

EDC17D006H

CODE OF PRACTICE FOR STAFF: MARRIAGE AND CIVIL PARTNERSHIP

1.0 Introduction

- 1.1 The University of East Anglia, referred to as “the University” throughout this document, has developed this revised Code of Practice to demonstrate the steps that will be taken to ensure equality in respect of marriage and civil partnership and to ensure its compliance with the Equality Act 2010.
- 1.2 This Code of Practice is underpinned by the University’s Equality & Diversity Strategy/Action Plan and the Equality & Diversity in Employment Code of Practice, which can be accessed on the Human Resources Division’s intranet sites.
- 1.3 The University is an international and multicultural community which values and encourages diversity. The University is committed to ensuring that it makes every reasonable effort to provide a supportive, inclusive environment to all staff irrespective of their marital status; and, to not unlawfully discriminate against employees, job applicants and trainees because of their marriage or civil partnership.
- 1.4 This Code of Practice should be read in conjunction with other key University documents, including but not limited to the Equality & Diversity Code of Practice and Recruitment & Selection Guidelines.

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2.0 Purpose

2.1 The purpose of this Code of Practice is:

- to raise the awareness of the University's staff about marriage and civil partnership issues and their responsibilities under the Equality Act 2010;
- provide guidance to managers to ensure that all staff irrespective of their marriage or civil partnership are supported in their work activity at the University;

3.0 Scope

3.1 This Code of Practice applies to all staff employed by the University, individuals registered on UEA's staffing registers, individuals holding honorary and/or secondment contracts, individuals undertaking work experience and self-employed individuals.

3.2 The University also expects the following groups to behave in a manner which complies with the expectations set out for staff :

- Students
- individuals undertaking work experience on placements
- members of the public
- service users
- individuals employed by other organisations (such as recruitment agencies, Consortiums and Partnerships)
- suppliers and contractors.

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4.0 Responsibility of all staff

- 4.1 All staff are required to comply with this Code of Practice and with the relevant legal requirements. Anyone with responsibility for managing staff has additional responsibilities which are detailed in Section 5.0.
- 4.2 Staff are encouraged to disclose their marital or civil partnership status and staff can update their personal circumstances by contacting Human Resources. See *Briefing Note 24 – Disclosing your Marriage or Civil Partnership* for further information.
- 4.3 Staff should consider making their manager and/or Human Resources Manager aware of issues related to their personal circumstances, particularly where this relates to their wellbeing, health and safety in the workplace or a practice that could result in unlawful discrimination due to their marriage or civil partnership.
- 4.4 All staff have a responsibility to ensure that all members of the University community irrespective of their marital, civil partnership or non-marital or non-civil partnership status are treated with dignity and respect. The University will not tolerate inappropriate behaviour towards individuals due to their status, whether they are married, in a civil partnership or not.
- 4.5 The Vice-Chancellor and Executive Team requires all staff to complete the online Equality and Diversity training module that can be accessed via the Equality & Diversity, Human Resources and CSED webpages; and to re-complete a refresher every two years.

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5.0 Responsibility of all managers

- 5.1 All individuals with management and supervisory responsibility are responsible for the implementation of this Code of Practice within their Service, Faculty, School, Department, Office areas.
- 5.2 Managers need to be aware of their responsibilities under this Code of Practice and under the Equality Act 2010 and ensure that they are carried out appropriately.
- 5.3 Managers must take steps to ensure that policies, procedures and practices in their areas of responsibility do not have an adverse impact for staff of differing marital or civil partnership status and to assess whether the cause of this different outcome might constitute unjustifiable discrimination.
- 5.4 Where inappropriate behaviour is brought to a manager's attention, the manager is responsible for taking appropriate action. This includes addressing the behaviour of individuals not employed by the University as referred to in paragraph 3.2 of this document. Managers can seek advice and support from Human Resources in dealing with such matters.

6.0 The Legislation – Equality Act 2010

- 6.1 The main provisions of the Equality Act 2010, referred to as “the Act” throughout this document, came into force on 1 October 2010.
- 6.2 The Act consolidated the many equality and anti-discrimination laws into a single Act covering nine protected characteristics:
 - Age
 - Disability

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- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race (including Caste)
- Religion or belief
- Sex
- Sexual orientation

6.2 The Equality Act 2010 defines marriage and civil partnership as:

- Someone who is legally married or in a civil partnership
- Marriage between a man and a woman
- Marriage between partners of the same sex
- Civil partnership between partners of the same sex

6.3 The Equality Act does not apply to individuals who are:

- Single
- Living with someone as a couple neither married nor civil partners
- Engaged to be married but not married
- Divorced or a person whose civil partnership has been dissolved

6.4 The Act makes it unlawful to discriminate on the grounds of marital or civil partnership status. Acts of discrimination can occur in a number of ways, which include:

- **Direct discrimination** where an individual is treated less favourably than another individual because of they are married or in a civil partnership.

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- **Indirect discrimination** occurs where a condition, rule, policy or practice that is applied equally to everyone has the effect of disadvantaging individuals who are married or in a civil partnership.
- **Victimisation** happens when an individual is treated less favourably because they have made or supported a complaint of marriage or civil partnership.

6.5 Please refer to Briefing Note 25 – Different types of marriage and civil partnership discrimination in the workplace.

7.0 Monitoring and Review

7.1 The Human Resources Division, on behalf of the University, is responsible for monitoring and reviewing the implementation of this Code of Practice to ensure its effectiveness.

7.2 The University will continue to monitor and review the impact of its policies, procedures and practices for employment on staff and applicants of differing marital and civil partnership status and take positive action where appropriate to ensure that its policy on marriage and civil partnership is fully implemented.

7.3 Such action will include the provision of training and awareness, particularly for key staff groups where monitoring indicates that an area of policy, procedure or practice requires revision.

7.4 The Human Resources Division will monitor the completion rates for the Equality & Diversity module and provide a regular report to the Equality & Diversity Committee.

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