



Dore Primary School

Policy for Granting Leave for Religious Observance

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MODEL SCHOOL POLICY FOR GRANTING LEAVE FOR RELIGIOUS OBSERVANCE

Introduction

The model policy for granting leave to employees for religious observance has been revised to bring it in line with the legal requirements of the Employment Equality (Religion or Belief) Regulations 2003.

Background Information

The Employment Equality (Religion or Belief) Regulations 2003 made direct and indirect discrimination, harassment and victimisation on the grounds of religion or belief unlawful.

The issue of requesting leave for religious observance arises because key religious festivals for faiths other than Christianity are not recognised holidays.

This policy supersedes the previous model policy issued to schools in 1998.

The paragraph of the policy relating to the remaining manual and craft employees will be subject to review 12 months following the implementation of the policy.

Recommendation for Governing Bodies

To refer the paper to their Personnel Sub-Committee for consideration.

To adopt an updated policy on Granting Leave for Religious Observance.

This can be by either:-

- (a) Adopting the model policy in its entirety; or
- (b) Adopting an amended version of the model policy, or
- (c) Devising the school's own policy.

THE MODEL POLICY FOR GRANTING LEAVE FOR RELIGIOUS OBSERVANCE

1. Introduction

This policy has been developed to assist the Headteacher to consistently consider and manage requests for leave for religious observance in line with the legal requirements as set out by the Employment Equality (Religion or Belief) Regulations 2003. Sheffield City Council's Valuing Equality and Diversity Policy and the school's own equality policy support ensuring equality of opportunity and best practice for all staff as a measure towards achieving a diverse workforce.

2. Policy for Teachers

The policy for teachers will be in line with their conditions of service. The conditions of service give an entitlement of up to 3 days paid leave for attendance at a religious ceremony or observing a religious festival that the teacher has a moral obligation to attend or observe by their membership of a place in a church or religious order.

3. Policy for Support Staff

Under local conditions of service support staff can select up to 3 days (as a combination of full and/or half days) each financial year as religious holidays, such holidays to be taken by employees using annual leave, flexible working hours or unpaid leave.

Staff who are employed on a term-time basis or under the old conditions of service of 1265 hours over 195 days do not have an annual leave entitlement or the ability to work flexibly in term time. Therefore these staff should be given equal treatment with teachers and be allowed to take up to 3 days paid leave for religious observance.

The Headteacher and Governing Body will consider all requests for leave for religious observance reasonably. However the need to ensure effective service delivery for pupils may mean that the request cannot be agreed to. See Section 5 for guidance on these situations.

When a religious ceremony occurs on a Saturday, Sunday or a Public Holiday, employees will not be able to apply for any compensatory leave.

4. Approving Leave for Religious Observance

In making a request for religious observance, employees should give as much notice as possible and in doing so also consider that other colleagues might want to take leave at the same time. Where dates for religious festivals are

based on the lunar calendar, provisional arrangements for leave can be made an early stage and finalised near to the time of the festival.

All leave will be arranged through the school's standard procedures for arranging annual leave, flexible working hours, unpaid or paid leave of absence and will be in line with the contractual arrangements of the individual employee.

5. Where Approval for Leave Cannot be Granted for Service Delivery Reasons

If an employee is expected to work on specified religious holidays due to operational requirements, then such employees will receive the usual enhanced conditions of service applicable for working on public holidays. These are as follows:

5.1 Teachers

There is no specific condition of service relating to teachers who work on public holidays. Payment should therefore be at the normal daily rate if they are required to work on a specified religious holiday.

5.2 Support Staff employed on NJC Conditions of Service

For work on a public holiday, in addition to the normal pay for that day, payment shall be at plain time for all time worked within an officer's normal working hours. At a later date time off with pay shall be allowed as follows:-

- When the time worked is less than 4 hours = ½ day off
- When the time worked is 4 hours or more = full day off

Work on that day outside normal working hours shall be paid for, as overtime, at double time in complete recompense.

