

*HDKA promotes a commitment to child safety, wellbeing, participation, empowerment, cultural safety and awareness including children with a disability, Aboriginal and Torres Strait Islander children and/or communities and children from cultural and/or linguistically diverse backgrounds.*

*HDKA has a zero tolerance of child abuse and a duty of care to prevent and manage child abuse risks including physical and online environments.*

## **Purpose**

This policy will provide guidelines to:

- Ensure all adults and children at services administered by HDKA are treated equitably and with respect, regardless of their background, ethnicity, culture, religion, language, beliefs, gender, age, socioeconomic status, level of ability, additional needs, family structure or lifestyle.
- Promote inclusive practices that create positive participation of all children and families at services administered by HDKA.

## **Values**

HDKA is committed to:

- Acknowledging and respecting the rights of all children and families 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, skills and interests are respected, valued and given opportunities to be expressed/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, religion, language, beliefs, gender, age, socioeconomic status, level of ability or additional needs, family structure or lifestyle.
- Ensuring that no employee, prospective employee, parent/guardian, child, volunteer or student at the service is discriminated against on the basis of having or being suspected of having an infectious disease or blood-borne virus (BBV – refer to *Definitions*)
- Upholding the values and principles of 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* (refer to *Sources*)
- Providing all children with the opportunity to access programs at the service, and recognising that all families are unique and that children learn in different ways and at different rates.
- Consistently updating and supporting the knowledge, skills, practices and attitudes of staff to encourage and ensure inclusion and equity.
- 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, Nominated Supervisor, Certified Supervisor, educators, staff, students on placement, volunteers, parents or guardians, children and others attending the programs and activities of services administered by HDKA.

## Background

It is intended that all Victorian children have access to a year of kindergarten before school. The Victorian Government requires funded organisations to ensure that their policies and procedures promote equality of opportunity for all children. Criteria for access and inclusion are outlined in the [Victorian Kindergarten Guide 2016](#) and include the requirement that funded organisations comply with existing legislation.

State and Commonwealth laws prohibit discrimination based on personal characteristics, including race, age, gender, religious belief, disability and parental status. Underpinning the development of this policy are the requirements of the *Equal Opportunity Act 2010*, *Charter of Human Rights and Responsibilities Act 2006*, *Child Wellbeing and Safety Act 2005*, *Disability Discrimination Act 1992*, *Disability Act 2006*, *Education and Care Services National Law Act 2010* and *Education and Care Services National Regulations 2011*.

*“Children enrolling in kindergarten come from a variety of backgrounds and home situations. These circumstances need to be considered when engaging with parents and supporting children in the kindergarten program. Where families are accessing additional support from other services, it is important to ensure that a coordinated, confidential and sensitive approach is undertaken to providing support and strengthening the capacity of the family unit.*

*“On commencing kindergarten, services should provide families with information about:*

- *the role of inclusive practice in achieving outcomes for all children and the key values underpinning inclusive practice*
- *the support options available for children during the year”* [Victorian Kindergarten Guide 2016](#)

*“Inclusion involves taking into account all children’s social, cultural and linguistic diversity (including learning styles, abilities, disabilities, gender, family circumstances and geographic location) in curriculum decision-making processes”* ([Guide to the National Quality Standard](#), Element 1.1.5 – refer to Sources).

[Practice Guide Four: Equity and Diversity](#) is one of a series of *Victorian Early Years Learning and Development Framework Practice Guides* (refer to Sources), and includes examples of best practice from a range of early childhood professionals across diverse settings.

In addition to developing and implementing an inclusion and equity policy, values of inclusion and equity should also be incorporated into a service’s philosophy statement.

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.

Under the Commonwealth’s *Disability Discrimination Act 1992*, it is illegal to discriminate against a person on the basis of the presence of organisms in their body that are capable of causing disease or illness. Early childhood services are also obligated by law, service agreements and licensing requirements to comply with the *Education and Care Services National Law* and *National Regulations*, and privacy and health records legislation in relation to collecting and storing personal and health information about individuals (refer to *Privacy and Confidentiality Policy*).

