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**Maria Golubeva, Valts Kaniņš**

**Volume 4**  
Codes of conduct  
for teachers in Europe  
A background study

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

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Maria Golubeva, Valts Kaniņš

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# Executive summary

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**T**his study provides an overview of the current situation in Europe regarding the use, implementation and possible impact of codes of conduct for school teachers.

Codes of conduct are instruments that formulate positive ethical principles for the profession and provide specific guidance on the conduct and practices expected from teachers. Some countries in Europe have a lot of experience in implementing such codes; in other countries codes of conduct for teachers are still new or have not yet been introduced. Currently, codes of conduct for teachers exist at national level in at least 19 countries that are party to the European Cultural Convention. In some countries they are developed and adopted at government level, but in a number of countries they are produced by professional bodies of teachers and other educators.

The policy framework for implementation, monitoring and possible disciplinary action based on the code differs to a great extent between countries. In countries where they have the most impact, the codes and the related implementation measures guide, support and professionally socialise teachers. In particular they help to introduce new teachers into the profession and encourage them to adhere to the highest professional standards and to commit to their mission. Codes are also used as a means of communicating the profession's standards to other key stakeholders – students, their parents and society at large. The codes also address the relationship between teachers and these stakeholders.

The successful implementation of codes of conduct closely depends on the methods of developing and disseminating codes and the extent to which they are geared towards the real experiences and circumstances of the teaching profession. Factors determining the impact of a code include: (a) stakeholder involvement in the development of the code, (b) the integration of dissemination activities into the education, training and professional review of teachers, (c) the organisation of practical workshops and seminars for teachers, and (d) the involvement of the professional bodies responsible for the code.

If codes are used as a reference for monitoring compliance, it is important that provision be made for complaints to be submitted about serious misconduct and that disciplinary procedures be fair and conducted by professional bodies involving members of the profession. Regular review of the code helps to ensure that it is kept up to date and remains relevant in a changing educational environment.

In a number of countries, challenges subsist in ensuring that members of the teaching profession take ownership of the code and that the code is embedded in the professional culture of teachers. It is crucial to obtain the participation of key stakeholders, especially teachers, in the development and review of the code and to ensure that the content of the code fits the professional culture of the education community and the policy environment within which teachers and schools operate.

Codes help to strengthen the principles of professionalism and responsibility, especially in countries where they build on a strong pre-existing professional culture. This is why helping to develop a professional culture among teachers is a primary concern and can encompass other instruments besides the code.

# 1. Introduction and background

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Codes of conduct for schoolteachers are found in many countries. Some countries have a lot of experience in implementing such codes. In other countries, such codes are still a relative novelty. Codes differ in their level of detail, degree of reliance on sanctions, and the extent of the profession's involvement in their development, implementation and review. However, most of them tend to serve a similar set of purposes.<sup>1</sup>

- ▶ Codes are expressions of the profession's values and principles. To a greater or lesser degree they may also contain specific rules based on values and principles. Ideally these values and principles are established in ways that allow the profession itself to define them and feel true ownership of the code, even though top-down value-formation is also common.
- ▶ Codes strengthen the ethics of the teaching profession and improve the quality of teaching. Particularly in countries that show significant weaknesses in upholding professional standards among teachers, codes and their implementation measures can be tools for changing the professional culture. In such contexts, the goal can be to achieve a transition from externally set values and principles to internalised ones. Codes are also a means of making sure that teachers, whose conduct and understanding may not be entirely satisfactory, realign with good standards, possibly even without being subject to repressive measures.
- ▶ Adherence to the code will improve the education experience for students and their parents, since stronger teacher ethics will reduce the risk of exposure to discrimination, harassment and other misconduct.
- ▶ Codes and their implementation measures guide, support and professionally socialise teachers. In particular they help to introduce new teachers into the profession and encourage them to adhere to the best professional standards and to commit to their mission. All in all, codes strengthen the professional *esprit de corps* among teachers and other school staff.
- ▶ Codes are also regulatory tools that prescribe standards of conduct often backed by legally established sanctions, inquiry and investigation procedures, and monitoring and enforcement bodies. Despite the widespread and well-grounded opinion that repression should not be the primary means of implementing a code of conduct, the importance of enforcement is widely acknowledged in many countries of the region.

