INCLUSION AND EQUITY

QUALITY AREA 1 | ELAA version 1.1

Working in partnership with Cancer Council Victoria, ELAA has aligned this policy to the key policies and guidelines of the Healthy Early Childhood Services Achievement Program

PURPOSE

This policy will provide guidelines to:

- ensure all adults and children at Middle Park Kindergarten are treated equitably and with respect, regardless of their background, ethnicity, culture, language, beliefs, gender, age, socioeconomic status, level of ability, additional needs, family structure or lifestyle
- promote inclusive practices and ensure the successful participation of all children at Middle Park Kindergarten
- create a positive mental health and wellbeing environment for children, educators, staff and families at Middle Park Kindergarten.

POLICY STATEMENT

VALUES

Middle Park Kindergarten is committed to:

- ensuring that every child has the right to fully participate in the service, with all barriers being consciously addressed through a strengths-based approach
- acknowledging and respecting the rights of all children to be provided with and participate in a quality early childhood education and care program
- creating an environment that supports, reflects and promotes equitable and inclusive behaviours and practices
- creating a sense of belonging for all children, families and staff, where diverse identities, backgrounds, experiences, abilities and interests are respected, valued and given opportunities to be expressed and developed
- ensuring that programs are reflective of, and responsive to, the values and cultural beliefs of families using the service, and of those within the local community and broader society
- working to ensure children are not discriminated against on the basis of background, ethnicity, culture, language, beliefs, gender, age, socioeconomic status, health status, level of ability or additional needs, family structure or lifestyle.
- considering the mental health and wellbeing needs of all children, families and staff
- complying with the *United Nations Convention on the Rights of the Child*
- complying with current legislation including the *Charter of Human Rights and Responsibilities Act 2006, Equal Opportunity Act 2010, Disability Act 2006 and Racial and Religious Tolerance Act 2001*

SCOPE

This policy applies to the approved provider, persons with management or control, nominated supervisor, persons in day-to-day charge, early childhood teachers, educators, staff, students, volunteers, parents/guardians, children, and others attending the programs and activities of Middle Park Kindergarten, including during offsite excursions and activities.

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RESPONSIBILITIES	Approved provider and persons with management or control	Nominated supervisor and persons in day-to-day charge	Early childhood teacher, educators and all other staff	Parents/guardians	Contractors, volunteers and students
R indicates legislation requirement, and should not be deleted					
Ensuring that all policies of Middle Park Kindergarten, including *Inclusion and Equity, Code of Conduct and Privacy and Confidentiality Policy,* are adhered to at all times	**R**	**R**			
Ensuring that the service provides a safe, inclusive and empowering environment which celebrates diversity through positive, respectful and appropriate behaviour when working with children and families *(refer to Code of Conduct Policy and Interactions with Children Policy)*	**R**	**R**	√		√
Recognising and respecting the diverse backgrounds, needs, and circumstances of all children at the service. Ensuring cultural safety is prioritised for Aboriginal and Torres Strait Islander children, and paying particular attention to the needs of children with disabilities, children from diverse religious and cultural communities, and very young children	**R**	**R**	√		√
Promoting cultural awareness in all children, including greater understanding of Aboriginal and Torres Strait Islander ways of knowing and being	**R**	√	√		√
Actively supporting and facilitating participation and inclusion at Middle Park Kindergarten by Aboriginal and Torres Strait Islander children, young people and their families	**R**	√	√		√
Creating a culturally safe environment for Aboriginal and Torres Strait Islander children and young people	**R**	√	√		√
Ensuring that facilities are designed or adapted to support access by every child, family, educator and staff member, including adaptive equipment to support the inclusion of all children	**R**	**R**	√		√
Encouraging collaborative, family-centred practice *(refer to Definitions)* at the service which facilitates the inclusion and active participation of both the child and the family at the service	**R**	√	√		√
Using family-centred practice *(refer to Definitions)* and working collaboratively with staff, parents/guardians, specialist services and other professionals to implement the program at the service and provide individualised support for children	**R**	**R**	√		√
Providing families with information about the support options available for children attending Middle Park Kindergarten *(refer to Sources)*	**R**	√	√		

