St Hilary's Prep School Policy

Equality, Diversity and Inclusion (EDI) Policy

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1. Introduction

St Hilary's Prep is an independent day school for girls and boys aged between 2 and 11 years. It is a mixed-ability, non-denominational school with a strong family ethos that welcomes children from all backgrounds and faiths. We actively promote democracy, the rule of law, individual liberty, and mutual respect and tolerance of those with different faiths and beliefs. These fundamental British Values underpin all that we offer, as does our School Motto, 'Not for oneself but for all.'

The School is committed to providing an environment in which pupils, staff and the wider School community are treated with dignity and respect, unlawful discrimination is not tolerated, and barriers to participation and

achievement are identified and addressed. We value diversity and seek to foster a strong sense of belonging while recognising that equality law contains specific legal definitions, duties and exceptions.

This policy distinguishes between the School's wider inclusive ethos and the legal duties arising under the Equality Act 2010. The School may choose to support and protect people from bullying or unfair treatment on grounds wider than the statutory protected characteristics, including neurodiversity and socio-economic disadvantage, but such commitments do not alter the legal definitions in the Equality Act.

2. Scope

This policy applies, as relevant, to current and prospective pupils, parents and carers, staff, governors, volunteers, contractors and visitors. Different provisions of the Equality Act 2010 apply to pupils, employees and the provision of services, and the School will apply the correct legal framework to the circumstances.

For pupils, the schools provisions in Part 6 of the Equality Act 2010 apply to independent schools as well as maintained schools and academies. The School will not unlawfully discriminate, harass or victimise a pupil or prospective pupil in admissions, the provision of education or access to benefits, facilities or services, or in other areas covered by the Act.

3. Policy aims

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010.
- Promote equality of opportunity and an inclusive culture in which all members of the School community are treated with dignity and respect.
- Prevent and respond to bullying, prejudice-based behaviour, discriminatory language and harmful stereotyping, including behaviour described as 'banter'.
- Support disabled pupils and staff through reasonable adjustments and accessible practice, and support pupils with SEND in accordance with applicable education law and School policies.
- Provide a broad, balanced and age-appropriate curriculum that encourages respect for other people, paying particular regard to the protected characteristics set out in the Equality Act 2010.
- Safeguard and promote the welfare of all pupils in accordance with Keeping Children Safe in Education 2026.
- Ensure admissions, recruitment, pastoral care, curriculum, co-curricular provision and School decision-making are fair, transparent and consistent with the School's legal obligations.
- Use appropriate information to identify possible disadvantage or barriers, while complying with data protection law.
- Work constructively with pupils, parents, staff and the wider community to support inclusive practice.

4. Legal and regulatory framework

This policy has been reviewed with regard to the Equality Act 2010; the Education (Independent School Standards) Regulations 2014 and Department for Education Independent School Standards guidance updated in April 2026; Keeping Children Safe in Education 2026; the Children and Families Act 2014 and SEND framework where applicable; the Human Rights Act 1998 where relevant; the UK GDPR and Data Protection Act 2018 as amended by the Data (Use and Access) Act 2025; and relevant employment legislation.

The School also has regard, where relevant, to Equality and Human Rights Commission guidance. The EHRC's Schools in England Technical Guidance published for consultation in June 2026 is non-statutory consultation guidance and may be used as evidence in legal proceedings; it is not treated by the School as a statutory code. The Equality Act 2010 Code of Practice for Services, Public Functions and Associations 2026 came into force on 5 August 2026 and may be relevant to School activities falling outside the specific schools provisions.

As an independent school, St Hilary's is subject to the applicable Equality Act duties for schools and employers. This policy does not assume that the Public Sector Equality Duty applies to the School merely because it provides education.

5. Equality Act 2010: protected characteristics and forms of discrimination

The nine protected characteristics in section 4 of the Equality Act 2010 are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

The application of these characteristics varies across different parts of the Act. In particular, age and marriage and civil partnership are not protected characteristics for the purposes of the schools provisions applying to pupils, although they may be relevant in employment or other contexts.

Unlawful conduct may include:

- Direct discrimination – treating a person less favourably because of a protected characteristic.
- Indirect discrimination – applying a provision, criterion or practice that puts people sharing a protected characteristic at a particular disadvantage and cannot be justified as a proportionate means of achieving a legitimate aim.
- Discrimination arising from disability – treating a disabled person unfavourably because of something arising in consequence of disability where the treatment cannot be justified.
- Failure to make reasonable adjustments for disability where the statutory duty applies.
- Harassment – unwanted conduct related to a relevant protected characteristic that has the purpose or effect described in the Equality Act. The precise statutory harassment provisions differ in some school contexts, but the School will not tolerate bullying or degrading, hostile, humiliating or offensive conduct.
- Victimisation – subjecting a person to a detriment because they have done, or are believed to have done, a protected act under equality law.
- Direct discrimination because of association with a person who has a protected characteristic, or because a person is perceived to have a protected characteristic, where the law provides protection.

