

Section 4: Using the Code of Ethics in Developing Competent CLD Practice

Introduction

The Code of Ethics sets out ethical principles for the practice and conduct of CLD practitioners. If it simply provided a set of rules, the expectation of practitioners, straightforward if not necessarily realistic, would be compliance; but the essence of the Code is that it sets out shared commitments, with responsibility on practitioners to understand and apply these to their own particular context.

The purpose of this learning resource as a whole is to assist practitioners and managers of CLD to do this. Other sections should assist you to develop your own and others' understanding of the purpose of the Code and benefits of using it, of the role of ethics in decision-making and of how a focus on ethics can be embedded into the work of your organisation. This section is designed to help you focus in on how the Code can and should inform practice. It does this by providing some materials for looking more closely at the individual ethics; however in using these it will be obvious that they are closely interlinked.

The Code of Ethics should be used in close conjunction with the CLD Competent Practitioner Framework. The Code of Ethics forms the link between the values set out in the Framework and the Competences themselves; the Competences provide the means to translate ethics into practice. This is explored in depth in 'CLD: From Vision to Practice' which you will find in the appendix.

It's important to bear in mind that there is never a final right answer to ethical questions: one part of the essence of ethical behaviour, in or out of a particular professional context, is that we go on **examining and challenging** what we do and why we do it. Another essential aspect of ethics is that we act on our reflection and discussion, on the basis of the best conclusion we can arrive at. So deciding on what should change is a key part of initial learning about the Code of Ethics, and a starting point for using the Code in continuing to develop practice, as a part of Professional Learning activities and self-evaluation processes.

The rest of this section looks at each of the ethics of the Code in turn. There is a brief note on the **background** to the clause and why it is important; a **statement of principles** to inform how we apply it to practice; two sets of questions to promote **reflection**, one set focusing on **applying ethical principles**, the other on developing **ethical and competent practice**; and finally some further questions to assist in looking at **what we need to change** as a result of reflection. There are suggestions of particular aspects of the competence framework that are particularly closely linked to individual clauses of the Code.

A Code of Ethics for CLD - Learning Resource
Ethical Practice – Competent Practitioners



All or any of the material can be used for personal reflection, to inform discussion or as the basis for part of the programme for a Professional Learning event. You may want to select particular clauses of the code that are pertinent to current issues for you, your team or your organisation, and focus on these.



Primary client

Our primary client (our ‘constituent’) is the community, the young person, or the adult learner with whom we engage.

We will ensure that the interests of the constituents we work with are at the centre of everything we do in our work. We will not seek to advance ourselves, our organisations or others, personally, politically or professionally, at the expense of our constituents.

As a CLD practitioner, there are a variety of people that you’re expected to answer to, including employers, colleagues, and scrutiny bodies. This key ethic is a statement of the primary obligation of CLD practitioners to their “constituents”.

Principles

- We place the communities, young people and adult learners we engage with at the centre of our work.
- We do not seek to advance ourselves, our organisations or others at the expense of our constituents
- We are motivated to serve their best interests.
- We work from their unique starting points as individuals, groups and communities, recognising their talents and capabilities.
- We take account of the individual circumstances of young people, adult learners and community members, and the social and economic circumstances of communities.

Applying ethical principles

- Is the primary constituent always the person or the community group you are currently working with?
- If your primary client is the community, who is part of it? Who decides?
- What responsibilities do you have towards the wider community that includes people you’re not engaging with?
- How do you balance your commitment to primary clients with organisational requirements?



This clause of the Code links particularly to these aspects of the CLD Competences:

Know and understand the community in which we work:

- Critically analyse internal and external factors impacting on individuals and communities.

Build and maintain relationships with individuals and groups:

- Seek out and engage with individuals, groups and communities.
- Recognise the power dynamic and action needed to equalise power relationships in decision-making.

Competent practice

- How well do you know your community?
- Who are you good at engaging with? And not so good?
- Do you explain what you do clearly?
- How do you negotiate your role with constituents, your employer, partners?
- Are there skills you need to develop in order to put this ethical principle into practice?

