

## 7<sup>th</sup> PRAGUE FORUM, 1-2 OCTOBER 2015

### FULL TEXT FOR PLENARY SESSION 1 PRESENTATION BY PROFESSOR IAN SMITH, UNIVERSITY OF THE WEST OF SCOTLAND, AND MR. TOM HAMILTON, GENERAL TEACHING COUNCIL FOR SCOTLAND

### AN INTRODUCTION TO THE WORK ON ETHICS, TRANSPARENCY AND INTEGRITY IN EDUCATION DONE BY THE COUNCIL OF EUROPE

#### **Abstract**

*This presentation identifies the development of the Council of Europe's Pan-European Platform on Ethics, Transparency and Integrity in Education as based on the overarching approach that all relevant sections of society should commit fully to positive ethical principles for public and professional life. This positive principles-based approach moves beyond anti-corruption regulatory measures, and progresses the Council's commitment to quality education following from the Helsinki Declaration of April 2013. The presentation summarises the work which has been detailed to the Council's Steering Committee for Educational Policy and Practice (CDPPE) on developing approaches to 'Ethical Principles for Education' and 'Ethical Behaviour of All Actors in Education'. Particular emphasis is given to 'implementation scenarios' for progressing these approaches through the Platform, and mention is also made of plans to address 'Academic integrity and plagiarism' and 'Recognition of qualifications' as part of the Platform's development.*

#### **Introduction, including Approach to References**

This presentation is based on work which the presenters (Ian Smith and Tom Hamilton) have undertaken for the Council of Europe's Steering Committee for Educational Policy and Practice (CDPPE) in preparing for the launch of the Council's Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED).

The principal outputs of this work are the '*Ethical Principles*' document, presented to the Informal session of the CDPPE in Brussels, December 2014, and '*The Ethical Behaviour of All Actors in Education*' document, presented to the Plenary session of the CDPPE in Strasbourg, March 2015 (Smith and Hamilton 2014, 2015). Both these documents are on the Prague Forum SharePoint, and now on the new Council of Europe ETINED website.

Throughout this presentation, detailed references will be made to particular parts of these two documents. The documents themselves extensively reference the work of other organisations in the area of ethics, transparency and integrity in education. In the current presentation, these full references to all the outputs of other organisations will not always be repeated, although some will. All the full references to the work of other organisations can be found in the relevant sections of the '*Ethical Principles*' and '*The Ethical Behaviour of All Actors in Education*' documents.

While the December 2014 and March 2015 documents were authored by the presenters (Ian Smith and Tom Hamilton), the role of the ETINED Working Group set up by the Council was important in developing these documents. This Working Group comprised members of the CDPPE, including the current Chair; representatives of other key groups of actors, i.e. Education International (EI) and the European Students' Union (ESU); senior staff from the

Council of Europe secretariat; the presenters in their role as Council experts. The Working Group held four main meetings between September 2014 and June 2015, and its discussions contributed significantly to the approaches taken in the documents.

### **A Positive, Principles-based Approach for the Council of Europe**

The ETINED Platform is based on the view that ethics, transparency and integrity in education are ultimately achieved only by all relevant sections of society committing fully to positive ethical principles for public and professional life.

This approach recognises the extensive work which has been undertaken in other 'anti-corruption' approaches. For example, within the Council of Europe, GRECO (the Group of States against Corruption) has extensively developed approaches to anti-corruption based on legal compliance and monitoring. Outwith the Council, there is the very major EU 7<sup>th</sup> Framework Programme ANTICORRP, a 5-year programme from March 2012, with 10M Euros total funding (8M Euros of which is from the EU), and looking at all aspects of anti-corruption, not just education.

However, the Platform's approach moves beyond anti-corruption 'mechanistic' regulatory measures, generally involving the pursuit of sanctions, and often very statistically based, with web-based use of 'naming and shaming' ranking lists of corruption. These approaches are seen as addressing the 'symptoms not the causes' of corruption.

