



# Ministry of Defence

Army Secretariat  
Army Headquarters  
IDL 24 Blenheim Building  
Marlborough Lines  
Andover  
Hampshire, SP11 8HJ  
United Kingdom

Ref: FOI2020/00181/10/04

E-mail: [ArmySec-Group@mod.gov.uk](mailto:ArmySec-Group@mod.gov.uk)

Website: [www.army.mod.uk](http://www.army.mod.uk)

S Wulesleag  
Email Address: [request-618864-7c526ce1@whatdotheyknow.com](mailto:request-618864-7c526ce1@whatdotheyknow.com)

04 February 2020

Dear S Wulesleag,

Thank you for your email of 07 January in which you requested the following information:

*"Thank you for your reply however, in order to clarify the request I am looking for a copy of the Army's dispensation for breaching the equality act on the grounds of religion.*

*Whilst facial hair is not a protected characteristic, religion is. Under the act, direct discrimination is defined as "when a person (A) discriminates against another (B) if, because of a protected characteristic, A treats B less favourably than A treats or would treat others". By differentiating the grooming standards of those with religious belief from those without, in this case through the ability to grow facial hair, the Army is directly discriminating against its some of its employees.*

*can I therefore confirm that the Army does not have dispensation to discriminate between those with / without religious beliefs and is therefore in breach of the equality act by enforcing differing standards based on the protected characteristic 'religion'"*

I am treating your correspondence as a request for information under the Freedom of Information Act (FOIA) 2000. I am writing to advise you that following a search of our recorded information, I have established that no information you requested is held by the Ministry of Defence.

Section 1 of the Freedom of Information Act gives an applicant the right to access recorded information held by public authorities at the time the request is made and does not require public authorities to answer questions, provide explanations or give opinions, unless this is recorded information held. Following a search of our recorded information I have established that the information you have requested is not held by the MOD.

Under Section 16 (Advice and Assistance) you may find it helpful to note that the Army policy on dress and personal appearance states the following:

*"(1) Males. Male hair is to be cut short such that its length does not reach to the collar or onto the ears. Males are to be clean-shaven but moustaches and beards may be worn. If a moustache is worn, it is to be trimmed and not below the line of the lower lip. Beards and whiskers are only to be worn with the CO's authority, which will usually be granted only on medical or religious grounds, or where tradition permits."*

Please note that that the requirement to get Commanding Officer's permission is to ensure that there is not a legitimate operation reason why a beard cannot be worn, for example, the wearing of

a Chemical, Biological, Radiological and Nuclear face mask, which may not be able to properly seal around the face unless the wearer is clean shaven. The Army is a modern and inclusive employer that recognises the diversity of their soldiers. As a result, the dress regulations are constantly reviewed linked to appearance against societal trends and equality legislation, to ensure that a strong professional image of the Army is maintained. With regards to the existing dress regulations, the Army does not consider that they breach the provisions of the Equality Act 2010.

If you have any queries regarding the content of this letter, please contact this office in the first instance. Following this, if you wish to complain about the handling of your request, or the content of this response, you can request an independent internal review by contacting the Information Rights Compliance team, Ground Floor, MOD Main Building, Whitehall, SW1A 2HB (e-mail [CIO-FOI-IR@mod.uk](mailto:CIO-FOI-IR@mod.uk)). Please note that any request for an internal review should be made within 40 working days of the date of this response.

If you remain dissatisfied following an internal review, you may raise your complaint directly to the Information Commissioner under the provisions of Section 50 of the Freedom of Information Act. Please note that the Information Commissioner will not normally investigate your case until the MOD internal review process has been completed. The Information Commissioner can be contacted at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. Further details of the role and powers of the Information Commissioner can be found on the Commissioner's website at <https://ico.org.uk/>.

Yours sincerely,

Manning Portfolio 2  
Army Secretariat