

**“THE CHILD HAS THE RIGHT TO REST
AND LEISURE, TO ENGAGE IN PLAY AND
RECREATIONAL ACTIVITIES AND TO
PARTICIPATE IN CULTURAL AND ARTISTIC LIFE.**

**THE STATE UNDERTAKES TO PROVIDE
APPROPRIATE AND EQUAL OPPORTUNITIES
FOR THE REALISATION OF THESE RIGHTS”**

THE UNITED NATIONS CONVENTION ON THE RIGHTS
OF THE CHILD IN ARTICLE 31:



**OSCAR SERVICES TRY TO FACILITATE THIS
RIGHT BY RECOGNISING THE IMPORTANCE
OF PLAY FOR CHILDREN’S HEALTHY
DEVELOPMENT.**

**PLAY IS AN ESSENTIAL ELEMENT OF
CHILDHOOD AND THE UNDERPINNING
OF ADULT LIFE**

OSCAR CODE OF ETHICS

The Code of Ethics for professional practice in OSCAR Programmes has been developed by members of the OSCAR Network working party. It provides guidance for OSCAR staff in their day to day work with children. This Code affirms the professionalism of people working in the OSCAR sector which covers Before School, After School, Holiday Programmes and Camps.

Through this Code of Ethics OSCAR staff will have a frame of reference for guiding their behaviour, obligations and responsibilities in relation to working with school-age children and their families. It also addresses responsibilities to themselves, their colleagues, their employing body and the wider community.

This needs to be read in conjunction with the Companion, which provides an in-depth discussion and is included.

The Code does not provide easy answers or prescriptive solutions but offers a basis for discussion.

HOW CAN THE CODE BE USED?

The Code may assist workers and management by:

- Providing ethical principles for the OSCAR profession and assistance to help address ethical dilemmas
- Guiding professional practice in OSCAR and providing a basis for critical self-reflection
- Developing a framework for discussion in which to make judgements about day to day issues and a basis for responding to change in work practices
- Raising the profile of OSCAR services in the community through the establishment of a broadly based philosophy for staff in OSCAR programmes
- Enhancing the working relationship between programme staff and management in recognition that cooperation and trust will maintain the integrity of the profession.



IN RELATION TO CHILDREN OSCAR STAFF WILL:

- Acknowledge the autonomy* and potential of each child.
- Develop and maintain a positive and supportive relationship with each child.
- Provide a relaxed and secure environment that enhances children's play and initiative.
- Respect each child's dignity and their uniqueness through; speech and action, displaying fairness, honesty and reliability.
- Provide a rich, varied and stimulating environment that invites exploration and experimentation.
- Encourage children to accept and appreciate themselves and others.
- Model values and attitudes that are consistent with the programme's policies.
- Acknowledge the worth of cultural and linguistic diversity that children bring to the programme's environment.

*See Companion to the OSCAR Code of Ethics

IN RELATION TO FAMILIES* OSCAR STAFF WILL:

- Develop and maintain a professional partnership with families, based on mutual trust and open communication for the benefit of the child.
- Create a welcoming environment and assist each family to develop a sense of belonging.
- Support the child rearing role of the family.
- Accept the uniqueness of each family and the significance of its culture, customs, language and beliefs.
- Respect the family's right to privacy and confidentiality.
- Seek the active cooperation and participation of family in decision making regarding their children's welfare and development.
- Consider situations from each family's perspective.

*See Companion to the OSCAR Code of Ethics

IN RELATION TO COLLEAGUES OSCAR STAFF WILL:

- Display a positive professional approach to their role
- Work as a team to meet the needs of the children and to maintain and improve the standards of the programme.
- Communicate with and show respect for each other.
- Develop positive, effective and co-operative relationships that enhance the programme.
- Acknowledge and support the individuality that each staff member brings to the programme.
- Recognise the worth of diversity that staff bring to the work place.
- Speak out if the behaviour of a colleague is affecting the quality of the programme.

IN RELATION TO THE EMPLOYER OSCAR STAFF WILL:

- Ensure that correct employment practices are followed.
- Adhere to programme policies and procedures.
- Actively participate in the development of policies and procedures.
- Actively participate in regular staff/management communication.
- Fulfil their obligations.
- Ensure that their employer respects their rights.
- Keep privileged information confidential.
- Identify opportunities for training and development.

IN RELATION TO THE COMMUNITY OSCAR STAFF WILL:

- Encourage communication and liaison between the programme, schools and the community.
- Recognise the benefits of the programme being involved in local community activities.
- Ensure that information made available is clear and relevant.
- Ensure that programmes reflect their communities needs.
- Enhance and build co-operation and positive networking with the OSCAR sector and other children's services, schools, local councils and community organisations.
- Provide a high quality service that reflects the diversity and is inclusive of the community's needs.



