

# Religion or belief discrimination

## 1 . What the law says

Religion or belief is one of 9 'protected characteristics' covered by discrimination law (Equality Act 2010).

Religion or belief discrimination includes direct and indirect discrimination, harassment and victimisation.

Religion or belief discrimination can happen in any area of work. It can result from decisions made at work or from how people behave towards each other.

It could be a regular pattern of behaviour or a one-off incident. It can happen in the workplace, at work social events or when people are working remotely.

## What religion or belief mean by law

The Equality Act 2010 says that:

- religion means any religion
- belief means any religious or philosophical belief

Not having a religion or belief has the same legal protection as having a religion or belief.

The law does not give a list of religions or beliefs. An employment tribunal can decide if someone's beliefs are protected by the law.

### Religion

A religion must have a clear structure and belief system. It could be:

- a well-known organised religion
- a smaller religion with not many followers

### Belief

A philosophical belief must be all of the following:

- genuinely held
- not just an opinion or point of view based on current information
- about a significant aspect of human life and behaviour
- clear, consistent, serious and important
- acceptable in a democratic society – it must respect other people's fundamental rights

Employment tribunals have previously found some beliefs to be protected by law. For example:

- ethical veganism – a moral view that animals must not be exploited or treated badly
- environmentalism – beliefs related to the need to tackle climate change and protect the environment
- gender critical beliefs – the belief that a person cannot change their sex

Employment tribunals have previously found the following not to be protected by law:

- loyalty to a country
- supporting a sports team
- membership of a political party

Someone's political beliefs could still be protected if they meet the definition of philosophical belief.

## Who is protected by religion or belief discrimination law

Religion or belief discrimination law protects:

- anyone with a religion
- anyone with a religious or philosophical belief
- those who do not hold a religion or belief

At work, the law protects the following people against discrimination:

- employees and workers
- contractors and self-employed people hired to personally do the work
- job applicants
- former employees

A person could experience discrimination from someone else with the same religion or belief. For example someone who:

- is more orthodox than them
- belongs to a different sect within the same religion

Having a religion or belief protected by law does not mean you can discriminate against someone with another protected characteristic.

## Understanding more about discrimination

If you need more general discrimination advice, you can read [discrimination and the Equality Act 2010](#). This includes advice on employer responsibilities and on other protected characteristics.

## Contact the Acas helpline

If you have any questions about religion or belief discrimination at work, you can [contact the Acas helpline](#).

## 2. Types of discrimination

Religion or belief discrimination includes:

- direct discrimination
- indirect discrimination
- harassment

- victimisation

It's important to understand the different types of religion or belief discrimination. This is so you know what your rights and responsibilities are under discrimination law (Equality Act 2010).

For full definitions of each type of discrimination, read our advice on [discrimination and the Equality Act 2010](#).

## Direct discrimination

Direct religion or belief discrimination is when someone is put at a disadvantage or treated less favourably because of:

- their religion or belief
- their lack of religion or belief
- their 'perceived' religion or belief, which means thinking someone has a certain religion or belief when they do not – this is called 'discrimination by perception'
- the religion or belief, or lack of religion or belief, of someone they know or have a connection with – this is called 'discrimination by association'

[Read the full definition of direct discrimination](#)

### Example of direct discrimination

Jaswinder asks for a day off to attend a religious festival. To accommodate this, the manager cancels the holiday of another employee, Deepal. Deepal does not follow any religion. This is likely to be direct discrimination against Deepal because not having a religion is protected under the law.

### Example of discrimination by perception

Eli applies for a job in retail. The employer believes that Eli is a Jewish name and assumes they would refuse to work on Saturdays. The employer rejects the application for this reason. Eli is not Jewish so this is discrimination by perception. If Eli was Jewish, it would be direct discrimination.

### Example of discrimination by association

Jordan's partner, Amal, is a Muslim. Jordan gets left out of work social events where partners attend because alcohol is served. This is because the employer thinks Amal will not like it. Jordan is likely to be experiencing discrimination by association.