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1. The list of purposes is partially based on Muriel Poisson (2009), *Guidelines for the design and effective use of teacher codes of conduct*, UNESCO, IIEP, pp. 16 and 17, available at <http://unesdoc.unesco.org/images/0018/001850/185010e.pdf>, and McKelvie-Sebileau P. and Poisson M. (2011), *Patterns of development and use of codes of conduct for teachers in 24 countries*, IIEP, pp. 18 and 19, available at <http://unesdoc.unesco.org/images/0019/001923/192392e.pdf>.



- ▶ Codes are a means of communicating the profession’s standards to other important stakeholders – students, their parents and society at large. The codes also address the relationship between teachers and these stakeholders.<sup>2</sup> With the help of codes, stakeholders learn the standard of conduct that the teaching profession must adhere to. Consequently, well-implemented codes may strengthen public trust in the profession and improve its reputation.
- ▶ Codes are a flexible means of tackling new challenges and reflecting changes in the education environment, such as the growing importance of online communication and evolving beliefs in communities about what is or is not legitimate practice, for example, regarding private tutoring by teachers.

Since codes differ in their level of detail, degree of reliance on sanctions and the extent to which they make use of the internal guiding principles of the teaching profession or external controls, several typologies of codes of professional ethics and conduct exist. The most basic typology divides them into “aspirational” (stating the ideals and guiding values of the profession), “educational” (explaining how to match professional practices to values and principles) and “regulatory” (providing detailed enforceable rules). Frankel (1998) rightly notes that a regulatory code implies a monitoring system and sanctions for non-compliance<sup>3</sup> (which is not the case in some countries with teachers’ codes aiming to be regulatory, but not monitored in practice).

The effectiveness and impact of codes largely depend on their successful implementation. According to a review of existing codes and academic literature, support in the form of workshops, collective development and broad dissemination of handbooks, as well as discussions of the principles presented in the code in a wider context (versus isolated discussions of the code), can be cited as instances of successful implementation.<sup>4</sup>

It is, however, important to note that the scope and quality of such interventions matter. Thus, in one instance, a successful handbook to guide the implementation of the code was developed through workshops with 400 representatives of teachers’ unions and local education departments.<sup>5</sup> In the European region, there are few examples of this scope.

According to a survey of teachers, teacher trainers and other key stakeholders by the International Institute of Educational Planning (IIEP),<sup>6</sup> the key features of successful implementation of a code of conduct for teachers are as follows.

- ▶ The involvement and consultation of all actors.
- ▶ More active dissemination, such as consultations with key actors and the organisation of workshops, possibly through multiple sources, so that all key groups are aware of the existence and content of the code.

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2. Van Nuland S., with Poisson M. (2009), “Teacher codes: learning from experience”, *Literature review*, IIEP, p. 7.

3. *Ibid.*, p. 34.

4. *Ibid.*, pp. 63-66.

5. *Ibid.*, p. 63.

6. McKelvie-Sebileau and Poisson (2011), *op. cit.*, p. 41.

- ▶ The inclusion of the code in teacher training and its dissemination to existing teachers.
- ▶ The use of appropriate sanctions for teachers who do not respect the code and allowing multiple actors to register complaints (head teachers, parents, students, other teachers and administrative authorities).
- ▶ The support of the teachers' unions, which can also apply sanctions.
- ▶ The allocation of resources and adequate legal support to ensure the correct implementation of the code.

ETHICS

## 2. Objectives and methodology of the study

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This study focuses on codes for teachers in countries that are party to the European Cultural Convention. The objectives of the study are:

- ▶ to assess the impact, on the ground, of codes of conduct for teachers;
- ▶ to identify gaps and challenges but also good examples and success stories stemming from the implementation of codes of conduct;
- ▶ to suggest preliminary guidelines that could serve as a reference point for a possible recommendation to member states on ethical principles in education.

The initial methodology of this study was based on secondary analysis of codes of conduct, legal acts, reports and studies. It soon became apparent, however, that the information available online would not enable researchers to assess the impact, on the ground, of the codes of conduct. Academic articles assessing the impact of codes of conduct in the region are not available, and the only studies and literature reviews that offer a systematic approach are those by UNESCO (IIEP). However, little of the evidence there comes from the European region.

The methodology was therefore modified to include interviews with national experts in a sample of countries where national-level codes of conduct for teachers have existed for at least two years or, for contrast, where only school-level codes exist.

