

EDC17D006A

## UEA CODE OF PRACTICE FOR STAFF – RELIGION OR BELIEF

### 1.0 Introduction

- 1.1 The University of East Anglia, referred to as “the University” throughout this document, has developed this revised Code of Practice to demonstrate the steps that will be taken to ensure equality in respect of religion or belief and to ensure its compliance with the Equality Act 2010.
- 1.2 This Code of Practice is underpinned by the University’s Equality & Diversity Strategy/Action Plan and the Equality & Diversity in Employment Code of Practice, which can be accessed on the Human Resources Division’s intranet sites.
- 1.3 The University is an international and multicultural community which values and encourages diversity. As a public body the University has a particular responsibility to promote equality in respect of religion or belief. The University as a major employer and provider of education and other services, and a purchaser of goods, works and services, is committed to:
- ensuring that it makes every reasonable effort to promote equality in respect of religion or lawful belief;
  - the removal of unlawful discrimination on the basis of religion or belief;
  - the promotion of good relations between people of different religions or lawful beliefs;

# FINAL DRAFT

- providing a supportive and inclusive environment to staff of all religions or lawful beliefs.

1.4 The aim of the University is to remove barriers to the working environment and/or policies, procedures and processes, which could disadvantage staff from different religions or beliefs.

1.5 This Code of Practice should be read in conjunction with other key University documents, including but not limited to the Equality & Diversity Code of Practice and Recruitment & Selection Guidelines.

## 2.0 Purpose

2.1 The purpose of this Code of Practice is:

- to raise the awareness of the University's staff about religion or belief issues and their responsibilities under the Equality Act 2010;
- provide guidance to managers to ensure that staff from different religions or beliefs are supported in their work activity at the University;

## 3.0 Scope

3.1 This Code of Practice applies to all staff employed by the University, individuals registered on UEA's staffing registers, individuals holding honorary and/or secondment contracts, individuals undertaking work experience and self-employed individuals.

3.2 The University also expects the following groups to behave in a manner which complies with the expectations set out for staff :

- Students
- individuals undertaking work experience on placements

# FINAL DRAFT

- members of the public
- service users
- individuals employed by other organisations (such as recruitment agencies, Consortiums and Partnerships)
- suppliers and contractors.

## 4.0 Responsibility of all staff

- 4.1 All staff are required to comply with this Code of Practice and with the relevant legal requirements. Anyone with responsibility for managing staff has additional responsibilities, which are detailed in Section 5.0.
- 4.2 Staff are encouraged to disclose their religion or belief and staff can update their personal circumstances online via 'MyView' accessible via the UEA Portal or in writing to Human Resources. See *Briefing Note 17 – Disclosing your Religion or Belief* for further information about the disclosure process and why it is beneficial to do so.
- 4.3 Staff should consider making their manager and/or Human Resources Manager aware of issues related to their personal circumstances, particularly where this relates to their wellbeing, health and safety in the workplace or a practice that could result in unlawful discrimination related to religion or belief.
- 4.4 All staff have a responsibility to ensure that all members of the University community are treated with dignity and respect.
- 4.5 The University provides an environment where academic debate can take place in respect of religion, belief and non-belief. Staff must respect the freedom individuals have to express their beliefs or non-beliefs. However, where the beliefs expressed constitute harassment or go beyond what the

# FINAL DRAFT

University accepts as reasonable, as detailed in the *Code of Practice Relating to Freedom of Speech and Activities, Events and Meetings*

<https://portal.uea.ac.uk/documents/6207125/7465906/Section+3+Code+of+Practice+-+Freedom+of+Speech.pdf/e2147e9a-e409-4423-aa1a-de813a7dcf4b>

in line with the Human Rights Act 1998, “..., the University does not regard the right to freedom of speech as unfettered and asserts its right to prohibit or to place special conditions on activities, events or meetings (“activity” or “activities”) where it is appropriate to do so”. See the *Dignity at Work Policy* {insert link} for dealing with unacceptable behaviour.

- 4.6 The Vice-Chancellor and Executive Team requires all staff to complete the online Equality and Diversity training module that can be accessed via the Equality & Diversity, Human Resources and CSED webpages; and to re-complete a refresher every two years.

## 5.0 Responsibility of all managers

- 5.1 All individuals with management and supervisory responsibility are responsible for the implementation of this Code of Practice within their Service, Faculty, School, Department, Office areas.
- 5.2 Managers need to be aware of their responsibilities under this Code of Practice and under the Equality Act 2010 and ensure that they are carried out appropriately.
- 5.3 Managers must take steps to ensure that policies, procedures and practices in their areas of responsibility do not have an adverse impact for staff from different religious groups and to assess whether the cause of this different outcome might constitute unjustifiable discrimination.

