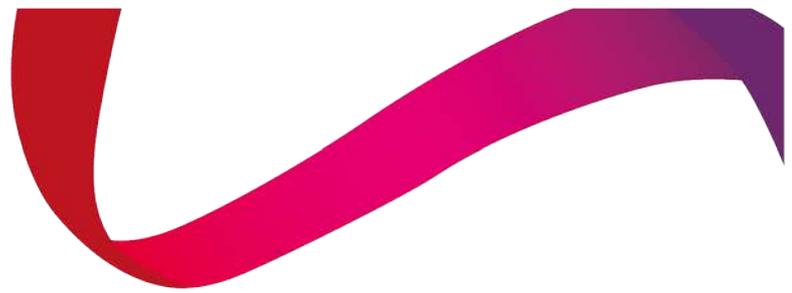


Religion and Belief Equality Guide

Diversity Unit, October 2016



Contents

Position Statement	3
Introduction	4
PART 1 – The global context and relevance to cultural relations	
Terminology and language	5
The global context	6
The UK context	7
PART 2 – Managing risk and promoting good practice	
Managing risk	8
Good practice	9
Recruitment and selection	10
Organising training and development	11
Appearance and dress	12
Dietary requirements	13
Monitoring religion and belief	14
PART 3 – Understanding the legal context	
The UK and wider legislative context	15
Exemptions	16
Prevention	17
Raising concerns about unjustified discrimination	17
PART 4 – FAQs, Useful resources and further reading	
Frequently Asked Questions	18
Concluding comments	22
Useful resources	22
Footnotes	22



Our position statement on religion and belief

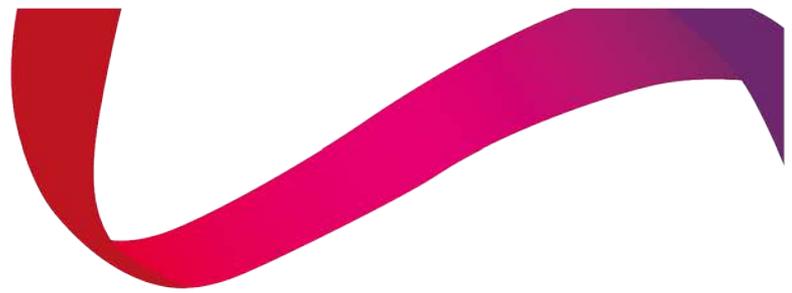
At the British Council, we recognise, acknowledge and respect religious diversity. We believe that discussions and interactions based on respect between people of different faiths or none, enrich and deepen our cultural relations work. This work is informed by human rights principles. Many human rights frameworks guarantee freedom of thought, conscience and religion and encompass not just the freedom to hold personal thoughts and convictions, but also to be able to manifest them individually or with others, publicly or in private. They forbid discrimination against individuals who have, or wish to have, different beliefs and prohibit the use of coercion to make someone hold or change their religion or belief. This is entirely consistent with our organisational values.

We do not support or promote any specific religion or belief¹. We believe that a position of what might best be described as ‘impartiality’ in this area enables us to work most effectively with a wide range of people and organisations holding varied religions or beliefs. We encourage and aim to nurture what joins us as an international community, without ignoring tensions related to religion and belief; including tensions between members of a particular religion or belief. Indeed we know tensions can lead to separation, divisions, polarisation and a range of negative impacts, including unfair treatment.

Issues of ethnicity, race and nationality are complex and can be made more so by religious belief. Given this, our approach to diversity has inclusion at its heart. It therefore aims to help ensure our encounters and our cultural relations work foster inclusion and social justice and, in the spirit of mutuality, bring benefit for the UK and the countries it interacts with.

Specific reference is made to religion and belief in our Equality Policy and Equality, Diversity and Inclusion Strategy. We recognise that religion or belief is often central to how individuals, communities and nations see themselves, their identities and to how daily life is conducted. We value and respect the religious diversity of our staff and the communities and countries in which we operate. We make every endeavour to improve understanding between cultures and, where appropriate, ensure that varied needs and preferences are taken account of. In doing so, we do not promote one religion or belief over another.

Whilst we explore and aim to create common ground, we do not draw back from our position that all states and societies – be they ‘religious’ or ‘secular’ – should be open to reasonable and balanced debate. We take due care not to undermine this by, for example, using symbols or displaying slogans which might be seen as religious propaganda, or that are discriminatory, or associated with discrimination against a particular religion or belief. We do not define topics as ‘off limit’. We state in our Equality Policy that we do not interfere with the legitimate freedom of artistic or intellectual expression, investigation or discussion, recognising the UK supports a broad spectrum of such expression and discussion and we try to share this, where appropriate, in our work with other people and countries.



Introduction

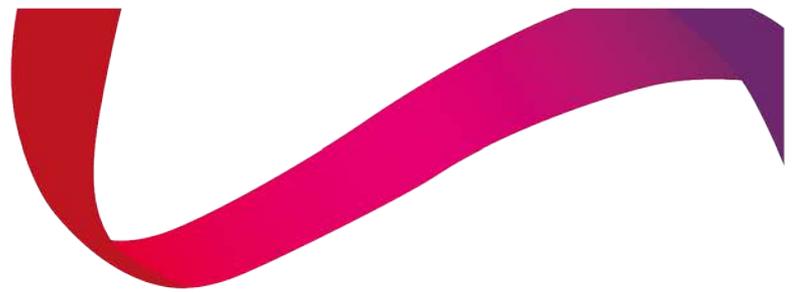
This revised Religion and Belief Equality Guide builds on the initial one produced in 2008. It aims to ensure our work reflects good practice. The guidance remains necessary because we believe increased understanding of the role of religion and belief is an important contributor to strengthening cultural relations and we recognise the continuing and changing relevance of religion and belief for many societies across the world.

The Guide has a focus on the United Kingdom (UK) because this is where the British Council headquarters are and, of course, all of the British Council's work is in some way concerned with the UK. However, it applies across all our offices, wherever local conditions allow, and is relevant to all our work, including work commissioned and undertaken by third parties.

We recognise that faith groups include a variety of denominations, beliefs, traditions and practices and include people from different genders, ethnic backgrounds and cultures, different social backgrounds, ages, abilities and sexual orientations/identities. Given this, and that we are not dealing with homogeneous entities, we ask that the information contained within this Guide is viewed with this in mind; it is a brief summary of an area as rich as human experience – it is a sketch rather than a final authority. The standards and practices however, should shape how we approach our work, and all of us, managers in particular, have a responsibility to ensure this.

