



OVERSTONE PARK SCHOOL

Equalities Policy



Date	September 2026
Review Date	September 2027
Coordinator	Mrs M Brown, Mrs D York

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Human Rights Act 1998
- Gender Recognition Act 2004
- Equality Act 2010
- Education and Skills Act 2008
- The Education (Independent School Standards) Regulations 2014 (the Independent School Standards, or ISS)
- Children and Families Act 2014 (in relation to pupils with an Education, Health and Care plan)
- Worker Protection (Amendment of Equality Act 2010) Act 2023, as amended by the Employment Rights Act 2025

We also have regard to the following statutory and other guidance:

- Keeping Children Safe in Education (KCSIE) 2026, in force from 1 September 2026, and Working Together to Safeguard Children
- The Equality and Human Rights Commission (EHRC) Code of Practice for services, public functions and associations (in force from August 2026) and the EHRC technical guidance for schools in England
- The Department for Education's (DfE) statutory guidance on Relationships Education, Relationships and Sex Education (RSE) and Health Education (in force from 1 September 2026)
- The DfE's non-statutory guidance, The Independent School Standards: Guidance for Independent Schools (April 2026)

We understand that the Equality Act 2010 combines and builds upon the existing legislation covering discrimination and promotion of equality of opportunity.

We recognise that this Act brings together into one Act those areas known as 'protected characteristics' that qualify for protection from discrimination: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We believe that everyone has the right to be treated with dignity and respect. We are opposed to any direct or indirect discrimination against individuals or groups on the basis of any protected characteristic.

Our Legal Framework as an Independent School

As an independent school, the Proprietor is the 'responsible body' for the purposes of Part 6 of the Equality Act 2010 (education) and is the employer of school personnel for the purposes of Part 5 (work). The Act therefore applies to our admissions arrangements, to the education, benefits, facilities and services we provide to pupils, and to the way we treat our employees, job applicants and contract workers.

The Proprietor must also ensure that the Independent School Standards are met at all times. The standards most relevant to this policy require us to:

- provide a curriculum and teaching that do not discriminate against pupils, and personal, social, health and economic (PSHE) education that encourages respect for other people, paying particular regard to the protected characteristics (paragraphs 2(2)(d), 3(j) and 5(b)(vi));

- actively promote the fundamental British values of democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs (paragraphs 3(i) and 5(a));
- preclude the promotion of partisan political views in teaching and offer a balanced presentation of opposing views where political issues arise (paragraphs 5(c) and 5(d));
- provide relationships education and RSE in line with statutory guidance (paragraph 2A);
- safeguard and promote the welfare of pupils, having regard to Keeping Children Safe in Education (paragraph 7);
- prevent bullying, including prejudice-based bullying because of a protected characteristic (paragraph 10);
- make information, including our policies, available to parents (paragraph 32) and handle complaints fairly (paragraph 33); and
- ensure effective leadership and management (paragraph 34).

The Public Sector Equality Duty in section 149 of the Equality Act 2010, and the specific duties that go with it (such as publishing equality information), apply to maintained schools and academies and do not generally apply to independent schools. We nevertheless follow the spirit of that duty as good practice: we consider the impact of our policies and decisions on people who share protected characteristics, we set equality objectives and we monitor our progress.

Under paragraph 3 of Schedule 10 to the Equality Act 2010, the Proprietor must prepare, publish, review, revise and implement an accessibility plan to improve access to the school's premises, curriculum and information for disabled pupils.

Sex and Gender Reassignment: Current Legal Position

On 16 April 2025 the Supreme Court handed down judgment in *For Women Scotland Ltd v The Scottish Ministers* [2025] UKSC 16, confirming that for the purposes of the Equality Act 2010 the terms 'sex', 'man' and 'woman' refer to biological sex, and that holding a Gender Recognition Certificate does not change a person's legal sex for the purposes of the Act.

This judgment does not remove or reduce the protection that trans people continue to have under the separate protected characteristic of gender reassignment. That protection applies to anyone who is proposing to undergo, is undergoing, or has undergone a process (or part of a process) for the purpose of reassigning their sex. It does not depend on holding a Gender Recognition Certificate or on having had any medical treatment. It is unlawful for us to directly or indirectly discriminate against, or victimise, any pupil or member of school personnel because of gender reassignment, and it is unlawful for us to harass a member of school personnel for that reason. The Equality Act's prohibition on harassment of pupils does not extend to gender reassignment, but we do not tolerate harassment or prejudice-based bullying of any pupil because they are trans, or are perceived to be, and we will deal with it under our behaviour, anti-bullying and safeguarding policies.