# FINAL DRAFT

5.4 Where inappropriate behaviour is brought to a manager's attention, the manager is responsible for taking appropriate action. This includes addressing the behaviour of individuals not employed by the University as referred to in paragraph 3.2 of this document. Managers can seek advice and support from Human Resources in dealing with such matters.

## 6.0 The Legislation – Equality Act 2010

6.1 The main provisions of the Equality Act 2010, referred to as “the Act” throughout this document, came into force on 1 October 2010 and the provisions relating to positive action in recruitment and the public sector duty came into effect on 1 April 2011.

6.2 The Act consolidated the many equality and anti-discrimination laws into a single Act covering nine protected characteristics:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including Caste)<sup>1</sup>
- Religion or belief
- Sex
- Sexual orientation

6.3 The Equality and Human Rights Commission indicates that “religion or belief can mean any religion, for example an organised religion like Christianity,

---

<sup>1</sup> Current case law also means that race in the Equality Act can also pertain to caste.

# FINAL DRAFT

Judaism, Islam or Buddhism, or a similar religion like Rastafarianism or Paganism, as long as it has a clear structure and belief system”.<sup>2</sup>

6.4 The Act states that you must not be discriminated against because:

- You are (or are not) of a particular religion.
- You hold (or do not hold) a particular philosophical belief.
- Someone thinks you are of a particular religion or hold a particular belief. This is known as discrimination by perception.
- You are connected to someone who has a religion or belief. This is known as discrimination by association.

6.5 The Equality and Human Rights Commission explains the Act's meaning of philosophical belief as *“a philosophical belief must be genuinely held and more than an opinion. It must be cogent, serious and apply to an important aspect of human life”* and *“that a belief must also be worthy of respect in a democratic society and not affect other people’s fundamental rights”*.<sup>3</sup>

6.6 The Act makes it unlawful to discriminate on the grounds of religion or belief. Acts of discrimination can occur in a number of ways, which include:

- **Direct discrimination** where an individual is treated less favourably than another individual because of their religion or belief.
- **Indirect discrimination** occurs where a condition, rule, policy or practice that is applied equally to everyone has the effect of

---

<sup>2</sup> Source: Equality and Human Rights Commission <https://www.equalityhumanrights.com/en/advice-and-guidance/religion-or-belief-discrimination>

<sup>3</sup> Source: Equality and Human Rights Commission <https://www.equalityhumanrights.com/en/advice-and-guidance/religion-or-belief-discrimination>

# FINAL DRAFT

disadvantaging a particular group of individuals who are of a particular religion or belief.

- **Harassment** is unwanted conduct related to a person's religion or belief that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that person.
- **Victimisation** happens when an individual is treated less favourably because they have made or supported a complaint of religion or belief related discrimination.

6.6 Please refer to Briefing Note 18 – Different Types of Religious or Belief Discrimination for examples of discrimination in the workplace.

6.7 For further information on how to deal with religious hate incidents and hate crime please refer to Briefing Note 19 – How to deal with Religious Hate Incidents and Crime.

## 7.0 Monitoring and Review

7.1 The Human Resources Division, on behalf of the University, is responsible for monitoring and reviewing the implementation of this Code of Practice to ensure its effectiveness.

7.2 The University will continue to monitor and review the impact of its policies, procedures and practices on staff and applicants for employment from differing religious groups and take positive action where appropriate to ensure that its policy on religion or belief is fully implemented.

7.3 Such action will include the provision of training and awareness, particularly for key staff groups where monitoring indicates that an area of policy, procedure or practice requires revision.

# FINAL DRAFT

- 7.4 The Human Resources Division will monitor the completion rates for the Equality & Diversity module and provide a regular report to the Equality & Diversity Committee.
- 7.5 The University will develop and keep under review indicators of the impact of its policies and practices in employment and the provisions of other services. These indicators will be reported to the Equality & Diversity Committee on an annual basis. These will include as a minimum a religion or belief profile for staff employed at the University.

It is possible that future monitoring will include:

- Applicants for and those obtaining employment
- Applicants for and those receiving training
- Applicants for and those completing probation and obtaining promotion and awards
- Staff being appraised
- Staff whose attendance at work is being measured through the sickness absence guidelines
- Staff whose performance is being measured through the formal capability process
- Staff involved in formal disciplinary and grievance processes (including the outcome of said processes)
- Staff leaving the University

|  |  |
|--|--|
| UEA Equality & Diversity Committee – approval date | Due to be considered 30 October 2017<br>Equality & Diversity Committee |
| Equality Impact Assessment undertaken              |  |
| Next Review Date                                   | September 2018   |
| Review frequency                                   | Annually   |
| Author   | S Forder - Human Resources Division                                    |
| Document Ref.                                      | UEA CoP for staff – Religion or Belief final draft 1017                |