

Document No:	SS019
Issue Number:	
Issue Date:	2020-01-01
Renewal Date:	2023-01-01
Originator:	Head of Student Engagement and Equalities
Responsibility:	Director of Student Services and Marketing

This policy applies to all College activity including ESF contracts.

RELIGION AND BELIEF EQUALITY POLICY

1. Policy Statement

Leicester College recognises and celebrates the diversity of its staff and student population, and the variety of their cultural and religious beliefs and practices. The College seeks to create and maintain an environment in which the cultural, religious, non-religious or similar philosophical beliefs of everyone are respected, and seeks to ensure that appropriate support and services are provided to meet the related needs of all staff and students.

Leicester College is a secular institution but will seek to raise awareness of the diverse faiths and beliefs of its staff and students through a range of activities, in order to promote tolerance and understanding within its community. This sits firmly within the College's commitment to the promotion of British Values

Members of any religion, followers of any faith or belief, and those without religious belief, will be treated with equal dignity, respect and fairness. The College recognises the right to freedom of thought, conscience and religion, but, that the right to manifest beliefs is qualified by the need to protect the rights and freedoms of others.

Through the relevant policies and procedures the College seeks to ensure that:

- (a) the recruitment and selection of staff and students is based entirely on relevant criteria, which will not include religious belief or non-belief;
- (b) individuals are not treated less favourably than others due to their actual, perceived or by association, religion or belief or non-belief;

- (c) it provides an inclusive and supportive learning, working and social environment in which everyone feels valued and can succeed, and which is free from discrimination, harassment and victimisation;
- (d) tolerance and respect are promoted through open debate and dialogue between students and staff from different faiths and no faith.

2. The Legal and Policy Framework

Under the **Equality Act 2010** it is unlawful to discriminate on the grounds of religion and belief in the provision of goods and services.

The legislation applies to all staff, governors and students within the College and means it is unlawful for anyone to be discriminated against directly or indirectly, or to be harassed or victimised on the grounds of their religion, religious belief or similar philosophical belief.

The Regulations apply throughout the employment relationship the College has with its staff, i.e. during the recruitment process, within the workplace, upon any dismissal or redundancy and in certain circumstances after employment has finished, e.g. providing a reference for an ex-employee.

In respect of the College's role as an education provider, the Act applies to individuals during their application and screening process, whilst they are enrolled on specific educational/vocational programmes and in certain circumstances after the programme has been completed e.g. assessments and verification of qualifications and awards.

It should also be noted that there are other legislative provisions which relate to Religion and Belief:

- The Human Rights Act 1998, protects the right of freedom of 'thought, conscience and religion';
- The Racial and Religious Hatred Act 2006 extended the racial hatred laws to apply to those of all faiths and no faith by creating a number of new offences concerned with "stirring up religious hatred".

Recent policy developments within the FE sector and beyond, strengthen the importance of values, belief and faith in effective educational provision, and the need for colleges to be proactive in this area, rather than just eliminating discrimination. The *Education Inspection Framework* recognises that the personal development, welfare and behaviour of all students is crucial in equipping them for employability and life in a multi-faith, multi-cultural world.

Respect and tolerance for those of all faiths and none is a key value which staff are required to exemplify in their practice and behaviour.

3. Definitions

3.1 Religion or Belief

In the Equality Act 2010 religion or belief is described as being **any religion, belief or philosophical belief**.

A religious belief is likely to include:

- A belief in a supreme being
- Some form of collective worship
- A clear belief system or
- A profound belief affecting a way of life or view of the world.

Non-belief is also covered by these regulations and secularism is considered 'a particular view'.

3.2 Discrimination

The Regulations and Act define discrimination as follows:

- **Direct Discrimination:** treating someone less favourably than others because of their actual or perceived religion or belief or non-belief.
- **Indirect Discrimination:** applying a provision, criterion or practice which disproportionately disadvantages an individual because of their religion or belief or non-belief without a good reason.
- **Harassment:** subjecting someone to unwanted attention on the grounds of their religion or belief or non-belief. Harassment is defined as unwanted conduct that violates dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment for them.
- **Victimisation:** treating someone less favourably because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint on the grounds of religion or belief or non-belief.

The College will take disciplinary action, up to and including the dismissal of a member of staff or exclusion of a student, if discrimination or harassment occurs.

4. Implementing the Policy

Employees

4.1 Recruitment and Selection

Leicester College has comprehensive recruitment and selection policies and procedures, which have been designed to eliminate harmful discrimination and aim to provide equality of opportunity in all areas.

Care should be taken in the preparation of job descriptions and person specifications to exclude requirements which may discriminate on

grounds of religion or belief, unless the post is identified as one requiring a 'Genuine Occupational Requirement'.

All requirements of the post should be made clear to applicants to allow them to consider whether there are any aspects which conflict with their religion or belief.

When making arrangements for interviews, or other selection arrangements, consideration should be given to dates and times which may conflict with the candidate's religious observance, and other religious needs should also be considered (e.g. dietary needs).