We are committed to eliminating discrimination on this basis, advancing equality of opportunity and promoting good relations between all members of our school community, while also having regard to our duties towards all pupils and staff, including in relation to single-sex spaces and activities, in line with current law and statutory guidance.

Single-sex spaces and activities. In line with KCSIE 2026, the Independent School Standards and the EHRC Code of Practice, where we provide single-sex facilities or activities we provide them on the basis of biological sex. In particular:

- we provide separate toilets for boys and girls aged eight and over, and separate changing facilities for pupils aged eleven and over;
- pupils do not use toilets, changing rooms or overnight accommodation designated for the opposite biological sex, including on school trips and residential visits;
- where a pupil does not wish to use the designated facilities, we will consider whether alternative provision, such as a self-contained individual toilet or a fully enclosed changing space, can be provided without compromising single-sex provision or the safety, privacy, comfort and dignity of that pupil or any other pupil;
- any mixed-sex or gender-neutral toilets we provide in addition to single-sex toilets will be in individual, lockable rooms that open directly onto a public area, and the safeguarding risks will be assessed and recorded;
- we may separate pupils by sex in sport where the Equality Act 2010 permits it (section 195), for example because of differences in strength, stamina or physique. Where separation is required for safety reasons there are no exceptions; where it is for reasons of fairness we will consider the circumstances of each case, including the nature of the activity, the age and development of the pupils and the impact on others; and
- we record each pupil's biological sex accurately wherever sex is recorded, including in the admission register, and make that information available to those staff who need it in order to safeguard pupils. Pupils who are questioning their gender. Pupils who are trans or who are questioning their gender will be treated with kindness, dignity and respect, and their safeguarding and welfare are our first concern. In line with KCSIE 2026:
- the school will not initiate any action relating to social transition, such as a change of name, pronouns, uniform or arrangements for sport, trips or facilities;
- where a pupil or their parent asks the school to make changes or put support in place so that the pupil can present as the opposite sex, the request is referred to the Designated Safeguarding Lead (DSL). No member of staff will adopt any such change unless a decision has been made at school level, led by the DSL;
- in reaching a decision we will consider the pupil's best interests, wishes and wider circumstances, including mental health, special educational needs, family and peer relationships and any safeguarding concerns. We will take particular care in relation to younger pupils;
- parents and carers will be involved in almost all cases and their views will be given significant weight, unless the DSL considers that involving them would create a greater risk of harm to the pupil;
- we do not promise any pupil absolute confidentiality;
- every decision, and the reasons for it, is recorded in writing, stored securely and kept under review as circumstances change; and
- a pupil who talks about their feelings or questions their gender without asking for any change will be supported pastorally, and staff will share any concerns with the DSL in line with our safeguarding policy.

Belief and respectful expression. The Equality Act 2010 protects religion or belief, which includes religious and philosophical beliefs about sex and gender where they meet the legal test. We will not treat any pupil or member of school personnel less favourably because of a protected religion or belief, and we do not tolerate harassment or bullying of anyone for holding or respectfully expressing a lawful view. All members of the school community are expected to express their views lawfully and respectfully and to treat others with courtesy, in line with our behaviour policy and codes of conduct.

Teaching. Relationships Education, RSE and PSHE are taught in line with the DfE's statutory guidance, which we have regard to under paragraph 2A of the Independent School Standards. We teach factual information, including the legal facts about biological sex and about gender reassignment as a protected characteristic, and we do not teach any particular view of gender identity as fact. We consult parents before making or revising our RSE policy and publish it on our website. We take care over external resources and speakers so that partisan political views are not promoted and pupils are offered a balanced presentation of opposing views.

We recognise that this area of law and guidance continues to develop. KCSIE 2026 and the EHRC Code of Practice for services, public functions and associations are now in force. The EHRC's updated technical guidance for schools in England is still out for consultation (closing on 30 September 2026), and the EHRC has said that its guidance for employers will be updated in due course. We will review and update this policy and our practice, including any specific arrangements for individual pupils, as further guidance is finalised and published. We will also review arrangements made before KCSIE 2026 came into force to confirm that they remain appropriate.

We all have a responsibility to ensure equality permeates all aspects of school life and that everyone is treated equally irrespective of their protected characteristics. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We have high expectations of all pupils from across the ability range by aiming to provide them with every opportunity to succeed through the highest standards of teaching and learning within a curriculum that is broad, balanced, differentiated, relevant and exciting. We will monitor the progress of all pupils in order for them to achieve their expected targets.