## 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), as amended 2011
- *Children, Youth and Families Act 2005* (Vic), as amended 2011
- *Child Wellbeing and Safety Act 2005* (Vic), as amended 2012
- *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), as amended 2011*
- *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)*
- *Information Privacy Act 2000 (Vic)*
- *National Quality Standard, Quality Area 1: Educational Program and Practice*
  - Standard 1.1: An approved learning framework informs the development of a curriculum that enhances each child's learning and development
  - Element 1.1.5: Every child is supported to participate in the program
- *National Quality Standard, Quality Area 6: Collaborative Partnerships with Families and Communities*
- *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)*

### Definitions

**Additional needs:** A broad term that can include families and children experiencing disability, a medical condition, a developmental concern, an emotional need (resulting from trauma, abuse or grief), family displacement (due to war or refugee status), domestic violence, mental illness, family separation or divorce.

**Blood-borne virus (BBV):** A virus that is spread when blood from an infected person enters another person's bloodstream. Examples of blood-borne viruses include human immunodeficiency virus (HIV), hepatitis B, hepatitis C and viral hemorrhagic fevers. Where basic hygiene, safety, infection control and first aid procedures are followed, the risk of contracting a blood-borne virus is negligible.

**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
- 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 coordinated (*Disability Act 2006 (Vic)*).

**Disability:** In relation to a person, refers to:

- e) 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
  - iv) is not related to ageing, or
- f) an intellectual disability, or
- g) 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 Childhood Intervention Services (ECIS):** These services support families and children experiencing a disability or developmental delay (refer to *Definitions*) from birth to school age. ECIS are funded through the Department of Education and Early Childhood Development (DET) and provided by Specialist Children's Services teams and Early Childhood Intervention agencies.

**Early Start Kindergarten:** A funding program that enables three-year-old Aboriginal and Torres Strait Islander children, 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. [Early Start Kindergarten](#) details are available on the Department of Education and Training website

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

**Family-centred practice:** Children learn in the context of their families, and families are the primary influence on children's learning and development. Professionals also play a role in advancing children's learning and development and can engage in family-centred practice by respecting the pivotal role of families in children's lives. Early childhood professionals should:

- use families' understanding of their children to support shared decision-making about each child's learning and development
- create a welcoming and culturally-inclusive environment, where all families are encouraged to participate in and contribute to children's learning and development
- actively engage families and children in planning children's learning and development
- provide 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 (*Victorian Early Years Learning and Development Framework*, p10).

**Inclusion:** The incorporation of children and families into the service to ensure that all individuals have an equal opportunity to achieve their maximum potential.

**Inclusion support agencies:** Funded by the Commonwealth Government to provide advice on inclusive practices in childcare services. Inclusion Support Facilitators are employed to help services access a range of practical support. Further information and eligibility requirements are available on the [Department of Social Services](#) website

**Inclusive practice:** The provision of a flexible, innovative and responsive program that supports the learning needs and meaningful participation of all children attending the service.

**Indigenous Kindergarten program:** The Department of Education and Training provides and programs and services for Aboriginal children and their families including the [Indigenous Kindergarten program](#).

**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. See [Kindergarten Fee Subsidy](#)

**Kindergarten Inclusion Support Services (KISS):** A program offering supplementary assistance to

early childhood services to support the inclusion of children who have been diagnosed with developmental concerns, a disability or complex medical needs, into a funded kindergarten program. Services include the Preschool Field Officer Program and [Kindergarten Inclusion Support Packages](#)

**Kindergarten Inclusion Support Packages:** Supplementary assistance to support children with severe disabilities or complex medical needs to access and participate in an inclusive kindergarten program. [Kindergarten Inclusion Support Packages](#).

**Koorie Early Childhood Education Program:** Supports Aboriginal children and their families to access and participate in kindergarten programs. See [Koorie Early Childhood Education Program](#). The program consists of three components:

- a statewide co-ordinator who provides support, information and assistance to regional Koorie Engagement Support Officers – Early Childhood Development
- Koorie Engagement Support Officers – Early Childhood Development
- the Koorie Preschool Assistants program.

