

Section 3: Ethics in CLD – Boundaries, Accountability and Professional Identity

Section 1 provided some initial indications and areas for discussion on why ethics are important for CLD and why a code is relevant, together with some background information on how the Code was developed. Section 2 looked at what ethical thinking is about, and how ideas of “professional ethics” have developed.

In this part of the package – Section 3 – we examine some ways in which CLD practitioners engage with, or find themselves confronted by, ethical issues; and explore the relevance of a Code of Ethics for CLD for addressing these issues in practice.

In particular, this section provides some prompts for reflection and discussion around the following themes:

- Setting boundaries for acceptable practice
- Accountability
- “Enforcement”
- Professional identity.

Setting boundaries for acceptable practice

What’s the issue?

CLD engages people, often those who are vulnerable, and intervenes with the intention of bringing about change. CLD practitioners find themselves in positions of trust and sometimes power. The potential exists to cause harm – in some documented instances, serious harm. It follows that boundaries for what is acceptable practice are needed.

There is a well-established framework of values for CLD, which is an essential basis for setting boundaries; but it doesn’t take us very far in actually setting them. The values don’t in themselves express that some behaviours are essential and that some others are prohibited.

Employers have a role in setting boundaries, but do we as practitioners want to leave it entirely to them?

How can a code of ethics help?

A code of ethics provides a link between broad statements of values and the specifics of practice. If it is owned by practitioners, it provides a means through which we can set boundaries for acceptable practice ourselves.

This is why the Standards Council has developed the Code of Ethics for CLD by working with the field. It is also one of the reasons why the Code is more about enabling practitioners to make their own ethical judgements about practice than it is about establishing a set of rules.

The Code of Ethics will not ensure CLD practitioners always practise in an ethical way, but it will remind us that there is a dividing line that needs to be drawn between what is ethically acceptable and what isn’t, and help us to decide where the line should be in particular situations.



Points for discussion

- Can you think of situations in your practice of CLD where you were faced with an ethical choice about whether a particular course of action was acceptable or not?
- How did you reach your decision? What would have been the impact (positive or negative) if you’d made a different decision?

Section 3: Ethics in CLD – Boundaries, Accountability and Professional Identity

- Can you think of situations where you think a CLD practitioner (yourself, a colleague, someone working in another context that you are familiar with) crossed the boundary into unacceptable practice?
- Who was aware of the issue? Was the situation addressed? If so, how?
- In what ways do you think a code of ethics could have helped in any of the situations you've been considering?

Accountability

What's the issue?

As CLD practitioners, we assert that we have a direct accountability to the individuals, groups and communities that we work with. This doesn't mean that we're not accountable to our employers, but that we expect employers to recognise the validity of our other accountabilities. An element of tension is more or less inevitable as a result; it can be creative or not dependent on how it is managed by employers and by CLD practitioners.

To the extent that an employer is tightly focused on narrowly-defined targets, short-term impact and service-specific outcomes, these tensions can become more problematic.

On the other hand, from the point of view of an employer, particularly one with no direct knowledge of CLD, the claim of direct accountability to people and communities that we work with can look like a licence to do as we please. Any instances of CLD practitioners misusing their position can exacerbate this.

How can a code of ethics help?

A code of ethics articulates the responsibilities we place on, and the commitments we make to ourselves, and to each other as members of a professional grouping. It expresses our commitment, as CLD practitioners, to discipline our own practice.

Where CLD practitioners' commitment to accountability to the people and communities that we work with is under pressure from an employer, a code of ethics based on an agreed collective view provides a clear ethical position from which to argue.

A code also provides employers, partners and colleagues with both a statement of the conduct and behaviour they should expect from a CLD practitioner, and an explanation of the distinctive ethical framework that should guide their actions. It can aid both legitimate accountability, and better understanding.



Points for discussion

- Can you think of particular situations where tensions have arisen between your accountability to the people and communities you work with, and to your employer?
- How did you manage these tensions? What happened as a result?
- To what extent is your accountability to the people and communities you work with limited because of how you see the expectations of your employer?
- Can you think of situations where CLD practitioners have misused the principle of accountability to the people and communities we work with?
- How might a code of ethics help in any of the circumstances you've been considering?