The Guide is in four parts. Part 1 sets the global and British Council context and explores the links between religion and belief and cultural relations. Part 2 focuses on managing risk and promoting good practice, much of which is drawn from British Council work and from the experiences of colleagues. Part 3 has a focus on the legislation. Part 4 contains some Frequently Asked Questions, some useful resources and web-links providing more related information.

The Guide as a whole draws on resources detailed in the appendix. In addition, links are provided that detail relevant legislation in place in the UK and beyond. The Guide will be kept under review by the Diversity Unit with the aim of a biennial update and refresh.



Part 1

Terminology and language

The term 'religion' refers to both the personal practices related to communal faith and to group rituals and communication stemming from shared conviction. However, in the UK and elsewhere courts are ultimately responsible for interpreting the meaning of religion and belief in instances where unjustified discrimination is being alleged.

[Article 18 Universal Declaration of Human Rights](#)

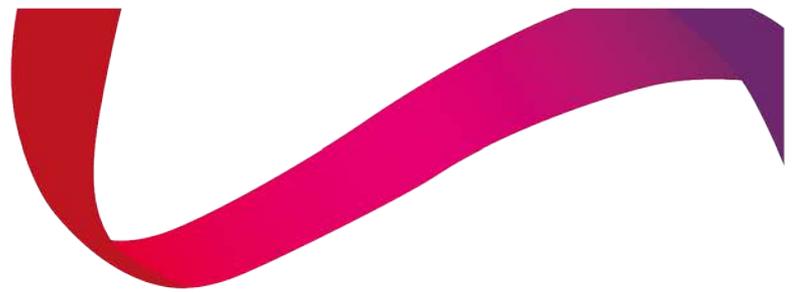
Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his/her religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

In order to be protected under Great Britain's Equality Act 2010ⁱⁱ, a religion or belief must be recognised as being cogent, serious, cohesive and compatible with human dignity. There is specific reference to the Baha'i faith, Buddhism, Christianity, Hinduism, Islam, Jainism, Judaism, Rastafarianism, Sikhism and Zoroastrianismⁱⁱⁱ and to denominations or branches of a religion e.g. Catholics or Protestants in Christianity. Recognised beliefs include Humanism, Pacifism and Atheism. Political beliefs are specifically excluded. The Act also protects people without a religion or belief.

Freedom of thought, conscience, religion or belief is a principle enshrined in many human rights frameworks.

Secularism is often used to imply a non-religious position, therefore saying the British Council is a secular organisation might at first glance seem to be appropriate. However secularism is a position in itself; a belief that holds it is essential for the state and religion to be separate. Therefore the British Council is not a secular organisation. A secular approach to cultural relations would seek to deny the significance and impact of religion in global issues. Our engagement with religion and belief does not mean we adopt any particular religious position but rather that we recognise the influence of religion and belief on contemporary geopolitics and aim to ensure our understanding of cultural relations is informed by an awareness of this.

The importance of using language carefully and sensitively in the area of religion and belief cannot be overestimated. Governments, partners and the media sometimes make inaccurate and unhelpful references to religion and belief. We must guard against this and ensure the tenor and terminology within our own discourse and communications are respectful, nuanced and appropriate. Failure to do so will impact both on our own staff and on the people we are seeking to engage and work with and damage our credibility as an international cultural relations organisation.



The global context and cultural relations

Whilst in the UK and much of Europe there are assumptions that religion is declining, the global data suggests otherwise. In the majority of countries where the British Council is working, over 90% of the population have their faith as the prime determinant of their identity and their ensuing values and behaviours.

“As the world becomes more modern, it is not becoming more secular. Instead, on the street and in the corridors of power, religion is surging. As *God is Back* shows, faith is on the increase and if you want to understand the modern world, you cannot afford to ignore God – whether you believe in Him or not”.

Taken from a review of God is Back, by John Micklethwaite and Adrian Wooldridge, 2011

We are aware that questions of ethnicity, race and nationality are made more potent by religious difference and we are also aware that there are, unfortunately, many examples of violence, unjustified religious discrimination and underlying tensions within particular religious, ethnic or racial groups. Worldwide, communities are increasingly polarised along the fault-lines of a particular religion or belief.

The current geopolitical climate is dominated by issues which seemingly have religion and belief at their core. These are complex and multi-faceted and include but are not limited to:

- That religion is a powerful transnational force that binds individuals across borders with a shared sense of belonging and common identity, particularly seeming to affect individuals and groups who don't feel their interests and needs are being addressed by the state or government bodies.
- The increasing politicisation of religions and consequent new affinities between religion and nationalism, including Hindu nationalists in India and Buddhists in Myanmar.
- The power and appeal of ISIS and the impact of other religiously motivated groups including Boko Haram in Nigeria.
- The rise of the far right in Europe and North America and the way politicised views on society and diversity can influence different spheres of life including education and workplace behaviours.

At the same time there are developments in inter-faith dialogue. These seek to build co-operation and understanding between differing faith communities in response to both unjustified religious discrimination, as well as tensions and factions arising from religious difference.

Summarised from Pew Research Centre, The Future of World Religions: Population Growth Projections 2010-2050

Islam is the fastest growing religion.

Christianity is declining in Europe but rising in sub-Saharan Africa and China.

There is rapid growth of Buddhism in the West, but global projected decrease.

India will be the country with the largest Muslim population but a Hindu majority (77%).

Secularism on rise in USA but only 16% of world's total population.



“Living in this part of world, I was raised up as an atheist, and the media environment is very different from that in the west. I was reading a report from *The Guardian* the other day which mentions the right of blasphemy in France. Well, English is my second language, but I’ve always thought blasphemy as derogatory and never thought there was a right to blaspheme. Till that moment, it hit me that we are living in such different and diverse worlds, though we talk about globalisation on a daily basis. I agree that these topics are sensitive and nuanced but thanks to you all for raising this mail exchange here so that we can share our thoughts and perhaps understand each other more and most importantly to respect each other more...”

(A colleague from China, responding to a discussion about free speech and blasphemy on the Global Diversity mailbase)

The UK context

In the UK there is still a link between the Head of State and the established Church. The Queen is Head of Church and State and this can lead to confusion about the extent to which the UK is ‘a Christian country’, whilst some hold that the UK is in fact a ‘post-Christian’ country. Research confirms a changing and complex picture:

“The religious landscape has been transformed in the last few decades and now includes a large proportion of people who identify themselves as not religious, and censuses and surveys suggest this proportion is increasing rapidly.