As a result, the current study was undertaken in two stages:

- ▶ An assessment of the situation regarding codes of conduct for teachers in countries that are party to the European Cultural Convention (the presence or absence of codes at national or regional level, as well as the policy framework within which the codes operate).
- ▶ An in-depth analysis of the content, policy setting, dissemination and impact of codes of conduct for teachers in 11 countries that were selected on the basis of the following criteria:
  - different policy framework for different codes (e.g. national government regulation, teachers' unions' internal regulations, teaching council document, regional document);
  - different emphasis in the codes (e.g. "aspirational" or "regulatory").

The content of the codes was analysed:

- ▶ to see which principles outlined in the Council of Europe documents “Ethical principles” and “The ethical behaviour of all actors in education”<sup>7</sup> are present in each of the codes being analysed;
- ▶ to identify the explicit goals of the codes and accompanying policies;
- ▶ to establish the main functions of the codes (for example, to set professional standards, to provide guidance to teachers in complicated ethical situations and to provide grounds for disciplinary action).

Practices related to the development of the codes, stakeholder involvement, dissemination, awareness raising and implementation, and also the assessment of impacts and gaps, were analysed based on interviews conducted in eight countries.<sup>8</sup>



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7. Smith I. and Hamilton T. (2015), “The ethical behaviour of all actors in education”, Council of Europe, Strasbourg.
  8. The initial goal of 12 countries was not met because in some countries it proved impossible to obtain consent for interviews within the timeframe of the study.

### 3. Review of codes of conduct/ethics for teachers in Europe

Data on codes of conduct/ethics for teachers are not available for all countries party to the European Cultural Convention. However, in at least 19 countries, national-level codes for teachers exist. In some countries, the code is developed and adopted at government level; in others, it is developed and adopted by a professional union of educators, and is binding for qualified/registered teachers practising in the country (see table 1 below).

**Table 1: Codes of conduct/ethics for teachers in countries party to the European Cultural Convention**

Code	Countries
<b>National-level code, government</b>	Albania, Azerbaijan, Estonia, France, Georgia, Greece, Hungary, Malta, Republic of Moldova, Portugal, Russian Federation, Spain, "The former Yugoslav Republic of Macedonia"
<b>National-level code, teachers' union</b>	Denmark, Finland, Iceland, Italy, Norway, Sweden
<b>National-level code, different*</b>	United Kingdom (England, Scotland, Wales, Northern Ireland), Ireland
<b>No national-level code but schools obliged to have their own</b>	Croatia, Serbia
<b>No national-level code</b>	Armenia, Belgium, Czech Republic, Germany, Latvia, Lithuania, Netherlands, Poland, Switzerland, Ukraine
<b>Regional codes</b>	Bosnia and Herzegovina, Spain
<b>No data</b>	Andorra, Austria, Bulgaria, Cyprus, Holy See, Liechtenstein, Luxembourg, Monaco, Montenegro, Romania, San Marino, Slovakia, Slovenia

\* England, Scotland, Wales, Northern Ireland and Ireland have bodies made up of the authorities and the teaching profession that are responsible for a code of conduct for teachers.

The policy and legal framework for teachers' codes largely depend on whether the code is a government policy document or legal instrument, or a policy document of a professional body of educators (for example, teachers' union, teaching council). In the second case, the code can still be binding for all teachers if the respective body holds the right to register teachers or can initiate disciplinary action against teachers practising in the country (as, for example, in Ireland and in the United Kingdom).

The legal framework for codes of conduct/ethics adopted by government institutions varies from country to country and can vest the codes with the status of a law, regulation or other type of legal instrument. The policy framework for implementation, monitoring and possible disciplinary action based on the code differs greatly among countries. An insight into the diversity of policy frameworks and practices related to implementation can be gained from the case studies of 11 countries below. Each case includes an analysis of the goals and values reflected in the code and a description of implementation

## Country cases

### 3.1. Albania

Ethical principles reflected in the code: Albania											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social justice	Democratic governance	Quality education	Personal and systems improvement
X	X		X	X	X	X	X	X	X	X	X

The Ministry of Education and Science adopted the Code of Ethics of Teachers in the Public and Private Pre-university Education System in 2012.

