on genetic characteristics or common nationality, history or experience

6 Annual Leave

The Trust recognises that at present an individual's annual leave comprises of two elements, a personal leave entitlement based upon their contract of employment and also statutory leave. In the UK statutory days are comprised of religious occasions e.g. Good Friday, Easter Monday and traditional holidays e.g. Boxing Day and August Bank Holiday. The religious days are derived from the Christian faith as the UK was fundamentally Christian with the Monarch being the Head of the Church of England.

To embrace a diverse workforce, the Trust accepts that not all members of staff share the same religion or beliefs and hence not the same occasions of celebration or remembrance. Differing faiths have different occasions marked by their own practice and customs and therefore members of staff may wish to take leave in order to participate in such events.

The Trust recognises that the needs of the service must be the first and foremost consideration of all employees, but is fully committed to ensuring that it remains a preferred employer, recognising the needs of all staff. The principles relating to annual leave have always been to ensure that individuals are able to take their annual leave in

such a way that achieves a balance between the needs of the service and the commitment and, circumstances of an individual.

At present, staff can take annual leave based around statutory leave and personally requested leave. However as some statutory days relate to religious occasions, some individuals who share a different belief may not wish to take leave at that particular time but instead when their religious occasion actually takes place. Whilst some days in a religious calendar are fixed e.g. 25 December for Christmas day, other events are not e.g. Ramadan. This is not a fixed date but varies each year, thus Muslims may not always know in advance when this occasion is likely to occur.

The Trust will adopt a flexible approach and sympathetically consider the taking of leave for those individuals who are devoted to their faith. All staff will receive exactly the same entitlement as they currently have, but at their manager's discretion and in accordance with service needs, they may request annual leave in order to meet the requirement of their religion. For example, instead of taking leave on Whit Monday, an individual may take this leave at Yom Kippur.

The usual department procedures for approving leave and staffing levels shall still apply; the key change is the flexibility for the exchange of statutory leave.

Where possible, employees who request not to be on leave on statutory days may be permitted to either work their contracted hours on another day of the week, or, where practicable, work in another department on that day. It should be noted that each case should be considered separately on its own merits and further guidance can be obtained from the Equality and Diversity Department.

7 Other considerations

Equality and Diversity Awareness - the Trust provides Equality and Diversity Awareness Training to all staff in the form of an e-learning module. Details of this are available from the Organisational Development Department.

Diet – some religions or beliefs have special dietary requirements and may require separate facilities for storing and heating food. Employees should be consulted on such issues to find mutually acceptable solutions, if such a request is made.

Dress – where practical and safe, employees may wish to wear clothing consistent with their religion. Similarly, a reasonable approach should be taken to religious jewellery and traditional markings. Some religions require women to dress modestly and not accentuate their body shape. The required standards for dress are as laid out in the Dress Code Policy, however if an individual wishes to dress in a way that complies with their religious or cultural beliefs, they are entitled to make a request to do so. Any such request should be considered by the Head of Department / Division, taking into account any relevant factors such as the potential impact on patient care and adherence to health and safety policies and legislation. For further advice on this issue, please contact the Equality and Diversity Department.

Communication – It is good practice for all employees to understand the religious observances of their colleagues to avoid embarrassment or difficulties. This can be

achieved through discussion with those concerned and providing training and general awareness sessions for staff.

This policy is not intended to be exhaustive nor can it cover every religion or faith and the requirements associated with them. The Trust believes that time for worship and time for leave are key considerations, which it hopes to support.

8 Procedure for resolving issues relating to this policy

Should there be any major issues which relate to religion, faith or culture then these should be raised and dealt with in accordance with the Trust's Grievance Procedure.

9 Equality and Diversity Statement

The Trust is committed to providing equality of opportunity, not only in its employment practices but also in the services for which it is responsible. As such, this document has been screened, and if necessary an Equality Impact Assessment has been carried out on this document, to identify any potential discriminatory impact. If relevant, recommendations from the assessment have been incorporated into the document and have been considered by the approving committee. The Trust also values and respects the diversity of its employees and the communities it serves. In applying this policy, the Trust will have due regard for the need to:

- Eliminate unlawful discrimination
- Promote equality of opportunity
- Provide for good relations between people of diverse groups

For further information on this, please contact the Equality and Diversity Department.