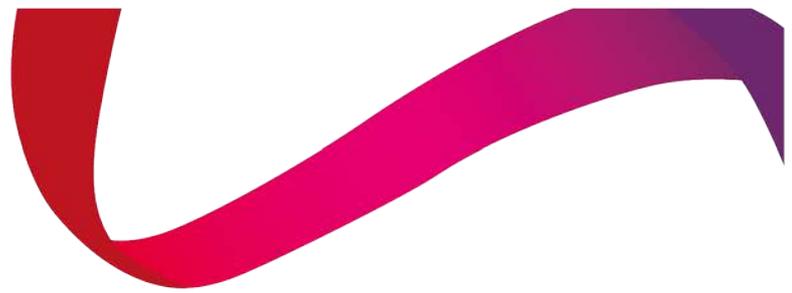
At the same time there is a growth in religions other than Christianity, and in branches of Christianity such as the Evangelical and Pentecostal churches.

The picture is made more complicated by the growth of fanaticism, by a suspicion amongst many that religion is a significant source of the world’s ills, and by a blanket denial by others of the legitimacy of non-religious approaches to life. Forms of hatred such as Islamophobia and antisemitism are also pressing societal issues...

So twenty-first century ethno-religious issues and identities here in the UK and globally are reshaping society in ways inconceivable just a few decades ago, and how we respond to such changes will have a profound impact on public life”

(Living with Difference, Report from the Commission on Religion and Belief in British Public Life, 2016).

Therefore it seems clear that there is a pressing need to understand and engage with issues of religion and belief and to appreciate the implications for our work in cultural relations. As a cultural relations organisation, our main purpose is to bring people with different views and backgrounds together to develop friendly knowledge and understanding and to engender trust. Respecting people’s religion or belief is crucial to this process and contributes greatly to our success.



Part 2

Managing risk and promoting good practice at the British Council

At the British Council, our global footprint and diverse staff is a strength. We pride ourselves by being an organisation that embraces various cultures and people of different belief systems. We expect all staff to commit to that core value too. Without valuing – and respecting – those of different beliefs, we fail to fulfil our purpose as an organisation, of creating a ‘friendly knowledge and understanding’ between the peoples of the UK and the wider world.

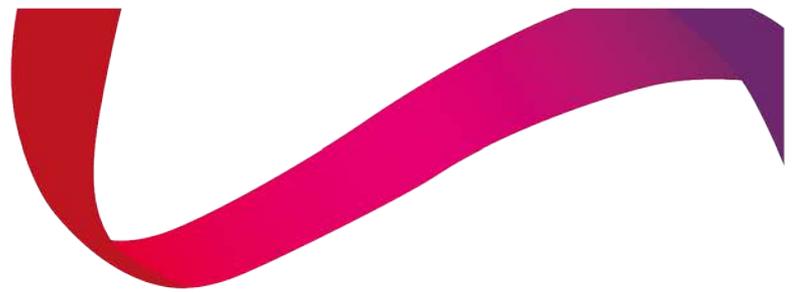
Over the past few decades there has been a significant increase in people justifying violence by their religious belief. This isn’t limited to a single religion or geography. We see it in a variety of contexts with victims often those of the same religion or nationality. At its worst, these extreme religious beliefs can result in physical harm to other people and at a minimum they create a culture of intolerance for those who do not share their worldview.

In rare cases, organisations that promote violent religious extremism may attempt to leverage our reputation, premises or activities to promote their interests. This could include using our premises for meetings, our computers to disseminate violent religious messaging, or our staff’s prestige to recruit others to their cause. Although these are not common occurrences, it can happen. It is important that staff are aware of their dual responsibility to respect others’ religious beliefs but also to raise concerns when they see a possible sign of religious intolerance.

Examples (not exclusive)

- A colleague putting pressure on another to comply with some religious practice such as clothing to wear, prayers to say, whether/how to fast, food to avoid, and so on.
- A customer expressing hostility towards and refusing to have any interaction with a member of staff of a different religious belief.
- A clique being formed of staff of a particular religion that sets a closed or uncomfortable atmosphere in a British Council operation.
- A partner promoting or celebrating an attack on someone of another belief system.

It is therefore critical that we effectively manage situations where staff, customers, partners or anyone in contact with our organisation promotes religious intolerance or, worse, religiously-inspired violence. In practice, this means that religious intolerance should be raised with line management and HR. This should be done discreetly to protect the individuals involved and, if relevant, possible victims.



The case for good practice

There is a sound business case for making serious efforts to embrace diversity, prevent and eliminate unjustified discrimination in the workplace and to generally improve our practice. It is well established that those who are subjected to discrimination, harassment or victimisation can be unhappy, demotivated and significantly less productive; they may resign and formally complain. Dissatisfied customers and partners, on the other hand, will frequently simply go elsewhere.

We are not legally obliged to provide time and facilities, including prayer facilities, in order to meet the religion or belief observation needs of staff or those we work with. As a general principle however, and in line with good practice, where possible, we should try our best to do so, recognising that we need to exercise judgment about what constitutes the core elements of different beliefs and that different individuals will follow and practice a belief in their own way.

In Malaysia we restructured the team so that a member of staff did not have to work with a partner in the alcohol industry and designed a programme so that we offered separate British Council and Guinness awards, ensuring participants of all religions could participate.

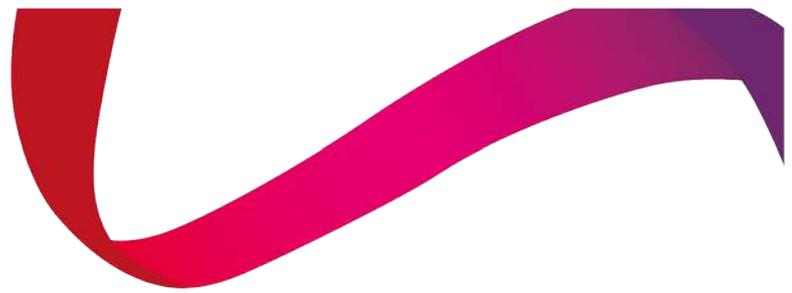
If there are conflicting demands, we should carefully consider how to reconcile these; for example, if staff have particular cultural and religious needs which might conflict with work requirements. In these instances we might draw on our flexible working policy which can allow staff to manage their time in a way that does not undermine their ability to meet their religion or belief obligations within the context of contracted hours and business requirements. Our experience shows that it is generally possible to accommodate religious obligations and/or ceremonies or festivals through flexible working arrangements and annual leave, or perhaps unpaid leave, all with appropriate managerial agreement. People of a certain religion or belief should not, however, have terms and conditions which are more favourable than those without such a belief.

“Her helpfulness made a big difference. It is not an exaggeration to say that I could not have managed to survive without praying comfortably; I would have been very unsettled. She wanted me to be comfortable and as I’d been struggling with being uncomfortable since I arrived particularly because of the cold British weather I was most grateful!”