The goals of the code are:

- ▶ to help teachers and other personnel in education to know, understand and implement ethical standards;
- ▶ to create motivating learning environments and encourage teachers to create a motivating environment for the community;
- ▶ to unify ethical standards of education at national level.

The bulk of the code is divided in two sections – commitment to students and the learning process and commitment to the profession – creating a supportive and motivating learning environment.

Under the code, educational institutions are obliged to train their staff on the principles and purpose of the code, encourage commitment to its principles, convert

the code into guidelines and regulations according to the specific context of their educational environment, and provide concrete examples for the practical implementation of the code.

Within a school, a commission of ethics and conduct consisting of teachers, parents and students should investigate complaints of behaviour deemed not to be in accordance with the principles of the code. Where the conduct in question is considered a violation of a legal provision, the commission asks the head teacher to review the matter and take further action. In cases of serious breaches or failure to stop unacceptable conduct, the consequences may even amount to the teacher losing their status and job in the educational system.

The code was introduced to teachers in every educational institution. Regional directorates of education and the Ministry of Education and Sport (current name) have been regularly monitoring the application of the code and the work of ethics commissions. The implementation of the code was supported by extensive training, which was provided by a number of non-governmental organisations (NGOs). The main purpose of the training was to raise awareness among teachers. According to the expert interviewed for this study, the NGOs achieved a significant overall impact by addressing regional directorates and every educational institution, and implementing awareness-raising activities.

The code has had an influence on relations between educational professionals and students by emphasising the need for teachers and all other actors in the educational system to adopt student-centred and learning-centred approaches, rather than a teacher-centred approach.

*Good practices:*

- ▶ In some schools, teachers organise round-table discussions on ethical issues, where they discuss situations related to the implementation of the code and come up with conclusions.

*Gaps that could be addressed with the help of the code and teaching standards in the future:*

- ▶ In its current task of drafting a new educational strategy, the ministry is also considering improvements to existing professional standards; for example, regarding private tutoring provided by teachers.<sup>9</sup>

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9. Sources: Kodi i etikës së mësuësit në arsimin parauniversitar publik dhe privat [Code of ethics of teachers in public and private pre-university education], available at [www.scribd.com/doc/196919287/Kodi-i-Etikës](http://www.scribd.com/doc/196919287/Kodi-i-Etikës). Interview with national expert, 16 September 2016.



## 3.2. Azerbaijan

Ethical principles reflected in the code: Azerbaijan											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social justice	Democratic governance	Quality education	Personal and systems improvement
		X		X		X	X	X		X	X

The Teachers' Code of Ethics in Azerbaijan was adopted by the Cabinet of Ministers in 2014. An initiative of the Ministry of Education, the code was circulated to schools, and head teachers were required to present it to the teachers. The code stipulates that its principles should govern relations between teachers at all levels of education and the other participants in the teaching and learning process (students, school administration, parents).

The goals of the code are:

- ▶ to establish the appropriate conditions for the education of citizens, for educational institutions and for teachers;
- ▶ to increase confidence in the management of educational institutions;
- ▶ to improve the efficiency and transparency of educational institutions, and prevent corruption and conflicts of interest;
- ▶ to increase the authority of teachers.

According to the Ministry of Education, seminars and training sessions have been conducted to familiarise teachers with the code. However, according to the expert who was interviewed, the procedures for treating possible cases of breaches of pedagogical or ethical norms by teachers have not changed in practice since the code was adopted. As was previously the case, possible breaches by teachers are discussed with the school's pedagogical council (which comprises all the school's teachers) and if the decision is to recommend disciplinary measures (such as dismissal of a teacher), these have to be approved by the head teacher. If criminal or administrative law is breached, the school has to inform the relevant authorities. The state's Anti-Corruption Commission also has a role in examining cases of corruption or conflicts of interest in schools. There have been several cases when corrupt practices of head teachers have been examined by the commission.

According to the expert, teachers' general awareness of the code and its principles is low, because its creation was a top-down process that did not engage teachers as key stakeholders. As a result, the overall impact of the code is also low.

### *Good practices:*

- ▶ There is a special course on the Teachers' Code of Ethics at the institute responsible for the continuing professional education (CPE) of teachers. Since once every five years every teacher has to attend CPE, eventually all teachers will have an opportunity to better familiarise themselves with the code.
- ▶ Some schools use visual aids (such as posters in staff rooms) to remind teachers of the key principles of the code.