**Koorie Engagement Support Officers (KESOs):** Employed by the Department of Education and Early Childhood Development (DET) to assist families in accessing the broad range of services and support needed to ensure the best start in life for Aboriginal children from birth through to completion of school. KESOs provide advice and practical support to services that offer funded kindergarten places to ensure the delivery of programs that are respectful of the cultural beliefs and practices of Aboriginal children.

**Koorie Preschool Assistants (KPSA) program:** Implemented by the Department of Education and Early Childhood Development (DET) in partnership with local Aboriginal communities that employ KPSAs and administer the program. KPSAs work in kindergartens to assist teachers to develop and deliver culturally-inclusive and responsive programs for Aboriginal children.

**Preschool Field Officers (PSFOs):** Employed by local government authorities or other agencies to assist children with additional needs to access and participate in funded kindergarten programs. The PSFO service is part of the Kindergarten Inclusion Support Services program.

**Preschool Field Officer Program:** An early intervention, outreach service that is universally available within state-funded preschools for any child with developmental concerns. The primary role of the Preschool Field Officer Program is to assist children with additional needs to access and participate in funded kindergarten programs.

### Sources

- [Association for Children with a Disability](#) – a Victorian organisation that provides information, support and advocacy for children with a disability and their families
- [Building better partnerships – Working with Aboriginal communities and organisations: a communication guide for the Department of Human Services](#)
- [Guide to the National Quality Standard](#)
- [Dardee Boorai: the Victorian Charter of Safety and Wellbeing for Aboriginal Children and Young People](#)
- 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](#).
- Early Childhood Intervention Australia Victorian Chapter (ECIA VC) – the peak body for early childhood intervention services in Victoria: [www.eciavic.org.au](http://www.eciavic.org.au)
- [fka Children's Services](#) – provides services including bicultural support, language services and training to children's services workers in Victoria. *fka* also provides culturally-diverse resources and materials in both English and various community languages.
- [Guide to the National Quality Standard](#)
- [Kindergarten Inclusion Support Packages](#) – for children who have been diagnosed with developmental concerns, a disability or complex medical needs:

- [Koorie Kindergarten Inclusion Kit](#)
- Language services – organisations offering funded programs are eligible to obtain language services. Two types of language services are available for kindergarten providers: telephone interpreting and on-site interpreting (both spoken and sign languages). The provider for language services is [All Graduates](#); or phone 1300 134 746.
- [Using Interpreting Services: Victorian Government Policy and Procedures](#)
- *Victorian Early Years Learning and Development Framework Practice Guides* – provide practical advice for early childhood professionals about each of the Practice Principles in the *Victorian Early Years Learning and Development Framework*. Each guide includes examples of best practice from a range of early childhood professionals across diverse settings. [Practice Guide Four: Equity and Diversity](#) is available.
- [Victorian Kindergarten Funding Guide 2016](#)

**Service policies**

- *Anaphylaxis Policy*
- *Asthma Policy*
- *Child Safe Environment Policy*
- *Code of Conduct Policy*
- *Complaints and Grievances Policy*
- *Curriculum Development Policy*
- *Dealing with Infectious Diseases Policy*
- *Dealing with Medical Conditions Policy*
- *Diabetes Policy*
- *Enrolment and Orientation Policy*
- *Epilepsy Policy*
- *Fees Policy*
- *Interactions with Children Policy*
- *Nutrition and Active Play Policy*
- *Privacy and Confidentiality Policy*
- *Staffing Policy*