(Visitor to the British Council, London, referring to help received by a colleague from UK Estates)

In respect of requests for the accumulation of annual leave or unpaid leave on religious grounds, our position is that these should be given sympathetic consideration and not be refused without strong justification. This holds for the exchange of public holidays for other holy days, such as Eid, Yom Kippur, Wesak, Diwali and Guru Nanak’s birthday.

In some countries, for example Indonesia and India there are a number of official religions. We therefore have to be aware of the related religious holidays and take account of them in deciding on office opening times and the delivery of our services. This is often achieved through openness and a process of negotiation.



We are increasingly able to reasonably accommodate the religion or belief observation needs of staff and visitors. In the UK for example, we have a number of prayer mats (with a built-in compass identifying the direction of Mecca) which are used by staff and by visitors to our offices in London and Manchester. We can also provide meals to cater for halal diets and order meals to cater for kosher and other specific diets on request.

Call to action: Check if providers of halal, kosher, vegan and other specific diets have been identified, so these can be sourced quickly if requested.

Finally here, we need to be aware that some religious/belief festivals are aligned with lunar phases and therefore change from year to year; the dates for some festivals do not become clear until quite close to the actual day. There are now several [online Religious Festivals and Holidays calendars](#) and we encourage use of them.

Call to action: Use the religious festival and holy day calendar when planning events, meetings and activities.

“I think there are 2 main considerations that we always take into account when planning training and events:

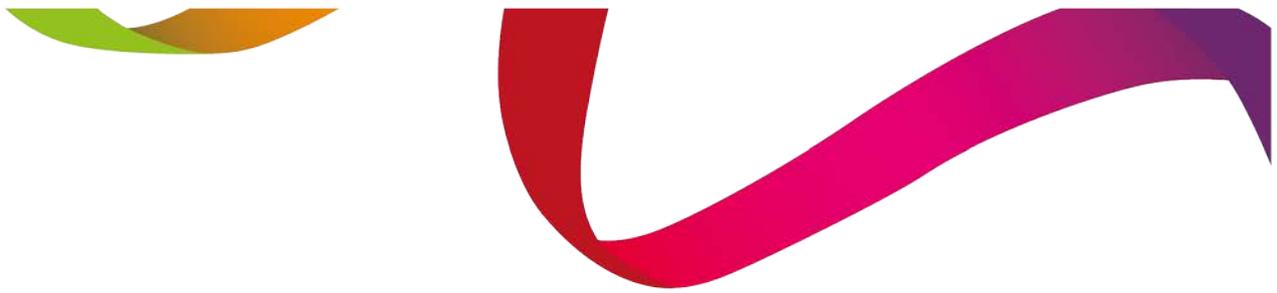
- Religious festivals and holidays: the obvious one where we don't schedule events on such days and the slightly less obvious one where we revise expectations about what can be achieved during certain periods of the year;
- Timetabling: we ensure that sufficient time is given to allow for prayers.”

(Colleague from East Asia)

Recruitment and selection

In the course of recruitment and selection, organisations can intentionally or unintentionally unjustifiably discriminate. In order to avoid this:

- Do not set unnecessary selection criteria or standards which might prevent people from applying because of their religion or belief.
- Clarify what the job actually entails so that applicants have the opportunity to fully consider whether there is any chance the job might conflict with their religious or belief convictions, enabling them to make an informed decision about whether or not to apply.
- Select for recruitment or promotion on merit, irrespective of religion/belief.



- It is possible to take certain steps to redress the effects of previous through **positive action**. This can include:
 - training existing staff for work which has historically been the preserve of individuals from a particular religion/belief;
 - advertising to encourage applications from an under-represented religion/belief, but making it clear that selection will be on merit without reference to religion/belief.

It is important to note that for positive/affirmative action to be legal it must, generally speaking, be supported by monitoring data. That is, there must be evidence of a shortfall in a particular religious/belief community compared with their presence in the general population.

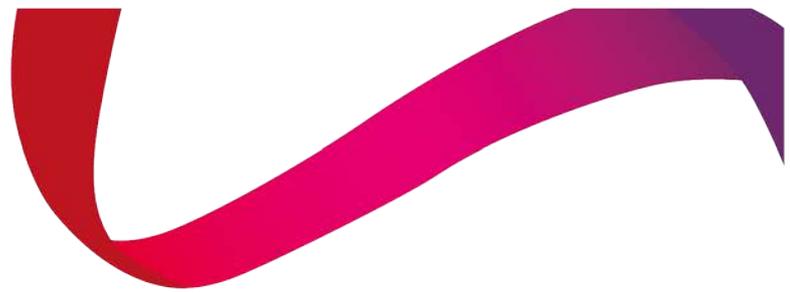
If it is felt a genuine occupational requirement (see page 16 for a fuller explanation of genuine occupational requirements) related to religion/belief applies to a post, this should be made clear in the advertisement. The reasoning should also be explained in any application pack and during the selection process.

The overall message is: base recruitment and selection decisions (whether for employment or for selection for scholarships, programmes and courses) on relevant, transparent criteria.

Organising training and development

The points below are focused on training and development but have wider relevance, for example to organising events and activities.

- Encourage everyone, irrespective of their religion/belief, to apply for training, development and secondment opportunities and promotion opportunities.
- If it is possible to do so, adapt methods of delivering training or development if current arrangements have the effect of disadvantaging someone because of religion/belief. This may be particularly relevant if training or development takes place outside normal working hours and the work place, such as in a residential environment.
- Review ice breakers and training activities and consider whether they involve the use of language or physical contact and the exchange of personal information that might be inappropriate for people with different religions/beliefs.
- Consider if social activities, which are frequently a part of training and events, might present difficulties for people who hold different religions/beliefs.
- Address specific dietary requirements, for example kosher, halal, vegan and vegetarian food, and consider whether or not it will be appropriate to serve alcohol.
- Build in time within training schedules for religious/belief observance if necessary. This is done routinely in our offices in across the Middle East and North Africa region.



- Where possible and if appropriate, avoid scheduling training on significant religious/belief/cultural days such as Vaisakhi, Passover, Ramadan, Chinese New Year, etc. Remember that different groups within the same over-arching religion can sometimes celebrate festivals at different times (e.g. Orthodox Christians celebrate Easter at a different time from other Christians).
- Those organising training and development should be sensitive to the needs of participants. People with specific religious/belief requirements have a responsibility to ensure that managers, internal training providers and other staff are, where possible, aware of their specific needs in good time so that there is an opportunity to meet them.

Call to action: When designing training and development, or other activities, use the [Questions to support inclusive activities](#) tool which will prompt you to review these issues at the start.