### *Obstacles to implementation:*

- ▶ The top-down process through which the code was produced and adopted has not created a sense of ownership and has not helped teachers to identify with the principles stated in the code.
- ▶ A lack of drive to uphold professional ethics from within the teaching community – teachers' trade unions only play a social welfare function; there are no self-regulatory professional bodies.
- ▶ The code and procedures linked to teachers' ethics are not embedded in the culture of the teaching community.<sup>10</sup>

## **3.3. Croatia**

Although Croatia has no national-level ethical code for teachers, each school is obliged to have its own code. The code should be drafted jointly by a committee involving teachers, students and parents.

However, according to the expert interviewed for this study, most schools tend to copy their codes from others rather than develop them from scratch. The Croatian NGO Forum for Freedom in Education has conducted an analysis of 100 school codes in Croatia. The analysis established that most codes were very similar, whereas some "diverging" points regulating teachers' conduct concerned issues of lesser significance, such as the need to dress formally.

A working group, established with the participation of the Ministry of Education, is developing a draft for a national-level code for teachers. The working group consists of seven people, including five teachers. There is a plan to present the draft to many teachers through the national teacher-training agency in order to adjust it.

Most of the school codes currently contain points on:

- ▶ teachers' professional relationships with students and parents;
- ▶ respect for differences and/or tolerance.

Schools are asked to set up special boards for examining cases of teachers' unethical behaviour.

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10. Sources: *Teachers' code of ethics*, available at <http://teachercodes.iiep.unesco.org/teachercodes/codes/Asia/muellimlerin-etik-davranis-qaydalari.pdf>. Interview with national expert, Azerbaijan, 12 September 2016.

According to the expert, the impact of school codes is currently not evident. The normative document that is respected in terms of compliance is the Law on Education, and the only body that can effectively enforce compliance is the state inspectorate. A school code of ethics is, effectively, a low priority document. There are also no professional teachers' organisations that monitor and maintain ethical professional standards.<sup>11</sup>

### 3.4. England (United Kingdom)

Ethical principles reflected in the code: England											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social justice	Democratic governance	Quality education	Personal and systems improvement
<b>X</b>				<b>X</b>	<b>X</b>			<b>X</b>		<b>X</b>	

In 2012, the Secretary of State for Education replaced the General Teaching Council for England's "Code of Conduct and Practice for Registered Teachers" with "Part Two of the Teachers' Standards", used by the National College for Teaching and Leadership (NCTL). The purpose of Part Two is "to define the behaviour and attitudes which set the required standard for conduct throughout a teacher's career".

Compared to the codes of conduct for teachers in other countries with similar systems (for example, Ireland) and other parts of the United Kingdom (for example, Scotland), the Teachers' Standards put less emphasis on internal ethical values of teachers (such as honesty and fairness) and more on observing the rules of the school and statutory regulation.

The NCTL uses the Teachers' Standards (specifically Part Two – Personal and Professional Conduct) to assess cases of serious misconduct in all education sectors. The NCTL is meant to be involved only in the "most serious cases of misconduct" (for example, when a teacher should be prohibited from work), otherwise issues ought to be resolved locally in schools. However, the NCTL operates on behalf of the Secretary of State, who has the authority to issue the prohibition.<sup>12</sup>

11. Source: Interview with national expert, member of the working group developing the new teachers' code, 15 September 2016.

12. Sources: As the NCTL did not respond to requests for interview, this analysis is based on the documents published online: NCTL (2011), "Teachers' standards", available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/301107/Teachers\\_Standards.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/301107/Teachers_Standards.pdf). NCTL (2016), "Disciplinary procedures", available at [www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/541048/Disciplinary-Procedures\\_-\\_updated\\_July\\_2016.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/541048/Disciplinary-Procedures_-_updated_July_2016.pdf).

### 3.5. Finland

Ethical principles reflected in the code: Finland											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social Justice	Democratic governance	Quality education	Personal and systems improvement
X				X	X	X	X	X	X	X	X

In Finland, the Ethical Principles for the Teaching Profession were laid down by the Trade Union of Education following a project launched in 2000. The Ethical Committee for the Teaching Profession was created to interpret these principles for the profession and society. The committee is a body consisting mainly of well-known personalities in the education community – professors, representatives of charitable foundations, pastors, etc. The members of the committee are nominated by the Trade Union.