What should we change?

- What does practice look like when it puts the community, the young person or the adult learner at the centre of our work?
- Is this different from the way we work at the moment? In what ways?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Social context

Our work is not limited to facilitating change within individuals, but extends to their social context and environment. It recognises the impact of ecological and structural forces on people.

CLD practice focuses on collective learning and action alongside individual development, valuing change in the wider community as well as the people who we directly engage with. There is an ethical requirement to recognise the importance of sustainable development and climate change.

Principles

- We will try to understand the communities, young people or adult learners that we work with in their wider context.
- We will be alert to common issues and to ways of engaging people in collective learning and action.
- We will help individuals and groups we work with to make connections with the wider society and develop appreciation of differing views and perspectives.
- We will recognise in our practice that barriers for the individuals, groups and communities we work with are often rooted in wider structures, processes, institutions and attitudes in society.
- We will ensure that supporting learning and action to address the issue of climate change is embedded in our practice.

Applying ethical principles

- How does your own personal context and those of your colleagues affect the way you understand and work with communities, young people and adult learners?
- How does poverty, inequality, stereotyping and discrimination affect the people you work with?
- How do you incorporate the principles of sustainable development/tackling climate change in your practice?
- Do you see yourself as having a role in promoting political awareness and discussion? If so, what are the parameters of the role?



This clause of the Code links particularly to these aspects of the CLD Competences:

Know and understand the community in which we work:

- Conduct an external community/environment assessment, considering the political, economic and social context of the community.

Build and maintain relationships with individuals and groups:

- Understand and deal with the underlying dynamics at work within relationships and groups.

Competent practice

- How do you go about analysing the factors that impact on individuals and communities?
- Can you describe the decision-making processes, formal and informal, that impact on the people you work with?
- What skills do you use to enable people to participate in decision making or to campaign for change? How could you improve them?

What should we change?

- What does CLD practice look like when it extends to the social context and environment of the communities, young people and adult learners we work with, and recognises the impact of ecological and structural forces on people?
- Is this different from the way we work at the moment? In what ways?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Equity

Our work promotes equality of opportunity and outcome. Our practice is equitable and inclusive.

Equalities legislation applies to CLD practitioners and their managers together with everybody else delivering public services. CLD seeks to actively engage those excluded from participation in key processes that shape their lives. As CLD practitioners we need to ensure our practice reflects both legal and ethical requirements for equality and diversity.

Principles

- We will be sensitive to the particular needs of individuals.
- We will actively challenge discriminatory practices.
- We will keep our own practices under review to ensure we're working in an equitable way.
- We will tackle difficult situations that arise from equitable and inclusive practice.
- We will develop our practices to work with the most marginalised people and communities.
- We will work with other agencies to promote equality and inclusiveness.

Applying ethical principles

- How do you ensure that you give equal respect to the people you work with regardless of race, gender, religion, disability or sexual orientation?
- Are you aware of relevant current legislation, and policy and practice guidance?
- Do you consider the key relationships you have with those you're working with to be equal and reciprocal?
- What would you do if a group or individual you are working with wanted to discriminate?



This clause of the Code links particularly to these aspects of the CLD Competences:

Provide learning and development opportunities in a range of contexts:

- Tackle barriers to participation.

Facilitate and promote community empowerment:

- Be inclusive and involve the wider community.

Organise and manage resources:

- Interpret and apply relevant legislation.

Competent practice

- How do you find out who is discriminated against in your community?
- If the people who are most discriminated against aren't knocking on your door, what do you do to engage with them?
- What learning opportunities do you develop to help people you are working with to explore and challenge the barriers they face? Or how they may contribute to discrimination?
- Could you do more to enable people in your community affected by discrimination to challenge and participate in decision-making?
- Are there skills you need to develop in order to promote equality of opportunity?

What should we change?