Appearance and dress

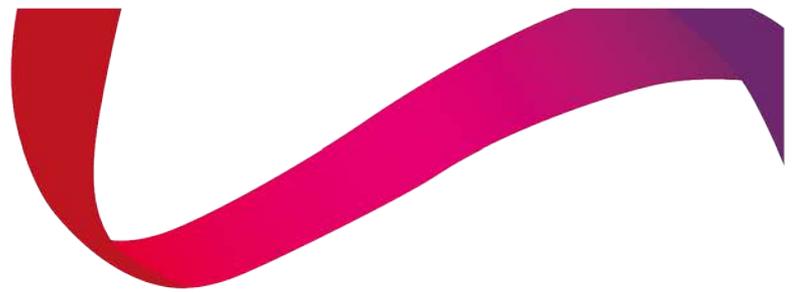
We take a constructive approach to the variety of individual choices and styles. We believe that as a general guide, appearance and dress should conform to the current majority view in a society of what constitutes decency; this will vary from country to country and will be informed by a range of factors. The focus here is on appropriateness with reference to decency. It is not for us to stifle the expression of individuality, uniqueness or cultural expression, but to try to avoid unnecessary offence.

Where offence is deemed to have been caused, the case should be looked into on an individual basis, with all necessary factors considered to support any action required based on a reasonable assessment of the situation.

“As an Events Team we are conscious that people from many different countries, cultures and religions/beliefs attend British Council events; it’s what makes them particularly interesting and stimulating. In addition, it means that we are conscious that the way we dress should reflect a positive image of the British Council and support our cultural relations role. For us this means being smart and trying to ensure that the way we dress conforms with what our experience tells us would be widely held views of decency.”

(Events Team Manager, British Council, UK)

We should not do anything to undermine staff wearing clothing or other items that reflect their religion or belief and none of our offices should impose a dress code that would unjustifiably discriminate against someone on grounds of their religion or belief. The European Convention on Human Rights provides a right to freedom of expression within justifiable limits. In Northern Ireland there are particular sensitivities around flags and emblems and the wearing of football shirts and the Union flag can sometimes cause offence.



If uniforms are worn, or if health and safety requirements mean specific clothing like overalls or other forms of protection are needed, as far as possible we must try and ensure that they do not conflict with a person's religion or belief. If concerns are raised, our approach should be constructive and aim for a satisfactory resolution based on a reasonable assessment of the situation.

Example: A teaching centre imposes a dress code that teachers may not wear any head coverings in an attempt to stop some teachers from wearing a baseball cap to work. However, this policy could negatively impact on Sikh or Jewish colleagues, wearing a turban or skullcap or on Muslim women who wear the hijab.

We recognise that some religions or beliefs do not allow undressing or showering in the company of others. This may be an issue in the context of some workplaces or some of our programme activities where people are working and interacting together over periods of time and in residential situations. Where this is an issue we will seek to ensure separate gender facilities and/or appropriate privacy.

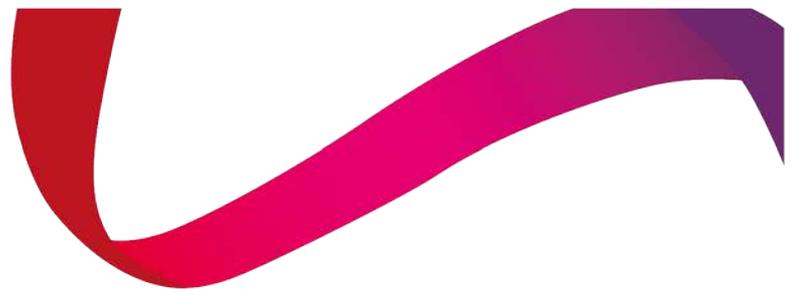
Dietary requirements

Some religions or beliefs have specific dietary requirements. These requirements can cover the types of food eaten/not eaten and method of preparation and storage. In respect of these we will:

- Wherever possible, aim to meet them with the support of timely information from colleagues, partners and contacts.
- Consider the refreshments and menus for conferences and other events/meetings in order to try and ensure that we cater for a range of needs and respond to known needs.
- Label food so that everyone knows what the food is and can make an informed choice.
- Serve certain food types separately, for example, pork items on their own, and ensure there is adequate provision for vegetarians.
- Consider how we can support staff through extended periods of fasting which are part of a religious requirement. Some find it helps if the smell of food around them is reduced, or if other colleagues do not eat near them. We recognise however that it may or may not be possible to accommodate this and any support will be based on negotiation.
- Where staff bring their own food into the workplace and request facilities to store and heat this separately from other food to avoid cross-contamination, aim for a mutually acceptable solution. Be sure to take into account not only the food itself, but also anything that may have come into contact with it such as plates, cutlery, cloths and sponges.

Example: A worker who, for religious reasons, is vegetarian felt unable to store her lunch in a refrigerator next to the meat sandwiches belonging to a co-worker. Following consultation between parties, the organisation introduced a policy by which all food must be stored in sealed containers and shelves were separately designated 'meat' and vegetarian'. This met the needs of all staff at no cost to the employer.

(ACAS Guide)

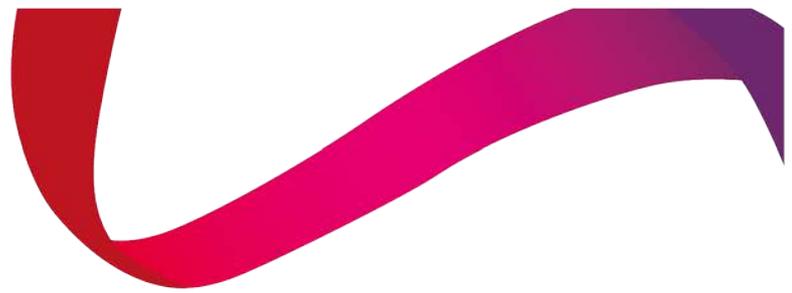


Monitoring religion and belief

Equality monitoring is widely accepted good practice in the UK and monitoring religion and belief can tell an organisation much about its staff and their potential needs. Our equality monitoring in the UK has included religion and belief for some time now.

In Northern Ireland there is a legal requirement to monitor community background for all job applicants and employees to comply with specific duties under the Fair Employment and Treatment (NI) Order 1998. Community background is whether an individual is from the Protestant community or the Roman Catholic community, or neither. Regardless of whether individuals actually practice a religion, most people in Northern Ireland are perceived to be members of either the Protestant or Roman Catholic communities. Section 75 of the Northern Ireland Act 1998 requires public authorities, in carrying out their functions in Northern Ireland, to have due regard to the need to promote equality of opportunity between persons of different religious belief and political opinion.

