

# Diversity, Gender Equity and Inclusion

## 1. Overview

### 1.1. Purpose

To ensure all children, staff and families are treated equally and provided with equal opportunities to learn and thrive in our environment, our team members recognise that bias based on gender, background and other attributes can create barriers to learning and development. Inclusion takes into account all children's social, cultural and linguistic diversity, including learning styles, abilities, disabilities, gender, family circumstances and geographic location. Our team members will be deliberate, purposeful and thoughtful in their decisions and actions. This includes planning as well as the delivery of education and care.

### 1.2. Scope

All Junior Adventures Group (JAG) People are required to comply with the provisions set out in this policy, their contract of employment and all other relevant policies, procedures and legislation.

### 1.3. Legislative Requirements

Under the *Education and Care Services National Regulations*, JAG is required to have policies and procedures in place to ensure the health, safety and wellbeing of the children in care.

## 2. Policy Statement

Our planning and program delivery promote diversity and inclusion to maximise the educational benefits and achieve the learning outcomes outlined in the National Quality Framework. We show a commitment to becoming an employer of choice by recognising that our people have unique capabilities, knowledge, experience and characteristics. In recognition that there are situations where applying the same rules can generate unequal outcomes, we will reduce barriers to equality by ensuring that how we operate provides equal access to opportunities. We are committed to social justice, equity and inclusion.

## 3. Principles

### 3.1. It's the Law

It's not just the right thing to do; it's the law. In Australia, it is unlawful to discriminate against a child or staff member. We embrace and support cultural diversity at our service, including the rich history of Aboriginal and Torres Strait Islander persons. The Service will follow guidelines and best practice as outlined in the *Anti-Discrimination Act*, the United Nations Convention of the Rights of the Child and other relevant documents, such as the current development of our Reconciliation Action Plan which will strengthen our practice.

### 3.2. Treating People Equally

All JAG People, children and families are treated equally regardless of race, gender, culture, sexual preferences, sex characteristics, beliefs, religion, values, traditions, practices, physical and/or non-physical disabilities, breastfeeding status, marital status and impairments or socio-economic status. Additionally, we will not discriminate against someone that makes a complaint.

### 3.3. Our Program

Social stereotyping influences a child's own self-concept and attitudes towards others. The program is delivered in a way that empowers children to be proud of their own identity and to develop positive attitudes towards people who are different to them. Children will be encouraged to acknowledge and explore prejudice, stereotyping and other concepts that can influence people's behaviour and their experience.

Cultural competency is achieved through collaborative partnerships with families and communities. We work deliberately to create a culturally safe environment. Although, Delivering our program in a culturally safe way does not require all our team members to be experts, it requires them to respect, support and encourage cultural identity for children, families and team members.

Our program will continue to:

- develop an awareness of the traditional custodians of the land and the languages spoken
- develop an 'Acknowledgement of Country' in collaboration with children, families and local people that is tailored and articulates our connection to the land and its rich culture
- incorporate care and learning about the land in the program
- explore through play the natural environment, interconnections between land, people, plants and animals
- collaborate with partners in the community to learn about places of cultural significance
- embed culture in a sustainable way, introducing new practices into the program.

Our educational framework includes:

- learning and development outcomes in relation to their identity
- being child-centred; using knowledge about a child's culture, strengths and interests is fundamental to the program
- a strengths-based approach to education and care, ensuring that through planning and promotion of our culture and ethos, we create an environment that is inclusive and discrimination free.

### 3.4. Partnership with Families

We will encourage families, where possible, to assist us in incorporating their knowledge and skills to assist with offering a rich and diverse program.

### 3.5. Cultural Context

We recognise that JAG People and children are individuals with a story and a family history. It is vital to understand what culture means to the individual child and their family, and how an individual celebrates and honours their culture varies. Our service will understand the individual first and the practices that will make them feel culturally safe by providing culturally appropriate education and care.

### 3.6. State-Based Differences

Commonwealth laws and state/territory laws generally overlap and prohibit the same type of discrimination. The group must comply with both state/territory laws and Commonwealth laws. The laws apply in slightly different ways, and there are some gaps in the protection that is offered between different states and territories and at a Commonwealth level. Each state will need to check the Commonwealth legislation and the state or territory legislation in the relevant

state or territory to ensure all obligations are met. Additionally, the exemptions and exceptions in particular Commonwealth or state/territory Acts will not necessarily apply elsewhere.

There are some specific state-based Acts. Details are contained in the table below.

State or Territory	Federal, State and Territory Laws
All states— Federal Law	<i>Age Discrimination Act 2004</i> Australian Government Guidelines on the Recognition of Sex and Gender <i>Australian Human Rights Commission Act 1986</i> Disability (Access to Premises – Buildings) Standards 2010 <i>Disability Discrimination Act 1992</i> Disability Standards for Education 2005 <i>Privacy Act 1998</i> <i>Racial Discrimination Act 1975</i> <i>Sex Discrimination Act 198</i> The UN Convention of the Rights of the Child <i>Workplace Gender Equality Act 2012</i>
ACT	<i>The ACT Discrimination Act 1991</i>
NSW	<i>Anti-Discrimination Act 1977</i>
NT	<i>Northern Territory Anti-Discrimination Act 1996</i>
QLD	<i>Anti-Discrimination Act 1991</i>
SA	<i>Equal Opportunity Act 1984</i>
TAS	<i>Tasmania Anti-Discrimination Act 1998</i>
VIC	<i>Equal Opportunity Act 2010</i> <i>Racial and Religious Tolerance Act 2001 (VIC)</i>
WA	<i>Equal Opportunity Act 1984</i>

### 3.7. Partnership with Parents

Parents' and carers' expertise and views are respected. This includes culture, values and beliefs. We work together to understand and support all children attending the Service to ensure a positive education and care experience. Should conflict arise, we will utilise our internal systems and processes to resolve issues and reach an outcome.

