



International Rights
Network



Supporting veganism in the workplace:

A guide for employers

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Disclaimer: *This guide is written for employers to offer general information and support only. It does not constitute legal advice and is not a substitute for dealing with specific workplace situations that may arise under current equality law.*

The Vegan Society encourages employers to address each and every situation with vegans on an individual basis and seek formal legal advice if necessary or if in doubt.

The Vegan Society accepts no responsibility for losses brought about by relying solely on the information contained in this guide.

About this guide

In 2019 an employment tribunal in CASE NAME confirmed that veganism is provided for in the Equality Act 2010 as a protected characteristic religion or belief. This protects vegans from unlawful discrimination in the workplace.

The Vegan Society has produced this short guide to help employers accommodate the needs of vegans.

It will also offer guidance on the steps employers can take to ensure that the needs of vegans are given due consideration.

What is veganism?

Vegans hold non-religious beliefs that affect many aspects of their daily lives.

Vegans try to live, as far as is practicable and possible, without the use of animals for food, clothing, or any other purpose. By extension, veganism promotes the development and use of animal-free alternatives for the benefit of humans, animals and the environment.

For vegans, the practical manifestations of this philosophy are integral to expressing their identity.

Veganism and the Equality Act

The Equality Act 2010 prohibits discrimination on several grounds called protected characteristics. Under the Equality Act, it is unlawful to discriminate against someone because of age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, sex and sexual orientation and, importantly, religion or belief. These protected characteristics of individual employees must be respected and given due regard.

Under the Equality Act, a qualifying non-religious, philosophical belief must:

- Be in relation to a weighty and substantial aspect of human life and behaviour
- Be a belief, as opposed to an opinion or a viewpoint
- Be genuinely held
- Attain a level of cogency, seriousness, cohesion and importance
- Be worthy of respect in a democratic society
- Not be incompatible with human dignity
- Not conflict with the fundamental rights of others
- Have a similar status or cogency to a religious belief

In CASE NAME the employment tribunal confirmed that the beliefs of vegans meet this set of criteria. Therefore, employers must ensure that they do everything they can to avoid discriminating, either directly or indirectly, against vegans.

The next section explains what employers can do to ensure compliance with equality law.

Complying with equality law

If you do not already have an Equality and Diversity policy in place, you should prioritise creating one. There should be a regular scheduled review of its contents to ensure that you are doing everything you can to deal with all matters relating to the protected characteristics.

Typically, equality and diversity guides explain how an employer might take into consideration the needs of religious employees, but now is a good time to include veganism as an excellent example of a protected non-religious philosophical belief, and state the measures you can put in place for vegan employees.

This is particularly relevant if you are subject to the public sector equality duty because you can evidence how you address your equality duty to those with protected non-religious beliefs. You can explain in your documentation how you give due regard to vegans and how you foster good relations between vegans and non-vegans.

One simple measure you can take is to add 'vegan' to your list of denominations on equality monitoring forms so that vegans have the choice to participate in the collection of demographic data.

If you do have a policy in place, now is a good time to review its contents to make it more explicit about protection for vegans. Guidance for employers about their responsibilities under the Equality Act can be found at [equalityhumanrights.com](https://www.equalityhumanrights.com).

ACAS (Advisory, Conciliation and Arbitration Service) also have various guides to support the development of equality and diversity policies: [acas.org.uk](https://www.acas.org.uk).

How to support vegans in the workplace

Understand veganism

The first and most obvious thing you can do is ensure that you understand the needs of vegans and how to accommodate them. This may entail developing your knowledge about veganism and assessing your existing policies and practices to examine how they might directly or indirectly discriminate against vegans.

For example, if you decide to not employ vegans because you hold pre-conceived assumptions about the nature or characteristics of vegans, this would likely be direct discrimination under the Equality Act. If you already know that a vegan works for you and have not provided suitable food at catered events, this could be deemed an instance of indirect discrimination. Similarly, if you have a practice of providing only dairy milk in the kitchen, and you know a vegan has no choice but to bring in their own milk, now would be a good time to adjust this practice so that you are making provisions equally to your non-vegan and vegan employees.

Vegans in employment are likely to be only too pleased to offer assistance with the development of workplace policies and practices. You can also obtain various helpful resources to help you understand veganism and the needs of vegans, including booking a visiting speaker from The Vegan Society.

Considerations to make

You can provide for your vegan employees by:

- Sending out a 'dietary requirements' sheet for catered events, ensuring that vegans have the opportunity to request that appropriate food is provided for them
- Ensuring kitchen facilities are acceptable for them to use, for example by keeping utensils and foods clean, providing colour coded equipment and separating food preparation areas
- Designating dedicated food storage areas for vegans, such as a shelf in the fridge above non-vegan foods
- Ensuring that vegans have access to vegan-friendly clothing or other items, such as synthetic safety boots or a non-leather phone case
- Exempting vegans from a requirement to attend corporate events such as horse racing, and team building events that revolve specifically around animal products such as a 'hog roast' barbeque
- Considering exempting vegans from participating in buying (or signing off on the purchase of) non-vegan products
- Supporting vegan employees to discuss their pension investment options with a relevant member of staff

Create a positive atmosphere

Fostering a general attitude of respect towards vegan employees is key. If 'jokes' made about an employees' veganism become burdensome, steps should be made to improve this. One way of assessing whether a co-worker has gone too far with comments to or about vegans is to consider what type of conversational behaviour would be deemed offensive to other individuals with protected characteristics, such as those who adhere to certain religious values.