Outside the UK, religion and belief data is collected at the discretion of the British Council office, taking account of local sensitivities, practices and our desire to extend equality monitoring organisation-wide. This is because doing so could help us begin the process of addressing the high representation of staff from a particular religion in a location where the religious profile of the population differs markedly. One reason this is an issue is because it is considered good practice to aspire to reflective diversity, that is a workforce that reflects the general population in areas such as ethnicity, gender, disability and, increasingly, religion and belief.



Part 3

The legislative context

Across the world, the law covering religion or belief varies.

Since December 2003, within the European Union, as a result of a European Directive, it has been illegal to discriminate against people because of their religion or belief in employment or vocational training. This was extended in 2006 in Great Britain to include the provision of goods, facilities and services. It is now, under the GB Equality Act 2010, additionally unlawful to discriminate in education generally, in the exercise of public functions, and in the disposal and management of premises on grounds of religion or belief.

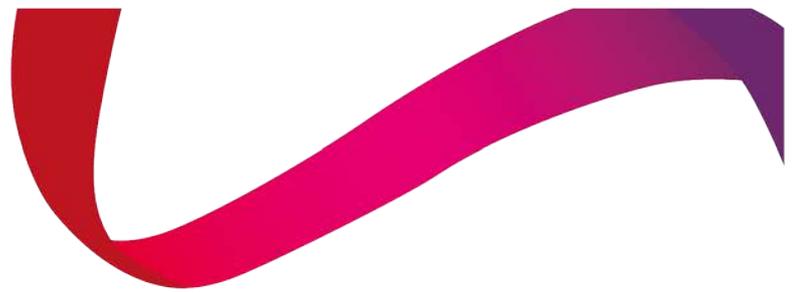
In Northern Ireland, the Fair Employment and Treatment (NI) Order 1998 prohibits discrimination on religious grounds and specifically unlawful indirect religious discrimination. Employers in Northern Ireland, including the British Council, have to ensure the active practice of fair employment and have to monitor the religious composition of their workforce by regularly reviewing their recruitment, training and promotion practices.

Call to action: As it is not practical to overview the legislation of different countries in this Guide, we encourage people to familiarise themselves with the legislation of respective countries as appropriate. Web searches and relevant legal advisers and organisations are possible sources, although we know many colleagues are very knowledgeable and may be able to provide the information required.

What does UK law^{iv} say in detail?

A lot and too much for a Guide, so we have provided some useful links at the end and the following key points. It is unlawful to discriminate against a person:

- because of their religion or belief;
- because of a perceived religion or belief (here the discriminator perceives a person to have a particular religion or belief and unjustifiably discriminates because of it, whether or not their perception is correct. For example, a service provider might presume someone belongs to a particular religion because of their appearance and so discriminate against them by denying them access to a service. This will result in them having suffered detriment on the grounds of religion even if the perception was mistaken);
- because of someone else's belief (here someone is refused a service not because s/he belongs to a religion but because the person with them belongs to that religion);
- because they have the same religion or belief (here a service provider of a certain religious belief unjustifiably discriminates against a fellow believer).



Unjustified discrimination is unlawful in employment – in the recruitment process; in the workplace including pay, terms and conditions, promotions, transfers and training; in matters surrounding dismissal; and sometimes after employment (for example regarding references) - and as stated earlier, in the provision of goods, facilities and services, the disposal and management of premises, in education, and in the exercise of public functions. So we are not just talking about employment matters, but rather about all the ways in which we undertake our work.

It is worth holding in mind that unjustified discrimination can be direct or indirect, involve harassment or victimisation, where the reason for less favourable treatment is found to be based on religion or belief.

In some organisational settings there is undoubtedly widespread ignorance and indifference towards religion and although this is not unjustified discrimination in itself, it can contribute towards an environment in which unjustified discrimination of all kinds (including ‘unwitting’ and institutionalised discrimination) is able to thrive. We do not believe this holds for the British Council, particularly because of our cultural relations role, but we believe dissemination of this Guide and discussion related to religion and belief will help the ongoing process of attuning us to issues of equality, diversity and inclusion.

Example: We support Myanmar’s annual ‘Human Rights Film Festival’ (now in its third year). In 2014 the Burmese documentary ‘The Open Sky’ depicted the life of a Muslim woman whose house was burned down during ethno-religious conflict in the town of Meiktila in 2013. This film became the subject of much controversy as it provoked hate speech on social media, which led to its withdrawal from the Festival. We were the first organisation to host a public screening of the film, advertised through careful communications and followed by a long and in-depth discussion of its content with a full house audience. The success of this event led to similar screening and discussion events on other EDI issues, such as gender.

Exemptions – genuine occupational requirement

These exemptions are for the rare circumstances where it is necessary to be from a particular religion to do a certain job. This generally does not apply to the British Council.

When deciding if a genuine occupational requirement applies, organisations have to consider the nature of the work and the context in which it is carried out. Jobs often change over time and organisations therefore need to ensure that they give thought to whether the requirement continues to apply, particularly when recruiting. An occupational requirement on the grounds of religion or belief must not be used as a basis for unjustified discrimination on other grounds such as race or disability.

Genuine occupational requirements: It is highly unlikely that we would apply a genuine occupational requirement to a post. We did have a request to do so, for a Business Development role within a female Muslim community, for reasons of enhanced access and successful results. We did not support use of the genuine occupational requirement, but did support positive action and also included a desirable criteria framed in terms of past success in accessing a comparable community and working successfully with it.



The Equality and Human Rights Commission (EHRC) is the official body within Great Britain^v that promotes and enforces the law banning unjustified discrimination on the grounds of religion or belief. The EHRC helps explain the law and provides guidance to help promote its implementation. The existence of law does not automatically lead to fair treatment; frequently it is leadership and guidance that makes the critical difference and the EHRC provide some of this.

Preventing unjustifiable discrimination

We have to think carefully about whether we are inadvertently unjustifiably discriminating. For example, if team meetings or the English language tests we administer always take place on a Friday afternoon, this may unjustifiably discriminate against Jewish and Muslim staff for whom Friday afternoon has a particular religious significance, although of course not everyone follows their faith in the same way.

Care needs to be taken when setting meetings to ensure religious/cultural festivals are taken into account. For example, a colleague had to choose between missing an important strategy meeting or missing their family celebrations as the meeting was scheduled for the same time as Chinese New Year.

We can prevent unjustified discrimination by acting on the information outlined in this Guide and ensuring our work is based on a commitment to no unjustified religion or belief discrimination against potential partners, or anyone we work with. Small things can sometimes help a lot as we have indicated.

