

LEICESTERSHIRE

FIRE and RESCUE SERVICE

SERVICE PROCEDURE

CONTENTS	PAGE No
Introduction	1
Definition	1
What do the Regulations Outlaw?	1
Discussion and Debate on Religion and Belief	2
Time off for prayer/faith	3

HUMAN RESOURCES

**GUIDANCE ON
RELIGION AND
BELIEF
LEGISLATION AND
TIME OFF FOR
PRAYERS**

LEICESTERSHIRE FIRE AND RESCUE SERVICE

GUIDANCE ON RELIGION AND BELIEF LEGISLATION AND TIME OFF FOR PRAYERS

INTRODUCTION

- 1 In December 2003, the Employment Equality (Religion or Belief) Regulations 2003 came into force. The aim of the legislation is to outlaw discrimination in employment and vocational training on the grounds of religion or belief. The legislation is applicable to all aspects of employment and vocational training such as recruitment, terms and conditions, promotions, transfers and dismissals.
- 2 The purpose of this policy is to help members of the service understand and deal with issues that arise in relation to the expression of religion or belief in the workplace and gives guidance for time off for prayer/quiet time.

DEFINITION

- 3 Religion and belief is defined as follows:

Religion – this is defined widely to include any religion. It also includes a lack of religion, so that non-believers are covered.

Belief – this is defined widely to include any religious or philosophical belief. It also includes lack of belief, so that non-believers are covered. The Regulations do not extend to political beliefs and not every 'belief' will be covered. Tribunals will decide where to draw the line on a case-by-case basis.

WHAT DO THE REGULATIONS OUTLAW?

- 4 The regulations outlaw a number of different types of behaviour as listed below:
 - Direct Discrimination - treating a person less favourably than others because of their religion or belief.

- Indirect Discrimination – applying a provision, criterion or practice, which disadvantage(s) a person of a particular religion or belief unless it can be objectively justified.
- Harassment - unwanted conduct that violates a person's dignity or creates an intimidating, hostile, degrading humiliating or offensive environment.
- Victimisation - treating a person less favourably because they have made or intended to make a complaint or allegation or intend to give evidence in relation to a complaint of discrimination on the grounds of religion or belief.

DISCUSSION AND DEBATE ON RELIGION AND BELIEF

- 5 As responsible and intelligent adults, employees may wish to discuss controversial issues at appropriate times within the working day. However, it is not acceptable for employees who wish to express their religious or other beliefs within the workplace to do so in a way that amounts to discrimination against other employees.
- 6 There can be a fine line in law between behaviour that amounts to discrimination and behaviour that does not. However, common sense combined with an understanding of the principles that underlie the anti-discrimination legislation will be of enormous assistance to managers in recognising inappropriate behaviour. It is essential to bear in mind that conduct does not need to amount to discrimination in order to be inappropriate (and potentially disciplinary in nature) within the workplace.
- 7 If a member of staff raises an issue or speaks about their religious or other beliefs in a way that other employees find intimidating, hostile, degrading, humiliating or offensive, then it is likely that their behaviour constitutes discrimination and appropriate internal procedures may be used.
- 8 Managers must be aware of the right of their employees to express their beliefs in an appropriate fashion, but also exercise tolerance in their dealings with others and to treat colleagues and members of the public with courtesy.

The right to protection against discrimination on the grounds of religious or other beliefs does not confer a right to express those beliefs in a manner that amounts either to discrimination against others or to a breach of any relevant disciplinary code.

- 9 Any issues brought to the attention of managers may be investigated under the appropriate procedure.

TIME OFF FOR PRAYER/FAITH

- 10 The regulations do not require for employers to provide either a prayer room or time off for prayers. However, if employees request access to a quiet place in which to meet their religious obligations and such a place is available without it having any adverse impact on the business or other staff, then employers may be acting in a discriminatory way if they refuse such a request.
- 11 Service Headquarters have introduced a dedicated quiet/faith room for individuals to use to either have a quiet time on their own to gather thoughts or to undertake prayers. The room is a facility for all employees and visitors using Service Headquarters. Actual time allowed for prayer or reflection is not prescribed. However, a reasonable approach needs to be taken by individuals and their managers.
- 12 It is acceptable for employees to take a limited time out of their working day to pray or reflect, but this must not unduly affect the service delivery. A suggested maximum time out of the workplace (not including lunch and/or break times) is 10 minutes twice a day. However, this is not prescriptive and a reasonable approach should be taken when agreeing time out.
- 13 Employees wishing to use the quiet/faith room should obtain agreement from their line manager. If regular use is desired, then a one off discussion to set in place a system of use should be considered.
- 14 The quiet/faith room may not be used as a general meeting room.