## Indirect discrimination

Indirect religion or belief discrimination is when a working practice, policy or rule applies to everyone but puts a person or group at a disadvantage because of their religion or belief.

[Read the full definition of indirect discrimination](#)

### Example of indirect discrimination

An employer decides to give their employees a longer lunch but remove their morning and afternoon breaks. This is intended to improve productivity. The rule applies to everyone. However, it causes a problem for some Muslim employees who had been allowed to use breaks for prayer. This is likely to be indirect discrimination as it puts Muslim employees at a disadvantage.

The employer might be able to defend their decision if:

- there is a genuine business need to improve productivity
- changing the break times is a reasonable way to achieve it
- there is not a less discriminatory way

## When discrimination might not be against the law

In certain circumstances, an employer might be able to make or justify a decision based on religion or belief.

An employer can make a decision that directly discriminates if:

- it's positive action – to address a situation where people with a protected characteristic are at a disadvantage or underrepresented
- there's an occupational requirement – when having or not having a protected characteristic is vital for a job

An employer can justify a decision that indirectly discriminates if there's 'objective justification'.

The employer must be able to prove both of the following:

- there's a 'legitimate aim'
- the discrimination is 'proportionate, appropriate and necessary'

Find out more about:

- [positive action](#)
- [an occupational requirement in recruitment](#)
- [objective justification](#)

## Harassment

Religion or belief harassment is when someone experiences unwanted behaviour that's related to their religion or belief, or lack of religion or belief.

To be harassment, the unwanted behaviour must have either:

- violated someone's dignity
- created an intimidating, hostile, degrading, humiliating or offensive environment

It can be harassment if the behaviour:

- has one of these effects even it was not intended
- intended to have one of these effects even if it did not have that effect

[Read the full definition of harassment](#)

### Example of harassment directed at a specific person

Sam is a committed vegan and believes that using any animal-based foods or products is ethically wrong. A colleague openly makes fun of these beliefs and makes practical 'jokes'. For example, they leave a picture of slaughtered animals on Sam's desk. This is likely to be harassment related to religion or belief.

### Example of harassment not directed at a specific person

Kai is outspoken about their religious beliefs. They say that anyone who does not believe 'will not be saved'. If anyone in the team has a problem, Kai says "I will be praying for you".

Some people in the team are offended by this behaviour and ask for it to stop. But Kai refuses to stop and says it's for their colleagues' benefit. This could be harassment, even though the behaviour is not directed at a specific person.

### When harassment can be a crime

Harassment related to religion can sometimes be a crime. For example if someone has experienced a religious hate incident like:

- physical or verbal abuse
- threats of physical violence
- online abuse
- damage to their property

[Find out more about hate crime at work](#)

## Victimisation

Victimisation is when someone is treated less favourably as a result of being involved with a discrimination or harassment complaint.

It does not matter if the complaint was made by them or someone else.

The law also protects someone from victimisation if someone else thinks they're involved with a complaint.

Ways someone can be victimised include being labelled a troublemaker, being left out, or not being allowed to do something.

[Read the full definition of victimisation](#)

### Example of victimisation

Charlie is supporting someone they work with who is making a religion or belief discrimination complaint. A manager threatens Charlie with dismissal if they continue to support the claim. This is victimisation.

## Contact the Acas helpline

If you have any questions about religion or belief discrimination, you can [contact the Acas helpline](#).

## 3. Making and handling complaints

If someone has experienced or witnessed religion or belief discrimination at work, they can make a complaint to their employer. The employer should take it seriously and look into it as soon as possible.

Religion or belief discrimination can be very distressing. It can have a severe impact on someone's mental health and wellbeing.

Employers should make sure that:

- employees know how to report religion or belief discrimination
- anyone who's experienced or witnessed it feels safe, protected and supported
- anyone accused of religion or belief discrimination is treated in an impartial and fair way

## If you've experienced religion or belief discrimination

You should raise the problem as soon as possible. But if you raise it a long time after an incident took place, your employer should still take it seriously.

