



CoE/EU Eastern Partnership Programmatic Co-operation Framework (PCF)  
Strengthening capacities to fight and prevent corruption in Azerbaijan  
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## Training of trainers Workshop on Ethics

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# Aims of the workshop

- To clarify CSE trainings objectives for face-to-face trainings
- To work out CSE training curricula for 1/2, 1 and 2 days trainings
- To agree on training topics and appropriate methods
- To work on training materials, e.g. small lectures
- To choose evaluation tools

Not to prescribe but support.

# What is public service ethics?

## H. Whitton

- PSE is concerned with the use (and abuse) of the power of the State, under law, by public officials.
- **‘Professional Ethics for Public Officials’** concerns:
  - Standards - the ‘Rules of the Game’
  - Role-ethics, in a democratic governance
  - ‘Core Values’ — from law/Constitution, organisational mission, Govt policy, culture.
  - Conflicting values and objectives, legitimacy
  - Judgment, and justification
  - The central problem of the use of discretion by non-elected officials

# Aims of ethics trainings

- One of the purposes of public service development activities is raising professionalism of civil servants. In the contemporary world professionalism embeds three equally important parts: **knowledge, skills, and attitudes**.
- Usually it is recognised that **knowledge** and **skills** are important for **good performance** at the workplace. Less attention has been paid to **attitudes**, in other words to **civil service principles, values, and ethics**.

# Objectives of CSE trainings

To increase professionalism with CSE trainings:

- What knowledge to deliver?
- What skills to develop?
- What attitudes to change?
- What civil service strategic aims to fulfil?

# The Law of the Republic of Azerbaijan On the Code of Ethics and Conduct of Civil Servants

## *Objectives of the Law*

- 2.0.1. to increase and strengthen the prestige of state agencies and civil servants, to increase the confidence of citizens in state agencies and civil servants;
- 2.0.2. to increase the efficiency of the work of state agencies and civil servants;
- 2.0.3. to prevent corruption in state agencies and conflict of interests in activities of civil servants;
- 2.0.4. to ensure observation of norms of ethical conduct by civil servants;
- 2.0.5. to increase awareness of citizens about expected conduct of civil servants;

OBJECTIVES OF ETHICS TRAININGS!

# Assessment of training needs

- a) General risk-assessments in public administration
- b) implementation plan of the anti-corruption or public service development strategy
- c) surveys of problems or attitudes in public service
- d) feedback of training needs in organisations
- e) problems raised in media
- f) international studies and surveys

# Objectives of CSE trainings

- CSE trainings
  - Target groups?
  - Number of trainees, trainings per month, per year?
  - Central coordination vs organisational needs?



# Current situation

- What materials already exist?
  - *Dövlət Qullugunda Etika*
  - .....
- How many trainers practice? Their experiences?
  - What materials would be needed to support trainers?

# Action plan

- What is the aim of trainings?
- What CS should know after the training?
- What CS should do differently after the training?
- What are the main problems need to be addressed?
- list of cases

# Content of CSE trainings

- Public and private roles, the role of civil servant
- Values of civil service, ethics code
- Conflict of interests, corruption
- Development of ethical competences
- Importance of organisational culture, other influences

# The Law on Rules of Ethics Conduct of Civil Servants

- Honesty (4)
- Respect for rights and freedoms of individuals and legal persons (8.1)
- Civilised behaviour (9)
- Loyalty (6)
- Obedience (10)
- Transparency (7.3, 17.1)
- Confidentiality (8.3, 17.2-3)
- Impartiality (11)
- Conflict of interest (15)
- Receipt of gifts and benefits (12, 13.1, 14)
- Use of public property (16)
- Public/political activity (18)
- Incompatibilities (revolving doors) (23)

# Typology of integrity violations

L. Huberts

- Corruption: bribing
- Corruption: favouritism (family, friends, party)
- Fraud and theft of resources
- Conflict of (private and public) interest through gifts
- Conflict of (private and public) interest through sideline activities
- Improper use of authority
- Misuse and manipulation of information
- Indecent treatment of colleagues or citizens and customers
- Waste and abuse of organisational resources
- Misconduct in private time