### 3.8. Leadership and Governance

JAG's leadership and governance will support the operation of a quality service and ensure that a positive organisation culture thrives where diversity and difference are viewed as a strength.

### 3.9 Our People

We are committed to ensuring that our workplace is a safe, flexible and respectful environment for all, free from all forms of discrimination, bullying and harassment, where individual differences are valued and that our practices support this policy. Our first approach will always be to attempt to resolve issues informally and promptly. If this is not possible, our Policies and Procedures ensure that we work with our team members and support them through the process to reach a satisfactory outcome for all (refer to JAG Grievance Procedure and Managing for Performance Procedure).

### 3.9. Critical Reflection and Improvement

As a team, all JAG People will be asked to regularly reflect on our program, practices and the children's experience while at the Service. We will seek to identify areas where we can improve in terms of embracing individuality, celebrating diversity and being inclusive to support children, team members and families to thrive in this educational setting.

### 3.10. Child Safety

We safeguard children through our procedures and practices, with particular attention to inclusion within our service. Policies and practices reflect the relevant legislation, including the National Principles for Child Safe Organisations. JAG provides policies and procedures to equip JAG people with the knowledge, skills, and awareness to keep children safe. Service Practice are continuously reviewed and improved to ensure current legislation is in effect throughout the business.

## 4. Key Terms

Term	Definition
Culturally appropriate	Something that is appropriate or suitable for a person, making them feel culturally safe and respected
Discrimination	Unfair treatment of a person or group of people based on a personal trait
Diversity	A range of people from different social and ethnic backgrounds, beliefs, genders or sexual orientations
Inclusion	Actions that ensure that you include everyone within a group or program
Gender equity	Respecting all people without discrimination, regardless of their gender
Prejudice	Preconceived opinion that is not based on reason or actual experience
JAG People	Any adult that governs, manages, conducts work for or provides activities to JAG in a paid or unpaid activity spanning all levels of the organisational structure
Service Leaders	Anyone who oversees the Service in one of the following roles: 1. The Approved Provider; if the approved provider is an individual, in other cases, a person with management or control of the Service 2. The Nominated Supervisor of the Service 3. A Responsible Person who has been placed in day-to-day charge of the Service in the absence of the Nominated Supervisor.
Team Members	JAG People who work directly with children.

## 5. References

<b>Education and Care Services National Law and Regulations</b>
Early Years Learning Framework (EYLF)
Early Childhood Australia Code of Ethics (2016)
Education and Care Services National Law or Regulation that applies in each state or territory
Framework for School Age Care
Guide to the National Law and National Regulations
Children Education and Care Services National Law Act 2010
<b>Other Relevant Legislation</b>
Regulation 73 – Educational program

Regulation 74 – Documenting of child assessments or evaluations for delivery of educational programs
Regulation 75 – Information about the educational program to be kept available
Regulation 76 – Information about education to be given to parents
Regulation 113 – Outdoor space—natural environment
Regulation 118 – Educational leader
Regulation 123 – Educator-to-child ratios—Service-based services
Regulation 155 – Interactions with children
Regulation 156 – Relationships in groups
Regulation 160 – Child enrolment records to be kept by approved provider and family day care educator
Regulation 168 – Education and care service must have policies and procedures
Regulation 170 – Policies and procedures to be followed
Regulation 171 – Policies and procedures to be kept available
Regulation 172 – Notification of change to policies or procedures
<b>Related Policies</b>
Safeguarding Children and Young People
Risk Management
HR Policies for Staff Induction
<b>Related Procedures</b>
01P001 Programming Guidelines
06P001 Enrolment and Orientation Procedures
HR Policies for Staff Induction
<b>Other</b>
Quality Area 1, 3, 5 & 6 Standards 1.1, 1.2, 3.2, 5.1, 5.2, 6.3
Australian Human Rights Commission Act 1986
Disability Discrimination Act 1992
Racial Discrimination Act 1975
Australian Capital Territory – Discrimination Act 1991
New South Wales – Anti-Discrimination Act 1977
Northern Territory – Anti-Discrimination Act 1996
Queensland – Anti-Discrimination Act 1991
South Australia – Equal Opportunity Act 1984
Tasmania – Anti-Discrimination Act 1998
Victoria – Equal Opportunity Act 2010
Western Australia – Equal Opportunity Act 1984
OCG Guide to Child Safe Standards - <a href="https://ocg.nsw.gov.au/child-safe-scheme">https://ocg.nsw.gov.au/child-safe-scheme</a>
CCYP Child safe Standards - <a href="https://ccyp.vic.gov.au/child-safe-standards/">https://ccyp.vic.gov.au/child-safe-standards/</a>
National Principles for Child Safe Organisations - <a href="https://childsafe.humanrights.gov.au/national-principles">https://childsafe.humanrights.gov.au/national-principles</a>

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