[Find out what to do if you've been discriminated against](#)

## Witnessing religion or belief discrimination

If you think someone at work is being discriminated against, there are actions you can take. This could include trying to stop it happening if you feel it's safe, supporting people or giving evidence.

Witnessing discrimination might also affect you personally. In some circumstances, you could make a harassment complaint yourself.

[Find out more about witnessing discrimination](#)

## Handling a discrimination complaint

If you're an employer or manager, you should look into any discrimination complaint in a way that's sensitive to:

- the person who made the complaint
- anyone who witnessed it
- anyone accused of discrimination

You should also:

- set aside your own religious or philosophical beliefs so that you can handle the complaint objectively
- respect the beliefs of all the people involved

[Find out how to handle a discrimination complaint](#)

## 4. Preventing discrimination

All employers should take steps to try to make sure religion or belief discrimination does not happen at work.

As an employer, you should:

- aim for a culture where everyone knows that religion or belief discrimination is not acceptable
- recognise and promote the benefits of a diverse and inclusive organisation
- make sure no one feels excluded because of their religion or belief

[Find out more about improving equality, diversity and inclusion](#)

## Steps for preventing religion or belief discrimination

Many ways to prevent discrimination apply equally to all 'protected characteristics'. You can find out more in our advice on [preventing discrimination](#).

To help prevent religion or belief discrimination consider how you can manage:

- time off for religious reasons
- other needs relating to religion or belief
- how to promote an understanding of religion and culture
- how people express beliefs at work

If you're a small organisation with limited resources, you might not be able to take all measures. But you have a duty to prevent discrimination, and there's still a lot you can do. Making your organisation more inclusive does not have to be costly or complicated.

If you're a public sector employer, you also have responsibilities under the [public sector equality duty](#).

## Time off for religious reasons

People might want time away from work for various reasons related to religion or belief. This could be for:

- prayer or reflection
- religious festivals and services

There is no legal requirement for employers to allow time or facilities for religious reasons. But where possible you should try to accommodate any requests. It could be discrimination if you unreasonably refuse.

### Time and place for prayer

People might want to pray several times a day or at particular times of the day or week. Other people will value having quiet time to pray or reflect.

You should try to accommodate requests in a way that fits in with business needs.

If someone requests time for prayer during the day, consider how you can be flexible. You could ask them to:

- start work earlier or finish later
- have a shorter lunch break to allow for another break or breaks in the day

It can cause resentment if other employees think that someone they work with is having extra breaks.

You should make it clear that time for prayer is not 'time off'. Everyone is working the same total hours.

You do not need to provide a dedicated prayer room. But you should consider if there is a suitable space that employees could use. If you provide facilities you must not favour one religion or belief over another.

### Time off for religious festivals and services

You should try to allow people time off for festivals and services which are important to them. But this must not take priority over other reasons for wanting time off. This could discriminate against people with no religion or belief.

To help manage requests for time off fairly, you could:

- ask employees to book time off well in advance
- agree how to handle it if too many people want to be off at the same time

You should treat unexpected events such as funerals with sensitivity. In some religions burial or cremation takes place very soon after death. Employees might not be able to give much notice.

Some people who work in retail might be able to opt out of working on a Sunday.

Find out more about:

- [Sunday working rules on GOV.UK](#)
- [religious festival dates on the Inter Faith Network](#)

## Other needs relating to religion or belief at work

Some aspects of working life can affect people because of their religion or beliefs. Accommodating someone's needs can help them work more effectively.

### Rules on dress code and appearance

To show their religion, people might want to wear:

- particular types of clothing
- their hair, beard or make-up in a certain way
- religious symbols or jewellery

These can be very important to people. Being too restrictive could be discriminatory.

If you have a policy on dress or appearance, you should make sure it's flexible enough to accommodate religious needs.

If you decide to introduce a policy, speak to your employees to find out about their needs and preferences.