We are opposed to any member of the school personnel or others connected with the school being victimised, harassed or bullied by another based on assumptions about their status in relation to any protected characteristic, or on any other grounds. Political affiliation is not a protected characteristic under the Equality Act 2010, but we will treat everyone fairly whatever their political views. In line with the Independent School Standards, we will not promote partisan political views in the teaching of any subject, and we will take reasonably practicable steps to ensure that pupils are offered a balanced presentation of opposing views where political issues are brought to their attention.

In order to achieve the aims of this policy we will take lawful measures of positive action (under sections 158 and 159 of the Equality Act 2010) to encourage or facilitate the employment or training of people who share a protected characteristic and who are disadvantaged, have different needs or are under-represented, as we recognise that the avoidance of discrimination alone is not sufficient to ensure that equality exists in this school. We do not operate quotas or give automatic preference to any group.

We work hard to maintain a positive ethos where all members of the school community work well alongside each other, developing positive working relationships.

We want pupils to come to school to enjoy meaningful experiences where they feel valued and special, and to have a sense of pride in themselves and their school.

We want school personnel to derive a sense of fulfilment from their work in school, and above all to feel valued by everyone in the school community.

We wish to work closely with the School Council and to hear their views and opinions, acknowledging and supporting Article 12 of the United Nations Convention on the Rights of the Child, that children should be encouraged to form and express their views. This also supports our duty to actively promote democracy and individual liberty as fundamental British values.

As a school community we have a commitment to promote equality. An equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010 and the Independent School Standards.

We aim to meet all of the Independent School Standards at all times and to be judged highly at every inspection, by ensuring that standards for all pupils are high and continue to improve.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements connected with this policy.

Aims

- To comply with the Equality Act 2010, which combines and builds upon existing legislation covering discrimination and the promotion of equality of opportunity.
- To treat everyone equally irrespective of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation or any other protected characteristic.
- To protect pupils and school personnel who are trans from discrimination and victimisation (and, in the case of school personnel, harassment) because of gender reassignment, while lawfully providing single-sex spaces and activities on the basis of biological sex, in line with the Equality Act 2010 and statutory guidance.
- To meet the Independent School Standards at all times, including actively promoting the fundamental British values and encouraging respect for other people, paying particular regard to the protected characteristics.
- To achieve the highest standards of teaching and learning for all children, irrespective of any protected characteristic.
- To take reasonable steps (and, from 30 October 2026, all reasonable steps) to prevent sexual harassment of school personnel, including by third parties, in line with the Worker Protection (Amendment of Equality Act 2010) Act 2023 as amended by the Employment Rights Act 2025.
- To work with other schools, our professional associations and the local authority to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Proprietor

The Proprietor has:

- responsibility to comply with all aspects of the Equality Act 2010 as the responsible body for the school;
- responsibility for ensuring that the school meets the Independent School Standards at all times, including those relating to equality, welfare, the curriculum and the provision of information;
- delegated powers and responsibilities to the Principal to ensure that this policy is embedded into the culture of the school;
- delegated powers and responsibilities to the Principal to ensure all school personnel and stakeholders are aware of and comply with this policy;

- responsibility, as a matter of good practice, to set equality objectives and review them at least every four years;
- responsibility to prepare, publish, review and implement a school accessibility plan under Schedule 10 to the Equality Act 2010, in order to improve access to the school building(s), the curriculum and information for disabled pupils;
- responsibility for ensuring that the school complies with all equalities legislation;
- responsibility to monitor achievement of equality targets;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring that the school's safeguarding arrangements, including its arrangements for single-sex facilities and for requests relating to social transition, have regard to Keeping Children Safe in Education;
- responsibility for ensuring this policy and all policies are maintained and updated regularly, including in response to changes in the law and statutory guidance;
- responsibility for ensuring all policies are made available to parents and prospective parents, including on the school website and on request, in line with paragraph 32 of the Independent School Standards;
- responsibility for involving the School Council in determining this policy with the Principal, discussing improvements during the school year, organising surveys of pupils' views, and reviewing the effectiveness of this policy;
- nominated a link governor or Proprietor's representative who will visit the school regularly, work closely with the Principal and coordinator, ensure this and other linked policies are kept up to date, ensure everyone connected with the school is aware of this policy, and attend relevant training;
- responsibility for effective leadership and management, so that those with leadership responsibilities have the skills and knowledge to meet the Independent School Standards consistently and actively promote the wellbeing of pupils (paragraph 34);
- responsibility for the effective implementation and annual monitoring and evaluation of this policy;
- make effective use of relevant research and information to improve this policy;
- responsibility to publish annually, as a matter of good practice, a summary of the school's progress against its equality objectives and accessibility plan.