The Platform's approach progresses the Council's the commitment to quality education, e.g. as stated in the Final Declaration from the Council of Europe Standing Conference of Ministers of Education on 'Governance and Quality Education', Helsinki, April 2013, and also reflected in the 6<sup>th</sup> Prague Forum, October 2012, and Meeting of Ministers' Deputies, December 2012, from which the Key Recommendation, Appendix and Explanatory Memorandum link quality education with being free of corruption (Council of Europe 2013, 2012a, 2012b). All of these documents are available on the 7<sup>th</sup> Prague Forum Sharepoint.

Earlier work by the presenters on the Council of Europe/EU funded Project against Corruption in Albania (PACA) adopted the principles-based approach to ethics, transparency and integrity in education (e.g. see Smith and Hamilton 2013). Within the Council's structure, this was formally linked to Directorate General I - Human Rights and Rule of Law, the Information Society and Action Against Crime Directorate, and the Action Against Crime Department. It now seems very appropriate that the Platform is linked to Directorate General II – Democracy, the Directorate of Democratic Citizenship and Participation, the Education Department, the Education Policy Division, and Education for Democratic Citizenship and Human Rights initiatives. This emphasis on Democracy, Democratic Citizenship and Human Rights resonates with the approaches of the Platform.

(See *Ethical Principles* document, par.1.1.1, 1.1.2, 3.4-3.7)

### **The Broader Context for All Member States of the Council of Europe**

Although the Platform prefers the term 'ethics, transparency and integrity' and focuses on the Council of Europe's Member States, the work of the Platform links with the worldwide concern with corruption in education, and the need for active responses to this. For example, a key background reference such as Transparency International's 2013 Report is

on 'Global Corruption' in Education (Transparency International 2013). Another interesting example of worldwide emphasis on relevant issues (in this case for higher education) which appeared during the work of the ETINED Working Group is the September 2014 Poznan Declaration by the Compostela Group of Universities (Compostela Group of Universities 2014). This group has c.70 universities as members from across the world (although over 20 are from Council of Europe countries).

In considering the broader context for the development of the Platform, the presenters are very cautious in making any reference to terms such as 'mature' societies, and 'developing' societies (non-European) or 'transition' societies (European). However, if these terms are used at all, it must be emphasised that the issues addressed by the Platform affect not only 'developing' and 'transition' societies, but also 'mature' societies.

For example, a source such as The Boston College Centre for International Higher Education [CIHE] Higher Education Corruption Monitor in its 'Academic Corruption News' currently gives examples of corruption from 8 'mature' countries, including Western European countries, out of a total of 36 countries cited. This is significant, even if there may be an argument that the literature to provide evidence in 'mature' countries may be available more transparently (Boston College 2015). Returning to the Compostela Group of Universities, of the 23 Council of Europe countries from which members are drawn, c. half are 'mature'.

Therefore, it is particularly important to stress that the Platform is not about 'mature' societies assuming 'deficit' issues exclusive to 'transition' societies, and 'preaching' to these 'transition' societies. The issues are also relevant for 'mature' societies to consider within their own education systems.

(See *Ethical Principles* document, par.1.1.3)

### **Links with Existing Work by Other Organisations**

In developing the Platform, it is important for the Council of Europe to recognise the valuable work already undertaken by other organisations on ethics, transparency and integrity in education, and the Council should build on this in producing its own documents.

Particularly important are existing 'overview' sources, i.e. sources on the general relationship between ethical principles and ethical behaviour statements. Such sources have been produced by organisations such as the International Institute for Educational Planning (IIEP); Transparency International; the U4 Anti-Corruption Resource Centre. A particularly helpful example is Shirley van Nuland 'Teacher Codes: Learning From Experience' (van Nuland, IIEP 2009), but other sources from these organisations are referred to in the *Ethical Principles* and *The Ethical Behaviour of All Actors in Education* documents.