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Ensuring that service programs are available and accessible to families from a variety of backgrounds *(refer to Curriculum Development Policy)*	**R**	**R**	√		√
Ensuring that educational programs are delivered in accordance with an approved learning framework, are based on the developmental needs, and experiences of each child, and take into account the individual differences of each child *(refer to Sources)*	**R**	**R**	√		√
Providing an educational program that is reflective of the service's values, beliefs and philosophy, and embraces the principles of fairness, equity, diversity and inclusion *(refer to Sources)*	**R**	**R**	√		√
Ensuring that the program provides opportunities for all children to participate and interact with one another	√	√	√		√
Ensuring there are quiet and reflective spaces for children, educators and families	**R**	√			
Embedding social and emotional learning in the service program and practice, and teaching children to care for their own mental health *(refer to Mental Health and Wellbeing Policy)*	√	√	√		√
Ensuring the diversity and interests of the children, families, educators and staff are reflected in the physical environment	√	√	√		√
Actively supporting and encouraging children's ability to express their culture and enjoy their cultural rights	**R**	√	√		√
Recognising multilingualism as an asset and support children to maintain their first language, learn English as an additional language, and learn languages other than English	√	√	√		√
Critically reflecting on practice to ensure that interactions and programs embrace an approach in which children and families feel valued and respected, and that their contributions are welcomed	**R**	**R**	√		√
Providing opportunities for families to contribute to the program as key partners	**R**	**R**	√		√
Identifying and supporting children with additional needs and ensuring that service programs are inclusive of all children with disability, children from culturally and linguistically diverse backgrounds, those who are unable to live at home, and transgender and intersex children	**R**	√	√		√
Ensuring that service programs are inclusive of all children with medical conditions	**R**	√	√		√
Ensuring that parents/guardians are consulted, kept informed and provide written consent, where individualised programs, action, support or intervention are planned and provided for their child	**R**	√	√	√	
Ensuring that individualised programs incorporate opportunities for regular review and evaluation, in consultation with all people involved in the child's education and care	√	√	√	√	√
Responding to the needs and concerns of parents/guardians, and providing support and guidance, where appropriate	√	√	√		√

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Responding to requests from educators for written permission to arrange for an assessment, collect reports on their child and to speak to service providers about their child				√	
Being involved in, keeping fully informed about, and providing written consent for any individualised intervention or support proposed/provided for their child				√	
Reviewing and evaluating individualised support programs in consultation with all people involved in the child's education and care	√	√	√		√
Implementing appropriate programs and practices to support vulnerable children and families, including working co-operatively with relevant services and/or professionals, where required *(refer to Child Safe Environment and Wellbeing Policy)*	√	√	√		√
Ensuring that cultural values and expectations about health and wellbeing are respected	**R**	√	√		√
Ensuring children have access to information, support and complaints processes in ways that are culturally safe, accessible and easy to understand *(refer to Compliments and Complaints Policy)*	**R**	√	√		√
Considering any issues regarding fees that may be a barrier to families enrolling at Middle Park Kindergarten, and removing these barriers wherever possible *(refer to Fees Policy)*	**R**	√			
Ensuring that all eligible three-year-old Aboriginal and Torres Strait Islander children, children from a refugee or asylum seeker background and children known to Child Protection are supported to access the Early Start Kindergarten program *(refer to Definitions)*	**R**	**R**			
Ensuring that the enrolment process is fair and equitable, and facilitates access for all children *(refer to Enrolment and Orientation Policy)*	**R**	√	√		
Tailoring the orientation process to meet the individual needs of children and families *(refer to Enrolment and Orientation Policy)*	**R**	√	√		
Identifying the barriers to participation in service programs and activities, and developing strategies to overcome these barriers	√	√	√		
Understanding children's diverse circumstances, and providing support and responding to those who are vulnerable	**R**	**R**	√		√
Attending to any adjustments to provide equal protection for all children *(refer to Child Safe Environment and Wellbeing Policy)*	**R**	**R**	**R**		**R**
Ensuring that staff have access to appropriate and accredited professional development activities that promote a positive understanding of diversity, inclusion and equity, and mental health and wellbeing, and provide skills to assist in implementing this policy *(refer to Staffing Policy)*	√	√			
Ensuring that the nominated supervisor and all staff are aware of the service's expectations regarding positive, respectful and appropriate behaviour when working with children and families *(refer to Code of Conduct Policy and Interactions with Children Policy)*	**R**				