**Procedures****The Approved Provider (HDKA) is responsible for:**

- ensuring that service programs are available and accessible to families from a variety of backgrounds (refer to *Curriculum Development Policy*)
- encouraging collaborative, family-centred practice (refer to *Definitions*) at the service
- providing families with information about the role of inclusive practice in achieving positive outcomes for all children, the key values underpinning inclusive practice and the support options available for children attending services administered by HDKA
- working with individual families to determine the needs of their child and facilitating the inclusion of both the child and the family into the service
- ensuring that educational programs are delivered in accordance with an approved learning framework, are based on the developmental needs, interests and experiences of each child, and take into account the individual differences of each child (*Victorian Early Years Learning and Development Framework Practice Guide Four: Equity and Diversity* – refer to *Sources*)
- ensuring that the enrolment process is fair and equitable, and facilitates access for all children (refer to *Enrolment and Orientation Policy*)
- tailoring the orientation process to meet the individual needs of children and families (refer to *Enrolment and Orientation Policy*)
- considering barriers to participation in service programs and activities, and developing strategies

to overcome these

- considering options to provide appropriate physical infrastructure, staffing and resources to facilitate the inclusion of all children at the service
- ensuring that staff have access to appropriate and accredited professional development activities that promote a positive understanding of diversity, inclusion and equity, and provide skills to assist in implementing this policy (refer to *Staffing Policy*)
- ensuring that the Nominated Supervisor, educators 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*)
- considering any issues regarding fees that may be a barrier to families enrolling at HDKA services and removing these barriers wherever possible (refer to *Fees Policy*)
- ensuring that all eligible families are supported to access the Kindergarten Fee Subsidy (refer to *Definitions* and *Fees Policy*), including families with concession cards, Aboriginal and Torres Strait Islander families, and refugee and asylum seeker families
- providing service information in various community languages wherever possible
- using language services (refer to *Sources*) to assist with communication where required, considering the employment of a multilingual worker/s to meet the needs of culturally and linguistically diverse (CALD) families (e.g. *fka* Children's Services Casual Bilingual Program – refer to *Sources*)
- working with the Nominated Supervisor and educators to ensure appropriate program planning and resourcing for children with additional needs (refer to *Definitions*)
- accessing Kindergarten Inclusion Support Services (refer to *Definitions*) and Kindergarten Inclusion Support Packages (refer to *Definitions*) for children with disabilities, complex medical needs and/or developmental concerns, where required
- where practicable, accessing resources, support and professional development to facilitate inclusion of children with additional needs who are ineligible for specific support packages
- working with specialised services and professionals (e.g. Early Childhood Intervention Services and inclusion support agencies – refer to *Definitions* and *Sources*) to provide support and services for families and children experiencing severe disabilities, complex medical needs and/or developmental concerns
- ensuring that all eligible three-year-old Aboriginal and Torres Strait Islander children and children known to Child Protection are supported to access the Early Start Kindergarten program (refer to *Definitions*)
- accessing support from DET Koorie Engagement Support Officers (refer to *Definitions*), the Koorie Preschool Assistants program (refer to *Definitions*) and the Indigenous Education Program (refer to *Definitions*), where required
- implementing appropriate programs and practices to support vulnerable children and families, including working co-operatively with relevant services and/or professionals (e.g. Child FIRST), where required (refer to *Child Safe Environment Policy*)
- ensuring that service programs are inclusive of children with medical conditions, including anaphylaxis, asthma, diabetes and epilepsy (refer to *Dealing with Medical Conditions Policy*, *Anaphylaxis Policy*, *Asthma Policy*, *Diabetes Policy* and *Epilepsy Policy*)
- ensuring that no employee, prospective employee, parent/guardian, child, volunteer or student at the service is discriminated against on the basis of having or being suspected of having an infectious disease, blood-borne virus (BBV – refer to *Definitions*), illness or medical condition
- ensuring that any behaviour or circumstances that may constitute discrimination or prejudice are dealt with in an appropriate manner (refer to *Complaints and Grievances Policy*)
- ensuring that all policies of HDKA including the *Privacy and Confidentiality Policy*, are adhered to at all times.