Also particularly important are existing 'statement' documents, i.e. documents which combine statements on ethical principles and ethical behaviour. There are such sources from Education International (EI); The International Association of Universities – Magna Charta Observatory (IAU-MCO); UNESCO's European Centre for Higher Education (UNESCO-CEPES); UNESCO; The European Commission; national organisations such as The General Teaching Council for Scotland (GTCS). A particularly helpful example is the Education International *Declaration on Professional Ethics* (2004), but again other important

examples from the organisations listed above are referred to in the *Ethical Principles* and *The Ethical Behaviour of All Actors in Education* documents.

While recognising the importance and quality of such existing sources, the ETINED Working Group took the view that the Council of Europe should generate its own new text, with a distinctive emphasis on ‘public responsibility’ of actors in education. It is particularly important for this text to cover not just schoolteachers and higher education (HE) lecturers, i.e. educational professionals, but the wider range of actors in education.

(See *Ethical Principles* document, par.2.2.1-2.3.3, 4.2.1-4.2.5, 4.3.1-4.3.8)

### **‘Ethical Principles’ and ‘Ethical Behaviour of All Actors in Education’**

In developing the Platform, it is important to explore the relationship between statements on ‘Ethical Principles’ and statements on ‘Ethical behaviour of actors’. Distinctions are normally drawn between these two types of statements.

‘Ethical Principles’ statements are generally high level statements, providing ‘headline summary’ themes for subsequent ‘Ethical behaviour’ statements. They refer to ‘beliefs’, ‘norms’, and ‘values’.

‘Ethical behaviour of actors’ statements provide much more specific guidance on the conduct and practices expected of actors. They refer to ‘ethical rules’, ‘principles of professional practice’, ‘rules of professional practice’, ‘codes of conduct’, ‘standards of professional conduct’.

Particularly valuable sources for exploring such distinctions are three publications by the IIEP: Shirley van Nuland ‘*Teacher codes: learning from experience*’ (van Nuland, IIEP, 2009); Muriel Poisson ‘*Guidelines For the design and effective use of teacher codes of conduct*’ (Poisson, IIEP, 2009); Pippa McKelvie-Sebileau ‘*Patterns of development and use of codes of conduct for teachers in 24 countries*’ (McKelvie-Sebileau, IIEP, 2009). Indeed, most of the phrases used as examples above come from these three IIEP sources.

The connections with these sources are developed further in Ian Smith’s 7<sup>th</sup> Prague Forum Parallel working group session Case-study on Ethical behaviour of all actors in education ‘Developing an “Ethical Behaviour of All Actors in Education” document for the Council of Europe’s Pan-European Platform on Ethics, Transparency and Integrity in Education’ (Smith 2015). Underpinning these current overall references are fuller references to the three IIEP publications in the *Ethical Principles* document.

However, although distinctions can be made between the two types of statements (‘Ethical Principles’ and ‘Ethical Behaviour’), there is a close connection between ‘high level’ Ethical Principles statements and subsequent development of Ethical Behaviour statements. Indeed, both can be included in one document, and this is the case for many documents produced by other organisations (see *Ethical Principles* document, par.4.3.1-4.3.7). Although two separate documents have been produced for the Platform, the detailed Ethical Behaviour statements in the *Ethical Behaviour* document have been presented under the overall headings of the Ethical Principles (see *Ethical Behaviour* document, par.3.2).

