FULL TEXT FOR PARALLEL WORKING GROUP SESSION A

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'

PROFESSOR IAN SMITH, UNIVERSITY OF THE WEST OF SCOTLAND

Abstract

The development of an 'Ethical Behaviour of All Actors in Education' document for the Council of Europe is presented as a case study of some main issues in producing ethical behaviour statements for any major educational actors, whether at national or Pan-European level. This enables more detailed exploration of topics introduced in the relevant Plenary session 1 presentation. Issues include the relationship between statements on ethical principles and statements on ethical behaviour of actors, including with respect to codes of ethics/codes of conduct; defining, grouping and sequencing ethical principles for education; identifying and defining groups of actors in education; review of existing sources on ethical behaviour statements for actors in education.

Introduction, including Approach to References

This case study is based on work which the presenter, Ian Smith, has undertaken with his colleague, Tom Hamilton, 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 purpose of the case study is to explore in more detail some of the topics introduced in the joint presentation by Ian Smith and Tom Hamilton on 'An Introduction to the work on Ethics, Transparency and Integrity in Education done by the Council of Europe' at Plenary session 1 of the 7th Prague Forum, 1 October 2015.

The principal outputs of the work for ETINED 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 case study (as was the case with the Plenary 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 case study, 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.

Statements on Ethical Principles and Ethical Behaviour of Actors

In developing any initiative to produce ethical behaviour statements for major educational actors, 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.

Particularly valuable sources for exploring such distinctions are three publications by the International Institute for Educational Planning (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 below come from these three IIEP sources.

'Ethical Principles' statements are generally high level statements, providing 'headline summary' themes for subsequent 'Ethical behaviour' statements (McKelvie-Sebileau, p.19). They refer to 'beliefs' (van Nuland, p.19), 'norms' (Poisson, p.20)), and 'values' (ibid.).

'Ethical behaviour of actors' statements provide much more specific guidance on the conduct and practices expected of actors. They refer to 'ethical rules' (van Nuland, pp.40-41), 'principles of professional practice' (ibid.), 'rules of professional practice' (ibid.), 'codes of conduct' (van Nuland, p.20, Poisson, p.16), 'standards of professional conduct' (Poisson, pp.22-23, p.51).

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). A particularly helpful example of this is the Education International (EI) *Declaration on Professional Ethics* (Educational International 2004).

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).

In developing the ETINED materials, it is also important to remember that there was CDPPE guidance not to be 'over-philosophical' in the approach to, and presentation of, such issues (to assist with documents being more 'user-friendly' for wide audiences). Therefore, in producing such materials, the key point was to ensure that there is a close connection between the Ethical Principles and Ethical Behaviour statements, rather than spending excessive time debating fine distinctions between Ethical Principle and Ethical Behaviour statements respectively.

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

Defining, Grouping, and Sequencing Ethical Principles for Education

In defining, grouping and sequencing Ethical Principles for Education, the position proposed for the Council of Europe 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.

For example, the principle of International Co-operation involves all actors in education recognising the importance of positive international collaboration in education activities (Ethical Principles, p.30, par.5.2.14). This means that for HE academic staff the 'main motivation in International Co-operation…should be the disinterested exchange of ideas etc. as part of the world community of scholarship. The main motivation should not be the commercial marketization and commodification which sees institutions' ''internationalisation'' objectives as essentially about income generation through recruitment of international students' (Ethical Behaviour, p.52, par.7.14.2).

Other issues to be highlighted with the presentation of the Ethical Principles include the following:-

In some senses, Integrity is an 'overarching' or 'underpinning' principle.

The 'Quality Education' principle appears quite far into the list of fourteen principles, indeed as the eleventh principle in the list. The 'Quality Education' principle is in this place because it is more a specifically 'education' principle (see above). This is not intended to diminish the over-arching importance of the commitment to quality education which underpins initiatives such as the ETINED Platform.

The principle of 'Equity, Justice and Social Justice' is complex, but it is addressing aspects which should apply universally, rather than being simply the expressions of particular political viewpoints. For example, it involves the broad approach to non-discrimination embodied in the European Convention on Human Rights.

(See Ethical Behaviour document, par.3.3, for the issues discussed in this section)

Identifying and Defining Groups of Actors in Education

In identifying and defining groups of Actors in Education, the eight groups currently covered for the Council of Europe 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 developing the ETINED Platform.

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'. This is partly to recognise the specific research-related issues which affect HE staff. The term 'Academic staff in Higher Education (HE)' is 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') is used simply to distinguish from 'HE students', and not to imply a 'dismissive' attitude to the status of young people in the school sector.

Although HE students are presented as a separate group, it is important to remember that these students are joint members of the HE academic community with academic staff, and in this sense could almost be presented jointly with them.

It is also recognised that there are many other 'learners' in many less formal and informal 'learning settings', although the decision was made to concentrate for the present on school pupils and HE students who have more formal status within their respective organised educational institutions.

The full term 'parents/guardians/care givers/carers' is used to emphasise the complexities around which adults, beyond biological parents, may be in formal positions in relation to school pupils and HE students (although this full term is abbreviated subsequently here, and in the *Ethical Behaviour* document, to 'parents etc.' to avoid the constant repetition of the full phrase).