- What does CLD practice look like when it is equitable and inclusive, and promotes equality of opportunity and outcome?
- Is this different from the way we work at the moment? In what ways?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Empowerment

We seek to enhance constituents' capacity for positive action by:

- *enabling them to clarify and pursue their chosen priorities*
- *building skills of decision-making, engagement and co-operation*
- *making power relations open and clear*
- *supporting constituents in holding those with power accountable*
- *facilitating disengagement from the professional relationship.*

Our starting point is that constituents are capable of assessing and acting on their interests.

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Principles

- We will promote the autonomy of the people and communities we work with, while taking account of their capacities and vulnerabilities.
- We will work with individuals, groups and communities to assist them to develop a credible and influential voice.
- We will be conscious of power that our position gives us in relation to the people and communities we work with, and of the responsibility to avoid misusing it.

Applying ethical principles

- How often to the people you work with hold those with power accountable?
- Do you speak for people? If so – in what circumstances? Are you clear about why you're doing it?
- If a group you're working with is starting a campaign against something your employer is doing, how do you decide what to do?
- When did you last ask "can this group/individual do without me?"



This clause of the Code links particularly to these aspects of the CLD Competences:

Facilitate and promote community empowerment:

All indicators are relevant, including:

- Analyse and understand power-dynamics and decision-making processes.
- Use community action as a means to achieve change.
- Be inclusive and involve the wider community.

Competent practice

- In the community you work in, who is not taking part and what is stopping them?
- Are people you work with moving on? If not, do you know why and what are you doing about it?
- How do you support individuals and groups to explore the implications of different choices and make their own decisions?
- What skills do you use to empower individuals, groups and communities? How could you develop them?

What should we change?

- What does CLD practice look like when it has a clear focus on empowering people and communities?
- Is this different from the way we work at the moment? In what ways?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Duty of Care

We will avoid exposing our constituents to the likelihood of harm and/or detriment to their wellbeing.

CLD is an intervention in the lives of people and communities. It often involves leading or influencing people to take on new experiences, responsibilities and risks. CLD practitioners need to make judgements about risks and take responsibility for them.

Principles

- We will develop clear policies and practices that guide us in managing risk in our work.
- We will be aware of our statutory obligations, and policy and practice guidance, in protecting young people and vulnerable adults from harm or injury.
- We recognise that the nature of our work involves taking risks and that we have a responsibility to manage these while also assessing potential positive outcomes.
- We recognise that different types of risk arise depending on the particular context of CLD practice.

Applying ethical principles

- Do you avoid risk, ignore it or manage it?
- Are you aware of relevant current legislation, and policy and practice guidance?
- Have you assessed whether the organisation you work for is risk-averse, ignores risk or manages it?
- What procedures are in place to prevent people experiencing injury, harm or abuse as a result of CLD intervention?
- What risks are people being exposed to as a result of your CLD interventions?
- How aware are people you work with of the responsibilities they will take on through their involvement in CLD activities and in the community?



This clause of the Code links particularly to this aspect of the CLD Competences:

Organise and manage resources:

- Understand and manage risk.

Competent practice

- Do you regularly make an assessment of the risks the people you work with are exposed to?
- How do you ensure that people taking on responsibilities have access to the personal support they need?
- How do you support colleagues to manage risk?
- When you evaluate your work, how do you assess any harm to the people and communities you work with that resulted from it?

What should we change?

- What does CLD practice look like when risks are being managed in a way that is proportionate?
- Is this different from the way we work at the moment? In what ways?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Transparency

Engagement with the young person, adult learner or community, and the resulting relationship, will be open and truthful. Potential conflicts of interest will be openly declared.

CLD practice depends on relationships based on trust. The ethical commitment to openness and honesty underpins this and extends beyond not deceiving the people we work with to transparency over where our funding comes from, who we are working for and what we are trying to achieve.

Principles

- We will work with young people, adults and communities in a climate of honesty, trust and respect for the individual.
- We will declare at the earliest opportunity any interests that may conflict with or impact on our work.