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Encouraging and supporting other educators, staff and families as role models to demonstrate positive and respectful relationships, and positive mental health and wellbeing	**R**	√			
Regularly checking in with vulnerable children and their families to confirm their needs are being met	**√**	√	√		√
Providing information to families about local parenting and family services, mental health and wellbeing and other resources that are available to support the health and wellbeing of children and families	√	√	√		
Providing service information in various community languages wherever possible	√	√			
Using language services *(refer to Sources)* to assist with communication where required and considering the employment of a multilingual worker/s to meet the needs of culturally and linguistically diverse (CALD) families	√	√			
Working with the nominated supervisor and educators to ensure appropriate program planning and resourcing for children with additional needs *(refer to Definitions)*	√	√			
Where practicable, accessing resources, support and professional development to facilitate inclusion of children with additional needs who are ineligible for specific support packages	√	√			
Organising appropriate resources and accredited professional development for educators to enable all children to be included at the service, and to understand when and how to refer children to additional support	√	√			
Developing partnerships with other education and care settings and schools to enable children to move successfully from one setting to another	√	√	√		
Ensuring collaborative relationships with specialised services and professionals to provide support and services for families and children with a disability, complex medical needs and/or developmental delay	√	√	√		
Ensuring racism within the organisation is identified, confronted and not tolerated.	**R**	**R**	√		√
Ensuring that no employee, prospective employee, parent/guardian, child, volunteer or student at the service is discriminated against	**R**	**R**			
Ensuring that any behaviour or circumstances that may constitute discrimination or prejudice are dealt with in an appropriate manner *(refer to Compliments and Complaints Policy)*	**R**	**R**			
Notifying the approved provider of any behaviour or circumstances that may constitute discrimination, bullying, harassment or prejudice		√	√	√	√
Ensuring there are clear referral options and pathways for children, staff, educators and families to access support services for mental health and wellbeing	**R**	**R**			

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Developing links with other services and/or professionals to support mental health and wellbeing, children with additional needs and have referral pathways in place	√	√	√		
Ensuring that educators and staff are supported to learn about and care for their own mental health and wellbeing	**R**	**R**			
Ensuring that mental health and wellbeing information and policy requirements are included in educator and staff orientation/induction	**R**	**R**			
Ensuring that leadership practices and on-the-ground support enable a work environment that minimises stress and promotes mental health and wellbeing for educators and staff *(refer to Mental Health and Wellbeing Policy)*	**R**	**R**			

BACKGROUND AND LEGISLATION

BACKGROUND

The National Quality Framework (NQF) recognises all children's capacity and right to succeed regardless of diverse circumstances, cultural background and abilities. Education and care services must hold high expectations for the learning and development of all children, and at the same time recognise that every child follows an individual learning path and will progress in different and equally meaningful ways. Inclusion involves taking into account children's social, cultural and linguistic diversity (including learning styles, abilities, disabilities, gender, family circumstances and geographic location) in curriculum decision-making processes. Early childhood education and care services must implement responsive, equitable, individualised opportunities and additional support whenever barriers are identified.

The NQF is underpinned by a commitment to 'Closing the Gap' and acknowledges Australia is a nation of great diversity, and an ancient land that has been cared for by Indigenous Australians for many thousands of years. Education and care services have a shared responsibility to support children, families, colleagues and the local community to understand, respect and value diversity.

State and Commonwealth laws prohibit discrimination based on personal characteristics, including race, age, gender, religious belief, disability or illness and parental status.

Under the Child Safe Standards, services are expected to provide environments and activities that encourage all children to participate in and celebrate their identity. The standards are underpinned by three overarching principles which require services to take into consideration the increased vulnerability of Aboriginal children, children from culturally and linguistically diverse backgrounds and children with disabilities.

