

Lead Employer Trust

Religious Observance

POLICY INFORMATION SHEET

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1 INTRODUCTION

The Lead Employer Trust (LET) is fully committed to equality of opportunity and promoting diversity. As such the LET recognises that not all 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 LET 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

The Equality Act 2010 came into force on 1 October 2010 prevents discrimination, harassment or less favourable treatment on the grounds of nine 'protected characteristics' including Religion and belief.

It is 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 LET, which is committed to equality and diversity in employment.

As part of its commitment to diversity the LET recognises that it operates in a multi-cultural and religious environment. The LET seeks to embrace all religions and beliefs where possible. To achieve this, the LET will attempt to:

- Ensure that all employees are able to practice or fulfil religious or cultural beliefs as far as is practicably possible.
- Acknowledge the holy days and festivals of all faiths and encourage all employees to do likewise.
- Support employees in fulfilling their commitments.

3 SCOPE OF THE POLICY

This policy will apply to all employees of the LET.

4 RESPONSIBILITIES

The Speciality Schools are required to ensure that the policy is observed and applied consistently and fairly within their areas of responsibility.

The host training organisations are required to ensure that the policy is observed in line with their own and applied consistently and fairly within their areas of responsibility.

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

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

The LET Human Resources Department will be responsible for ensuring the implementation of this policy, advising line managers, employees and trade unions on the content of this policy and its interpretation, provide training and advice to line managers and employees on the operation of this policy, and 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.

5 DEFINITIONS

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

Religion and Belief – 'Religion' means any religion. 'Belief' means any religious or philosophical belief. A reference to religion includes a reference to a lack of religion and a reference to belief includes a reference to lack of belief. Beliefs do not have to be philosophically 'similar' to religious beliefs. Religion or belief 'must have a clear structure and belief system.' In terms of belief, humanism or atheism is likely to be included but political beliefs are specifically excluded.

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 BREAK TIMES

Many religions require time during the day for prayer or meditation. Flexibility around break times to accommodate this can be best achieved by discussion to find acceptable solutions. It is important to remember that most individuals have had a great deal of experience at fitting such needs around work. Any such arrangements should conform to organisational policies and be transparent and fair to all employees. Such arrangements should be discussed between the host training organisation, the employee and their Line Manager at the earliest opportunity after commencing employment or starting a new rotation as this could impact on the host training organisations service. The LET should be informed of any arrangements.

7 ANNUAL LEAVE

The LET 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 derived from the Christian faith e.g. Good Friday, Easter Monday and traditional holidays e.g. Boxing Day, August Bank Holiday.

To embrace a diverse workforce, the LET accepts that not all members of staff share the same religion or beliefs hence 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 LET 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 employees. 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 employees take annual leave based around statutory leave and personally requested leave. However as some statutory days relate to Christian religious occasions, individuals who share a different belief may not wish to take leave at that particular time but instead when one of their religious occasions takes place.

The LET will adopt a flexible approach and sympathetically consider the taking of leave for those individuals who are devoted to their faith. All employees will receive exactly the same entitlement as they currently have, but at their line manager's discretion and in accordance with service needs, they may request annual leave in order to meet the requirement of their religion. 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 employees who do not hold any specific religion or belief should not be disadvantaged by any arrangements made. Each case should be considered separately on its own merits and further guidance can be obtained from the LET HR Department.

8 OTHER CONSIDERATIONS

Hospital Chaplains - the host training organisations employ chaplains and these are available to support employees and help them celebrate their faith. The Chaplains also maintain links to local faith leaders.

Multi Faith Rooms – some of the host training organisation sites have Chapels/Prayer Rooms, which are available to staff as well as patients for private prayer or personal reflection. These rooms are equipped with places for storing religious artefacts to ensure that they are suitable for use by people from all faiths. Holy books and scriptures are available for many faiths.

Cultural Awareness - the host training organisations provide Cultural Awareness Training and encourages all employees to attend.

Diet – some religions or beliefs have special dietary requirements and may require separate facilities for storing and heating food. Employees should inform their line manager if they have any such requirements to enable discussions to find mutually acceptable solutions.