Role of the Principal and Senior Leadership Team

The Principal and the Senior Leadership Team will:

- ensure that this policy is embedded into the culture of the school;
- ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality, inclusion and community cohesion;
- record and deal with incidents of racism, bullying and other inappropriate behaviour, including all prejudice-based incidents;
- seek advice from appropriate agencies in order to ensure that this policy is kept up to date, including in light of ongoing developments in equalities law and guidance;
- have high expectations of all pupils from across the ability range;
- provide every opportunity for pupils to succeed by ensuring the highest standards of teaching and learning;

- ensure the curriculum is broad, balanced, differentiated, relevant and exciting;
- monitor the progress of all pupils in order for them to achieve their expected targets;
- ensure equal opportunities are covered in the school improvement plan, in all subject policies and curriculum plans;
- monitor and analyse the performance of different groups of pupils within the school;
- regularly report to the Proprietor and any governing body on the standards achieved by different groups within the school;
- highlight and share positive activities that help to tackle educational disadvantage;
- ensure that toilets, changing rooms, overnight accommodation, sport and trips arrangements are regularly audited and risk-assessed and comply with this policy and KCSIE 2026;
- ensure that a clear procedure is in place for handling requests relating to social transition, with the DSL involved from the outset;
- ensure that each pupil's biological sex is accurately recorded in school systems;
- ensure accessibility is carefully monitored and reviewed annually;
- record, report and address all racial incidents;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy by scrutinising teachers' planning and pupils' work, observing pupils throughout the school day, classroom monitoring of pupil progress, and analysis of questionnaires, surveys and pupil data.

Role of the Designated Safeguarding Lead

The Designated Safeguarding Lead will:

- lead the school's response to any disclosure or request relating to a pupil questioning their gender or to social transition, in line with KCSIE 2026;
- assess the pupil's wider welfare, safeguarding, mental health and special educational needs, and involve parents and carers unless doing so would create a greater risk of harm to the pupil;
- ensure that decisions and the reasons for them are recorded in writing, stored securely and kept under review;
- review any arrangements made before KCSIE 2026 came into force to confirm that they remain appropriate;
- advise staff on confidentiality and information sharing; and
- work with the Principal to identify suitable alternative provision where a pupil does not wish to use designated single-sex facilities.

Preventing Sexual Harassment of School Personnel

Under the Worker Protection (Amendment of Equality Act 2010) Act 2023, we have a legal duty to take reasonable steps to prevent sexual harassment of our employees in the course of their employment. From 30 October 2026 the Employment Rights Act 2025 strengthens this to a duty to take all reasonable steps, and makes us liable for harassment of employees by third parties (for example parents, visitors and contractors) where we have not taken all reasonable steps to prevent it. In order to meet these duties we will:

- carry out regular risk assessments of situations and roles where sexual harassment could occur, including harassment by pupils, parents, visitors and contractors;
- ensure clear and confidential reporting routes are in place and known to all school personnel, and ensure that anyone who raises a concern is protected from detriment, including under whistleblowing law;
- provide training to all school personnel on recognising, preventing and responding to sexual harassment, including by third parties;
- take prompt and appropriate action in response to any complaint or concern raised;
- keep written records of our risk assessments, training and the action we have taken;
- regularly review the effectiveness of these measures.

Sexual harassment, sexual violence and sexual abuse between children are dealt with under our safeguarding and behaviour policies, in line with KCSIE 2026.

Role of School Personnel

School personnel will:

- act as positive role models in order to promote equality throughout the school community;
- abide by and adhere to this policy;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination and unequal treatment to the Senior Leadership Team;
- read Part 1 of KCSIE in full and follow the school's safeguarding policy;
- refer any disclosure or request relating to a pupil's gender or social transition to the DSL, not agree to any change (including to a pupil's name, pronouns or use of facilities) without a school-level decision, and not promise a pupil confidentiality;
- maintain an overall school ethos of respect and tolerance for one another;
- promote equality, inclusion and good community relations;
- challenge inappropriate language and behaviour, racial harassment, prejudice-based bullying and bullying;
- avoid promoting partisan political views in their teaching and offer a balanced presentation of opposing views where political issues arise;
- have high expectations of all pupils;
- carefully monitor all groups of pupils to ensure that they make progress and achieve their targets;
- provide a stimulating, relevant and exciting curriculum that will motivate and enthuse all students;
- use a variety of teaching methods to ensure effective learning takes place for all pupils;
- provide challenge for all pupils;
- promote equality through curriculum planning;
- ensure planning is differentiated in order to provide full access for all pupils;
- make reasonable adjustments, including providing auxiliary aids and specialised resources, for pupils with disabilities;
- create a positive classroom ethos that is welcoming to all;
- ensure pupils feel valued and have individual targets;

- be open to the views of pupils;
- encourage pupils to share their experiences of different cultures and religions;
- provide positive classroom displays of pupils' work;
- attend appropriate training sessions;
- report any concerns they have on any aspect of the school community.