6. Manual and Craft Employees

A day worker required to work on a public holiday shall, in addition to the normal pay for that day, be paid at plain time rate for the hours worked, with a minimum payment for 4 hours. Also, for work done on a public holiday, within the hours normally worked on that day, there shall be allowed at a later date paid leave as follows:-

- When the time worked is less than 4 hours = ½ day off
- When the time worked is 4 hours or more = full day off

Work on that day outside such normal working hours shall be paid for, as overtime, at double time in complete recompense.

This paragraph of the policy will be subject to review 12 months following the implementation of the policy.

7. Other Considerations

7.1 Flexible Working

Employees may ask to vary their working arrangements, either for a specified period, such as Ramadan, or on an ongoing basis, such as particular times each week for prayer or worship. Discussions need to take place with the member of staff to establish their exact requirements and how they may be accommodated.

For example, if an employee needs to leave work early during Ramadan then this may be accommodated for a few weeks or if an employee wishes to attend Friday prayers then hours worked earlier in the week may accommodate this.

Some religions may require their followers to pray at specific times of the day and in this case employees may ask for short breaks during the working day for prayer. Consideration needs to be given to breaks given for smoking or refreshments and whether it is therefore reasonable to allow short breaks during working time for prayers.

For service reasons it may not be possible to accommodate all the requests you receive however you need to demonstrate that they have been given reasonable consideration.

7.2 Extended Leave

Employees may ask for an extended period off work for a pilgrimage, a marriage or to observe certain bereavement customs. It may be possible to accommodate this through a period of unpaid leave and/or annual leave depending on the conditions of service of the particular employee concerned. If a period of unpaid leave is longer than 30 days there may be implications for the pension scheme and you are advised to contact Human Resources for advice.

8. Sources of Further Information and Guidance

Children and Young People's Services Human Resources can provide general information about the Regulations and specific advice and support to help you manage operational issues.

The ACAS guide "Religion or Belief and the Workplace: putting the Employment Equality (Religion or Belief) Regulations 2003 into practice", has information on the regulations and the observance requirements of different faiths. The guide can be downloaded from www.acas.org.uk

www.support4learning.org.uk provides a comprehensive link to religious calendars and resources online.

The Shap Working Party on World Religions in Education was set up to broaden the basis of education at all levels by encouraging the study and teaching of world religions and information can be downloaded from, www.shap.org

The Interfaith Network works to build good relations between the different religious communities in the UK at both national and local levels www.interfaith.org.uk

The MultiFaith Net is a self-access research, learning, information and dialogue tool, providing updated access to global electronic resources and interactions useful for the study of world religious traditions and communities and the practice of inter-faith dialogue www.multifaithnet.org

The BBC website has information on world religions <http://www.bbc.co.uk/religion>

Appendix One

Major Religious Festivals

Some of the major religious festivals are listed below, this is not a comprehensive list of festivals for all the religions presently practiced in Sheffield. Further information is available through the resources listed in Sources of Further Information and Guidance.

The exact dates will be circulated at the start of the academic year.

Buddhist

Parinirvana
Vaisakha Puja/Wesak
Kathina Day (end of the Rains Retreat)
Bodhi Day

Jewish

Purim
Pesach
Shavuot
Rosh Hashanah
Yom Kippur
Sukkot
Simchat Torah
Hanukah

Christian

Epiphany
Lent
Holy Week
Pentecost
Harvest Festival
Christmas Eve and Day

Muslim

Eid-ul-Adha
Al Hijra (New Year's Day)
The Prophet Muhammad's Birthday
The Prophet's Night Journey
Lailat-ul-Bara'h
Ramadan
Lailat-ul-Qadr
Eid-ul-Fitr

Hindu

Mahashivratri
Holi
Rama Navami
Raksha Bandhan
Janamashtami
Ganesh-Chaturthi
Navratri/Durga Puja/Dusserah
Diwali

Sikh

Birthday of Guru Gobind Singh
Vaisakhi
Martyrdom of Guru Arjan
Diwali
Birthday of Guru Nanak
Martyrdom of Guru Tegh Bahadur