4.2 Training and Promotion

The College will ensure that all employees have equal access to training, promotion and other aspects of development regardless of their religion or belief or non-belief and will aim to ensure that religious needs are taken into account in developing staff development programmes.

4.3 Dismissal

The College will ensure there is no discrimination on grounds of religion or belief or non-belief in relation to dismissal of employees, and this will not be a factor in selection for redundancy.

4.4 Leave of Absence

Every attempt will be made by managers to accommodate requests for annual leave for religious purposes by their staff. However, time off for religious purposes needs to be accommodated within annual leave entitlement, (which is the same for all staff regardless of religious belief or non-belief), through the flexitime scheme where appropriate, or agreed 'time off in lieu'. Additional paid leave of absence for religious purposes is not available under the College's procedures.

The College publishes a significant religion and faith calendar, which can be used as a source of information and guidance on major faith festivals and events.

In line with the College's Staff Leave of Absence policy, extended annual leave may be granted under the following circumstances:

- to visit family or to fulfil religious obligations abroad;
- to fulfil a religious obligation or observance (e.g. pilgrimage).

Wherever possible, teaching staff should take extended leave out of term time, and all staff should give reasonable notice of any request for leave. Employees can bank some of their normal annual leave to enable them to take in the subsequent year, one longer period of annual leave for the purposes of a family visit or religious obligation. Employees wishing to bank leave should give a general declaration, in writing, to their line manager of their intention in the first leave year in

which they wish to save their leave. Further details are set out in the Leave of Absence policy.

4.5 Arrangements for Religious Observance during Working Hours

Leicester College recognises that members of staff may wish to take time off during the working day to carry out reflection, prayer or religious obligations and will seek to accommodate this need. Staff should, wherever possible, use or adjust break times that may be available to do so, and ensure that colleagues and managers are aware of the absence. Reflection rooms are provided on each campus.

Key meetings should take account of staff religious needs where possible, e.g. meetings or events organised on a Friday afternoon may indirectly disadvantage Jewish and Muslim members of staff.

As part of religious observance, members of staff may undertake periods of fasts, which may affect their work performance. This should be brought to the attention of the manager, who will discuss with the individual appropriate measures to maintain the level of work whilst enabling the individual to continue with their religious observance.

Students

4.6 Assessments and Examination

Staff responsible for setting coursework deadlines and examinations should, where possible, avoid the main religious festivals in their timetabling. However, whilst the College is unable always to arrange the academic or curriculum timetable around the religious festivals of all faiths, we will endeavour to work with students to accommodate their religious needs. Students should take note of coursework deadlines and where there is a coincidence with a major festival should hand the work in prior to the deadline date

Where possible examinations will not be timetabled to coincide with major religious festivals although this cannot always be avoided due to timetabling restraints and compliance with awarding bodies.

If a student knows they need to pray during an examination they should notify their tutor in advance and then a request should be submitted, prior to the examination, with exams. A special consideration report will then be submitted to the awarding body concerned.

If a student has not provide a notification in advance they will be unable to leave the exam to pray as this is potentially disruptive to other learners and staffing will be inadequate to support this without prior notice.

If a student has not notified the Exams Department in advance and requests to delay the start of an exam or to arrive late to an exam due to the need to pray this will not be possible to accommodate.

4.7 Religious Observance during Study

In cases where students are fasting or performing a religious obligation and feel that this may affect their academic performance, they should bring this to the attention of their lecturer and learning coach. Discussion will take place to agree appropriate measures to maintain performance levels whilst enabling the student to continue with their religious observance.

Students are encouraged to use the reflection rooms provided on campus for worship or prayer wherever possible, to minimise time lost from study. If students need to take a short leave of absence for worship or prayer during a lesson period, they are encouraged to discuss this with their lecturer in advance. Teaching staff are expected to take reasonable steps to provide students with support to enable them to catch up as necessary on work which they may have missed. However, if they are intending to regularly miss, or be late for a particular lesson, due to religious observance, this must be authorised in advance at the beginning of the year, using the appropriate authorisation form, or it will affect their attendance record.

4.8 Attendance

Leicester College recognises that students may wish to take time off from study to observe significant religious festivals. They should give advance notice of their absence and the reason to their lecturer, who will authorise the absence if appropriate.

Teaching staff are expected to take reasonable steps to provide students with support to enable them to catch up as necessary on work which they may have missed.

5. Other Principles

5.1 Dress Code

Leicester College imposes no dress code on its staff or students and welcomes the diversity of the wearing of items relating to different cultural or religious norms provided that:

- The dress, symbols or jewellery do not have implications for, or contravene, health and safety policy and practice
- Any form of dress does not affect the quality of teaching or learning or the performance of agreed duties
- Any form of dress conforms to acceptable standards and decency

- Slogans or symbols that constitute harassment and may cause offence to others (e.g. those that are either racist, sexist or homophobic) are not worn/ displayed. Such action may result in disciplinary action.

