

Guideline Leaflet L09: Christian Ethos Audit

This leaflet will help your church to understand and apply the provisions of the Equality Act in relation to discrimination on the grounds of religion and belief. It offers a framework process for considering whether or not a particular job role needs to be filled by a Christian.

This Guideline Leaflet is regularly reviewed and updated. To ensure that you are using the most up to date version, please download the leaflet from the BUGB website at www.baptist.org.uk/resources

The date on which the leaflet was last updated can be found on the download page.

L09: Christian Ethos Audit

These notes are offered as guidelines by the Legal and Operations Team to provide information for Baptist churches.

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These notes can never be a substitute for detailed professional advice if there are serious and specific problems, but we hope you will find them helpful.

If you want to ask questions about the leaflets and one of the Baptist Trust Companies are your property trustees, you should contact them. They will do their best to help.

If your church property is in the name of private individuals who act as trustees they may also be able to help.

This leaflet is based on a printed workbook called “Christian Ethos Audit” prepared as a joint project by BUGB and Faithworks in 2003.

Faithworks have given permission for this to be reproduced and updated as an edited download, for which we thank them.

CHRISTIAN ETHOS AUDIT

**A guide for churches and small Christian projects to explore
religious discrimination legislation and Christian ethos**

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Foreword

'The Word became flesh and lived for a while among us. We have seen his glory, the glory of the one and only Son, who became from the Father, full of grace and truth.' (John 1:14). This, John's seminal statement about the nature of the incarnation, is foundational not only for understanding the nature of Christ but also, by implication, the mission of the Church.

God's communication – all that he wanted to say to humanity was wrapped up in a person. The Word became flesh. Jesus was the Word of God. God's Word did not consist in the sum total of Jesus words – his public utterances – but in his very being. Hence, John goes on to comment not that we have **heard** him, but rather that we have **seen** him and recognised that he was 'full of grace and truth'. John's appeal to his audience is based not on what Jesus said but on who he was – his character more than his conversation. The incarnation demonstrates the principle that 'being' is foundational to 'doing' – or t put it another way, who we are speaks more loudly than what we do or say!

Legislation of 2 December 2003 on quality and diversity in the workplace, now contained in the Equality Act 2010 – which covers issues of religious discrimination – obliges every church and Christian project to be able to define, for the first time ever, 'who we are' (our being or ethos) not just 'what we do' (our doing or mission). Why? Because, from then on, if we want to employ a Christian in the work we do, we will have to be able to demonstrate that our decision to do so is based on a genuine requirement of the job which reflects and relates to our 'organisational ethos'.

However, it has always been the case that, just as John's presentation of Jesus was based on Jesus 'inner' identity rather than just his 'outer' words and actions, in the same way, the integrity of churches and Christian projects cannot depend, for their credibility simply on what they deliver. We understand that if there is a break or disconnection between the inner and the outer, between the public image and the private reality of our churches and Christian projects, then we cannot hope to be respected, heard or taken any notice of in society today.

So, far from being a threat, the new legislation presents every church and Christian project with the opportunity, and perhaps the impetus we need, to define with a new clarity what it is that 'makes us tick' – to think through and articulate exactly what our identity or ethos is.

The Faithworks team have created this pack to guide you through the process of doing just that.

Steve Chalke
Founder of Oasis and Faithworks

Preamble

In the current culture and climate where equal opportunities legislation is increasingly shaping employment practice it is vital that we, as Christians, operate fairly within the law and affirm and embrace good practice. It is equally important to do this in a way that promotes our distinct nature and calling as followers of Jesus. For this reason, I welcome this study guide prepared by Faithworks. With their co-operation this pack has been specially adapted for use by churches in membership of the Baptist Union of Great Britain.

This pack can help churches in two very specific ways:

- It **explains the legislation**, enabling those in our churches who are concerned with employment decisions to consider the legal implications, and offers practical help with applying the requirements of the law in recruitment processes, writing job descriptions etc.
- It helps us to **understand the meaning and significance of the term "Christian ethos"** when it comes to employment practice. The legislation says that if an employer wishes to advertise for, select, employ or promote, in our case, a Christian, then the employer must be able to justify the decision by showing that, having regard to the nature or context of the work, being of a particular sex, race, disability, religion or belief, sexual orientation or age (or not being a transsexual person, married or a civil partner) is an Occupational Requirement. This exemption is interpreted narrowly. The law allows a further exception for employers with an ethos based on religion or belief. In using this exemption, in the first instance the law requires such an employer to have a religious ethos. In our circumstances this will be our Christian ethos. Ethos is the distinctive identity of an organisation. It captures the shared motivation of those who belong to it.

Over recent years we have sought to express in a clear and contemporary way, the values and ethos which shape our Baptist understanding of the church. In the document 'Five Core Values for a Gospel People' Baptist identity and values are described in a way which can help us as churches to be more specific in employment terms, when it comes to defining ourselves as Christians and, where appropriate, justifying the reason why we require a Christian in a particular post. So, when it comes to your church drafting a statement of its ethos and values, as this pack encourages, I urge you to draw on the language and insights of the *Five Core Values* document. For the full text write to the Baptist Union of Great Britain, Baptist House, PO Box 44, 129 Broadway, Didcot, Oxon, OX11 8RT.

Extracts from the Five Core Values document describe Baptist ethos and identity in the following way:

Our emphasis is on trusting and following Jesus together in Christian discipleship. Our identity as Christian people is determined by the life of Jesus. We believe that this involves living in radical commitment to him. We are called to follow him, doing as he did and giving ourselves to God's loving purposes in the world.

We exist to bear witness to Jesus Christ in the world, to share in his mission, to make known his faithful and saving love for all creation, and to express his concern for the wholeness and harmony of all that he has made.

It then sets out the Five Core Values as ways in which this ethos is lived out in relationships.