Any restrictions must have a 'legitimate aim' and must not discriminate more than is necessary. This might be for:

- health and safety – for example, not wearing loose clothing when using machinery
- hygiene – for example, covering hair when preparing food
- business image – for example, a company uniform

For example, a manufacturing company bans employees from wearing loose jewellery at work for safety reasons. Some employees complain this will stop them wearing religious symbols. The employer decides the ban is essential for people using machinery. But they allow people to wear jewellery in the office, as it's not a safety risk.

### Food and fasting

If you provide food, either in a work canteen or for events, you should consider dietary needs connected to religion or belief.

Some religions require periods of fasting which might affect people at work. You should consider how you could accommodate any requests related to fasting.

For example, you might make temporary changes to someone's duties or working hours to support them at work. Any changes should not disadvantage employees who do not follow the religion.

### Job duties

An employee might ask to opt out of certain duties because of their religion or belief. For example, handling meat, alcohol or contraceptives.

To accommodate any requests, you could consider if:



- the duties are a core part of the job
- other employees can do the duties without having to do extra work
- it would cause problems for the business or its customers

When recruiting, you should clearly state what the job involves.

### Example of accommodating changes to duties at work

Robin works in a small supermarket. Robin becomes a vegan and asks not to handle meat products. Their employer considers the rota and how tasks are shared out. They find they can arrange shelf filling so that other employees handle most of the meat products. The employer agrees with Robin that they'll only have to handle meat products when on the till or stacking tins.

## How to promote an understanding of religion and culture

A lack of understanding of other people's beliefs and way of life can cause disputes at work.

It's important to have some understanding of the beliefs and cultures in your organisation. This can help prevent problems or make them easier to resolve.

To promote understanding, you could:

- include articles about religion and beliefs in a company newsletter – for example, a story about what a particular religious festival means to one of your employees
- provide information about religions and beliefs in diversity training
- raise awareness of behaviours that might feel uncomfortable within some religions or beliefs – for example, shaking hands or having a photo taken

### Multi-faith networks

You could consider setting up a multi-faith network. This is a group where people of all beliefs can:

- share experiences
- promote understanding
- support each other
- raise issues that need addressing

A multi-faith network group might need some 'ground rules' so that people understand they should:

- respect the beliefs of others
- not try to convert others to their beliefs

[Find out more about promoting religious understanding from the Interfaith Network](#)

## How people express beliefs at work

Most organisations will have employees with different or opposing beliefs. People have the right to hold beliefs which other people disagree with or find offensive. But problems can happen when people express their beliefs.

You have a responsibility to make sure employees do not discriminate against each other. This includes when an employee expresses their own beliefs in a way that discriminates against others.

It's reasonable for you to require employees to:

- be thoughtful and respectful in expressing beliefs at work, to avoid the risk of offence or distress to others
- not to act in a way that discriminates against others

If you think that someone has expressed their beliefs in a way that is inappropriate, you should consider whether to deal with it informally or formally.

You must make sure that your action does not discriminate against them because of their belief.

This is particularly important if you take formal disciplinary action. It is a sensitive area of law. You should [get legal advice](#).

### Example of religious belief causing discrimination

Pat is gay and works for an insurance company. Pat's manager Jamie has a religious objection to gay people and gets Pat moved to another team. This is likely to be discrimination against Pat on the grounds of sexual orientation. Jamie has the right to hold these beliefs but does not have the right to discriminate because of them.

### Expressing beliefs outside of work

Employees might express their religious or philosophical beliefs outside work, for example on personal social media channels.

You should respect people's right to express themselves. But you might be able to take action if the comments they make:

- would damage your reputation as an employer
- are disrespectful about the people they work with

You should have guidelines, such as a social media policy, so that employees know what is acceptable.

### World events

Sometimes events in the wider world can cause tension at work between people with different beliefs.

You could consider:

- briefing line managers so they can be alert to issues arising between employees
- asking managers not to take sides or express views that could make things worse
- reminding employees to treat each other with respect even if they have different views

### Get more advice and support

If you need help to deal with any challenges in your organisation, you can:

- [contact the Acas helpline](#)
- [get tailored support for your organisation](#)