The ethical principles proceed from a rather different point of departure than most countries’ codes. They highlight the self-regulatory aspect of the teaching profession, including in ethical matters more than any other aspect. The principles require that teachers, as highly professional and ethical agents, rely on their inner moral sense:

The teaching profession is based on the concept of teachers as experts who have been assigned specialized tasks by society, which has also prepared them for such tasks by providing them with the necessary high level of education. The profession then demands that the representatives selected to perform these tasks should demonstrate high ethical standards in all situations, even though the tasks may frequently be difficult to define precisely or call for rapid decisions ... the ethics of the profession are not based on compulsion or external supervision but on an internalized concept of the moral obligations attached to the work.

The ethical principles also state that a major point of departure for the principles has been the United Nations Universal Declaration of Human Rights. Unlike the codes of many other countries, the ethical principles do not dwell at any length on external aspects of teachers’ behaviour (e.g. honesty, avoiding corruption and avoiding improper language) but instead lay strong emphasis on the requirements of autonomy, self-awareness, responsibility and collaboration. They also single out social and collaborative aspects of teachers’ work.

The Ethical Committee does not take decisions on individual cases of breaches of the code (in the manner that, for example, a Fitness to Teach Panel does in Scotland). The committee issues statements on relevant issues in order to set standards on how to resolve particular ethical issues faced by teachers and to provide guidelines for the future. If a breach of legal norms has taken place, this is looked into by the National Board of Education or the police (for criminal cases).

The expert interviewed for this study stressed that the code is highly effective and its impact is considerable, mainly because it is embedded in the culture of the

teaching profession in Finland, which emphasises high professionalism, autonomy and responsibility.

*Good practices:*

- ▶ The code is updated to reflect relevant issues in society (for example, a point on teasing and bullying was added relatively recently).
- ▶ During initial teacher education, teachers, especially class teachers (working with younger pupils), are familiarised with the code.
- ▶ The Ethical Committee frequently makes statements on ethical issues facing the teaching profession in the media, thus raising awareness in society. Also, communication with the teaching community is targeted specifically, for example in the form of a special panel during the Educa teaching fair, the largest event for teaching and training professions in Finland.<sup>13</sup>

### 3.6. Ireland

Ethical principles reflected in the code: Ireland											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social justice	Democratic governance	Quality education	Personal and systems improvement
<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>	<b>x</b>		<b>x</b>	<b>x</b>

In Ireland, the Code of Professional Conduct for Teachers was adopted by the Teaching Council in 2007, and revised in 2012. The Teaching Council is the professional standards body, jointly representing all key stakeholders (government, teachers' unions, teachers and teacher educators) and consisting of representatives of the profession (former teachers).

The goals of the code are:

- ▶ to provide guidance to teachers and help them uphold the dignity of the teaching profession;
- ▶ to inform the education community and the wider public about what they should expect from teachers;
- ▶ to be used as a reference point for disciplinary functions of the Teaching Council.

13. Sources: Trade Union of Education in Finland, "Ethical principles for the teaching profession", available at [www.oaj.fi/cs/oaj/A%20Teachers%20Ethical%20Principles](http://www.oaj.fi/cs/oaj/A%20Teachers%20Ethical%20Principles). Interview with national expert, Finland, 16 September 2016.

According to the national expert, the initial text of the code was more of an “aspirational” type, but the new edition moved in the direction of an educational/regulatory code, “written in practical terms for everyday use”. The code is useful because it was “developed by teachers for teachers”. Other stakeholders – parents’ councils for primary and post-primary education – were also consulted when the code was being drafted and amended.

The code puts a lot of emphasis on teacher development. As stated in the code itself, it envisages the teacher as a “reflective practitioner” and as a member of professional learning communities.

Since 2016, the Teaching Council has also dealt with individual complaints made against registered teachers. At the same time it encourages the resolution of day-to-day difficulties at school level while leaving formal complaints for major transgressions. Any person (or the council itself) can make a complaint about a registered teacher.<sup>14</sup> Teachers who have undergone the “Fitness to Teach” procedure and whose breach of the code and professional standards has been established can be sanctioned. The scope varies from advisory letter or rehabilitative training to being suspended from the Teachers’ Register.