We follow Jesus not simply as individuals. As Baptists, we emphasise the significance of the gathered church. Our understanding of church is not as hierarchy or organisation, but essentially as Community in Christ. Relationships are critical to the working out of our salvation; hence the emphasis on aspects of community life as follows:

A prophetic community – following Jesus in

- Confronting evil in justice and hypocrisy
- Challenging human concepts of power, wealth, status and security

An inclusive community – following Jesus in

- Transcending barriers of gender, language, race, class, age and culture
- Identifying with those who are rejected, deprived and powerless

A sacrificial community – following Jesus in

- Accepting vulnerability and the necessity of sacrifice
- Seeking to reflect the generous, life-giving nature of God

A missionary community – following Jesus in

- Demonstrating in word and action God's forgiving and healing love
- Calling and enabling people to experience the love of God for themselves

A worshipping community – following Jesus in

- Engaging in worship and prayer which inspire and undergird all we are and do
- Exploring and expressing what it means to live together as the people of God, obeying his Word and following Christ in the whole of daily life

The process for developing an ethos and values statements, as a way of responding to the new legislation, is much more than a procedural necessity for the sake of operating fairly within the law. Embracing and living out our ethos and values is not just important in employment terms but is important for our identity and witness as a Gospel people.

Of course, this pack contains general advice, and therefore as a "health warning" I must add that before a church stipulates that a post must be held by a Christian, they should always, in addition to studying this guide, seek specific legal advice.

To repeat the message of the foreword – far from being a threat, this legislation presents every Baptist church and project with the opportunity to demonstrate what makes us distinctive and different – to live out our Christian identity and ethos. It presents the opportunity to think through again how our ethos and values – what we stand for – affect and shape our behaviours and attitudes to each other, to society and to those whom we serve.

David Coffey
General Secretary
Baptist Union of Great Britain
December 2003

Introduction

The primary purpose of this pack is to help your church or Christian projects understand and apply the provisions of the Equality Act 2010, particularly in relation to discrimination on the grounds of religion or belief. It focuses on the occupational requirement available to an organisation with an ethos based on religion or belief. This is important because the starting point is that this legislation makes discrimination on the grounds of religion and belief unlawful.

However, when a church or Christian project advertises for a Christian or chooses to employ a person because he/she is a Christian, this is exactly what the employer is doing – discriminating on the grounds of religion or belief.

The legislation does provide some flexibility to allow churches and other faiths to maintain their faith basis. Therefore, discrimination can be acceptable within the law, in our case in favour of Christians, but only where this can be shown to be an Occupational Requirement and is objectively justified.

Justifying that a post needs a Christian to carry it out requires the employer to be able to demonstrate that there is an “occupational requirement” (referred to as an OR) for the postholder to be a Christian, the application of the requirement is a proportionate means of achieving a legitimate aim and that the job applicant does not meet the requirement, or the employer has reasonable grounds for believing that the job applicant does not meet it. In order to show that being Christian is an Occupational Requirement, the Tribunal is able to have regard to the Christian ethos of the church or project under a further exception.

In other words, although churches and Christian projects will be able to advertise for, recruit and employ Christians, this will only be lawful if they can demonstrate in each case the specific requirements which relate to their role, relate it to their ethos and shows that it is proportionate to their aim.

This pack will help you to:

- Understand what the law actually says
- Justify why you want to recruit a Christian into a particular post
- Operate equal opportunities as a Christian employer
- Identify and describe the distinctive ethos of your church/project
- Apply your ethos to operational processes – like advertising, recruitment etc.

In addition we hope that the process set out in this ethos audit will provide added value by helping you both to clarify and promote your Christian distinctiveness.

As you reflect on what makes you distinctively Christian, you will begin to describe the Christian ethos of your church/project. Notes in the previous section – how to use this guide – that refer to the Baptist *Five Core Values* – are a useful reference point for this exercise. It is also helpful to refer to the BUGB's Declaration of Principle. Becoming more specific about your Christian ethos and values provides you with an opportunity to consider how they relate to the way you run your church/project.

Ensuring that your practices match your Christian ethos – that you are who you say you are – will not only strengthen your identity but will also help you to be more authentic as a church or project – an essential characteristic in this increasingly diverse world.

Finally, please note that our purpose is not to advocate which of your staff, how many of your staff or even whether all of your staff should be Christians. Our purpose is simply to explain the legislation and to help you as churches/projects employ Christians within the law in situations where it has been identified that there is a genuine need for them.

Legislation

The summary

The overall purpose of the legislation is to protect all employees from being discriminated against at work because of their religion or belief (or any of the other protected characteristics set out in the Equality Act 2010. These are set out in our Equal Opportunities statement).

The legislation applies to employment – including recruitment, terms and conditions, promotions, transfers, dismissals and training.

For all employers this means that the legislation makes it unlawful on the grounds of religion or belief to:

- Discriminate directly against anyone – that is to treat them less favourably than others because of their religion or belief
- Discriminate indirectly against any one – that is to apply a criterion, provision or practice which disadvantages people of a particular religion or belief without it being objectively justified
- Subject someone to harassment on the grounds of their religion or belief
- Victimise someone because they have made a complaint or allegation or have given evidence against someone else in relation to a complaint of discrimination
- Discriminate against someone after the working relationship has ended

As stated previously, there is an exception to unlawful discrimination within the legislation for employers with an ethos based on religion or belief in order to maintain the ethos of their organisation. The exception states that discrimination on grounds of religion or belief is only lawful if it can be demonstrated that there is an occupational requirement (OR) for the person to be of a particular religion or belief, having regard to the nature and context of the employment and to the ethos of the organisation. The application of the OR must also be a proportionate means of achieving a legitimate aim.

Summary of implications for Christian organisations

The law therefore allows churches/Christian projects to advertise for and recruit Christians, when the following criteria are fulfilled:

- The church/project has a Christian ethos; or
- Having regard to that ethos and the nature or context of the work:
 - It is an occupational requirement for the post to be filled by a Christian; and
 - The application of the requirement is a proportionate means of achieving a legitimate aim.