IN RELATION TO SELF OSCAR STAFF WILL:

- Familiarise themselves with the conditions and expectations of their employment.
- Take opportunities for their own professional development*
- Advocate for school-age children and families, OSCAR services and their profession.
- Act in the community in ways that enhance the standing of their profession.
- Maintain current knowledge of appropriate educational, social and environmental issues which affect their work.
- Accept the need for accountability for their professional practice.

*See Companion to the OSCAR Code of Ethics

COMPANION TO THE OSCAR CODE OF ETHICS



**IN RECOGNITION OF THE DIVERSITY OF THE OSCAR COMMUNITY
SOME WORDS AND CONCEPTS HAVE BEEN EXPANDED ON IN THIS
COMPANION. THIS COMPANION IS THE SUPPORTING DOCUMENT
FOR THE CODE OF ETHICS.**



IN RELATION TO CHILDREN OSCAR STAFF WILL:

Act in the child's best interest at all times by:

- Conducting child-centred programmes where children have ample opportunity to do things on their own, to accept appropriate responsibility and to use their free time creatively
- Encouraging positive interactions between staff and children based on respect and consideration of the rights and diversity of all children
- Providing opportunities to be successful and to feel competent

The Concept of Autonomy

Put most simply, to be autonomous is to be your own person, to be directed by considerations, desires, conditions, and characteristics that are not imposed upon you, but are part of what can somehow be considered your true self

IN RELATION TO FAMILIES OSCAR STAFF WILL:

- Enable families to be involved and have reasonable access to staff to discuss issues related to their children and matters concerning the programme
- Provide contact between staff and family that is regular, positive and confidential

The Concept of Family

We have a broad and inclusive approach to families that ensures we consider the full range of families and their roles and functions. These include:

- groups of people who are related by marriage, blood or adoption
- extended families
- two or more people living together as a family
- whānau or other culturally recognised groups.

These groups have a wide range of living arrangements including:

- single-household nuclear families
- extended families and wider kinship groupings
- Maori whānau
- customary family structures in Pacific and Asian communities and other ethnic groups
- multi-generational groupings
- families dispersed across multiple households
- joint and shared child custody arrangements
- 'blended' families.

IN RELATION TO EMPLOYER OSCAR STAFF WILL:

- Be suitably qualified: The definition of this has not been clarified as a sector. Generally it is understood to range from academic qualifications through to life experience. The most important factor at present is that staff are committed to ongoing professional development.
- Act in good faith about acknowledging that while employers and employees may have a range of different interests, they have a common interest in the viability and success of the business
- If people deal with one another in good faith, then most differences should be able to be resolved amicably. It is about how people and organisations treat one another every day, including being respectful, responsive and communicative

IN RELATION TO COMMUNITY OSCAR STAFF WILL:

- Recognise that fundamental to a good quality programme is a common philosophy based on the needs of the children.
- Provide a programme that is accessible to all children

An example of a mission statement:

“Addington’s After School and Holiday Programme provides a safe, affordable, accessible, child focused service that respects the ethnic, cultural, social and religious needs of the Addington Community”

IN RELATION TO SELF OSCAR STAFF WILL:

- Make it a priority to participate in formal and informal training and professional development (e.g. courses, forums, conferences and debates) to enhance and support their practice
- Develop their practice by regularly reflecting upon attitudes and methods, on seeking feedback from children and families,, their organisation and other professionals
- Keep up to date with the latest research and information
- Be open to new knowledge, theories and practices
- Consider and reflect on their long term career path

The Concept of Professional Development refers to skills and knowledge attained for both personal development and career advancement. Professional development encompasses all types of facilitated learning opportunities, ranging from university degrees to coursework, conferences and informal learning opportunities situated in practice. There are a variety of approaches to professional development; including consultation, coaching, communities of practice, lesson study, mentoring and reflective supervision.



OSCAR WORKERS HAVE AN OBLIGATION TO ACQUIRE KNOWLEDGE OF THE FOLLOWING ACTS, AND AMENDMENTS, TREATIES AND CONVENTIONS.

The Employment Relations Act 2000 provides for employees to work under written employment agreements, either collective or individual.

Equal Pay Act 1972 – This prohibits employers from differentiating between employees solely on the basis of gender in areas such as conditions of work, fringe benefits and opportunities for training, promotion and transfer.

Holidays Act 2003 – This sets out employees' entitlements to holidays and holiday pay. The Act also covers employers' obligations in relation to the timing of annual leave and calculating holiday pay.

Human Rights Act 1993 – This prohibits discrimination against employees and job applicants on certain grounds. The Act also applies to volunteers and contractors.

Immigration Act 1987 – All employers must ensure that tax code forms completed by the employee include a signed declaration that the employee is entitled to work for that employer. Non-residents require a work permit to work in New Zealand.

Minimum Wage Act 1983 – This sets minimum wages for employees, the rate depending on the employee's age. The youth minimum wage also applies to trainees enrolled in industry training programmes.