# Ethics related problems in civil service (last seminar)

- Superficial attitudes to citizens, colleagues and their problems
- Lack of motivation
- Fair evaluation of work
- Lack of responsibility
- Meaningful work, lack of understanding tasks of your job
- Conflict of interest; lobbying
- Misunderstanding between citizens and civil servants
- Misuse of information and public resources
- Low feedback of society to civil service
- Knowing rights by civil servant

# Content

- 1/2 day
- 1 day
- 2 days
- Indoor trainings
- Central trainings

# Methods

- Introducing and explaining — lecturing
- Discussions, case-studies
  - a case description
- A role-playing games
- 'Ethical competence' using video-case scenarios
- Independent moral judgment: value-deliberation



# Small lectures

- a) Provisions in legal acts influencing discretion and decision-making of civil servants
- b) Purpose and provisions of codes of conduct
- c) Good governance, corruption, transparency, trust, efficiency
- d) Reason of involvement and confidence of citizens
- e) Other important topics

# Topics for groups

1. **Conflict of interest** (2.0.3. preventing corruption in state bodies and conflict of interests)
2. **Superficial attitudes towards citizens and colleagues** (2.0.1. increasing the prestige)
3. **Misuse of public resources** (2.0.2. increasing efficiency)
4. **Rights of civil servants** (2.0.4. & 2.0.5. expected conduct of civil servants)

# Grey areas

- Sometimes civil servants face the situations or so called 'grey areas' where clear-cut or ready answers do not exist.
- In these cases, every civil servant has to **'invent' the solution.**
- Ethics trainings should give an approach to resolve the dilemma and to come to the right decision.

# A good professional's ethical skills

- Awareness of the existing norms and the ability to apply them;
- Ability to critically analyse the content and nature of these norms; and
- Ability to understand the deeper significance of the values and concepts underlying the norms.

# Cases as a core of trainings

- Surveys
- Newspapers
- Broadcasts
- Court cases
- Internal audit (cooperation!)
- Participants

# What to do with cases?

Cases can be discussed from two perspectives:

a) From the perspective of a particular actor — civil servant, manager, head of the division... In that case, the aim is to offer the solution that would meet requirements of that particular organisation.

b) As a general problem of civil service where certain civil service values, codes or laws are breached. In that case general conclusions can be drawn.

In both cases steps to be followed are the same, normative documents and depth of decision is different.

# Questions for solution

1. Think about the possible parties who may have an interest in this case: an individual public servant, a manager/supervisor, head of the department/organisation, internal audit officer.

From whose point of view you start to solve the problem?

2. Think about the current role in what you have to make the decision:

as a civil servant?

as a ministerial employee?;

as a specialist in the specific field?;

as a representative of the board or inspectorate?

or someone else?



3. Think about the type of violation

a. Is there any law is breached? Which one?

b. Is there any code is breached? What particular principles or values from the code are breached?

c. Think about other regulations applicable to that situation — do you get an answer about the right decision?

i. Ministerial regulations

ii. Organisational regulations

iii. Professional regulations (codes of professional societies, international codes of professional organisations etc)

NB! There might be situations, which are not addressed by any existing norm.

4. Taking into account norms of proper behaviour what would be the best solution to the given situation from different perspectives of interested parts?

How to justify those solutions?

If you would have to justify that decision for the media, could you do that?

5. What could be done to avoid that kind of problems in the future?

Think about the personal perspective, the organisational perspective, and others.

Trainers techniques and  
tools, interactive methods

# Interactive approach

- The main aim of ethics and integrity trainings for public officials is to avoid corruption and to provide good public service.
- Contemporary professional training methods emphasise on active training methods, based on discussions, case studies, and analyse.
- In the focus of trainings is an individual professional with his/her problems and needs.

- In the beginning of training, ask participants to emphasise on problems **they** face in their everyday work.
- Initiate a discussion what problems are connected to the civil servants personal decision-making and what problems are out of the scope of that discussion (problems of the low salary, management, personal qualities of supervisors etc)
  - That exercise helps to sort out problems what can't be addressed during the training
- Ask participants to bring examples, cases where it was difficult to make a decision.
  - That exercise helps participants to link topics of the discussion with their everyday activities

- Ask participants to list laws that regulate their working life as an official
- Ask participants to list other regulations that regulate their working life as an official
  - The Law of the Republic of Azerbaijan on the Code of Ethics and Conduct of Civil Servants
  - Ministerial regulations
  - Other documents
    - That exercise helps to remind relevant laws and regulations which should be familiar for civil servants
- Ask participants to find a solution to the dilemmas by using dilemma-resolving approaches
- Don't forget to provide answers, explanations and reasoning on the basis of laws, principles or values.