Role of Pupils

Pupils will:

- be aware of and comply with this policy;
- recognise that they have a role and responsibility to promote equality, inclusion and good community relations;
- challenge inappropriate language and behaviour, bias and stereotyping;
- work to promote anti-bullying strategies;
- respond appropriately to incidents of discrimination and harassment and understand the action needed to report these;
- respect the school's arrangements for single-sex toilets, changing facilities and overnight accommodation;
- learn to take pride in their work and produce work of a high standard;
- listen carefully to all instructions given by the teacher and ask for further help if they do not understand;
- participate fully in all lessons;
- insist on good pupil conduct;
- treat others, their work and equipment with respect;
- support the school Code of Conduct and guidance necessary to ensure the smooth running of the school;
- talk to others without shouting and use language which is neither abusive nor offensive;
- hand in homework properly completed and on time;
- wear correct uniform;
- liaise with the school council;
- take part in questionnaires and surveys.

Recruitment Process

We are an Equal Opportunities employer and we adhere to the principles of equal opportunity in all aspects of the recruitment process.

We welcome applications for vacant posts from appropriately qualified persons regardless of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

We follow safer recruitment practice in line with Part 3 of KCSIE and Part 4 of the Independent School Standards. We make reasonable adjustments for disabled applicants, we do not ask health-related

questions before a job offer is made except where the law allows, and we apply the same principles to supply staff, contract workers and volunteers.

Complaints

Complaints of discrimination from parents or pupils will be dealt with under the school's complaints procedure, which meets paragraph 33 of the Independent School Standards and includes a panel stage with a member who is independent of the management and running of the school.

Any discriminatory complaint from a member of the school personnel will be dealt with under the school's complaints or grievance procedure.

Any case of harassment, including sexual harassment, will be dealt with under the school's disciplinary procedure. Where a child may have been harmed, or an allegation is made against a member of staff, volunteer or supply staff, we will also follow our safeguarding policy and Part 4 of KCSIE.

Nothing in this policy prevents anyone from seeking advice from the EHRC, the DfE or the school's inspectorate, or from pursuing their legal rights.

Role of Parents/Carers

Parents/carers will:

- be aware of and comply with this policy, including the school's arrangements for single-sex facilities and activities;
- be involved, in line with KCSIE 2026, in decisions about any request relating to social transition for their child;
- be encouraged to take an active role in the life of the school by attending parents' and open evenings, parent-teacher consultations, class assemblies, school concerts, and fundraising and social events;
- be encouraged to work in school as volunteers;
- be encouraged to organise after school clubs or groups;
- raise any concerns through the school's complaints procedure;
- be asked to take part in periodic surveys conducted by the school.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- School Handbook/Prospectus;
- School website, where this policy is published for parents and prospective parents;
- Staff Handbook;
- Meetings with parents such as introductory, transition, parent-teacher consultations and periodic curriculum workshops;
- School events;
- Meetings with school personnel;
- Written communications with home such as weekly newsletters and end of half term newsletters;
- Annual report to parents;

- Principal's reports to the Proprietor and any governing body;
- Information displays in the main school entrance;
- Text messages and email;
- The school's official social media channels.

Training

All school personnel:

- have equal chances of training, career development and promotion;
- receive training on this policy on induction which specifically covers: ethos; equal opportunities;
- inclusion; anti-bullying; assessment; curriculum; pupil behaviour and discipline; relationships, sex and health education; teaching and learning; and safeguarding, including the KCSIE 2026 provisions on single-sex spaces and requests relating to social transition;
- receive periodic training so that they are kept up to date with new information, including developments in equalities law and guidance;
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications;
- receive training on preventing sexual harassment in the workplace, including harassment by third parties, in line with the Worker Protection (Amendment of Equality Act 2010) Act 2023 as amended by the Employment Rights Act 2025;
- read Part 1 of KCSIE in full.
- The Proprietor, link governor, DSL and deputy DSLs receive additional training appropriate to their roles.

Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender reassignment, pregnancy or maternity, race, religion or belief, sex and sexual orientation (and, in employment, marriage and civil partnership).

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010, the Independent School Standards and current statutory guidance, as it is fair, does not unlawfully disadvantage any pupil or member of school personnel, and helps to promote equality at this school. The assessment will be reviewed whenever this policy is reviewed and whenever there is a significant change in the law or statutory guidance.

Principal:	Mrs M F Brown	Date:	September 2026
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