(More generally for this section, see *Ethical Principles* document, par.4.1-4.2.5)

## **Ethical Principles**

In defining, grouping and sequencing Ethical Principles for Education, the position proposed for the Platform is that:-

All actors involved in education should show an unswerving personal commitment to the following fourteen ethical principles:

- Integrity
- Honesty
- Truth
- Transparency
- Respect for Others
- Trust
- Accountability
- Fairness
- Equity, Justice and Social Justice
- Democratic and Ethical Governance and Management of the Education System and Educational Institutions
- Quality Education
- Personal and Systems Improvement
- Institutional Autonomy/Institutional Independence
- International Co-operation

(See *Ethical Principles* document, Executive Summary, par.5.2.1-5.2.14)

It is recognised that there may be some differences in type between these principles, especially between the first nine principles (up to, and including, 'Equity, Justice and Social Justice') and the remaining five (from 'Democratic and Ethical Governance and Management of the Education System and Educational Institutions'). The first nine are in a sense more fundamental, and can be applied to areas beyond education. The remaining five are more specifically education-focused. However, the view is taken for the Platform that the final five are still important principles for education.

(See *Ethical Behaviour* document, par.3.3)

Again, these issues are explored more fully in Ian Smith's 7<sup>th</sup> Prague Forum Parallel working group session Case-study on Ethical behaviour of all actors in education 'Developing an "Ethical Behaviour of All Actors in Education" document for the Council of Europe's Pan-European Platform on Ethics, Transparency and Integrity in Education' (Smith 2015).

## **Groups of Actors in Education**

In identifying and defining groups of Actors in Education, the eight groups currently covered for the Platform in the *Ethical Behaviour* document are:

- Teachers in schools
- Academic staff in Higher Education (HE)
- School pupils
- HE students
- Parents/guardians/care givers/carers of school pupils

- Parents/guardians/care givers/carers of HE students
- Employers and managers within the education system
- Relevant public officials, and the political leaders and representatives of broader civil society more generally

As discussed subsequently, there are proposals to add to these groups of Actors. However, even within the presentation of these eight groups, there have been issues for debate in the ETINED Working Group. For example, it was decided to present 'Teachers in schools' and 'Academic staff in Higher Education (HE)' separately rather than as a single group 'Teachers at all levels'. The term 'Academic staff in Higher Education (HE)' was used rather than 'HE lecturers' to ensure that the term also includes academics in largely leadership and management roles, and those in predominantly research rather than teaching roles. The term 'School pupils' (rather than 'students') was used simply to distinguish from 'HE students', and not to imply a 'dismissive' attitude to the status of school pupils. The full term 'parents/guardians/care givers/carers' was used to emphasise the complexities around which adults, in addition to biological parents, may be in formal positions in relation to school pupils and HE students. There may be particular differences between who are 'Employers and managers' in the school and HE sectors respectively. It was judged particularly important to ensure that the category 'Relevant public officials, and the political leaders and representatives of broader civil society more generally' is as wide-ranging and all-embracing as possible.

(See *Ethical Principles* document, par.5.3.1-5.3.2; *Ethical Behaviour* document, par.4.1.1-4.3)

Once more, these issues are explored more fully in Ian Smith's 7<sup>th</sup> Prague Forum Parallel working group session Case-study on Ethical behaviour of all actors in education 'Developing an "Ethical Behaviour of All Actors in Education" document for the Council of Europe's Pan-European Platform on Ethics, Transparency and Integrity in Education' (Smith 2015).

### **The Current 'Ethical Behaviour of All Actors in Education' Document and Future Developments of this within Implementation Scenarios**

The Detailed Statements on 'The Ethical Behaviour of All Actors in Education' are presented under the overall headings of the 14 Ethical Principles for Education, with the 8 groups of Actors in Education as sub-headings within each overall heading. This gives 112 separate statements

Future Implementation Scenarios include developing further 'Detailed Statements' for other Actors, especially: the wider workforce of administrative and technical support staff in education; employers and managers in the wider private business sector; and the media. These Implementation Scenarios also include producing briefer extracts/summaries of key relevant aspects of the full documents for particular groups of Actors, especially from the 'Detailed Statements' (extract/summaries which will be 'practical, concise and user-friendly guidelines and tools').