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, taking into account any relevant factors such as the potential impact on patient care and adherence to health and safety policies and legislation e.g. Compliance with procedures such as 'Bare below the elbows'. For further advice on this issue, please contact the LET HR Department.*

Communication – It is good practice for all employees to understand the religious observances of their colleagues to avoid misunderstanding. This can be achieved through discussion with those concerned.

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

9 PROCEDURE FOR RESOLVING ISSUES RELATING TO THIS POLICY

Should issues arise which relate to religion, faith or culture then these should be raised initially informally with the employees Line Manager and advice sought from the LET HR Department. If no satisfactory resolution can be found, the employee may raise a Grievance under the LET's Grievance Procedure.

10 EQUALITY AND DIVERSITY STATEMENT

The LET is committed to providing equality of opportunity, not only in its employment practices but also in all the services for which it is responsible. As such, an Equality Impact Assessment has been carried out on this policy to identify any potential discriminatory impact. The LET also values and respects the diversity of its employees and the wider community it serves. In applying this policy, representatives of 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, please refer to the LET's Equality Diversity and Human Rights Policy

11 MONITORING AND REVIEW

The Lead Employer Trust Head of HR is responsible for monitoring the application of this policy and to ensure that the procedure is reviewed no later than Three years from the date of issue.

12 REFERENCES/LEGISLATION

Equality Act 2010

Religion or Belief, a practical guide for NHS Staff – Department of Health/EHRG 2009

LET Grievance Procedure

LET Equality Diversity and Human Rights Policy

LET Dress Code Policy

The preliminary impact assessment is a quick and easy screening process.

It should:

- Identify those policies, procedures, services, functions and strategies which require a full EIA by looking at:
 - negative, positive or no impact on any of the equality groups
 - opportunity to promote equality for the equality groups
 - data / feedback
- prioritise if and when a full EIA should be completed
- justify reasons for why a full EIA is not going to be completed

Division/Department

HR LET Department

Title of policy, procedure, function or service

Religious Observance by Employees

Type of policy, procedure, function or service

Existing

New/proposed

Changed



Q1 - What is the aim of your policy, procedure, project or service?

Describes how the LET will attempt to ensure that all individuals are able to fulfil their cultural or religious beliefs wherever possible.

Q2 - Who is the policy, procedure, project or service going to benefit?

All LET Employees

Q3 - Thinking about each group below, does, or could the policy, procedure, project or service have a negative impact on members of the equality groups below?

Group	Yes	No	Unclear
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Age		X	
Disability		X	
Race		X	
Gender		X	
Gender Reassignment		X	
Sexual Orientation		X	
Religion or belief		X	
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	
Relationships between groups		X	
Other socially excluded groups		X	

If the answer is “Yes” or “Unclear” you **MUST** complete a full EIA

Q4 – Does, or could, the policy, procedure, project or service help to promote equality for members of the equality groups?

Group	Yes	No	Unclear
Age		X	
Disability		X	
Race		X	
Gender		X	
Transgender		X	
Sexual Orientation		X	
Religion or belief	X		
Marriage & Civil Partnership		X	
Pregnancy & Maternity		X	
Relationships between groups	X		
Other socially excluded groups		X	

Q5 – Do you have any feedback data from equality groups that indicate how this policy, procedure, project or service may impact upon these groups?

Group	Yes No Impact	Yes Impact	No	Unclear
Age			X	
Disability			X	
Race			X	
Gender			X	
Transgender			X	
Sexual Orientation			X	
Religion or belief			X	
Marriage & Civil Partnership			X	
Pregnancy & Maternity			X	
Relationships between groups			X	

Other socially excluded groups			X	
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Q6 – Using the assessments in questions 3, 4 and 5 should a full assessment be carried out on this policy, procedure, project or service?

Yes		No	X
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If you have answered “Yes” now follow the EIA toolkit and complete a full EIA form

Q7 – How have you come to this decision?

No indication that equality groups would be adversely affected by this policy.

Q8 – What is your priority for doing the full EIA

High	Medium	Low
		X

Q9 – Who was involved in the EIA?

LET HR Department

This EIA has been approved by:

Lead Employer Trust Head of HR

Date: 18.5.2023

Contact number:

0191 275 4769

Please ensure that this assessment is attached to the policy document to which it relates.



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