**The Nominated Supervisor is responsible for:**

- being 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*)
- identifying children who may be disadvantaged, have additional needs, or be at risk of discrimination/exclusion, and being aware of the support/resources required to ensure that these children are included in service programs
- consulting with families and liaising with the Approved Provider to access support/resources for individual children, where required
- 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 (e.g. the Preschool Field Officer Program and Kindergarten Inclusion Support Packages – refer to *Definitions*)
- developing an educational program that is reflective of the service’s values, beliefs and philosophy, and embraces the principles of fairness, equity, diversity and inclusion (*Victorian Early Years Learning and Development Framework Practice Guide Four: Equity and Diversity* – refer to *Sources*)
- ensuring that the program provides opportunities for all children to participate and interact with one another
- using language services (refer to *Sources*) to assist with communication, where required
- working with the Approved Provider and educators to ensure appropriate program planning and resourcing for children with additional needs (refer to *Definitions*)
- 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, where required
- responding to the needs and concerns of parents/guardians, and providing support and guidance, where appropriate
- providing information to families about the support available to assist children, including:
  - Kindergarten Fee Subsidy
  - Early Start Kindergarten
  - Koorie Early Childhood Education Program
  - Kindergarten Inclusion Support Services
  - language services
- providing support and guidance to educators/staff, where required
- ensuring that service programs are inclusive of children with medical conditions, including anaphylaxis, asthma, diabetes and epilepsy (refer to *Dealing with Medical Conditions Policy*, *Anaphylaxis Policy*, *Asthma Policy*, *Diabetes Policy* and *Epilepsy Policy*)
- ensuring that individualised programs incorporate opportunities for regular review and evaluation, in consultation with all people involved in the child’s education and care
- providing opportunities for families to contribute to the program
- notifying the Approved Provider of any behaviour or circumstances that may constitute discrimination or prejudice
- advising the Approved Provider if they become aware of discrimination against anyone at the service on the basis of having or being suspected of having an infectious disease, blood-borne virus (BBV – refer to *Definitions*), illness or medical condition
- adhering to the policies of HDKA, including the *Privacy and Confidentiality Policy*, at all times.

**Certified Supervisors, educators and other staff are responsible for:**

- being 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)*

- using family-centred practice (refer to *Definitions*) and working collaboratively with other staff, parents/guardians, specialist services and professionals to implement the program at the service and provide individualised support for children, where required
- delivering an educational program that is reflective of the service’s values, beliefs and philosophy, and embraces the principles of fairness, equity, diversity and inclusion (*Victorian Early Years Learning and Development Framework Practice Guide Four: Equity and Diversity – refer to Sources*)
- using language services (refer to *Sources*) to assist with communication, where required
- understanding and respecting different cultural child-rearing and social practices
- working with the Approved Provider and Nominated Supervisor to ensure appropriate program planning and resourcing for children with additional needs (refer to *Definitions*)
- meeting any specialised medical and nutritional needs of children on a day-to-day basis (refer to *Dealing with Medical Conditions Policy* and *Nutrition and Active Play Policy*)
- providing information to families about the support available to assist children, including:
  - Kindergarten Fee Subsidy
  - Early Start Kindergarten
  - Koorie Early Childhood Education Program
  - Kindergarten Inclusion Support Services
  - language services
- discussing any concerns regarding individual children with the Nominated Supervisor or Approved Provider, and parents/guardians
- responding to the needs and concerns of parents/guardians, and providing support and guidance, where appropriate
- reviewing and evaluating individualised support programs in consultation with all people involved in the child’s education and care
- 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
- notifying the Nominated Supervisor or Approved Provider of any behaviour or circumstances that may constitute discrimination or prejudice
- advising the Nominated Supervisor or Approved Provider if they become aware of discrimination against anyone at the service on the basis of having or being suspected of having an infectious disease, blood-borne virus (BBV – refer to *Definitions*), illness or medical condition
- adhering to the policies of HDKA, including the *Privacy and Confidentiality Policy*, at all times.

**Parents/guardians are responsible for:**

- adhering to the policies of HDKA, including this *Inclusion and Equity Policy* and the *Privacy and Confidentiality Policy*, at all times
- communicating with the service to ensure awareness of their child’s specific needs
- raising any issues or concerns regarding their child’s participation in the program
- being involved in, keeping fully informed about, and providing written consent for any individualised intervention or support proposed/provided for their child
- responding to requests from educators for written permission to arrange for an assessment or collect reports on their child.

***Volunteers and students are responsible for following this policy and its procedures while at the service.***