Justifying Christian posts

Identifying which posts need Christians and why

The law says that if an employer wishes to advertise for, select, employ or promote a Christian the employer needs to be able to objectively justify the requirement.

This means that the employer must be able to determine the "occupational requirement" (OR) for any post to be filled by a Christian.

The following guidance is designed to help you to identify the ORs in your church/Christian project.

ACAS (Advisory, Conciliation and Arbitration Service) have produced official guidance to help employers put the legislation into practice in the workplace. This can be found on www.acas.org.uk. Their guidance, an extract of which is provided below, specifies the characteristics of a OR but it does not tell you what is acceptable as a OR in a religious organisation and what is not. There is no official guidance on what constitutes a OR in a religious organisation. Case law has provided some useful examples. However, each case will turn on its facts.

At the end of this section we have provided examples of ORs in churches/Christian projects. These must be considered ONLY as a guide. They are NOT provided as standard Christian organisation ORs. There is no official definition of ORs in religious organisations and our examples cannot be treated as such. They are simply guides from which you can work to establish your own.

Identifying an Occupational Requirement

The starting point is to describe the whole job, not just the tasks of the job which only a Christian can do. We recommend that you do this by using the template in Appendix 1. This document guides you to describe the job you want doing and then to identify the criteria – the skills/knowledge and experience – you are looking for in the person. To ensure that you get the right person you will need to do this exercise before you start your recruitment process.

Next identify those tasks of the job which can only be done by a Christian.

When writing up the tasks of the job which give rise to the OR in the job description and person specification (see template in Appendix 1) it is essential that:

- A central feature of the job must reflect the OR.
- There are clear links between the Christian purpose and ethos of the church/project, described in the church/project context section, and the job as stated in this description.
- The OR is clearly featured in the list of the main tasks of the job description.
- The knowledge/skills/experience required to carry out the OR, and so reflect the ethos, are clearly stated in the person specification.
- If you cannot identify specific tasks that only a Christian can carry out, consider whether there is anything else about the context of the work that would require a Christian and record these 'contextual' requirements.

In determining the OR for any job it may be helpful to be aware of the following guide notes from ACAS (but bear in mind that this is guidance, not law):

- The employer must be able to show that being of a specific religion or belief is a central requirement of the job and not just one of many relevant factors
- When considering applying such a requirement, the employer must look at each post individually both in terms of the duties of the job and the context in which it is carried out
- Employers should not expect to apply a blanket occupational requirement to all its posts
- Employers should consider whether there are alternatives to applying an occupational requirement. For instance, if only a small part of the jobs needs someone from that religion then it may be possible to redistribute work or re-organise roles in such a way as to avoid applying a religious requirement to a particular post
- Employers should be clear about the link between the requirements of the job and the need to maintain the church's/projects ethos.
- Employers can reasonably expect their staff to keep to the organisational values and culture and should bear in mind that people may be able to maintain those values and culture without actually belonging to the particular religion or belief.
- Employers should be clear about the link between the requirements of the job and the need to maintain the organisation's ethos as, in the event of an Employment Tribunal claim on the grounds of religious or belief discrimination, the burden of proof will be on the employer to show the OR

In summary, a OR is

- Central to the job
- Reflected in the duties of the job or in the context in which the job is carried out
- Linked to the personal requirements for the job
- Related to the ethos of the organisation
- Individual to each job

Examples of Occupational Requirements in churches/Christian projects

The OR to demonstrate that the role of the Baptist Minister requires a Christian would be easy to establish. It will consist of the need for the person in this role to lead and represent the Christian mission and purpose.

However, the tasks which give rise to ORs for other posts, are perhaps not so clear. The purpose of the following 3 examples is to help you think through whether posts in your church/Christian project carry ORs and if so how to describe them. No two jobs are the same but as a general principle remember that, to be an OR, a job task must always help the church/project achieve its Christian mission and purpose and be Christian in its ethos.

Please note that this is clearly not a comprehensive list and there is no guarantee that all of these examples could be successfully defended. The validity of any OR depends entirely on the extent to which you can demonstrate, through the clarity of your Christian purpose and expression of your ethos, the requirement for the post to be held by a Christian.

Youthworker

The church wishes to recruit a Youthworker to work both with the young people of the church and on outreach projects in the local community.

The main purpose of the role is to help young people attached to the church to grow in their faith and to help others who are not yet involved in the church begin to explore and understand their spirituality.

The role is made up of the following aspects:

- To operate the young people's drop-in centre in the church rooms on 2 nights a week, encouraging all young people to attend
- To undertake some administration e.g. rotas, bookings for the church rooms.

The OR for the job therefore is the need to relate the Christian faith, in a variety of contexts, to young people both in and outside of the church.

It is very important that the OR is reflected in the job purpose and the job description as well as the person specification and expressed along the following lines:

- **Job purpose**
Help young people to relate to and develop in their faith and Christian spirituality.
- **Task/s in the job description**
Lead projects in the community and run the drop-in centre in the church rooms as part of the church's outreach e.g. holiday clubs, fun days etc
- **Person specification**
To be able to relate to young people with different needs and to explain the Christian faith in ways which encourage, interest and stimulate growth

Church Administrator

The church has a number of activities, led by volunteers, which run from its premises – a mother/toddler group, a community support group etc. There is only one church Minister and it has been decided that support is required to off-load some of the admin work.

The support role involves general administration – room bookings, clerical duties and some diary management for the Minister, telephone/email enquiries etc.

At one level it is possible to conclude that the job could be carried out by a Christian or a non-Christian – it could easily be argued that at a functional level an employee of any faith or no faith at all could do this work.

However, the church wishes to recruit a Christian because in many situations the person filling it would be entirely responsible for the representation of the church. This would require the postholder being able to make an appropriate response to any caller at any time, perhaps without reference to another person immediately.