Frequently, we see that professional integrity is understood in a purely formal way, as mere compliance with norms and regulations. A civil servant should learn to apply certain mechanisms for resolving dilemmas. The training will provide steps of resolving ethical dilemmas.

- Different approaches can be used for resolving dilemmas.



# A good case

- Identify cases that contain a realistic ethical dilemma
- Develop cases that can be used to teach and learn ethics
- Distinguish between cases that emphasise ethical decision making and those that emphasise ethics management

# Learning with cases

- Bringing abstract concepts down to earth
  - Trust, integrity, ethics, public interest
- Bring context to bear on a situation
  - Crucial to an in-depth understanding of a difficult ethical situation
- Learn by discovery
  - Emphasis is on trial and error, self-analysis, active learning when in a group setting
  - Engagement with ideas and other learners
  - Fosters ability to “connect the dots”
  - Develops a holistic understanding of the subject area

# Use of cases

- Reality matters — context is significant
- Holistic thinking
- Deeper understanding of ethical issues
- Learn from others
- Application of knowledge to practical situations
- Develops trainees' ability to use their imagination

# Ethical dilemmas

- The main aim of the trainings is not to give the ready-made answers to participants, but to teach them to use tools of ethical decision-making and to seek an answer to ethical problems they face in they working life in civil service.
- Answering step by step to the consequential questions, it should help to come to the appropriate answer in dilemma cases
  - ask relevant questions, separately, and
  - consider the answers together.

# Five steps

1. Relevant facts
2. Relevant civil service ethics principles
3. Other ethics standards
4. What is important?
5. Test assessment

## 1. Facts

- What is known about this matter? What is not known about this matter, which I need to know? What assumptions I make?

## 2. Principles

- What ethics principles are relevant in some way to this particular case?

## 3. Other standards

- What other ethics standards are relevant in this particular case?

## 4. Importance

- Is the conduct (etc) in this case consistent with what is required by each of the relevant ethics principles and standards?

## 5. Test

- Am I comfortable with my assessment of the conduct in this case ?

# The general idea is to understand

- 1) what circumstances or facts are relevant in that case;
- 2) what norms are applicable;
- 3) what is the possible solution;
- 4) what happens when that solution is implemented into practice.

According to this approach, the logic of trainings remains the same with different target groups, but it is filled with specific content according to the target group problems and norms of ethical behaviour.

Example: conflict of interest



# Topic 'Conflict of interest'

<b>outline</b>	<b>methods</b>	<b>tools</b>	<b>time (min)</b>
<b>facts, cases</b>	a case, "unwritten contract"	short film, multimedia	10
<b>formal and informal norms</b>	discussion	whiteboard	10
	questions/answers		5
<b>conflict, problem</b>	small lecture on conflict of interest	presentation	10
	q/a		5
<b>resolving the conflict</b>	group work, brainstorming		10
	results of group-work	whiteboard	10
<b>solutions, outcomes</b>	q/a		5
	small lecture of risks of Col	presentation	10
	q/a		5
<b>time for the topic</b>			<b>75</b>

# Article 15. Prevention of conflict of interests

15.1. Civil servant shall not allow conflict of interests while performing his/her service duties and shall not illegally use his/her service authorities for his/her private interests.

15.2. In case of contradiction between service duties and private interests of civil servant he/she under the legislation must give information on the character and volume of the conflict of interests when recruited to civil service, also including future period.

15.3. Civil servant shall inform the head of the state body in cases where offers of new position may cause conflicts of interest. After civil service termination, the civil servant can not be recruited to the departments, organisations, enterprises or their branches he/she controlled during previous performance within the period determined by the legislation.

15.4. Civil servant shall implement other actions provided for by the legislation to prevent conflict of interests.

15.5. While appointed to the position, as well as during all the following period, civil servant shall know ethics rules, and standard legal acts and acts of the standard character on fighting against corruption and prevention of conflict of interests. He/she shall apply to his/her direct or superior supervisor for any questions regarding the observance of these acts if they arise.