(See *Ethical Behaviour* document, Sections 3, 6 and especially 7; also par.4.2.3)

## **Wider Implementation Scenarios for the ETINED Platform on Ethical Principles/Ethical Behaviour of All Actors in Education**

In addition to the further development of the documents mentioned above, there are wider Implementation Scenarios for the Platform's approach to Ethical Principles/Ethical Behaviour of All Actors in Education.

These include using the '*Ethical Principles*' and '*Ethical Behaviour*' documents explicitly as the basis for more formal Council of Europe 'guidelines on ethical principles', rather than simply as 'background source documents'.

More broadly, the Council of Europe currently envisages the Platform as primarily a 'Human' and 'Real world' Platform, at least initially (see 'Terms of Reference' document on 7<sup>th</sup> Prague Forum SharePoint – Council of Europe 2015a). However, there is also a clear aspiration to progress website developments, linked to raising awareness, disseminating information, sharing best practice and developing expertise. The Council recognises the resource challenges, including on staffing, in developing a 'full function' website. Recognition of these challenges emphasises the attraction of collaboration with other organisations on website presence (see below).

Collaboration on websites can be part of wider collaboration through Memoranda of Understanding with other organisations working on ethics, transparency and integrity in education. Potential organisations for collaboration include the IIEP, Transparency International, and the U4 Anti-Corruption Resource Centre. Such collaboration would strengthen global action on ethics, transparency and integrity on education through partnership. Of course, it will be important to look at complementarity within partnership, e.g. when considering website developments, including between the Council of Europe's specific focus on 'Europe' (i.e., its Member States) and the wider, global remit of other organisations beyond the Council of Europe's area of focus.

Implementation Scenarios can also include a 'Council of Europe Recommendation to Member states...with a distinctive emphasis on the public responsibility of actors in education to achieve ethics, transparency and integrity in education' ('Project Proposal' document on the 7<sup>th</sup> Prague Forum SharePoint – Council of Europe 2015b). This could be issued by the Committee of Ministers.

Implementation Scenarios can also include a 'Council of Europe Charter of Ethics...which institutions/organisations could commit to and sign' (ibid.). This could be at the level of member states or at the level of institutions/organisations within states. Alternatively, such a document could be 'non-binding', not requiring formal signature. There will need to be further discussion on whether such an initiative should be a more formal binding code, or less formal Pan-European guidelines. There are precedents for such a Charter, such as the 2010 Charter on Education for Democratic Citizenship and Human Rights Education (including its Recommendation, Appendix and Explanatory Memorandum) (Council of Europe 2010).

Implementation Scenarios can also include undertaking a Pan- European study reviewing existing codes of conduct for schoolteachers, and making recommendations arising from this review (to include concrete national examples of best practice, guidelines for producing codes, and areas requiring further development). Such a study could include 4-5 'regional

roundtables' as a way of obtaining feedback on the issues from the relevant actors. This initial study would be on schoolteachers because much work on codes for this group already exists.

Subsequent similar studies could be developed on approaches to ethical behaviour statements, including codes of conduct, for other Actors in Education. This will be important, especially given the point already made that, with the exception perhaps of schoolteachers and HE academic staff, much more needs to be done on other Actors such as school pupils, HE students, parents etc., employers and managers in education, and public officials, political leaders and representatives of broader civil society more generally.

Implementation Scenarios can also include the establishment of national or regional pilot projects on ethics, transparency and integrity in education. These pilot projects could involve new developments working from the *Ethical Principles* and *Ethical Behaviour* documents, or they could involve evaluating existing developments against the approaches taken in the *Ethical Principles* and *Ethical Behaviour* documents.

### **Additional Areas for Development beyond the Ethical Principles/Ethical Behaviour Aspects**

In addition to further developments around Ethical Principles and Ethical Behaviour, the Platform will take forward developments in two other areas.