The OR for this job therefore is the need to be the interface between the church and the outside world, able to represent a church view, make a Christian response and reflect Christian values.

It is very important that the OR is reflected in the job purpose and job description as well as the person specification and expressed along the following lines:

- **Job purpose**
This job is responsible for representing the church in the absence of the Minister
- **Task/s in the job description**
Dealing with church issues on behalf of the Minister, making decisions where appropriate
- **Person specification**
Experience in dealing with church matters and pastoral/relational skills are essential

Coffee Bar Supervisor

The church wishes to set up a coffee bar. It is situated in an area where there are few meeting places and where there are a wide range of social needs. It will be open through the day and for part of the evening for young people. The church is a small church, not many volunteers, and so to develop this operation effectively it has been decided to employ a part time worker to supervise and run the coffee bar.

The tasks of running a coffee bar could be carried out by a non-Christian as well as a Christian but the church wants to recruit a Christian because the coffee bar is a key part of their outreach to the community.

While it might be clear what the church wants the person to do in order to supervise and run the coffee bar, it needs to be clear what makes this coffee bar a Christian coffee bar. If this is not clear the church will find it difficult to identify the OR (the requirement for a Christian) in the job description and person specification.

The distinctively Christian characteristic of the coffee bar is its fundamental purpose – it is there to serve coffee to those who drop in but, in doing so, its wider purpose is to be a tangible expression of the Kingdom of God and its values such as love, hospitality, compassion, mercy, forgiveness and so on. The distinctively Christian aspect of this coffee bar is the motivation with which the whole operation is put together and carried out.

The OR for the job is the need to represent and live out the Christian purpose of the coffee bar in the day-to-day operation – to reach out in love, with compassion, in mercy, with grace, in a forgiving spirit etc expressed along the following lines:

- **Job purpose**
This job is a way of expressing God's love to the world by modelling Christian values in all its dealing with people
- **Task/s in the job description**
To welcome all those who drop in, showing Christian hospitality and taking the opportunity to share faith where appropriate.
- **Person specification**
Ability to relate to different types of people, experience of dealing with the needs of the young and disadvantaged, exercising Christian spirituality

Equal Opportunities Issues

Equal opportunities for Christian employers

- With the introduction of the new equality and diversity legislation, religious discrimination, whilst unlawful for most employers, is lawful for religious employers providing they can objectively justify the reasons for it.
- Therefore, as Christian employers, while we subscribe to equal opportunities, we cannot say in our equal opportunities policy that we do not discriminate on any grounds. That's because we do discriminate lawfully on the grounds of religion but rely on an exception in the legislation to be able to do this.
- We therefore need to make statement in our Equal Opportunities policy that, in the light of our Christian purpose and ethos, we reserve the right to recruit Christians where there is an occupational requirement (OR) to do so.
- It would then be helpful to indicate which posts this applies to, either by attaching a list or referring to one held elsewhere, although it will be essential that this is kept under review.

The Equal Opportunities policy of the Baptist Union of Great Britain is in appendix 2.

Christian Ethos

Identifying your Christian ethos

- The new legislation says that the OR must relate to the organisational ethos of the church/project.
- Identifying your ethos is vital because it will be much harder to claim an OR if you cannot demonstrate that your organisation has a Christian ethos.
- If the need for a Christian in a certain post has nothing to do with the organisation itself being Christian, then the need for a Christian will be much harder to establish.
- Clarifying your distinctive organisational ethos also helps to make sure that **what** you do in the community as Christians is rooted in **who** you are as Christians.
- Ethos can be defined as the spirit or shared motivation of a group of people or an organisation. It's why people do what they do – in other words, it is the unique flavour or essence of an organisation – what makes it tick. It is its distinctiveness that makes it different from another organisation and gives it its identity. It is the environment within which the organisation's mission and activity are formed and delivered.

The key principle is this – who I am speaks more loudly than what I say. In fact, who I am speaks so loudly that if it is not in harmony with what I say my words will be ignored, misunderstood, distorted or even obliterated. Authentic and distinctive Christianity is about connecting our *being* with our *doing*.

So we need to think about who we are, what our ethos and values are as a church/Christian project before we set about doing what we want to do. If we don't spend time thinking about the identity of our church/project there is a danger that we will build our organisation into something which does not reflect the Christian motivation which has got us this far. The BUGB's Declaration of Principle and Five Core Values can help to identify your ethos.

Steps to help you identify and work with your Christian Ethos

First, don't worry if you already have recruited your staff or set up your project, but have not thought your ethos through. This is an opportunity to reflect on where you have got to and consider whether to make changes if necessary.

- **Set up a small group**

Hearing the reasons why others are involved and ensuring that their views have been considered may help in creating an ethos statement, which everyone will accept and commit to.

- **Research**

Describing your ethos is more than describing your purpose; it's about articulating the unique characteristics of your organisation, what makes it distinctive and different to other organisations. Ethos therefore is more about what your values are and what your organisation stands for than what it does (see Steve Chalkes Foreword on page 3).

Having said that ethos is not just about purpose, nevertheless, a good starting point for this process is to refer back to the mission or purpose statements of your organisation. These may be documents like your Constitution, the Memorandum and Articles or Trust Deed – depending on how your organisation is set up. Other documents might be the organisation's mission/vision statement and basis of faith. Despite the fact that these documents are about aims and objectives, they do carry, either implicitly or explicitly, indications about your organisation's values and what it stands for.

- **Survey staff**

Another technique at this stage is to ask people what motivates them to work with your church/project. This process might be easier to explain and manage in a smaller, rather than larger, operation. While you, as a senior person in the church/project, know instinctively what makes it different, others are likely to be less aware. Hearing the reasons why people have chosen to work with you in preference to another church/project can be a useful pointer to its real distinctive and unique characteristics.