Raising concerns about unjustified discrimination

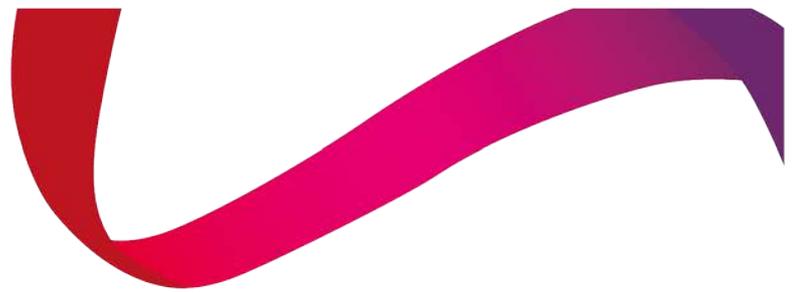
Unjustified discrimination can be unintentional or come as a result of thoughtlessness, but whether this is the case or not, as a general principle, it is best addressed informally by discussion wherever possible.

If formal steps are necessary, consider the grievance and complaints procedures accessible from Essential HR. Union representatives, Staff Associations and Teachers Representatives are likely to be able to offer valuable support in this process, including guidance, advice and information.

If there is not a satisfactory internal resolution to difficulties arising in the UK then a complaint can be taken to an Employment Tribunal. Similar avenues are available elsewhere but there is a need to check to establish the most appropriate way to address complaints in different countries.

In particularly serious circumstances use of the [Raising Concerns](#) policy should be considered, which exists to address serious malpractice or wrongdoing, for example that which might endanger someone's safety or security or is in breach of the Code of Conduct.

Complaints that fall outside the areas of employment and vocational training, including any that relate to the goods or services we provide, should be informed by [our complaints procedure](#).



Part 4

Frequently asked questions, useful resources and web-links

FAQs

As we think about and engage with issues of religion or belief, questions and queries arise. Please send your own questions and queries to the Diversity Unit so they can be added. Here are a few we've already debated and responded to.

Question: Is it right that some UK staff openly drink alcohol during Ramadan? Isn't this a disciplinary matter?

Answer: To some extent the answer to this question depends on where alcohol is being consumed. If alcohol is being consumed on British Council premises during the working day, apart from at functions or events, then this might be inappropriate. Any concerns should be raised with relevant parties and escalated through the line as appropriate (and this would apply at any time, not just during Ramadan). If alcohol is being served at British Council functions and receptions during Ramadan this is not necessarily wrong, but should be reviewed taking account of a range of factors including the legal issues covering the public consumption of alcohol and cultural sensitivities and norms, including the norm to serve alcohol. If the drinking of alcohol is taking place outside work then the issue is outside the British Council's control, as outside of the workplace people are free to make their own lifestyle choices within parameters, including the relevant legislation.

When the drinking of alcohol affects work then we have a responsibility to take action. As an international organisation we have staff who reflect the world's diversity. Many will be followers of a religious faith, while many others will have no faith. All staff have a responsibility to behave appropriately while at work and to show sensitivity to colleagues and customers, whatever their personal beliefs.

Question: If my religious beliefs are strongly against gay and lesbian people how can the British Council justify imposing their views on me?

Answer: The British Council, like many organisations inside and increasingly outside the UK, has an Equality Policy and an Equality, Diversity and Inclusion Strategy which clearly communicate a commitment to treating people fairly and with dignity, irrespective of their sexual orientation.



Whilst we accept that some may disagree with this, it is not permissible for these views to translate into unjustified discriminatory actions against colleagues, or anyone with whom we work. We require certain standards of behaviour in line with our Code of Conduct and a range of policies we have in place and believe that where staff do not feel able to commit to these, the British Council is not the appropriate place for them to work. We of course support people to understand our Equality Policy and other policies and what this requires in terms of behaviours.

Question: Is it wrong to repeatedly invite a colleague to a religious place of worship or a religious event or to want to discuss religion with a colleague who has already indicated that they do not profess any religious belief?

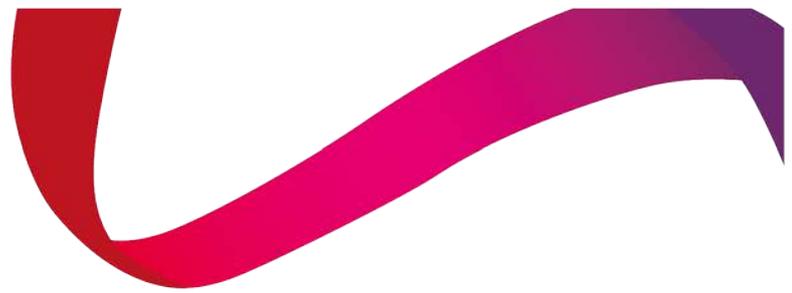
Answer: This dynamic can be common in countries where religion is very much part of the cultural life or in instances where colleagues have recently acquired a religious faith, and/or for whom this is very important. It can be uncomfortable for many people on the receiving end, particularly if they feel that their views are not being heard and respected. Although the invitations may be borne out of a natural curiosity and often a genuine desire to be inclusive, if they are unwelcome and repeated, they could be considered as harassment. The openness we aspire to about different religious faiths extends to openness and acceptance that many people do not subscribe to any religious faith. There needs to be acceptance of different positions and understanding about other views and perspectives without judgment and without wanting to change people's minds.

Question: Is it acceptable to use British Council office space to mark religious festivals?

Answer: Yes, it can be acceptable. The decision about whether to mark religious festivals and which ones and how to mark them should be made locally. These can usefully sometimes be supported by Equality Screening and Impact Assessment. Given the wide range of religions/beliefs held by our staff and by customers/audiences it can be an educative and inclusive way of increasing understanding about different beliefs. Care should be taken that an even-handed approach is taken and there should be no requirement for colleagues to join in marking a particular religious festival, rather it should be optional.

Question: Is the British Council going to tolerate people wearing clothing or symbols that are an overt display of religious belief, especially if this isn't in keeping with UK and other cultures where people don't overtly display their religion or belief?

Answer: We expect people to dress appropriately for work and take into account the needs of the job, partners, clients and customers. It is unlikely that clothing or symbols that are an overt display of religious belief will undermine this expectation. Further, we hope, the working environment worldwide is one that is accepting of the expression of religious belief. Many people do not overtly display their religion or belief through clothing or religious symbols, but some do choose to, something which is entirely to be expected in multi-faith societies. This is a different stance from countries which seek to ensure equality by outlawing religious symbols within some areas of life. So yes we do accept the wearing of clothing or symbols that reflect religious belief, within the parameters indicated above.



Question: Some colleagues in my office display religious icons around their desk area that I find distracting as the icons are not those that my faith permits. Can I ask for them to be taken down?