Parental Leave and Employment Protection Act 1987 – This contains the leave entitlements of male and female employees when a child is born or adopted under the age of six, provided the employees have worked for the same employer for the period prescribed in the Act.

Wages Protection Act 1983 – This requires employees to pay the employee the entire amount of wages payable, unless the employer is entitled to make certain authorized deductions.

Income Tax Act 1993 - This requires organisations to make PAYE deductions from employees

Health & Safety in Employment Act 1992 (HSE Act)

The HSE Act is about making work activities safe and healthy for everyone connected with them. It is important for OSCAR workers to understand their obligations under this and related legislation ensuring programmes and activities provided are safe for children

and workers. For more information regarding the HSE Act and related legislation go to www.osh.dol.govt.nz or call 0800 20 90 20.

Human Rights Act 1993

The Human Rights Act 1993 protects people in New Zealand from unlawful discrimination in a number of areas of life.

The prohibited grounds of discrimination are:

- Age (from age 16 years)
- Colour
- Disability
- Employment status
- Ethical belief
- Ethnic or national origins
- Family status
- Marital status
- Race
- Religious belief
- Gender
- Sexual orientation

Other forms of discrimination are also unlawful, including racial disharmony, racial harassment, sexual harassment and victimisation.

OSCAR workers need to be aware of their obligations under this and related legislation so as to provide services free from unlawful discrimination, and support young people who battle with discrimination in their lives.

For more information regarding the Human Rights Act and related legislation go to www.hrc.co.nz or call 0800 496 877.

NZ Bill of Rights Act 1990

The Bill of Rights Act contains important rights. Everybody in government (including government departments, courts, state-owned enterprises and local authorities) must comply with the Bill of Rights Act. The Bill of Rights Act protects all New Zealanders from the actions of anyone in government that interfere with your rights.

For more information on the NZ Bill of Rights Act go to www.justice.govt.nz

Privacy Act 1993

The Privacy Act 1993 has as one of its main purposes the promotion and protection of individual privacy. It sets out 12 information privacy principles, which guide how personal information can be collected, used, stored and disclosed.



OSCAR workers need to understand their responsibilities in all privacy matters and in particular regarding confidentiality issues and collection of information. For more information on the Privacy Act go to www.privacy.org.nz or call 0800 803 909.

Disability Strategy 2001

The NZ Disability Strategy provides a framework that will enable the government to begin removing the barriers that prevent disabled people from participating fully in society.

The Strategy has the vision of a society that highly values the lives and continually enhances full participation of disabled people. It provides an enduring framework to ensure that government departments and agencies consider disabled people before making decisions.

Underpinning the NZ Disability Strategy is a vision of a fully inclusive society. New Zealand will be inclusive when people with impairments can say they live in:

“A society that highly values our lives and continually enhances our full participation”

For more information go to www.odi.govt.nz/nzds/index.html

Understanding New Zealand

OSCAR workers will take personal responsibility to participate in ongoing training on Te Tiriti o Waitangi, Tikanga (Maori customs and traditions) and Te Reo Maori (language) , and apply this learning where appropriate.

OSCAR workers will acknowledge our shared histories and past and present power relationships between different groups of people in Aotearoa New Zealand

Te Tiriti o Waitangi

Te Tiriti o Waitangi (Te Tiriti) is an historical document defining the relationship including the rights and obligations between the Crown (represented at that time by the Queen of England) and numerous Māori chiefs. This document has four versions, the original Māori version, the original English version and translations of both original documents. The majority of Māori chiefs signed the original Māori version. Unfortunately the two original versions do not translate directly. The Māori version refers to Māori retaining their tino rangatiratanga over all their lands and resources whilst the English version refers to the chiefs transferring sovereignty to the Crown.

Because of these completely divergent versions, the Crown has defined a number of principles that it considers Te Tiriti contains. These principles have been espoused in

political writings, case law and Waitangi Tribunal reports for example the duty of the Crown to actively protect, the tribal right to self-regulation, the right of redress for past breaches, the duty to consult and the principles of equality and reasonable co-operation.

The significance of Te Tiriti and the earlier 1835 Declaration of Independence to OSCAR Workers is manifold. Te Tiriti defines the relationship between Māori and non Māori. As such it is the foundation of all relations between these two groups of peoples. OSCAR Workers have a myriad of relationships from the children and whanu they work with through to the organisation they work for.

UN Convention on the Rights of the Child

Every child or young person under the age of 18 years has Rights and Responsibilities. The Convention sets these out in 54 articles. The four core principles of the Convention are non-discrimination; devotion to the best interests of the child; the right to life, survival and development; and respect for the views of the child. The Convention protects children's rights by setting standards in health care; education; and legal, civil and social services.

OSCAR workers need to be aware of children's rights under this International Convention to ensure the rights of children are upheld.

For more information on the UN Convention on the Rights of the Child go to: www.occ.org.nz or phone 0800 224 453.