- **Draft an ethos statement**

In Appendix 3 there is a sample ethos statement. If you want to use this as a model, take care to ensure that you reflect on the unique characteristics of your church. Please remember to consider the references to Baptist ethos and identity in the section – how to use this guide – at the front of this document, as well as the Declaration of Principle and the Five Core Values.

Statements typically include sentences which describe:

- Shared motivation – why people are working with your church/ project
- The value base – what your church/project stands for
- Internal practice – how the motivation and Christian value base are practised internally – the way people are treated and treat each other
- External expression – how the motivation and Christian value base are expressed externally – the way people are served by your church/project

- **Determine organisational skills**

The next thing to do is to think about how to ensure that this statement of ethos happens in practice on a day-to-day basis. It is one thing to say these things about ourselves as a church/project; it is another altogether to live by them. This is the point about being authentic. Remember who we are speaks more loudly than what we say or do. One way to start working on this is to develop a list of values that reflect the statement of ethos. In Appendix 4 there are some values which might be helpful to you to consider as you work out what your values are. Again these are model statements and are provided here only as a guide. In addition, some Baptist values are listed in the section – how to use this guide.

- **Impact organisational practice**

The final thing to do is to see how these values relate to and affect the way your church/project operates – your organisational practices and procedures.

Ethos and practice

How does your Christian ethos influence what you do in practice?

Stating our ethos and values is a big step towards being clearer about our Christian identity. The next step is to ensure that who we say we are as Christians (our distinctive 'being' or identity) is reflected in our 'doing' or how we behave in our church/project. This is about relating our ethos and values to our church/project practices and procedures. A perfectly crafted ethos and values statement is only worth the paper it is written on if it is applied in reality.

The following looks at the area of recruitment as an example of demonstrating how Christian values should affect our practices.

How ethos relates to the recruitment process

- **Transparency**
Each job description should state your Christian purpose and where appropriate the functions that give rise to the OR. This means that you are being up front about the job purpose, whether the job requires a Christian and the reasons why. Similarly, in the person specification, stating your expectations and requirements means that there should be no surprises for candidates when you select or deselect accordingly.
- **Integrity**
Finalising any job description should precede the writing of the advertisement. This may seem like a small point but it is too easy to advertise for a job without knowing its full content and therefore attract people on false premises. Writing the job description before the advert gives you integrity as an employer. Setting things up this way round also gives you the opportunity to advise existing post-holders about how their job relates to the new one.
- **Openness**
The advertisement should state clearly that you wish to recruit a Christian (if that is your decision) and why. This may mean that you limit your field but does mean that you are being completely open and honest about your intentions and that you do not wish to mislead anyone. The advertisement should also be made as widely available as possible so that internal as well as external candidates can consider it.
- **Authenticity**
The candidates should be furnished with all the relevant information about the post and the project before they are interviewed. This is about being equally committed to each individual and treating all candidates with respect.
- **Equality**
The selection process should be based on the criteria in the job description and person specification and seek to find real evidence of the candidates' ability to do the job as described. This means that all candidates can be treated equally and any reasons for de-selection are based on fact and not supposition.
- **Christian commitment**
The selection process should explore the candidates' relationship with God, where they are on their Christian journey etc. Requiring a Christian for a post needs to be matched by your commitment to understand the candidates and their spirituality.
- **Community**
Your induction process should provide every opportunity for the new person to feel a sense of belonging and involvement to the project as soon as possible. Such a process would include:
 - Making arrangements for the new person before the job starts – desk, phone etc.

- On the first day or so going through the job description – explaining how it fits in with the rest of the team.
- Introducing the new person to other staff and volunteers – inform others in advance when the new person is starting.
- Explaining any rules, particularly health and safety procedures. Location of first aid facilities etc.
- Explaining the staff relationship with the management committee.
- Going through again the terms and conditions of employment – check that all the pay (NI/bank) details have been forwarded to the right place. Deal with any queries at the beginning.
- Explaining where things are, ordering processes etc.
- Explaining the reporting process – who is in charge.
- Referring to any rotas – who does them – what are the expectations of the new person?
- Covering all the Health and Safety requirements.

Appendix 1:
Job Description template

Name of church/organisation

Job Title

Responsible to

Line Manager's job title

Job purpose

Two sentence summary of the job (including link to ethos where there is a OR)

Church/project context

2-4 paragraphs providing information about the church/project within which the post is based, and some information about the specific area of work (linking to the ethos where there is a OR).

Ideally attach an organisation structure chart.

Job Tasks

Description of the main duties and responsibilities, which can be grouped together under headings if this is useful. Ideally there will be between ten to fifteen duties and responsibilities in most jobs. One or more of these will demonstrate why the job needs a Christian to fill this post (if this is the case).

Person specification/key competencies

8-12 essential skill requirements for the job, which reflect the demands of the job as shown through the duties and responsibilities including:

Knowledge

Knowledge required, whether gained through education, training or experience.

Experience

Specific experience required for the job, whether gained through life or work or volunteering.

Skills/abilities

Personal qualities, transferable skills and abilities required for the job. This section will reflect some of the values, where appropriate, described in the ethos and values statement.

Christian commitment (where there is a GOR).

Job description agreed on (date)

by:

Post-holder's signature

Line Manager's signature

Job Title

Job Title

Appendix 2: Equal Opportunities

Equality of opportunity

The concept of Equal Opportunities is about ensuring that all personnel decisions concerning pay, recruitment, promotion and access to training and development are based solely on an individual's ability to do their job. Equal Opportunities is about using fair procedures to enable you to make fair decisions, creating an environment in which you can treat people equally regardless of who they are, their background or lifestyle.

Diversity

Diversity, as a concept, is more wide reaching. It embraces the principle that people are different and their differences should be valued and respected. It recognises that people from different backgrounds bring fresh ideas and a different approach which can make the way we work and learn more creative and innovative.