The Victorian Government requires funded organisations to ensure that their policies and procedures promote equality of opportunity for all children to enable their full participation in kindergarten. A service's philosophy should reflect the values of inclusion and equity which are supported by developing and implementing an inclusion and equity policy. Developing professional knowledge and skills and using family-centred practice *(refer to Definitions)* to work in partnership with children, families, communities, and other services and agencies, will assist services to identify, include and support children with additional needs and their families.

LEGISLATION AND STANDARDS

Relevant legislation and standards include but are not limited to:

- Age Discrimination Act 2004
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Charter for Children in Out-of-home Care (Vic)
- Children, Youth and Families Act 2005 (Vic)
- Child Wellbeing and Safety Act 2005 (Vic)

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- Child Safe Standards (Vic)
- Dardee Boorai: the Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People (Vic)
- Disability Act 2006 (Vic)
- Disability Discrimination Act 1992 (Cth)
- Education and Care Services National Law Act 2010
- Education and Care Services National Regulations 2011
- Equal Opportunity Act 2010 (Vic)
- Fair Work Act 2009 (Cth)
- Health Records Act 2001 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- National Quality Standards Quality Areas 1-7
- Occupational Health and Safety Act 2004
- Privacy Act 1988 (Cth)
- Racial and Religious Tolerance Act 2001 (Vic)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms e.g. Approved provider, Nominated supervisor, Notifiable complaints, Serious incidents, Duty of care, etc. refer to the Definitions file of the PolicyWorks catalogue.

Additional needs: A broad term relating to challenges experienced across a number of areas including physical health, mental health, disability, developmental concern, or emotional need (resulting from trauma, abuse or grief), family displacement (due to war or refugee status), domestic violence, mental illness, family separation or divorce, which affects a person's ability to participate or learn.

Culture: The values and traditions of groups of people that are passed from one generation to another.

Culturally and linguistically diverse (CALD): Refers to individuals and groups who are from diverse racial, religious, linguistic and/or ethnic backgrounds.

Developmental delay: A delay in the development of a child under the age of 6 years that:

a) is attributable to a mental or physical impairment, or a combination of mental and physical impairments, and

b) is manifested before the child attains the age of 6 years, and

c) results in substantial functional limitations in one or more of the following areas of major life activity:

   i. self-care

   ii. receptive and expressive language

   iii. cognitive development

   iv. motor development, and

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d) reflects the child's need for a combination and sequence of special interdisciplinary or generic care, treatment or other services that are of extended duration and are individually planned and co-ordinated (Disability Act 2006 (Vic)).

Disability: In relation to a person, refers to:

- a sensory, physical or neurological impairment or acquired brain injury, or any combination thereof, that:
    i. is, or is likely to be, permanent, and
    ii. causes a substantially reduced capacity in at least one of the areas of self-care, self-management, mobility or communication, and
    iii. requires significant ongoing or long-term episodic support, and
- is not related to ageing, or
- an intellectual disability, or
- a developmental delay (Disability Act 2006 (Vic)).

Diversity: Refers to all characteristics that make individuals different from one another, including race, religion, language, ethnicity, beliefs, age, gender, sexual orientation, level of ability, additional needs, socioeconomic status, educational attainment, personality, marital and/or parental status, family structure, lifestyle and general life/work experience.

Early Start Kindergarten: A funding program that enables three-year-old Aboriginal and Torres Strait Islander children, children from a refugee or asylum seeker background and children known to Child Protection, to attend a free kindergarten program that is planned and delivered by an early childhood teacher for a specific number of hours.

Equity: (In the context of human rights) is the behaviour of acting in a fair and just manner towards others.

Family-centred practice: Practice which:

- uses families' understanding of their children to support shared decision-making about each child's learning and development
- creates a welcoming and culturally-inclusive environment, where all families are encouraged to participate in and contribute to children's learning and development
- actively engages families and children in planning children's learning and development
- provides feedback to families on each child's learning, and provide information about how families can further advance children's learning and development at home and in the community.

Inclusion: The engagement and involvement of children and families to ensure that all individuals have an equal opportunity to participate and achieve their maximum potential.

Inclusive practice: Inclusive practice is when educators make intentional, informed curriculum decisions in collaboration with families and other professionals. This approach ensures that all children, including those with disabilities, have equal and meaningful opportunities to participate in and benefit from everyday routines, interactions, and play-based learning experiences in early childhood settings.

