

MARRIAGE AND CIVIL PARTNERSHIP POLICY STATEMENT

1 Context

This policy statement sets out how Doncaster College will work towards the promotion of marriage and civil partnerships in all of its activities. It outlines how the College will ensure that marriage and civil partnership discrimination is challenged and eliminated through legislation and good practice.

This policy statement needs to be viewed in the context of the Equality Act 2010 and Public Sector Equality Duty 2011 and the extent of protection it provides in the context of marriage and civil partnerships - a protected characteristic.

This policy needs to be read in conjunction with the College's:

- Equality and Diversity Strategy
- Anti Harassment and Anti Bullying Policy (Staff and Students)
- Widening Participation Strategy
- Equality and Diversity Framework: An Ethical Framework
- Equality and Diversity Policy
- Strategic Equality and Diversity Action Plan 2011-14
- Equality and Diversity Framework: Charter for Staff.

2 Definition

A person has the protected characteristic of marriage and civil partnership if the person is married or is a civil partner.

In relation to the protected characteristic of marriage and civil partnership:

- A reference to a person who has a particular protected characteristic is reference to a person who is married or a civil partner.
- A reference to persons who share a protected characteristic is reference to persons who are married or are civil partners.

Equality means ensuring that everyone is treated equally i.e. in the context of learners that all students have the same right of access to resources. Consequently to ensure equality of opportunity, individuals / groups may be treated differently.

Diversity is recognising that individuals and groups of people are different and that it is important to value and celebrate difference.

Direct Discrimination is treating someone less favourably than he/she would treat others because of a protected characteristic.

[The individual does not need to possess the protected characteristic]

Indirect Discrimination is where an employer/provider has a condition, rule, policy or practice that applies to everyone but particularly disadvantages people who have a protected characteristic.

[It can be justified if it is proportionate means of achieving a legitimate aim.]

MARRIAGE AND CIVIL PARTNERSHIP EQUALITY POLICY STATEMENT

Associative Discrimination is discrimination directed against someone who associates with another person that possesses a protected characteristic.

Perspective Discrimination is direct discrimination against some one because they are thought (wrongly) to possess a protected characteristic.

Harassment is unwanted conduct related to a protected characteristic that has the purpose or effect of violating an employee's dignity, or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual.

Victimisation is where an individual is subjected to a detriment because they make, or are suspected of making, or supporting a complaint or grievance under the Equality Act 2010. [No protection if a complaint has been maliciously made or supported an untrue complaint].

Third Party Discrimination protects employees who are harassed by clients, contractors of the employer/provider. An employer is liable if the conduct has occurred on at least two previous occasions, is aware it has taken place and has not taken reasonable steps to prevent it occurring.

3 Guiding Principles

Doncaster College is fully committed to promoting equality of opportunity in relation to marriage and civil partnerships. All people have a right of equality of opportunity irrespective of marriage/civil partnership. Doncaster College wishes to be recognised by the community as an organisation which provides good employment and educational opportunities for people who are married or in a civil partnership and we wish individuals who apply to us as a student or employee to know that they will receive fair treatment and be treated solely on their ability.

Therefore our policies aim to ensure that people who are married or in a civil partnership receive treatment that is fair, equitable and consistent with their skills and abilities.

Our practices are reviewed and impact assessed regularly to ensure they provide equality of opportunity through compliance with current legislation, good practice guidance and user feedback, with targets set for improvement through our Strategic Equality and Diversity Action Plan 2011-14.

Wherever possible the College will use Association of Colleges (AoC) good practice guidelines.

Doncaster College does not tolerate any prejudicial behaviour by any member of the College.

4 Legislative Framework

The College will operate within the legislative framework of the Equality Act 2010 and Public Sector Equality Duty 2011 and strive, where possible, to go beyond legal compliance.

The College has a zero tolerance to bullying, harassment and victimisation.

MARRIAGE AND CIVIL PARTNERSHIP EQUALITY POLICY STATEMENT

The College recognises the legal protection afforded to the protected characteristic of marriage and civil partnership.

The College is committed to ensure that it does not discriminate either directly or indirectly in the provision of goods, facilities, services or employment on the grounds of religion or belief.

Consequently, the College will not tolerate any forms of discrimination on the basis of marriage or civil partnership based upon:

- Direct Discrimination
- Indirect Discrimination
- Associative Discrimination
- Perceptive Discrimination
- Indirect Discrimination
- Harassment
- Third Party Harassment
- Victimisation

The College recognises that legislation makes it unlawful on the grounds of marriage and civil partnership to discriminate on the basis of:

- A person's actual marriage or civil partnership
- A religion or belief that they are thought to have; or
- The religion or belief of someone else with whom they are associated.

The College recognises that the Equality Act 2010 prohibits both direct and indirect discrimination on the grounds of marriage or civil partnership.

In relation to indirect discrimination on the grounds of marriage or civil partnership and in line with the Equality Act 2010 the College recognises that it is capable of being justified if it is a proportionate means of achieving a legitimate aim.

The College notes that single people are not protected.

Within the College's Strategic Equality and Diversity Action Plan 2011-14 the College will take action to:

- Eliminate unlawful discrimination based on marriage or civil partnership;
- Promote equality of opportunity in relation to marriage or civil partnership;
- Promote good relations between people of different marriage or civil partnership.

The College supports good decision making by encouraging staff to understand how different people will be affected by their activities so that our policies and services are appropriate and acceptable to all and meet different people's needs.