

Marriage and civil partnership discrimination

The Equality Act 2010 says an employer mustn't discriminate against you because you're married or in a civil partnership.

Discrimination which is against the Equality Act is unlawful. If you've experienced unlawful discrimination, you may be able to do something about it.

What's meant by marriage and civil partnership?

If you want to make a discrimination claim, you need to find out if you're someone who mustn't be discriminated against under the **Equality Act 2010**.

The Equality Act says it's only unlawful discrimination if you're treated unfairly because of certain reasons. These reasons are called **protected characteristics**. Marriage and civil partnership are protected characteristics under the Equality Act.

You're protected against unlawful discrimination if you're:

- legally married, or
- in a civil partnership.

When are you legally married?

You're legally married if your union is recognised as a marriage under UK law, even if you didn't get married in the UK.

When are you in a civil partnership?

A civil partnership means a registered civil partnership under the **Civil Partnership Act 2004**. This also includes civil partnerships registered outside the UK.

When can you complain about marriage and civil partnership discrimination?

You can only complain about marriage and civil partnership discrimination at **work**. If you're treated unfairly outside the workplace because you're married or in a civil partnership, it's not unlawful discrimination under the Equality Act.

Are you protected if you're engaged or separated?

Only people who **are** married or in a civil partnership are protected against discrimination on the basis of marriage and civil partnership.

You're not protected if you're:

- single
- engaged to be married
- divorced or your civil partnership has been dissolved

- living with someone as a couple
- widowed
- someone thinks you're married or in a civil partnership even though you're not.

However, if you're separated you're still protected, as your marriage or civil partnership has not been legally dissolved.

Other useful information

Equality Advisory Support Service (EASS)

If you have experienced discrimination, you can get help from the EASS discrimination helpline.

[More about the EASS helpline](#)

Equality and Human Rights Commission (EHRC)

You can find useful information about discrimination on the EHRC website at www.equalityhumanrights.com