Applying ethical principles

- Are you clear with the people you work with about who you work for and what they can reasonably expect from you?
- Have you knowingly withheld information from the people you work with?
- Is it ever justifiable to do this? Are there situations in your work where it's not possible to be open and truthful?
- Do you facilitate contact between the people you work with and other stakeholders? Can this present ethical dilemmas?
- Are you clear about boundaries that you will set for the relationships you form through your work?



This clause of the Code links particularly to these aspects of the CLD Competences:

Build and maintain relationships with individuals and groups:

- Seek out and engage with individuals, groups and communities.
- Handle challenges and opportunities constructively.

Competent practice

- What are the pitfalls in engaging in an open and truthful way? What skills do you use in order to avoid these?
- What skills do you use to maintain positive working relationships when you've made people aware of conflicts of interest?
- How could you improve skills to better reflect principles of transparency in your practice?

What should we change?

- What does CLD practice look like when it is consistently open and truthful?
- Is this different from the way we work at the moment? In what ways?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Confidentiality

We will respect confidentiality in relation to information provided by constituents. We will make constituents aware of limits to this confidentiality and, wherever possible, will consult with them before any disclosure. When we need to decide whether or not to disclose information we will use professional judgement, taking account of both the principle of maintaining confidentiality and of our duty of care. We will ensure that this judgement is professionally defensible.

The commitment to confidentiality follows from key values of CLD – respect for the individual and for people’s right to make their own choices. If the commitment could be absolute then it would be simple to put into practice. Clarity about confidentiality is essential for developing and maintaining relationships based on trust.

Principles

- We will respect the rights of the people we work with to confidentiality.
- We will be clear with ourselves about what the legitimate limits to confidentiality are.
- We will communicate to the people we work with our commitment to confidentiality, and what the limitations to this commitment are.
- If situations arise where we may be required to breach confidentiality, we will as far as possible advise the people affected of this.
- We will not abuse our position through making confidential information available to others when there is no apparent need to do so.

Applying ethical principles

- Are you clear about how the commitment to confidentiality applies to your role and context?
- Do you know about the statutory obligations or agency policies, including those relating to data protection, that could impact on your commitment to confidentiality?
- How do you go about reconciling any contradictions between your ethical commitments to confidentiality and agency expectations that may arise?



This clause of the Code links particularly to this aspect of the CLD Competences:

Organise and manage resources:

- Interpret and apply relevant legislation.

Competent practice

- What sort of issues about confidentiality have arisen in your CLD practice?
- Looking back at the situations where these issues arose – is there anything you think you should have handled differently? What can you learn from this for the future?
- How do you get advice and support in dealing with issues around confidentiality?
- How do you deal with sensitive information that you come across from third parties?

What should we change?

- Are we consistently following the principles for confidentiality set out above in our CLD practice?
- What are the difficulties that arise in applying the principles of confidentiality? How can we overcome them?



Co-operation

We will actively seek to co-operate with others in order to secure the best possible outcomes for our constituents.

Partnerships of one sort or another form the context for much of what we do as CLD practitioners; and other professionals often share many of the same values. We need to co-operate with others to achieve the best outcomes for our “primary clients” while being aware that co-operation is not an end in itself.

Principles

- We will ensure that we have a clear understanding of the key ingredients in building a partnership approach in CLD contexts.
- We will work collaboratively with practitioners in other disciplines, showing due respect for their views, opinions and perspectives while articulating the values and principles of CLD.
- We will ensure that our involvement in partnership and collaborative work is focused on achieving the best outcomes for our primary clients.
- In situations where there is conflict between agencies, we will seek constructive ways forward in the interests of constituents.

Applying ethical principles

- How well do you work as part of a team within your service? Do you play an active part in building team-work?
- Do you make sure that communities have opportunities to participate in partnerships in ways that benefit them?
- What do you think are the key differences in practice interventions by various professionals in the communities you work in?
- What are the implications of these differences for collaboration and partnership?
- What do you think are the key factors that help related professions to work together effectively? What gets in the way, and what can we do about it?