Religion or belief includes qualifying philosophical beliefs. A protected belief does not give any person an unrestricted right to manifest that belief in a way that unlawfully discriminates against, harasses or victimises another person. The School will seek to protect lawful freedom of belief while maintaining appropriate standards of respectful conduct.

6. Responsibilities

Governors

- Ensure that the School complies with its applicable equality obligations and the Independent School Standards.
- Monitor the effectiveness of this policy and receive appropriate assurance about significant equality matters.
- Support the Headmaster in responding to serious or systemic concerns.

Headmaster, Senior Leadership Team and EDI lead

- Implement this policy consistently and ensure that staff understand their responsibilities.
- Ensure appropriate training and refresher training is available.
- Respond appropriately to reported discrimination, harassment, victimisation, bullying or prejudice-based incidents.
- Ensure decisions affecting pupils and staff are made fairly and, where appropriate, documented.
- Monitor relevant School information for evidence of possible disadvantage or bias, subject to data protection requirements.
- Ensure visitors and contractors are expected to meet appropriate standards of respectful and non-discriminatory conduct.

All staff

- Model inclusive, respectful and non-discriminatory behaviour.
- Challenge and report discriminatory, prejudicial or bullying behaviour in accordance with School procedures.
- Consider accessibility and reasonable adjustments for disabled pupils and staff within the scope of their role.
- Promote an age-appropriate curriculum and School culture that encourages respect for others and challenges harmful stereotypes.
- Follow safeguarding procedures whenever an equality or inclusion issue raises a concern about a child's welfare.

Pupils

- Treat others with respect and follow the School's Behaviour Policy.
- Report bullying, discriminatory behaviour or other concerns to a trusted member of staff.
- Engage respectfully with differences of background, belief, characteristics and experience.

7. Inclusion within the life of the School

No pupil or staff member should be made to feel excluded or unsafe because they differ from others in background, disability, SEND, neurodiversity, race, religion or belief, sex, sexual orientation, gender reassignment

or other personal circumstances. The School will take proportionate steps to identify and reduce barriers to participation, learning and belonging.

Support will be based on individual need and may include differentiated teaching, changes to classroom arrangements, auxiliary aids, pastoral support or other reasonable and appropriate measures. The School will not rely on stereotypes when deciding what an individual needs.

8. Curriculum

The curriculum has an important role in preparing pupils for life in modern Britain and in helping pupils understand equality, difference and respectful relationships. In accordance with the Independent School Standards, curriculum documentation will address the protected characteristics in an age-appropriate way and pupils will be encouraged to respect other people, paying particular regard to those characteristics.

- Curriculum content and examples should, where appropriate, reflect a range of people, cultures and experiences and avoid unlawful discrimination or degrading stereotypes.
- Teaching should distinguish between factual, legal and values-based material and should present political issues in a balanced manner where the law requires.
- Educational visits, clubs and co-curricular activities should be planned inclusively, with reasonable adjustments considered for disabled pupils.
- Resources and teaching approaches should be reviewed where concerns about bias, stereotyping or accessibility arise.

9. Pastoral care and safeguarding

The School's pastoral system promotes respect, kindness, responsibility and belonging. Equality concerns may also be safeguarding concerns. Staff must remain alert to the impact that discrimination, bullying, harassment, online abuse, family circumstances or other vulnerabilities may have on a child's wellbeing.

Keeping Children Safe in Education 2026 is in force from 1 September 2026. All staff must follow the School's Safeguarding and Child Protection Policy and report safeguarding concerns without delay to the Designated Safeguarding Lead or deputy.

Incidents will be recorded through the appropriate School system and considered in context. Responses will be proportionate, support affected pupils and, where appropriate, provide education and reflection for pupils whose behaviour has caused harm. Serious, deliberate or repeated conduct will be addressed under the Behaviour and Anti-Bullying policies and safeguarding procedures as appropriate.

10. Training and development

The School will provide proportionate training so that staff understand their responsibilities under this policy, including equality law, disability and reasonable adjustments, safeguarding, prejudice-based bullying, respectful communication and the distinction between the School's wider inclusive ethos and statutory legal duties.

Training will be reviewed when significant legal or regulatory developments occur.