Equal Opportunity policy and religious discrimination

With the introduction of the Equality Act 2010, discrimination on the grounds of religion or belief, can be lawful for religious employers, though only where they can objectively justify the reason for it.

Therefore, as Christian employers, while we subscribe to equal opportunities, we cannot say in our equal opportunities policy that we do not discriminate on any grounds – we do discriminate lawfully on the grounds of religion.

Therefore it is important that we make a statement in our Equal Opportunities policy that, in the light of our Christian ethos and purpose, we reserve the right to recruit Christians where there is an occupational reason to do so.

It would then be helpful to indicate which posts this applies to, either by attaching a list or referring to one held elsewhere, and ensuring that it is kept under regular review.

Equal Opportunities and sexual orientation

Discrimination legislation under the Equality Act 2010 includes discrimination on the grounds of sexual orientation within employment practices.

Exceptions

There are two exceptions within the Equality Act 2010 that allow employers to discriminate on the grounds of sexual orientation.

The first exception is what is known as a 'General Occupational Requirement'. This exception can be used if the context and nature of the job need the post-holder to be of a certain orientation e.g. for counselling on sexuality. This exception is narrow. It only applies where there is a very clear connection between the work to be done and the characteristics required.

The second exception, known as the 'Organised Religion Occupational Requirement' is more specific and covers a requirement to be of a particular sex, not to be a transsexual person, not to be married or a civil partner, not to be married to, or the civil partner of, a person who has a living former spouse or civil partner, relating to circumstances in which a marriage or civil partnership came to an end, or related to sexual orientation. This exception allows the employer to discriminate on the grounds of sexual orientation where living in accordance with a particular lifestyle or behaviour is an occupational requirement (OR) for the job.

This exception can only be applied to those posts which are for the purposes of organised religion. This is intended to cover a narrow range of employment e.g. ministers of religion/Church leaders would clearly be covered whereas a Church administrator may well not be covered.

For this second exception to be valid the employer must be able to demonstrate that an occupational requirement (OR) is necessary either:

- To comply with doctrine of the religion; or
- To avoid conflicting with the strongly held religious convictions of a significant number of followers.

Can this exception be applied to all church staff?

As stated above, this exception relates to those posts whose primary purpose is for organised religion. This is a tightly drawn exception which will allow an occupational requirement (OR) to be applied to those posts which are for the purposes of organised religion. As an example, the exception may be used where an evangelical church requires its ministers to be married or heterosexual if this enables the church to avoid a conflict with the strongly held religious convictions of its congregation. However, in light of the wording of the regulations, wider application of the exception would depend on the extent to which it can be demonstrated that any other role has, as its primary purpose, organised religion. For example, a Christian church wanting to employ two youth workers, one to provide teaching on the Bible and the other to purely organise sporting activities could probably only use this exception in relation to the first post.

Can this exception be applied to Christian organisations?

This exception applies where the employment is for the primary purpose of organised religion. It is generally understood that "organised religion" does not mean "religious organisations" since the primary purpose of religious organisations may not be to represent or lead organised religion. However, once again, as this legislation has not yet been tested by case law, the answer to this particular question can, at this stage, only be determined by considering the extent to which the post in question is for the purposes of an organised religion.

What if neither of these exceptions apply to your situation?:

Beyond the exceptions described above, the law is clear – it is unlawful to discriminate on the grounds of sexual orientation.

If your church or Christian project is committed to upholding the sanctity of sex as being part of marriage, Faithworks would advise you to take the following steps:

- Make this commitment clear in your organisation's ethos statement
- Ensure that this value is included in your organisation's value statements and in standards that determine expected behaviours of staff
- Make sure that your staff know the standards expected of them
- Make sure that any action taken against staff in relation to this standard is applied consistently to all staff

Please note that this approach does **not** exempt you from the legislation. The law does not allow any employer to discriminate on the grounds of sexual orientation unless there is an occupational requirement (OR) to do so. Clarity about your organisational values simply ensures that existing staff and potential recruits know where your organisation stands in relation to this issue so that a process of self-selection can take place if appropriate.

Creating an Equal Opportunities Policy

In order to create a comprehensive Equal Opportunities Policy it is necessary to agree a statement first. The agreed Equal Opportunities Policy for the Baptist Union of Great Britain is overleaf.

Baptist Union of Great Britain Equal Opportunities Policy

THE BAPTIST CHURCH

1 Statement of Equal Opportunities Employment Policy

The Church is committed to the promotion of equality of opportunity in all fields of its activity in accordance with this Policy Statement.

2 Definitions

- | | | |
|-----|----------------------------|--|
| 2.1 | 'Protected Characteristic' | refers to sex, sexual orientation, colour, race, nationality or ethnic or national origins, marriage and civil partnership, pregnancy and maternity, disability, age, gender reassignment or religion or belief. |
| 2.2 | 'Direct Discrimination' | is where a person is treated less favourably than others are, or would be, for a reason related to one or more of the 'Protected Characteristics'. |
| 2.3 | 'Indirect Discrimination' | occurs where an individual is subject to a provision, criterion or practice which one protected group finds more difficult to comply with than another (even though on the face of it the provision is neutral) |

3 The Church's Policy Statement

The Church is an equal opportunities employer and will seek to ensure that:

- 3.1 every job applicant and employee has the right not be treated less favourably as a result of one or more Protected Characteristics except:
 - 3.1.1 in relation to religious belief where being a Christian or complying with a requirement related to religious belief is an occupational requirement having regard to the ethos of the Church and the nature of the employment or the context in which it is carried out;
- 3.2 persons already employed will be made aware of the provisions of this policy;
- 3.3 the application of any recruitment, training and promotion policies will be made on the basis of fair and objective criteria and based solely on job requirements and the individual's ability and fitness for that work;
- 3.4 all persons responsible for the selection, management and promotion of employees will be given information and/or training to enable them to minimise the risk of discrimination;
- 3.5 appropriate training will be provided to enable employees to perform their jobs effectively and uphold the commitment to equality of opportunity;
- 3.6 encouragement is given to all employees to take advantage of opportunities for training;
- 3.7 any age limits imposed for entry to training will be objectively justified as a proportionate means of achieving a legitimate aim and will not unnecessarily exclude certain groups of employees;
- 3.8 recruitment, literature and advertisements will not imply that there is a preference for one group of applicants as against another unless there is an occupational requirement which will be clearly stated and the application of that requirement is a proportionate means of achieving a legitimate aim;

