



Stuart Markless, an employment law caseworker at Martin Searle Solicitors, answers questions on the law relating to religious discrimination. Martin Searle Solicitors is a member of the steering group for Brighton and Hove LEADER

I HAVE a job application from someone wanting time off to observe religious festivals. Do I have to accommodate this? We normally shut down for two weeks in the summer and require two weeks' notice for other holidays.

SINCE 2003 the law has prohibited discrimination on the grounds of religion and belief. If you reject this application purely on the grounds of the applicant's religion you would be directly discriminating against them. Direct discrimination is where someone is treated less favourably because they follow, or do not follow, a particular (or any) religion or belief.

You could also be found guilty of indirect discrimination if it can be proved that your policies, employment rules or other practices have the effect of disadvantaging people of a particular religion or belief – even where they are applied to all employees. Indirect discrimination is unlawful whether it is intentional or not.

In this case you should be aware that the dates of some religious festivals change and in some cases the dates do not become clear until they are quite close. It would seem that your holiday rules disadvantage people wishing to observe these festivals.

However, your rules could be permissible if you can demonstrate a legitimate aim and the practice is proportionate to that aim. For instance, if the business needs to retain a certain level of staffing at all times. In any case, it would be wise to review your practices for other ways to meet your objectives without disadvantageous rules.

I HAVE read about religious discrimination cases involving the behaviour of employees. What should I watch out for and am I liable?

OF THE two other types of discrimination to be aware of the first is harassment. This includes not only overt aggressive or offensive behaviour, but also acts which may not be intended to be malicious but are nevertheless upsetting.

In one recent case a claimant used as evidence a "joke" birthday card that had offended him. Victimisation, on the other hand, is where an individual is treated detrimentally because they have made a complaint or intend to make a complaint about discrimination or harassment or have given evidence or intend to give evidence relating to a complaint about discrimination or harassment.

Organisations may be held responsible for the actions of their staff as well as the staff being individually responsible. The penalties are the same as in any other form of discrimination so it is vital to ensure your equal opportunities and harassment policies are up to date.

IS IT just some religions that are protected?

NO, THE definition is wide and covers "any religion, religious belief, or philosophical belief". This could encompass political beliefs as well as minor religions. In addition, the regulations now also expressly cover discrimination owing to a lack of religion or belief. Discrimination is also outlawed where it is targeted at an individual due to their relationship with another person, such as a spouse or friend. The original regulations also covered behaviour relating to someone's perceived religion or belief.

● For further information visit www.acas.org.uk

Engage Partnership Employment League

EACH month, the Engage Partnership Employment League will highlight those businesses which demonstrate their commitment to diversity by employing local marginalised people.

For more information on employing diverse people, contact claire.mitchell@engagesolutions.org.uk.

One job outcome per company other than those indicated ()

Engage organisation: RBLI Employment Solutions

Brighton and Hove City Council, ODM, Carewatch UK.

Engage organisation: Careers Development Group

The Argus, Asda, BHS, Colvin Cleaning, DW electrical, Gardeners Books, Greggs, The Pumphouse pub.

Engage organisation: Working Links

Arundel Park Lodge, Asda, B&Q, Bill's Produce, Blissful Solutions, Blue Forest, Brighton and Hove City Council (3), Brighton Library, Brighton Station, Carlton House, Caton Coaching, City Business Skills @ City College Brighton and Hove, Davigdor Lodge Rest Home, Esprit Gb, Four Site, Glentworth House Nursing Home, Goldstone primary school, Grace Eyre Foundation, Hays Construction and Property, Hayward Adventure Playground, Heathfield college, Holiday Inn, iContact, Junot, Momentum (3), Monitor Hygiene Services, NCP Car Parks, Oakleigh Lodge, Preston Park Tavern, Royal Albion Hotel (6), Scolarest @ Whitehawk Primary School, Somerfield (3), Swift Installations, West Blatchington Junior School.

Hospitality course benefits industry and unemployed

by JESSICA HAZEL
and
AIMEE IZZARD

LONG-TERM unemployed people can now make a difference to the tourist industry in Brighton and Hove.

The first ever Tourism Pre-employment Training (Pet) programme specifically aimed at the hospitality sector recently saw ten participants successfully complete the course.

It has been developed in association with the city's Tourism Futures Forum and funded by Brighton and Hove City Council's Economic Development Team.

Working Links, based in North Street, Brighton, was asked to design and co-ordinate the programme.

The three-week course ran throughout September and saw participants take part in a number of soft skills sessions covering subjects such as communication, motivation, appearance, interview techniques and mock interviews.

Accredited training in other subjects such as health and safety in the workplace and emergency first aid was delivered by City College Brighton and Hove, Nourish CIC and First Aid Training.

Skills

One of the key parts of the programme was the involvement of several hotels in the city which have signed up to the Tourism Charter, a commitment to employ individuals from under-represented groups and increase the skills of existing employees, which each member of the Tourism Forum must sign.

Senior HR officers and general managers attended sessions organised by Engage Employment Solutions to share their own experiences and career journeys as well as providing job shadowing opportunities.

Single mother Natalie Brown, 26, from Brighton, had been out of work for eight months before going on the course.

The mother-of-two had previous experience as a bar manager and did her work placement at the Thistle Hotel.

She has now started working at the Royal York Hotel as a breakfast hostess.

Natalie said: "I was worried that going on the course would be a bit like going back to college, but you are treated like an adult in a relaxed and friendly atmosphere.

"I have made some great friends here, people with whom I will definitely stay in touch with. We have really spurred each other on.



REWARDING: The first ten participants of the Pre-employment Training programme show off their certificates

Tourism class worth a visit

"I have gained several qualifications now which compliment my existing ones."

Matthew Huddart, from the Ramada Jarvis Hotel, offered some of the participants the chance of work experience.

He said: "We joined the scheme because it was a great opportunity to support the community and help some of our local residents get a foothold on their employment struggles.

"It is also great for our hotel and means we get to meet other people in the tourist sector which we may

never have come across otherwise. We will definitely get involved on the next course and I would really recommend the scheme to other Brighton hoteliers.

"I would choose to recruit people through the scheme rather than advertise when staff vacancies arise."

The next Pet scheme will run in November and be promoted through Job Centre Plus.

To be considered for a place on the programme, call the Working Links Provision Team on **01273 774010**.

And the winner is ...

Brighton Pier took the inaugural award for equality and diversity in the Workplace, sponsored by the LEADER group, at the recent Brighton and Hove Business Awards. Judges were impressed by the pier's efforts in putting equality and diversity at the core of its employment strategy, with 280 employees from 48 different countries. The runners up were EDF Energy and Working Links.

Information for employers and staff in association with