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### Religious and Cultural Observances Policy

### Pentreath Ltd is committed to achieving a working environment which provides equality of opportunity and freedom from unlawful discrimination on the grounds of race, sex, pregnancy and maternity, marital or civil partnership status, gender reassignment, disability, religion or beliefs, age or sexual orientation.

**Introduction**

Pentreath Ltd is committed to creating an environment where the cultural, religious and non-religious beliefs of all employees are respected. Individuals will not receive less favourable treatment on the grounds of religion or belief.

Recognising and celebrating diversity helps to:

1. • Eliminate unlawful discrimination
2. • Recruit and retain talented job seekers and employees from all communities
3. • Provide better services to the diverse communities of Cornwall via an awareness and understanding of the needs of those communities

A key principle behind this policy is that line managers actively engage with employees to discuss requirements and respond to each individually and sensitively. An environment should be harnessed where such discussions can openly take place whilst ensuring that confidentiality is maintained and respected.

This policy should be read in conjunction with the Equality and Diversity policy of which it forms part.

**Legislation**

The Equality Act 2010 provides protection against discrimination on the grounds of religion and/or belief within employment.

Religion means any religion or lack of religion; belief means any philosophical belief or lack of such belief. The guidance states that atheism or humanism would be included but not beliefs in communism, Darwinism, fascism, socialism or ‘adherence to a particular football team’.

The Advisory Conciliation and Arbitration Service (ACAS) lists some of the most commonly practiced religions and beliefs in Britain within their Religion & Belief in the Workplace booklet but this list is not exhaustive, if you wish to read the full document this can be obtained from Human Resources. The religions included in the list are:

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| * 1. • Baha’i   2. • Buddhism   3. • Christianity   4. • Hinduism | • Islam  • Jainism  • Judaism  • Parsi | 1. • Rastafarianism 2. • Sikhism 3. • Paganism |

**Procedure for Leave for Religious Observance**

* Any employee wishing to apply for more flexible working arrangements under this policy must in the first instance highlight their need to their line manager in writing. Their exact requirements should be detailed, for example the frequency of need, length of time required, location etc.
* The line manager will then consult with Human Resources and consider what flexible working arrangements can be accommodated in order to support the employee in observing their religious belief. A meeting will be held in order to discuss the request.
* After consultation, Human Resources will confirm the outcome in writing to the employee and indicate any contractual changes. The new arrangements will be subject to regular review.
* Line managers are required to be flexible and sympathetic to religious and cultural needs, and equally employees are expected to make reasonable and early requests in order to ensure support in meeting their needs.

**Prayer**

* Line managers should make every attempt to ensure that those employees whose religion or belief requires them to pray at certain times of the day are free to do so using Pentreath’s policies for flexible working or annual leave.
* Due to operational requirements, it may not be possible to grant requests for time away from work in every circumstance. Where this is not possible, line managers must have a legitimate explanation for refusal, and only after every effort has been made to find some means of accommodating the request.
* Religious needs must also be taken into account when meetings are scheduled. For example, regular meetings on a Friday afternoon may inadvertently disadvantage Jewish and Muslim staff. Line Managers should encourage an open environment with employees in order to ensure such requirements are highlighted in advance.

**Prayer Facilities**

* Although Pentreath does not have a designated prayer room our general purpose room is available for observance at certain times of the day in accordance with the needs of employees within the organisation. This should not adversely affect other employees or compromise the privacy of the individual.
* Line managers should ensure that all employees, new starters and visitors are aware of the location of such facilities and of any specific times where privacy in these locations should be respected.

**Changing and Washing Facilities**

* Some employees will need to wash or change their clothing at work before prayer. Ways to assist employees to meet the ritual requirements of their religion should be explored with staff and measures put in place where possible. Line managers should consider appropriate options and discuss their suitability with the relevant employees.

**Working Time and Flexible Working**

* Working time should take into account those employees who do not work beyond sunset on Friday or work weekends due to their religious beliefs forbidding them to do so, for example Jewish employees. In these circumstances employees shall not be forced or pressured to work at these times.
* Unplanned overtime may require employees to work at short notice during periods which may conflict with their religious beliefs. In such circumstances, it will normally not be possible to accommodate such beliefs and this must be clearly communicated to all employees.

**Leave for Religious Festivals**

* Whilst there is no statutory right for time off for religious observance or religious festivals, Pentreath is committed to respecting the religion and/or beliefs of employees. On occasions not covered by statutory bank holidays (Christmas and Easter), unpaid leave will be granted subject to the needs of the organisation. Operational requirements will be considered where a number of requests are submitted.
* Employees should consider that there may be a number of colleagues who would like leave at the same time and therefore give as much notice as possible when requesting any leave.
* For some Muslim holy days, the precise timing can only be fixed a few days before the actual event on the confirmed sighting of the moon. Line managers must be aware that the sighting of the moon is currently confirmed by local mosques and this may result in different communities observing the same festival on different days.

**Dress Code**

Account should be taken of dress requirements in relation to religion/belief. Flexibility should be applied in relation to requests to adapt uniform codes to match dress requirements, for example providing women the option to wear loose trousers where their religion requires them to cover their legs or allowing items of jewellery and markings that are traditional within some religions or belief to be worn. Unjustifiable rules may constitute indirect discrimination.

The only exception to the above is where health and safety requirements mean that for certain tasks, specific items of clothing such as protective clothing need to be worn or the wearing of certain jewellery presents a health and safety risk. Health and safety requirements will overrule all requests. (See Dress Code policy).

**Dietary Requirements**

* Some religions observe dietary restrictions, for example; Vegan, Vegetarian, Kosher, Halal etc. When catering for training courses or events, consideration needs to be given to different dietary needs in advance to ensure that these requests are catered for.
* Some employees will not attend functions or meetings where alcohol is being served. In addition, when organising social events Line Managers should try and be as inclusive as possible, bearing in mind the cultural and religious diversity within the workforce.
* Where employees bring food in to the workplace, they may need to store and heat this in line with dietary requirements, for example Muslims and Jewish employees will wish to ensure that their food does not come in to contact with pork and non-Halal food and vegetarians may wish to ensure their food is kept away from all meat. Staff need to be sensitive to these needs and where possible separate shelves in fridges should be utilised. It is good practice for managers to consult employees on such issues and find mutually acceptable solutions to any problems.

**Fasting**

Some religions require individuals to fast at various times of the year, and Line Managers need to be aware of the significance of this to individual employees. Line Managers and colleagues should make every attempt to be sympathetic during this time by trying not to eat in front of the fasting colleague and ensuring flexibility in terms of start/finish times, meal breaks etc.

**General**

Employees should be respectful of each other’s cultural backgrounds and should not judge the behaviour of others in terms of a particular cultural “norm” or standard. Any behaviour or actions taken in breach of this policy will be dealt with under the Disciplinary procedure.

If you require any further guidance on this document, please contact Human Resources.