This clause of the Code links particularly to these aspects of the CLD Competences:

Develop and support collaborative working: All the indicators for the competence are relevant, including:

- Develop and support collaborative working within your own organisation.
- Initiate collaborative working with relevant organisations.

Competent practice

- Have you reviewed your involvement in partnership working recently?
- Is it clear why you're involved? Are there opportunities for your primary clients to be more directly involved?
- Are there other opportunities for partnership or collaborative work that would benefit your primary clients?
- What skills and attributes do you use in promoting co-operative working practices and managing conflicts and barriers? Could you develop them further?

What should we change?

- What does co-operative CLD practice that seeks to achieve the best outcomes for our primary clients look like?
- Are there differences from the way we work at the moment? What are they?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Professional Learning

In order to improve our capacity to meet our obligations to constituents, we will work reflectively, identifying, using and sharing information, resources, skills, knowledge and practices with colleagues and others.

Social change is the fundamental context of CLD practice and we are working in a society where change is accelerating. Lifelong learning is a principle that we need to apply to ourselves as well as the work we do with others, keeping abreast of the best intellectual and practice tools for understanding change and developing practice that is relevant and challenging.

Principles

- We take responsibility for our own professional development.
- We aim to be reflective practitioners.
- We continually develop our skills, knowledgebase and understanding to better serve the people and communities we work with.
- We listen to, and learn from and with the people and communities we work with.
- We share learning with other practitioners.
- We take account of up-to-date research to inform and validate the work we do.

Applying ethical principles

- How committed are you to improving your CLD practice?
- How do you decide whether your practice in a particular situation is “good enough”?
- Do you feel you are part of a professional learning community with shared values and practice principles? What’s your role in developing one?
- Do you acknowledge your own mistakes and successes, and learn from them?
- How much has your practice developed in the last year?
- Is there anyone you talk to who challenges you and tells you when your practice needs to change?



This clause of the Code links particularly to these aspects of the CLD Competences:

Evaluate and inform practice:

- Draw on evaluation findings to inform your own practice.
- Interpret and use evidence related to outcomes and impact.

Competent practice

- Do you act on feedback about your practice?
- If you don't get enough constructive challenge to your practice, where could you get it from?
- Do you make time in your work schedule for professional development? Does your manager/ employer support you to do this?
- Do you use time allocated to Professional Learning effectively?

What should we change?

- How effectively are we taking responsibility for our own professional development?
- What do we need to change, what are the barriers to be overcome in order to bring the change about, how will we go about it?



Self-awareness

We should be conscious of our own values and interests, and approach cultural and other difference respectfully. While the need to challenge may arise, we must try first to understand.

Self-awareness is essential if we are to make decisions with an ethical basis, rather than using statements about ethics to justify what we want to do. Professional judgement is a cornerstone of CLD practice; a clear awareness of our own values and interests is needed if we are to exercise judgment without being merely judgemental.

Principles

- We seek clarity about our personal and professional values, and to be aware of potential conflicts between them.
- We will be sensitive to the differing needs of others and respectful of their values and beliefs.
- We take responsibility for knowing our own strengths and limitations and seek help and guidance when we need it.
- We encourage feedback from others, including constituents and colleagues, and use it to improve our understanding of our own motivations and practice.

Applying ethical principles

- How aware are you of your own personal values, how they relate to the professional values of CLD and how they impact on your practice?
- Do you know your own “blind-spots” about yourself and your practice?
- How well do you work with people who are different from you in terms of culture and identity?
- How well do you respond to feedback from constituents or colleagues, in particular when it is critical?
- How open are you to changing your CLD practice?
- When you change the way you do things, are you clear why?
- When you’re evaluating a piece of work, do you assess the impact of you own values and interests on what you did and the outcomes for constituents?