Kindergarten Fee Subsidy (KFS): A state government subsidy paid directly to the funded service to enable eligible families to attend a funded kindergarten program or funded three-year-old place at no cost (or minimal cost) to promote participation. Details are available in The Kindergarten Guide (refer to Sources).

Kindergarten Inclusion Support Packages: A package of support for children with a disability and high support needs and/or with complex medical needs.

Mental health: in early childhood can be understood as a young child's ability to experience, regulate and express emotions; form close and secure interpersonal relationships; and explore the environment and learn – all in the context of family, community and cultural expectations for young children. Infant mental health is synonymous with healthy social and emotional development (from Be You – refer to Sources).

Out-of-Home Care: Is the term used in Victoria when a child or young person is placed in care away from their parents. It includes placement in kinship care, home-based care such as foster care and residential care. For these children, the State of Victoria is their legal their parent, and with this comes the responsibilities of a

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parent to care for and protect them, and to ensure that they have access to all the services they need for their immediate and longer-term benefit (Early Childhood Agreement on Out-of-Home Care – refer to Sources).

Strength-Based Approach: The strength-based approach is a perspective that realistically assesses situations while seeking opportunities to enhance and support individuals' existing strengths and capacities, rather than fixating on problems or concerns. It recognizes that the problem and the person are distinct, ensuring that the issue is acknowledged without being diminished.

Trauma-Informed Practice: Trauma-informed practice is a framework that is increasingly recognised and implemented across various services. It is based on an understanding of how trauma affects individuals' lives and needs, focusing on minimising these impacts while promoting recovery and reducing the risk of further trauma.

SOURCES AND RELATED POLICIES

SOURCES

- Be You: www.beyou.edu.au
- Best Start: https://www.vic.gov.au/best-start
- Commission for Children and Young People, Child Safe Standards: www.ccyp.vic.gov.au
- Early Childhood Agreement for Children in Out-of-Home Care (January 2019). Endorsed by the Department of Education and Early Childhood Development, the Department of Human Services, Municipal Association of Victoria, Early Learning Association Australia, Victorian Aboriginal Chid Care Agency, Victorian Aboriginal Children and Young People's Alliance, Centre for Excellence in Child and Family Welfare, Community Child Care Association, Vic Tas Primary Health Network Alliance, Victorian Healthcare Association and Victorian Aboriginal Education Association Incorporated: www.education.vic.gov.au
- Early Childhood Australia (ECA) and Early Childhood Intervention Australia's (ECIA) Position Statement on the Inclusion of Children with a Disability in Early Childhood Education and Care – available at: Search 'statement on inclusion of children with disability' at: https://www.earlychildhoodaustralia.org.au/our-work/inclusion-resources/
- Early Childhood Intervention Services (ECIS) and the National Disability Insurance Scheme (NDIS): https://www.vic.gov.au/early-childhood-intervention-services-national-disability-insurance-scheme
- fka Children's Services: www.fka.org.au
- Guide to the National Quality Framework: www.acecqa.gov.au
- Guide to the National Quality Standard: www.acecqa.gov.au
- Kindergarten for Aboriginal children: Koorie Kids Shine: https://www.vic.gov.au/koorie-kids
- The Kindergarten Funding Guide (DE): www.education.vic.gov.au
- Victorian Early Years Learning and Development Framework Principal Practice Guide: Equity and Diversity: www.education.vic.gov.au

RELATED POLICIES

- Anaphylaxis and Allergic Reactions
- Asthma Management
- Child Safe Environment and Wellbeing
- Code of Conduct
- Compliments and Complaints
- Curriculum Development
- Dealing with Infectious Diseases
- Dealing with Medical Conditions
- Diabetes
- Enrolment and Orientation
- Epilepsy and Seizures
- Excursions and Service Events

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- Fees
- Interactions with Children
- Nutrition, Oral Health and Active Play
- Occupational Health and Safety
- Privacy and Confidentiality
- Staffing

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the approved provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk *(Regulation 172 (2))*.

ATTACHMENTS

- Nil

AUTHORISATION

This policy was adopted by the approved provider of Middle Park Kindergarten on 15 September 2025.

REVIEW DATE: September 2027

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