Section 3: Ethics in CLD – Boundaries, Accountability and Professional Identity

“Enforcement”

What’s the issue?

The “established” professions usually have a disciplinary process, with a code of ethics as a key point of reference for this. If a complaint against a practitioner is upheld through the process, sanctions including de-registration and withdrawal of the “licence to practice” can be applied.

The Code of Ethics for CLD doesn’t, currently at least, have a function of this kind. There are significant practical difficulties that would need to be addressed before this kind of disciplinary process could be put in place to apply to CLD practitioners.

Some people think that a code of ethics without enforceable sanctions is ineffective; others that getting involved in an enforcement role would go against the ethos of the Standards Council.

How can a code of ethics help?

The question here is really whether a code of ethics without sanctions to back it up can have a positive impact.

No code of ethics guarantees that practice will be ethical: enforcement by definition happens after a breach of a code takes place, and only when a breach has been discovered, reported and evidenced.

However, if practitioners are aware of a code of ethics and see it as “theirs”, they will be more likely to factor ethics into their decision-making, argue about the ethical implications of actions and challenge each other. These are concrete ways in which a code of ethics can be used to change the culture of practice.

A code of ethics can also impact through the internal disciplinary processes of employing organisations. It can help agencies to be clear about what behaviour is acceptable in the CLD practice they have responsibility for. On the one hand this means that the code can be indirectly supported by the sanctions available to the employer; on the other practitioners can refer to the code to explain and seek to justify behaviour that is consistent with it.



Points for discussion

- What would influence you, and your colleagues, to take account of the Code of Ethics in making decisions about your practice?
- If, in future, a practical way can be found of enforcing a disciplinary process to support the Code of Ethics for CLD, do you think that would be a good thing? What do you see as the pros and cons of having formal sanctions e.g. “de-registration”?

Professional identity

What’s the issue?

CLD encompasses very diverse activities, in a wide range of settings, carried out by people with a variety of job titles. Its distinctive value derives from a role that can be difficult to understand for anyone whose mind-set is based on the most widespread traditional concepts of “service delivery”. Funding and other pressures sometimes lead to a loss of focus on core purpose and methods.

The resulting lack of clarity can be seen as a barrier to wider recognition of the impact and value of CLD practice, and can inhibit CLD practitioners themselves from identifying with CLD as a profession. This is sometimes compounded by the fact that practitioners may identify themselves more readily for example as a youth worker or a community development worker than as part of the CLD profession.

The CLD Competences provide a common framework for practice in all settings. However, practitioners are clear that CLD is a values-based activity and this implies that its identity cannot be adequately described through competences alone.

CLD has also been given greater prominence in Scottish Government policy, and guidance has articulated the purpose of CLD from a government perspective.

Section 3: Ethics in CLD – Boundaries, Accountability and Professional Identity

However, if CLD is understood as simply a means of delivering particular policies, the resulting “identity” will be vulnerable to the inevitable changes in policies and priorities and will be seen as relevant by practitioners only to the extent that they see their role in close relation to the implementation of government policies.

For example, a practitioner working for a third sector organisation may be less likely to identify themselves as part of the CLD profession if they see the identity of CLD as tied directly to the delivery of government policies.

How can a code of ethics help?

A code of ethics can provide a statement of identity; it can be a collective, public statement by a body of practitioners about the principles that form the basis for their work, as well as an explicit set of standards to which they can be held accountable.

A code of ethics and a competence framework, that have been developed with the involvement of practitioners, and have been agreed and owned by them, provide the basis for a distinctive identity, shared by practitioners in different practice settings and independent of particular government policies. They can underpin the role of practitioners collectively influencing policy at all levels affecting CLD.

A professional body based on a code of ethics and a competence framework owned by practitioners has the opportunity to attract practitioners from all sectors and settings because it can clearly identify itself using the code rather than by reference to particular government policies or to a particular grouping of staff.

A code of ethics can also help in identifying what isn't CLD. The word “community” can be used as a label for all sorts of practices, some of which do not reflect CLD principles; a code of ethics can help make clear to participants and partners what they should expect when someone introduces themselves as a CLD worker.



Points for discussion

- What defines CLD for you?
- Do you see yourself as part of a CLD professional grouping?
- How do you think a code of ethics could be used by CLD practitioners to help develop a sense of professional identity?