11. School environment and wider community

- The School environment, events, displays and visiting speakers should support the School's ethos and comply with applicable equality, safeguarding and political impartiality requirements.
- Uniform and dress requirements will be applied consistently and reviewed where a disability, religion or belief, or other legally relevant circumstance may require individual consideration.
- Visitors, contractors and casual users of School premises are expected to behave respectfully and not engage in unlawful discriminatory or harassing conduct.
- Staff supervising pupils away from School should respond appropriately to prejudice or discriminatory behaviour encountered in the wider community.

12. Admissions

The School will administer admissions fairly and consistently in accordance with its published Admissions Procedures Policy and will not unlawfully discriminate against applicants or pupils. Any lawful statutory exceptions will be applied only where relevant.

Parents are asked to provide relevant information about a child's needs so that the School can consider appropriate support, reasonable adjustments and whether it can meet the child's needs. The provision of such information will not itself be treated as a reason to discriminate unlawfully.

Admissions decisions involving disability will take account of the School's anticipatory reasonable-adjustment duty and the particular circumstances of the prospective pupil.

13. Religion or belief

The School welcomes pupils and families of all religions and beliefs and those with no religion or belief. It will seek to accommodate religious observance reasonably, while taking account of safeguarding, education, health and safety and the rights of others.

Requests concerning uniform, prayer, fasting, absence for religious observance or other matters will be considered individually and in accordance with the law and relevant School policies. Qualifying religious and philosophical beliefs are protected under the Equality Act; respectful disagreement with a belief is not, without more, unlawful discrimination.

14. Disability, SEND and reasonable adjustments

The School has a duty under the Equality Act 2010 to make reasonable adjustments for disabled pupils and prospective pupils so that they are not placed at a substantial disadvantage. This includes, where reasonable, the provision of auxiliary aids and services.

For pupils, the Equality Act reasonable-adjustment duty does not generally require schools to alter physical features as an individual reasonable adjustment. Accessibility of the physical environment is addressed through the School's accessibility planning duties and Accessibility Plan.

Reasonable adjustments are considered case by case, taking account of the individual's disability, the disadvantage experienced, effectiveness, practicability, cost, resources, health and safety and other relevant

circumstances. The duty is anticipatory for disabled pupils: the School should consider barriers in advance rather than waiting for an individual request wherever reasonably possible.

SEND and disability overlap but are not identical concepts. Support under the SEND framework and reasonable adjustments under the Equality Act will therefore be considered separately where necessary.

15. Children who are questioning their gender

Children who are questioning their gender are entitled to the same safeguarding, pastoral care, dignity and protection from bullying as other pupils. The School will respond sensitively and thoughtfully, focusing on the individual child's best interests and welfare.

Any request relating to social transition, including a proposed change of name, pronouns or uniform, will be considered on an individual basis in accordance with Keeping Children Safe in Education 2026, safeguarding duties, the Equality Act 2010 and other applicable law. The School will consider the child's age and circumstances, the views of parents where appropriate, any safeguarding concerns, the impact on other pupils and any relevant professional or clinical input.

The Equality Act reasonable-adjustments duty is a disability duty and does not arise merely because a pupil or member of staff is transgender, gender-fluid, non-binary or questioning their gender. A separate reasonable-adjustment duty may arise if the individual is disabled within the meaning of the Equality Act.

Where legal rights connected with sex, gender reassignment, religion or belief, privacy, single-sex facilities or other protected characteristics are engaged, the School will use the statutory terminology and apply current law and guidance. Gender identity may be recognised within the School's wider pastoral and anti-bullying commitments, but it is not itself one of the nine protected characteristics listed in section 4 of the Equality Act 2010.

16. Raising concerns and complaints

The School will provide a supportive environment for anyone who raises an equality concern in good faith. Pupils may report concerns to any trusted member of staff. Parents and visitors should raise concerns with an appropriate senior member of staff or through the School's Complaints Policy. Staff should use the relevant grievance, whistleblowing, safeguarding or disciplinary procedure as appropriate.

No person will be subjected to victimisation for making, supporting or giving evidence in relation to a protected complaint or other protected act under the Equality Act.

Concerns will be considered promptly, fairly and proportionately. Safeguarding matters will be referred to the DSL. Allegations about staff will be handled under KCSIE 2026 and the School's safeguarding procedures. Equality concerns involving employment will be handled under the relevant staff procedure.

17. Equality monitoring and data protection

The School may monitor information such as admissions, bursary applications, recruitment, attainment, attendance, rewards, sanctions and pastoral information to identify possible disadvantage, barriers or bias. Monitoring must be proportionate and undertaken for a defined purpose.

