



Religious and Cultural Needs Policy

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Signed by Chair of Governors: Sally Birkbeck

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Policy Statement

It is acknowledged that school based staff come from diverse backgrounds: some have no religious faith; others are committed to a greater or lesser extent to a variety of religions.

It is unlawful to discriminate against individuals because of their religion, religious belief or similar philosophical belief.

The most recent piece of legislation in this area is the Equality Act 2010 which protects various characteristics including religion or belief. All major religions are covered as well as some less well known beliefs. Those without religious or similar beliefs are also protected against discrimination under the legislation.

This guidance incorporates the statutory provisions, local and national conditions of service for school based staff. The aim of this guidance is to provide information for Managers in how to deal with requests regarding religious observance and also to provide staff with guidance on how they may make requests for adjustments in order to enable them to observe the religious or cultural practices surrounding their faith or belief. The scope of guidance covers both management and staff.

Religious Observance

Time off for religious observance

When requesting and granting time off for religious observance both management and employees have the following responsibilities:

Management Responsibilities:

- Managers should be sympathetic and give serious consideration to requests.
- If reasonable notice for such requests is not given, or if granting this would make service delivery impossible, the manager may have no choice but to refuse time off.
- If the request is refused, the member of staff may appeal to the School's Appeals Committee. The appeal should be made in writing within 20 working days of the original decision being given, stating the grounds for the appeal. The school grievance procedures will be used. There is no further level of appeal.

Employee Responsibilities:

Time off for religious observance should where possible be planned in advance for the occasion, the employee must give as much notice as possible when informing the Headteacher of their wish to take leave. The dates of some days of religious observance are reliant on a sighting of the new moon and will therefore vary from year to year. Whilst occasions will be known well in advance, it is not always possible to give a definite date until much nearer to the time.

- Requests for planned leave of absence should be made well in advance of the date of absence in writing using a "Leave of Absence Request Form" (Appendix 1). This should be submitted to the Headteacher and should include reasons for the request which make clear why the leave cannot be taken during a normal school closure period, and the dates and length of the period of leave of absence requested.
- If the request is refused, the member of staff may appeal to the School's Appeals Committee. The appeal should be made in writing within 20 working days of the original decision being given, stating the grounds for the appeal. The school grievance procedures will be used. There is no further level of appeal.

For further details on the process of requesting and granting leave of absence, please refer to the Leave of Absence Policy.

Entitlement to Religious Observance

School managers are advised of the need for sensitivity, flexibility and parity of treatment between teaching and support staff. It is appreciated that managers must always ensure the effective delivery of service. However, it is expected that managers will make every endeavour to support requests for leave of this nature.

Employees who wish to take time off for religious observance will be entitled to make requests as follows:

Teaching Staff

The Local Conditions of Service for Teachers state that a teacher may request to be released from their duties for up to 3 days per academic year for;

"attendance at a religious ceremony or observation of religious festival which the teacher is under a moral obligation to attend or observe by reason of his/her membership of, or office in, a church or religious order"

Please refer to the Leave of Absence Schedule (Teachers Pay & Conditions)

This definition does not include time for preparation for festivities or days for family celebrations which are not the specified dates for the religious event. For

example, there is only a single day of religious observation required for any individual festival, for example such as an Eid or Hanukkah or Divali.

Support Staff on term time contracts

There is no specific reference to leave for religious observation in the conditions of service for support staff.

It is recommended that for term time only staff school managers, in consultation with the Chair of the Governing Body, grant up to three days per year with pay, in line with conditions for Teachers.

Support staff on all year round contracts

All year round staff can use annual leave for time off for religious observation and therefore should not be granted additional paid leave for this purpose. Time off in lieu, flexitime or unpaid leave may also be considered. It is expected that managers will make every endeavour to support requests for leave of this nature.

Use of School Closure Days – “Occasional Days”

Where a school has a significant proportion of pupils and/or staff from particular faith groups where a need for religious leave may be required outside the normal periods of school closure, the Governing Body may wish to consider use of occasional days to close the school in order to meet the religious needs of the community. This results in fewer learning days being lost by children and reduced expenditure on additional paid leave for teachers and term time staff.

Observance of Prayer Times at Work

All staff, regardless of religious belief or non-belief, are required to work in accordance with their contracts.

Headteacher's, while retaining the right to ensure appropriate cover, should make every attempt to ensure that those whose religion requires them to pray at certain times during the day are enabled to do so through agreed flexible working arrangements.

Schools are not required to provide a prayer room; however, they must make reasonable effort to provide an appropriate quiet place for staff to undertake their religious observance wherever practical within the needs of the school.

Schools are not required to enter into significant expenditure and/or building alterations to meet religious needs. For instance some religions/beliefs require a person to wash before prayer. This is often done symbolically or by using the existing facilities.

Cultural Dress

The dress worn by staff should be consistent with the standards expected of professional school workers. All schools should welcome the variety of appearance brought by individual cultural styles and these can be perfectly consistent with professional standards within this, individuals should be able to dress according to their wishes unless this is detrimental to a person's capacity to do their job or is deemed unsafe or inappropriate for some other valid reason. However, there may be circumstances where a particular form of dress may be inappropriate.

An example of this may be the niqaab (a veil worn by some Muslim women revealing only their eyes) and other forms of clothing which cover the face. Management may take the decision to not allow these forms of dress to be worn in school for the following reasons;

- Obscuring the face and mouth reduces the non-verbal signals required between adults and pupils both in the classroom and other communal parts of the school. Pupils need to see the adult's full face in order to receive optimum communication.
- Schools are professional settings where communication is vital, both between adults and pupils.
- Staff need to be identifiable for health and safety reasons.

The school may take the view that the desire to express religious identity does not overcome the primary requirement for optimal communication between adults and children. Ultimately, each case should be considered on its merits in the light of the principles identified above.

Pilgrimage

Please refer to the school's Leave of Absence Policy / Hajj Policy

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