Under the Equality Act 2010, provisions for 'harassment' apply to all workers, including vegans. Harassment is unwanted or unwelcome

behaviour which has the effect of violating a person's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment.

Under the Equality Act, unlawful harassment can include threats, spoken or in writing, offensive content in emails, comments made on social media, physical gestures, facial expressions, teasing and jokes, including practical jokes. Harassment does not have to be directed at the individual. For example, jokes or comments made between colleagues in the vicinity of vegans could constitute unlawful harassment.

An employer has a duty to ensure that all employees behave respectfully and courteously towards each other and vegans should also benefit from this duty. If this duty is not extended to vegan employees, claims of unlawful harassment related to a protected belief will be taken seriously in employment tribunals.

Train staff

Alongside developing your knowledge about veganism and assessing your existing policies and practices, it is vital that training is provided to all staff about the principles of the Equality Act 2010, and about your specific Equality and Diversity Policy. During this general training, discussing veganism as an example of a non-religious belief that is protected under the Equality Act will show that you are doing everything you can to be inclusive and to avoid accusations of discrimination.

These general training sessions should also inform senior staff, managers and team leaders about how they can avoid discrimination against vegans and how they should conduct discussions with vegans to help provide a supportive workplace environment.

All senior staff, managers and team leaders should understand that they are under a duty to treat vegans with respect, have due regard for their needs in the workplace and be able to understand how to deal appropriately with requests or complaints from vegans. They should also be able and confident to deal fairly with inappropriate behaviour against vegan employees.

Reassure employees

Employees, including vegans, should not feel anxious about raising complaints, and they should be reassured that if they have a specific need or wish to raise a complaint, they will be taken seriously. Under the Equality Act 2010, it is unlawful to victimise someone who raises a complaint. If a vegan makes a complaint under the Act but is subsequently treated badly for doing so, this could amount to a claim of victimisation. Reassuring your employees will ensure that members of staff are confident to call out unfair treatment without fear of victimisation.

Take appropriate, prompt action

If you become aware that a vegan is being subjected to unfair treatment because they are vegan, or if a vegan complains that they are coping with inappropriate behaviour because they are vegan, do not ignore it.

It is in your best interests to take action to deal with the problem immediately. Doing so will ensure that matters do not escalate, perpetrators are educated and/or disciplined, and that you continue to develop respect for vegans in the workplace. Prompt action will also evidence that you are serious about equality and diversity, and have a robust policy to deal with claims of unfair treatment in a timely manner.

Consider positive action

The Equality Act allows you to take 'positive action' to support those with a protected characteristic who are underrepresented or who suffer a disadvantage in your workplace. Positive action allows you to take the protected characteristic 'religion and belief' into account and may allow you to employ a vegan in a situation where two applicants are equally suitable for the vacancy.

Taking positive action is not favouring a specific candidate but is taking positive and necessary steps to increase diversity in the workplace. For example, positive action could ground a decision to promote a vegan to the post of Equality and Diversity Officer on the basis that it would help enhance diversity in the workplace. Similarly, taking positive action to

recruit vegan care workers may help address a disproportionate number of vegan employees compared to a possible growing number of vegan residents.

In the UK, Suffolk County Council has become the first to launch a Vegan Staff Network, allowing vegan members of staff to contribute to corporate agendas and decisions where relevant.

Read the full story at plantbasednews.org/post/uk-local-council-vegan-staff-network.

Acting within the law

The Equality Act 2010 places a duty on you not to discriminate. You may be very aware of how direct discrimination arises and you may be able to eliminate unfair and unlawful direct discrimination immediately. There are, however, times when indirect discrimination is an unfortunate, inadvertent effect of your practices and policies. By examining these in relation to the needs of vegans you should be able to address and resolve any unintentional indirect discrimination.

Equality law requires that you take a balanced view regarding the needs of employees in relation to the needs of your business. Workplace discrimination will only be permissible if there is a clear, legitimate aim that cannot be met without a degree of interference with the protected characteristic in question. Any discrimination suffered by individual employees must be proportional to the legitimate aim sought and the employer must show that they did everything they possibly could to avoid discrimination.

Here are some resources where you can read more about this:

Equality Act guidance: gov.uk/guidance/equality-act-2010-guidance

Equality & Human Rights Commission: equalityhumanrights.com/en

Equality Advisory and Support Service: equalityadvisoryservice.com

Advisory, Conciliation and Arbitration Service: acas.org.uk

The Vegan Society

Donald Watson House,
34-35 Ludgate Hill,
Birmingham
B3 1EH

email: info@vegansociety.com

telephone: 0121 523 1730

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