# Types of Col

- Self-dealing:
  - Using official position to secure a contact for a private consulting company of your own. Another instance is using government position to get a job for your daughter.
- Accepting benefits:
  - Bribery is one example; substantial gifts are another. For example, you are the purchasing agent for your department and you accept a gift from a major supplier.

# Col

- Influence peddling:
  - The professional solicits benefits in exchange for using her influence to unfairly advance the interest of a particular party.
- Using your employer's property for private advantage:
  - This could stealing office supplies for home use.
- Using confidential information.
  - While working for a private client, you learn that the client is planning to buy land in your region. You quickly rush out and buy the land in your region. You quickly rush out and buy the land in your wife's name.

# Col

- Outside employment or moonlighting.
  - Setting up a business on the side that is in direct competition with your employer (“if you use my company, I am sure that you will pass the environmental review.”)
- Post-employment.
  - A person who resigns from public or private employment and goes into business in the same area. For example, a former public servant sets up a practice lobbying the former department in which she employed.

Kernaghan, Langford

# Let's practice

- Topics and cases
  - Conflict of interest
  - Superficial attitudes towards citizens and colleagues
  - Misuse of public resources
  - Rights of civil servants

1. S is responsible for identifying and approving a vendor for car repair services for the Public organisation. S has included in the potential vendor list only two repair companies: A and B. Evaluation of A revealed that A has equipment enabling to provide high quality machine cleaning. A is competitive in both price and time. V, who is S's brother in law, is employed in A as a technician. Company A has a bonus incentive plan – it pays bonus to employees who find new customers and pays a bonus to employees based on profit sharing. V will receive a bonus, if his relative decides to select A. B's equipment is old and outdated, however the service is competitive. S decided to select A.

Was it a right decision?

2. Rude relations among the staff members are not rare. Managers treat rudely their subordinates as they think that this kind of behaviour is justified as they have higher positions. During one case a young specialist opposed that kind of behaviour of his manager and expressed that publicly but politely. A manager started to punish and reprimand him, regarding to a deficit in the preparation of documents by the specialist.

Was it a right decision?



3. Public finance organisation hires a new general director, who has her own consulting business. The business provides management services and leadership training to people in the same industry. During negotiating the employment agreement, candidate expressed that she desires to maintain her consulting business and the organisation agrees as long as this business does not distract her from full time commitment to the organisation and the consulting business does not perform any services for, nor enter into any contract with the organisation. These conditions were clearly presented in the employment agreement. During the next year she attends three management/leadership trainings, one for a week, another two for three days and public organisation covers her travel and lodging expenses. One event takes place in the country and two others outside the country. She uses that knowledge for facilitating new training programs for her own company.

How organisation should act?

4. The department manager asked S to deal with a task in relation to a contract in a way that S is uncomfortable with. Carrying out the task in this way seems wrong to S and he believes the approach being suggested by the manager may even be illegal from some perspective. S has been thinking to ask for advise from a senior manager in another department, but he is not sure about that. S feels that he should tell someone who could look at the circumstances objectively, but he is afraid that his line manager will make his job difficult for him and possibly take him off the contract if he finds out that S has spoken to someone else.

What S should do?

# Outcomes of trainings

1. To know ethics provisions in ethics law.
2. To remember laws that regulates the work of civil servants and public officials.
3. To develop a problem/dilemma resolving skills on the basis on codes and legal acts.

Assessment, testing: *pass/failure?*

# Aim of evaluation

- Evaluation of impact of the training events or programmes is very valuable for strategic planning.
  - What information you need?
  - What information you can get?

# Evaluation

- Evaluations of the ethics training is extremely important, but is often overlooked.
- Evaluation:
  - Course in general — its novelty, practicability, correspondence to the aims and expectations—refining the course structure and content.
  - Trainer's professional skills (questionnaire or at the closing round of discussion, or both).

# Two-sided evaluation

- trainer
  - a report to evaluate main elements of the training and to recommend how to continue ethics training in a more effective manner
- trainees
  - new knowledge and skills?
  - feedback to trainer
  - practicability?

“Although there is not always only one morally acceptable way of acting, in every moral situation there are always morally better and morally worse ways of acting.”

–Bernard Gert