- 3.9 the most effective ways will be employed to bring job vacancies to the attention of potentially disadvantaged groups;
- 3.10 applicants for posts will be given clear, accurate and sufficient information through advertisement, job descriptions and interviews, to enable them to assess their own suitability for a post;
- 3.11 The requirements of job applicants and existing members of staff who have or have had a disability will be reviewed to ensure that reasonable adjustments are made to enable them to enter into or remain in employment with us. Promotion opportunities, benefits and facilities of employment will not be unreasonably limited and every reasonable effort will be made to ensure that disabled staff participate fully in the workplace
- 3.12 employment policies and procedures are kept under review, in appropriate cases by formal monitoring routines, to ensure that they do not operate against the church's Policy Statement;
- 3.13 where it appears that the church's Policy Statement is not being observed the circumstances will be investigated to see if there are any policies or criteria which exclude or discourage employees and, if so, whether these policies and criteria are justifiable;
- 3.14 appropriate action is taken where necessary to redress the effects of any action, policy or criteria which are found to have unjustifiably limited the observance of the church's Policy Statement;
- 3.15 particular care is taken to deal with any complaints of unlawful discrimination and harassment on the grounds of a Protected Characteristic;
- 3.16 a criminal record is not in itself a bar to being appointed to any post. Only relevant offences will be taken into account when appointing to a post where a Criminal Records Bureau check is required.
- 3.17 The requirements of job applicants and existing members of staff who have or have had a disability will be reviewed to ensure that reasonable adjustments are made to enable them to enter into or remain in employment with us. Promotion opportunities, benefits and facilities of employment will not be unreasonably limited and every reasonable effort will be made to ensure that disabled staff participate fully in the workplace

NOTE:

Churches may want to consider whether, for any particular post, the exceptions excluding religious organisations from the normal requirements in relation to sexual orientation discrimination are to be applied.

Process for implementing the policy

Your Equal Opportunities Policy should be backed up by an agreed process of implementation as follows:

- The designation of responsibility for the oversight of the policy
- The communication of the policy to make it known and understood; the provision of training for all
- The implementation of procedures to ensure that discrimination, however slight, does not occur
- The implementation of a procedure for handling complaints of discrimination, including harassment, and ensuring that people are aware of it, how it works and how to use it
- The collation of statistics and analysis of them in order to monitor the effectiveness of the policy and to determine the nature of any corrective action
- The use of all the above as part of an ongoing personnel audit

Examples of how to apply Equal Opportunities to Recruitment and Promotion Procedures

- Job descriptions and person specification for each post should be drawn up and reviewed to eliminate references to non-essential experience or qualifications which might directly or indirectly discriminate against some candidates.
- Job advertisements should be displayed and promoted internally and, where appropriate, externally and be visible to all those who work in the church/project. They could also be placed in the press
- The premises used for interview should be easily accessible for disabled candidates
- Questions about the candidate's personal/family circumstances should not be asked
- The timing of interviews should be flexible to facilitate family commitments
- Interviewers should treat each candidate equally and interview them on the basis of the person specification
- Selection should be conducted solely on the basis of the candidate's relative merits, abilities and qualifications
- The gender, disability, status, colour, race, nationality, ethnic or national background of the candidates should be monitored by including a detachable questionnaire with the application form

Appendix 3: Sample Ethos Statement

The ethos of [] is our motivation for all our work – it is the reason why we do what we do. It is to work together to extend Jesus' model of the Kingdom of God on earth by living out a lifestyle of love, truth, justice, mercy and forgiveness, according to his teaching. We are inspired by his message, life and example through which God's unconditional love for all people is expressed.

While this ethos is given life through our relationships, our relationships – the way we work together and behave with one another – are a demonstration and authentication of our ethos. It is through these relationships, with each other and those whom we seek to serve, that we practise our ethos.

Our ethos or motivation, and therefore our relationships, are rooted in our faith in Jesus Christ and in his love, which compels us to serve others, putting their needs first. When we work together it is this faith which directs and influences both our internal relationships as well as our work with those whom [] is seeking to serve.

In this way [] operates on the understanding that our activities are simply an outworking of our faith; that our 'doing' derives directly from our 'being'. There is an essential and indissoluble link between the inner and the outer, the private life and the public face of []. The link between who we are and what we do cannot be broken.

Appendix 4: Sample Value Statements

Please also refer to the Five Core Values for a Gospel People, a summary of which is set out in the preamble of this guide (see page 4). The following are additional sample values statements for you to consider:

- **Integrity**
We believe that our mission and purpose – to extend Jesus’ model of the Kingdom of God on earth – is indissolubly linked with how we operate internally. The values, which we promote as a church/project, should be matched by those which we practice in what we do for others and ourselves. The link between who we are and what we do cannot be broken.
- **Authenticity**
We believe that our purpose – to extend Jesus’ model of the Kingdom of God on earth through our activities – flows out of our desire to work towards the same for itself as a church/project. The love and care with which we serve others should be authenticated by the same love and care which we have for each other.
- **Transparency**
We believe that we should be open and transparent about our beliefs and the link between our beliefs and our mission in matters of publicity, fundraising, employment etc.
- **Accountability**
We believe that all we have comes from God and that we should exercise wisdom, integrity and responsibility in using the resources entrusted to us.
- **United effort by Christians**
We are committed to maintaining our distinctively Christian ethos by ensuring that Christians, as volunteers and staff are appointed to those positions which we have agreed, require Christians to fill them.
- **Diversity**
We believe that we have a duty to maintain our Christian distinctiveness by recruiting those who are committed to Christ’s teaching about the Kingdom of God. However, at the same time we want to embrace the values of inclusivity and diversity by welcoming and involving, where appropriate, those of other faiths and those of none.
- **Servant leadership**
We believe in working for the common good, where appropriate, through partnership with other churches, other Christian organisations and other voluntary and statutory agencies.