In some parts of the College, health and safety considerations may restrict certain modes of dress particularly where protective clothing or uniform is required, e.g. Hair and Beauty, Construction, Engineering, Catering. The College will consult with staff and students who may be affected by such a restriction to agree appropriate arrangements.

5.2 Dietary Requirements

Leicester College will aim to ensure that the food provided on all campuses reflects the diversity of the staff and student population. The College will respond positively to requests for foods that meet particular dietary requirements (e.g. Vegetarian, Kosher, Halal) and will provide such foods wherever practicable.

5.3 Reflection Rooms

Leicester College aims to accommodate the religious observance needs of staff and students and has provided designated reflection rooms on its main campuses. Users of these facilities are encouraged to maintain and respect the facility as a place of quiet prayer, contemplation and reflection.

5.4 Staff and Student Identification

Leicester College requires all staff and students to wear identification cards. For individuals who wish to wear religious dress that fully or partially obscures the face (such as Niqab or Burqa), the following procedures are followed:

- Any verification of identify will be carried out by a female member of staff.
- Before taking the main identity card photo, the staff member or student will be required to bring in a passport size photo showing their face, for verification during staff induction or student enrolment. This photo will be made into a second manual identity card that must be carried, but need not be displayed.
- The student or staff member will also have a main identity card that can be displayed at all times in which they can wear their religious dress as required. This photograph can be taken by a female member of the admissions/ enrolment or Human Resource staff team in a private room if required.
- For staff and students records, the unveiled photographic image will be stored on a separate file with restricted access.

- In most instances staff and students will not be expected to show anyone the second unveiled identity card or to confirm their identity by letting them see their face.
- However, staff and students may be required to confirm their identity for security purposes by campus wardens or by an exam invigilator, when taking an examination or assessment.
- Any requests to confirm identity will be dealt with sensitively. If the authorised member of staff needs to confirm an identity, the individual concerned may ask for a female member of staff to confirm identity by going into a private room and removing the veil.

5.5 Multi-faith Chaplaincy Service

Leicester College welcomes individuals from all faiths and backgrounds and works to provide an inclusive environment where individuals can work and learn. Student Services offers a Multi-faith Chaplaincy which aims to provide pastoral care, support spiritual development and improve inclusion for all. Chaplains from the various faith or non-faith communities will provide one to one support and guidance to individuals on matters of faith, belief or non-belief, and will contribute to enrichment activities to raise the awareness of different values, beliefs and faiths across the College.

6. Handling Breaches of Policy

6.1 Offensive Actions or Behaviour or Harassment

This policy recognises that individuals or groups have a right to practice and observe their faith, belief or non-belief, but not to behave in a way that adversely impacts on others. Any behaviour or action in breach of this policy will be treated seriously by the College and may result in disciplinary action.

This includes any attempt at coercing or threatening others through means of proselytising or urging adherence to a particular belief system, for example through unauthorised distribution of propaganda or through threats or offensive remarks. This will be deemed as harassment (see paragraph 3.2). In addition, the College will not tolerate any offensive literature or graffiti on the premises.

6.2 Raising Needs and Concerns

Any member of staff or student who feels that they are not being treated fairly in accordance with this policy should initially try and resolve the matter by discussion with their line manager or lecturer. If that fails, the staff or student complaints procedure should be used.

Further advice and guidance is available through Human Resources or Student Services.

7. Responsibilities

Governors are responsible for ensuring that:

- people with different belief systems are given equal opportunities to become members of the Corporation, and in the event of any significant under-representation, that the Corporation considers what steps can be taken to address this;
- the College's strategic plans include a commitment to religion and belief equality as part of British Values and Prevent;
- they are aware of the College's statutory duties in relation to religion and belief.

Managers are responsible for:

- taking the lead in creating a positive inclusive ethos that challenges inappropriate or discriminatory behaviour;
- ensuring that they are aware of the College's statutory duties in relation to religion and belief and that all college policies and practices are impact assessed to ensure they do not have an adverse impact on any groups in relation to religion and belief;
- ensuring that employment practices do not discriminate against people on grounds of religion and belief;
- ensuring that the College publicity presents positive and non-stereotypical messages about people from a diverse range of values, belief and faiths;
- ensuring that appropriate training is given to their staff to understand their responsibilities under the policy, and to support their appreciation and understanding of diversity in relation to religion and belief and its key part of British Values.

Employees and students are responsible for:

- ensuring they are aware of, and understand, the policy and its implications for them; including its high priority within British Values;
- ensuring that they challenge or where appropriate report, inappropriate behaviour or discrimination on grounds of religion, belief or non-belief by students, staff, work placement providers, contractors, visitors, whether intentional or not.

8. Publicising the policy

The policy will be made available to all employees through the Intranet and will be included in the staff induction process. The policy should be referred to in the student induction process. British Values form part of the LEAP programme and is introduced to students in the Principal's welcome.

9. Monitoring and Review.

The College will work towards developing the confidential monitoring of staff and students by religion and belief in order to assess the impact of this policy.

This policy will be monitored and reviewed by the Equality, Diversity and Inclusion Committee, and it will be reviewed at least every three years.