Where equality monitoring involves personal data, the School will comply with the UK GDPR and Data Protection Act 2018 as amended by the Data (Use and Access) Act 2025. Where special category personal data is processed, the School will identify an appropriate Article 9 condition as well as a lawful basis. Information will be minimised, secured and, where practicable, reported in aggregated or anonymised form.

18. Staff recruitment and positive action

The School is committed to recruiting the best person for each role on the basis of merit, ability, suitability and safer-recruitment requirements. Recruitment will be conducted in accordance with the Equality Act 2010, Keeping Children Safe in Education 2026 and the School's Recruitment, Selection and Disclosures Policy.

The School may take lawful and proportionate positive action to encourage participation or applications from groups that are disadvantaged or underrepresented where the statutory conditions in section 158 of the Equality Act 2010 are met. Any use of the section 159 recruitment and promotion provisions will be considered carefully and lawfully. Positive action will not be used as a basis for unlawful positive discrimination or automatic preference.

Recruitment monitoring data will be handled in accordance with data protection law and, where possible, separated from selection decisions.

19. Monitoring and review

This policy will be monitored on an ongoing basis and formally reviewed at least annually, or earlier following a significant legal, regulatory or safeguarding development or a serious incident.

The School will keep the final outcome of the EHRC's 2026 consultation on Schools in England Technical Guidance under review and will amend this policy if the final guidance materially changes the recommended approach.

Written: June 2021
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Next review date: June 2027
Person responsible: Duncan Sinclair, Headmaster

Appendix 1 – Key terminology

Term	Meaning for this policy
Protected characteristic	A characteristic protected by the Equality Act 2010. The nine characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
Direct discrimination	Less favourable treatment because of a protected characteristic, subject to the precise provisions and exceptions in the Equality Act.
Indirect discrimination	A provision, criterion or practice applied more widely that places people sharing a protected characteristic at a particular disadvantage and cannot be objectively justified where the statutory test applies.
Discrimination arising from disability	Unfavourable treatment because of something arising in consequence of disability that cannot be justified as a proportionate means of achieving a legitimate aim.
Reasonable adjustment	A step required by the Equality Act to avoid substantial disadvantage to a disabled person where the relevant duty applies.
Harassment	Unwanted conduct falling within the statutory Equality Act definition. The School's behavioural standards may prohibit a wider range of bullying, hostile or degrading conduct even where the statutory harassment provisions do not apply.
Victimisation	A detriment because a person has done, or is believed to have done, a protected act under the Equality Act.
Race	Includes colour, nationality and ethnic or national origins.
Religion or belief	Includes religion, lack of religion and qualifying philosophical beliefs.
Sex	The protected characteristic of sex under the Equality Act 2010. When used in a legal context, the School will apply the statutory meaning and current binding case law.
Gender reassignment	The protected characteristic defined in the Equality Act 2010. The School will apply the statutory definition when determining legal rights and duties.
Gender identity	A term sometimes used to describe a person's internal sense of gender. It may be relevant to pastoral care and anti-bullying practice but is not itself one of the nine protected characteristics listed in section 4 of the Equality Act.

Term	Meaning for this policy
Neurodiversity	A broad, non-statutory term describing variation in neurological development or functioning. Some neurodivergent people will also meet the Equality Act definition of disability; others may not.
Positive action	Lawful, proportionate action permitted by the Equality Act in specified circumstances to address disadvantage, different needs or underrepresentation. It is distinct from unlawful positive discrimination.
Intersectionality	A non-statutory term describing how different aspects of a person's circumstances or characteristics may interact and affect their experience.

Appendix 2 – Related policies and guidance

This policy should be read alongside the School's Safeguarding and Child Protection Policy; Behaviour Policy; Anti-Bullying Policy; Admissions Procedures Policy; Accessibility Plan; SEND Policy; Recruitment, Selection and Disclosures Policy; Staff Handbook and Code of Conduct; Complaints Policy; Whistleblowing Policy; Data Protection Policy and Privacy Notices; Online Safety and ICT policies; and curriculum/PSHE documentation.

Key external sources considered for the September 2026 review include:

- Equality Act 2010;
- Department for Education Independent School Standards guidance (updated April 2026);
- Keeping Children Safe in Education 2026 (in force 1 September 2026);
- Equality and Human Rights Commission Schools in England Technical Guidance consultation (June 2026, non-statutory consultation guidance);
- and the Equality Act 2010 Code of Practice for Services, Public Functions and Associations 2026 (in force 5 August 2026).