It is also crucial to distinguish between the parents etc. of school pupils and those of HE students. Indeed, parents etc. of HE students are essentially only included to make the key point that they should not interfere inappropriately in their child's HE education because the HE institution's relationship is with the student as full adult members of their HE communities, not with their parents etc..

There may be particular differences between who are 'Employers and managers' in the school and HE sectors respectively. In HE, employers will more normally be the HE institutions themselves, and mangers will be internal to the institutions. For schools, relevant public officials from local or central government are more likely to have employer and manager roles, certainly for the public education system.

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. For example, public officials can act not just as employers (see above), but they can also work in inspection and quality assurance of educational institutions, and also be involved in policy formation and advice to elected politicians at the highest level. It is particularly significant to include within 'representatives of broader civil society more generally' such individuals as the representative leaders of national parents' associations, or of national charities working on child welfare issues etc.

As part of the Platform, it is proposed to develop 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.

(See *Ethical Principles* document, par.5.3.1-5.3.2, and especially *Ethical Behaviour* document, par.4.1.1-4.3, for the issues discussed in this section)

Existing Sources on Ethical Behaviour Statements for Actors in Education

As is detailed extensively in the *Ethical Behaviour* document, par.5.3, 5.4.1-5.4.7, there are significant issues with existing sources which may be reviewed for Ethical Behaviour statements for any actors beyond schoolteachers and HE academic staff. Particularly, these include the following for:-

School pupils

There are existing major international documents dealing with the rights of school pupils, and the obligations on other actors such as public authorities to respect and promote these rights. This emphasis on pupils' rights is, of course, entirely appropriate. However, similar sources were not found giving detailed and extensive statements on the responsibilities of school pupils.

<u>HE students</u>

Similarly, existing major international and national documents on HE students deal extensively with student entitlements and rights. Again, of course, it is entirely appropriate to emphasise student entitlements and rights. Once more, however, while some relevant documents make reference to student responsibilities, these references are limited, and do not provide extensive statements on student responsibilities.

<u>Parents/guardians/care givers/carers</u>

Again, on parents/guardians/care givers/carers, sources at international level and national level make some references to parents' responsibilities, but these documents generally focus on the entitlements and rights of parents etc. of school pupils. Once more, this emphasis on the entitlements and rights of parents etc. to be involved in the school education of their children is entirely appropriate. However, such sources do not offer full statements on parental responsibilities as a basis for detailed 'Ethical Behaviour' statements.

The above comments relate to the parents etc. of school pupils. As already explained, it is appropriate that there is no literature detailing the rights of parents etc. in HE because they have no formal locus in HE. However, there also appear to be no sources which provide sufficiently robust extended statements explicitly emphasising that inappropriate attempts by parents etc. to interfere in the HE experiences of their children are unethical.

<u>Employers and managers within the education system</u>

No major international sources were found which detail overall 'ethical behaviour' responsibilities of employers and managers in the education system, as opposed to documents which simply address policies relevant to senior employers and managers (even if these policy areas are themselves wide-ranging and important).

<u>Public officials, and the political leaders and representatives of broader civil society more generally</u>

The Council of Europe itself has produced a number of documents which may be of some relevance here. However, most of these were produced several years ago. A number of them relate to public responsibility generally, and not to responsibility for education specifically. Some relate to responsibility for HE specifically, but not for education more generally. All tend to focus on public officials or elected representatives in central and local government, and do not extend in the same way to relevant representatives of broader civil society more generally (such as the representative leaders of national parents' associations etc.).

The general implications of this summary review for the Platform's *Ethical Behaviour* document is that there are significant 'gaps' in existing sources on Ethical Behaviour statements for the above groups of Actors in Education.

The Platform's *Ethical Behaviour* document attempts to address these gaps by including an emphasis on:

• the responsibilities of school pupils, HE students and the parents etc. of school pupils;

- the ethical obligation of parents etc. of HE students not to interfere inappropriately in the HE experiences of their children;
- extended statements of the ethical behaviours expected of employers and managers in education;
- updated comprehensive statements of the ethical behaviours expected of all relevant representatives of broader civil society, as well as of all public officials and political leaders with responsibilities for any part of the education system.

The resulting Council of Europe document is seen as distinctive because of its emphasis on 'public responsibilities' and because it aims to include all main Actors in Education in one *Ethical Behaviour* document.

(See *Ethical Behaviour* document, par.5.3, 5.4.1-5.4.7, for detailed references to the specific documents of international and national organisations which illustrate the points made in this section.)

Some Discussion Questions

The presenter concluded the working group session by leaving participants with the following four questions to reflect on:-

1. How should we relate statements on Ethical Principles for Education and statements on Ethical Behaviour of Actors in Education?

2. How should we define, group and sequence Ethical Principles for Education?

3. How should we identify and define Groups of Actors in Education?

4. What are the implications of a review of existing sources from other organisations for the development of Council of Europe statements on the Ethical Behaviour of All Actors in Education?

References

Education International (2004) Declaration on Professional Ethics, Education International. Available online at 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 (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.

van Nuland, Shirley (2009) *Teacher codes: learning from experience*, IIEP – International Institute for Educational Planning, UNESCO.