Values about people

- **Equality**
We affirm the God-given value of each person and believe in the equal value of all. We stand for respect and freedom for everyone and tolerance and understanding between people of different opinions.
- **Discipleship**
We believe that as we serve others we learn as much about ourselves and our relationship with God as we do about the work.
- **Well-being**
We believe that God created people in His image, to be whole human beings and to flourish. We believe that well-being should characterise our lives as volunteers and staff and wherever else we belong and participate.
- **Transformation**
We believe that everyone should have the opportunity to develop and change, realising their potential and thus make a full contribution to the church/project and to society in general. We believe that as we grow and change, not only are we transformed but also the world around us. We believe that everyone is a learner and should be encouraged, supported and challenged to become who he or she can be. Learning who we are in God is as important as learning how to do the job.

Values about the way we work

- **Commitment to each other**
We believe that a tolerant society is one in which people of different opinions can live together in peace. In working together to deliver the work of the church/project we want to endeavour at all times to trust one another, being patient and forbearing. We should work at paying attention to the way we speak to one another, attempting to listen well and, even when it is uncomfortable to do so, being able to confront difficulties carefully and with compassion.
- **Interdependence**
We believe that each person has his or her own part to play and contribution to make to the whole. It believes that every opportunity should be taken to exchange views so that we can improve our understanding of ourselves and of one another and of the work we do.
- **Community**
We believe that a healthy community is one to which people feel that they belong. Within this church/project we are committed to the same way of life where volunteers and staff experience a sense of belonging to and identity with the church/project. We believe that successful delivery of our mission happens when people feel they belong and have a role, where inclusive community and a family atmosphere are fostered.

Appendix 5: How can we help?

Faithworks Services

The Faithworks Consultancy service exists to empower, inspire and equip churches, projects and organisations to develop their role with professionalism at the hub of the local community. Since its launch in October 2002, the service has offered practical advice and assistance to hundreds of churches engaged in all areas of community development. It now provides:

- **Audits**
These self-help packs enable you to audit the needs of your community, identify the resources available to your church and ensure that your working practice is consistent with your Christian ethos.
- **Consultants**
The Faithworks Skills Bank provides access to consultants who are able to offer advice and assistance in all areas of community development.
- **Bespoke services**
Because no two projects are the same, available services include – business planning, grant writing and organisational development.
- **Seminars**
Offered to groups of local church leaders to help them develop their role within the community, resource them to engage with local government structures and ensure that their employment practices comply with the changes within UK employment law.
- **Training**
Can be booked by groups of churches or projects who wish to make the most of local government opportunities.

For more information on any of these options please visit the Faithworks website at www.faithworks.info/training. For enquiries or bookings please contact info@faithworks.info or call 020 7921 4284.

The Baptist Union of Great Britain is available to help churches in membership of the Union with issues raised in these guidelines through the relevant departments at Baptist House on 01235 517700. Legal and financial questions should be directed to the Baptist Union Corporation either by referring to the website, www.baptist.org.uk, where a comprehensive range of leaflets is available or contact the offices on 01235 517700, fax 01235 517715 or email buc.corp@baptist.org.uk. For formal legal advice the Union's solicitors are ready to offer their professional services. Please contact Anthony Collins Solicitors, 134 Edmund Street, Birmingham, B3 2ES

Association Trust Company	Contact
Baptist Union Corporation Ltd East Midland Baptist Trust Company Ltd	Baptist Union Corporation Ltd Baptist House PO Box 44 129 Broadway Didcot Oxfordshire OX11 8RT Telephone: 01235 517700
Heart of England Baptist Association	Heart of England Baptist Association 480 Chester Road Sutton Coldfield B73 5BP Office Mobile: 0730 505 1770
London Baptist Property Board	London Baptist Association Unit C2 15 Dock Street London E1 8JN Telephone: 020 7692 5592
Yorkshire Baptist Association	17-19 York Place Leeds LS1 2EZ Telephone: 0113 278 4954
West of England Baptist Trust Company Ltd	West of England Baptist Trust Company Ltd Little Stoke Baptist Church Kingsway Little Stoke Bristol BS34 6JW Telephone: 0117 965 8828

This is one of a series of *Guidelines* that are offered as a resource for Baptist ministers and churches. They have been prepared by the Legal and Operations Team and are, of necessity, intended only to give very general advice in relation to the topics covered. These guidelines should not be relied upon as a substitute for obtaining specific and more detailed advice in relation to a particular matter.

The staff in the Legal and Operations Team at Baptist House (or your regional Trust Company) will be very pleased to answer your queries and help in any way possible. It helps us to respond as efficiently as possible to the many churches in trust with us if you write to us and set out your enquiry as simply as possible.

The Legal and Operations Team also support churches that are in trust with the East Midland Baptist Trust Company Limited.

If your holding trustees are one of the other Baptist Trust Corporations you must contact your own Trust Corporation for further advice. A list of contact details is provided above. If you have private trustees they too should be consulted as appropriate.

Contact Address and Registered Office:

Support Services Team, Baptist Union of Great Britain, Baptist House, PO Box 44,
129 Broadway, Didcot OX11 8RT

Tel: 01235 517700 Fax: 01235 517715 Email: legal.ops@baptist.org.uk

Website: www.baptist.org.uk Registered CIO with Charity Number: 1181392

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