Answer: Individual offices need to decide their own rules about the displaying of personal objects in the workspace, including religious icons and symbols. When doing so they should balance the individual's desire to be reminded of their faith with the rights of others who may be of a different faith or who do not have a religious belief. Whether the workspace can be seen by the public is also another matter to shape this decision, along with the likelihood of other colleagues sharing or entering the workspace. Generally colleagues should be sensitive regarding the appearance of the workspace, respecting those around them and maintaining a professional office environment.

Question: The British Council holds many receptions and dinners but never gives thanks for the food at the beginning of these and I feel uncomfortable about this. Food should be a right but in my country and many other countries it is a privilege and as a cultural relations organisation we should acknowledge this.

Answer: We appreciate the view that thanks should be given before eating food and acknowledge that indeed, in many countries food is a privilege and not the right we would wish it to be and believe it should be. To answer the question directly, it is not a matter of right or wrong. Often people do not know there is an alternative to a religious blessing of food and because they don't want to cause religious offence, just avoid this. The following 'alternatives' might be useful:

"We thank those who produced it, and those who transported it. We thank those who prepared it, and those who serve it. Let us now sit down and enjoy it."

"As we sit down to eat, may we ever be mindful of the needs of others".

"Let us think thrice while we are gathered here for this meal. First let us think of the people we are with today, and make the most of the pleasure of sharing food and drink together. Then, let us think of the people who prepared the food and drink and brought it to us, who serve us and wait on us, and who clear up and clean up after us. Finally, let us think of people all over the world, members with us in the human family, who will not have a meal today."

If the way the above is expressed has a 'religious feel' and this causes discomfort, make changes or modifications, or come up with an alternative.



Question: I'm feeling pressured by a colleague who is a member of the same religion as me to account for the way I practice my faith. Who can I talk to?

Answer: You should definitely raise this as a concern, with the colleague directly if you feel able to, but if not, or if this doesn't help, with either your line manager or the line manager of the colleague/s in question. It is recognised that sometimes this could be difficult depending on the line manager's faith, so if you feel this isn't the right route you should speak to a colleague in HR or to the Country Director or the Regional EDI Lead. It isn't appropriate for someone else to tell you how to practice your religion, or to challenge you about your beliefs in the workplace.

Colleagues come from many different faith backgrounds, and even where these are shared, there can be significant differences in the way aspects of the faith are followed (including what to eat/drink/wear, which holy days to observe, how to talk about your faith to your children, and a wide range of other ways). Any pressure, whether this is verbal, by email, by leaving messages or tokens on your desk, or in other ways is not aligned to our organisational values, or to our organisational position on religion and belief and needs to be addressed.

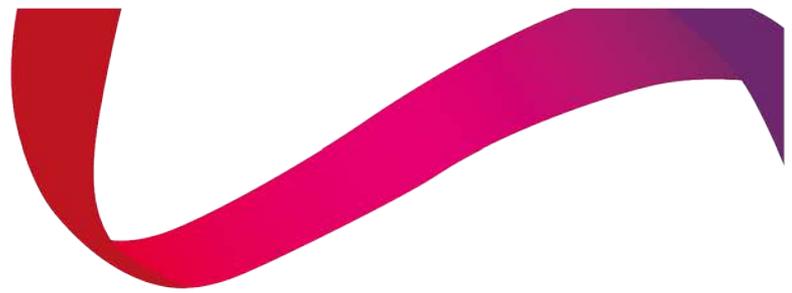
Question: Is it acceptable for a member of staff to refuse to shake hands with a woman for religious reasons when they are representing the British Council?

Answer: Shaking hands is a personal courtesy and as such the decision regarding this should ultimately be the individual's even when undertaking work for the British Council, so the answer to the question is 'yes'. This is in the context of the fact that there is no specified organisational protocol for greeting individuals in different cultural settings. In addition some people's religious beliefs mean that physical contact with the opposite sex is to be avoided. Where this is the case, it is helpful when care is taken in explaining this position so that the woman is not left feeling humiliated or embarrassed by the experience. It might be appropriate for the member of staff to consider other ways of respectfully greeting the women they come into contact with, such as putting their hand to their chest and bowing their head as an alternative but this will be an individual decision.

Question: Can members of staff share their religious views on social media?

Answer: Staff members using social media need to abide by the British Council's social media policy which states you must make clear that your personal views are your own and not those of the organisation. The policy also states staff must also be respectful and kind in their communication which of course is subject to interpretation, especially in an organisation as diverse as ours.

Remember too that anything posted is likely to be permanent. It is also important to hold in mind the Code of Conduct and ensure that comments on social media can't be construed as bringing the organisation into disrepute. To summarise, colleagues are free to share their own personal views on issues, but need to hold in mind the organisation's standpoint, values and its reputation when they do so.



Concluding comments

Finally, as conveyed at the beginning of this Guide, cultural relations and respect for religious diversity are synonymous. As our main purpose is to bring people with different views and backgrounds together to learn from each other, respecting people's religion or belief is crucial. We view and welcome religious diversity as part of cultural diversity and believe there is much of value arising from discussions between people who hold different religions and beliefs, premised on respect and understanding.

Useful resources

Equality and Human Rights Commission: information about religion and belief and what the Equality Act says

<http://www.equalityhumanrights.com/your-rights/equal-rights/religion-and-belief>

ACAS: Religion or Belief and the Workplace Guide

http://www.acas.org.uk/media/pdf/d/n/Religion-or-Belief-and-the_workplace-guide.pdf

BBC: information on different religions <http://www.bbc.co.uk/religion/religions/>

The National Secular Society: you can find a discussion on discrimination as it might affect non-believers at <http://www.secularism.org.uk>

Pew Global Religious Futures Project

<http://www.globalreligiousfutures.org/>

CIA World Factbook: Religions

<https://www.cia.gov/library/publications/the-world-factbook/fields/2122.html>

Interfaith Org

<http://www.interfaith.org/>

ⁱ Throughout this Guide, reference to religion and belief includes non-belief (i.e. those who do not follow any religion).

ⁱⁱ The Equality Act 2010 is legislation that applies in Great Britain (England, Wales and Scotland, not in Northern Ireland). Northern Ireland is covered by the Fair Employment and Treatment (NI) Order 1998.

ⁱⁱⁱ For descriptions of these religions see <http://www.bbc.co.uk/religion/religions/>

^{iv} The law in the UK is split into two: that which covers Great Britain and that which covers Northern Ireland. The Equality Act 2010 applies in Great Britain. Northern Ireland is covered by the Fair Employment and Treatment (NI) Order 1998.

^v Northern Ireland is covered by the Northern Ireland Equality Commission (ECNI) and Northern Ireland Human Rights Commission (NIHRC).