Firstly, developments will be taken forward on Academic Integrity and Plagiarism. The intention to build on the recent EU-funded project on Impact of Policies for Plagiarism in Higher Education across Europe (IPPHEAE), which focused on the EU, by expanding consideration to the '50 states party to the European Cultural Convention'. Parallel Working Group Session B includes a presentation by Irene Glendinning of Coventry University on Academic Integrity/Plagiarism, based on her work for the IPPHEAE project.

Secondly, developments will be taken forward on the Recognition of Qualifications/Accreditation and Diploma Mills. These developments will be based on the Council of Europe collaborating with the ENIC-NARIC network (ENIC refers to the European Network of Information Centres [in the European Region], and NARIC refers to the National Academic Recognition Information Centres [in the European Union]).

### **References**

Boston College Centre for International Higher Education (CIHE) Higher Education Corruption Monitor, 'Academic Corruption News', available online at <http://www.bc.edu/research/cihe/hecm/news/general.html>

Compostela Group of Universities (2014) Poznan Declaration on 'Whole-of-University Promotion of Social Capital, Health and Development', Compostela Group of Universities. Available online at <http://revistas.usc.es/gcompostela/en/activities/PoznanDeclaration.html>

Council of Europe (2010) Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education, Recommendation CM/Rec (2010)7, with Appendix and Explanatory Memorandum, Council of Europe.

- Council of Europe (2012a) General report on the 6th Prague Forum on 'Governance and Quality Education', 18-19 October 2012, Council of Europe.
- Council of Europe (2012b) Recommendation CM/Rec (2012)13 of the Committee of Ministers to member States on ensuring quality education, adopted by the Committee of Ministers on 12 December 2012 at the 1158th meeting of the Ministers' Deputies, with Appendix, Council of Europe.
- Council of Europe (2013) Final Declaration on the Conference Theme 'Governance and Quality Education' from the Council of Europe Standing Conference of Ministers of Education, Helsinki, 26 - 27 April 2013, Council of Europe.
- Council of Europe (2015a) Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED), Terms of Reference, available on 7<sup>th</sup> Prague Forum SharePoint, October 2015.
- Council of Europe (2015b) Project Proposal "Ethics, Transparency and Integrity in Education" for the Programme of Activities 2016-2017, available on 7<sup>th</sup> Prague Forum SharePoint, October 2015.
- Education International (2004) Declaration on Professional Ethics, Education International. Available online at [http://www.ei-ie.org/en/websections/content\\_detail/3270](http://www.ei-ie.org/en/websections/content_detail/3270)
- McKelvie-Sebileau, Pippa (2009) *Patterns of development and use of codes of conduct for teachers in 24 countries*, IIEP – International Institute for Educational Planning, UNESCO.
- Poisson, Muriel (2009) *Guidelines For the design and effective use of teacher codes of conduct*, IIEP – International Institute for Educational Planning, UNESCO.
- Smith, Ian and Hamilton, Tom (2013) within *Underpinning Integrity in the Albanian Education System: Compilation of PACA Outputs*, Council of Europe/European Union.
- Smith, Ian and Hamilton, Tom (2014) *Ethical Principles (for Education)* produced for the Steering Committee for Educational Policy and Practice (CDPPE), Council of Europe, December 2014.
- Smith, Ian and Hamilton, Tom (2015) *The Ethical Behaviour of All Actors in Education* produced for the Steering Committee for Educational Policy and Practice (CDPPE), Council of Europe March 2015.
- Smith, Ian (2015) 7<sup>th</sup> Prague Forum Parallel working group session: Case-studies A – Ethical behaviour of all actors in education, Developing an 'Ethical Behaviour of All actors in Education' document for the Council of Europe's Pan-European Platform on Ethics, Transparency and Integrity in Education.
- Transparency International (2013) *Global Corruption Report: Education* Available online within <http://www.transparency.org>
- van Nuland, Shirley (2009) *Teacher codes: learning from experience*, IIEP – International Institute for Educational Planning, UNESCO.