This clause of the Code links particularly to this aspect of the CLD Competences:

Evaluate and inform practice:

- Learn from other perspectives and challenge your own assumptions.

Competent practice

- When do you take time to reflect on the strengths and weaknesses of your practice?
- How do you get feedback about how you respond to comment on or criticism of your practice?
- How do you go about making changes to your practice or behaviour when you've identified these are needed?

What should we change?

- What can we do to improve our own self-awareness?



Boundaries

The CLD professional relationship is intentionally limited to protect the constituent, the practitioner and the purpose of our work. These limits should be clarified, established and maintained. The relationship must be based on mutual trust and must not involve abuse of the constituent/practitioner relationship.

As CLD practitioners, we are often working with people who are vulnerable as a result of past negative experiences, and may at the same time be going through changes in their lives which open out new opportunities and the uncertainties that go with these. This makes it particularly important that we are aware of and observe boundaries.

Principles

- We will maintain a clear understanding and awareness of the responsibilities associated with a professional relationship based on trust.
- We will be aware of the power that we may have in relationships as a result of our professional position and practice, and the responsibility not to abuse that power.
- We will be aware of the need to work within a professional relationship, and of what that means in terms of behaviour.
- We will take on our share of responsibility for ensuring that there is a consistent approach by the agency we work for to setting appropriate boundaries.

Applying ethical principles

- How do you go about determining where the boundaries are in your work with young people, adults and communities?
- Have you thought through what sorts of relationship are acceptable in your own particular professional context?
- To what extent do you have power in relationships with constituents as a result of your role and position? Do you use it appropriately?



This clause of the Code links particularly to these aspects of the CLD Competences:

Develop and support collaborative working:

- Clarify and articulate the role of your own organisation and that of others.

Build and maintain relationships with individuals and groups:

- Facilitate endings for individual and group relationships where appropriate.

Competent practice

- What are the kinds of thing you might say or do that step over the boundaries in your work with young people, adults and communities?
- What kinds of implications and issues could arise?
- If you've been in situations where the boundaries have become blurred or you've crossed them – how did the situation arise? What could you do better in future?
- How do you use support or supervision to help you to decide on and observe boundaries?

What should we change?

- Are we fully aware of professional boundaries and do we observe them consistently?
- What do we need to change, what are the challenges in doing this, how will we go about it?



Self-care

We will work to ensure CLD practice is consistent with the safety, health and wellbeing of CLD practitioners.

Like workers in other contexts, CLD practitioners can suffer from exploitation; again like others, they can be victims of their own commitment. There can be particular issues for isolated practitioners. There is a shared responsibility for practitioners themselves and employers/deployers of volunteers to look after the well-being of practitioners.

Principles

- We will be aware of our role, the legitimate expectations attached to it and the limits of these, as well as our own capacities and limitations.
- We will take on a degree of responsibility for our own health and well-being within the workplace.
- We are aware that we should ask for help when we need it.
- We will expect there to be a clearly established system in place in the workplace through which to seek support when required.
- We will co-operate with our employers to take a preventative approach to our health and well-being.

Applying ethical principles

- What are the characteristics of an organisational culture that promotes the health and well-being of staff and volunteers?
- What are the triggers in the workplace for stress anxiety and burn-out?
- What are the responsibilities of line managers/volunteer support workers in relation to the health and well-being of staff and volunteers?



This clause of the Code links particularly to this aspect of the CLD Competences:

Organise and manage resources:

- Understand and manage risk.

Competent practice

- How do you manage competing expectations and the resultant pressures?
- What steps do you take to “look after yourself” at work?
- Do you need to give this a higher priority?
- What can you do to support colleagues to preserve their health and well-being?
- What can you do to influence your organisation’s culture in ways that help to promote the health and well-being of staff and volunteers?

What should we change?

- Are we doing enough to preserve and support our own health and well-being and that of colleagues?
- How could we do this better?
- Are our employers doing enough to preserve and support the health and well-being of CLD practitioners? Can we influence them to do this more?