*Good practices:*

- ▶ The code is closely integrated with other policy documents of the Teaching Council, especially “Policy on the continuum of teacher education”.
- ▶ During initial teacher education, student teachers learn about the code and its content. Induction programmes also engage with the code.
- ▶ Teachers’ unions refer to the code in continuing professional development training.
- ▶ The Teaching Council is also invited to give talks about the code in schools, and head teachers specifically receive information about the code.
- ▶ Other stakeholders in the professional community, including the Network of Primary School Teachers, organise workshops about the code for their members, with the participation of the Teaching Council.<sup>15</sup>

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14. [www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Making-a-Complaint/](http://www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Making-a-Complaint/).

15. Sources: Interview with national expert, 29 September 2016. Teaching Council (2012), “Code of professional conduct for teachers”, and Teaching Council (2016), “How to make a complaint about a registered teacher”, available at [www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Making-a-Complaint/](http://www.teachingcouncil.ie/en/Fitness-to-Teach/Complaints-about-Registered-Teachers/Making-a-Complaint/).

### 3.7. Malta

Ethical principles reflected in the code: Malta											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity Justice Social Justice	Democratic governance	Quality education	Personal and systems improvement
X	X			X	X	X	X	X	X	X	X

Malta adopted its Teachers’ Code of Ethics in 1988. The code was revised in 2012 and renamed the Teachers’ Code of Ethics and Practice. It contains six main principles with a number of corresponding rules related to each. Two substantive novelties of 2012 were provisions regarding the use of social media and the prohibition on giving private lessons to students in the teacher’s own class.

The Council for the Teaching Profession is the central body in charge of the implementation of the code. The code is mainly implemented through training activities on ethics, which already start during initial teacher education. The council also provides guidance on the implementation of the code in other ways, for example, when head teachers conduct inquiries into particular situations.

The council is authorised to “inquire into any allegation of professional misconduct, gross negligence or incompetence by a teacher”. In the past three years, it has conducted nine formal inquiries into alleged breaches of the code. Any person (such as a parent or an employer) can submit a report to the council, which will conduct an investigation. If the council finds a teacher guilty, it may ask the Minister for Education and Employment to suspend or cancel the teacher’s warrant, impose conditions to be attached to the warrant, issue a reprimand, etc.

The council’s decision should contain appropriate reasoning, which is provided to the person who reported the case and to the employer of the person whose conduct was under review. Although the decisions are not made available to the general public, the substance of cases and the council’s conclusions are presented in professional-development sessions without disclosing the names of the persons concerned. Committing a serious breach in the area of ethics is also among the reasons why the council may refuse to recommend the renewal of a temporary teacher’s warrant.

In practice, the more serious infringements include problematic relations between teachers and students or among teachers themselves (for example, harassment), prohibited engagement with students on social media, or uploading of inappropriate private material. The council is not the only body dealing with the implementation of ethical principles. Head teachers typically deal with minor issues, which is the most effective approach for such cases. Moreover, the Malta Union of Teachers and the Ministry of Education and Employment provide support in guiding teachers.

*Good practices:*

- ▶ The council participates in the induction of newly qualified teachers employed in the public sector and in professional-development sessions, which are mandatory for all teachers.
- ▶ Representatives of the council are invited to schools where they present the code and discuss with teachers ethical issues that are specifically relevant for that particular school.

During the past three years, the council participated in four seminars on the code for newly qualified teachers and conducted over 20 professional-development sessions on the code in individual schools.

*Obstacles to implementation:*

- ▶ The greatest weakness in terms of implementation was apparent from a few situations where heads of schools were reluctant to report cases to the council even though there was evidence of problems. Possibly a failure to report a breach of the code should also be considered a breach.

Regarding the impact of the code, according to the expert interviewed for this study, teachers are well aware of their obligations under the code and they generally comply. The code may have helped to underscore the importance of the profession and its responsibilities to the few teachers whose initial adherence to its values may have been somewhat weak.<sup>16</sup>

### **3.8. Russian Federation**

The Model Code of Professional Ethics of Pedagogical Workers and Educational Institutions, intended for all teachers and schools, was adopted by the Ministry of Education and Science in 2014 and circulated to regional and local authorities.

<b>Ethical principles reflected in the code: Russian Federation</b>											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social justice	Democratic governance	Quality education	Personal and systems improvement
<b>X</b>	<b>X</b>			<b>X</b>		<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>	

16. Sources: Education Act, Chapter 327, available at <https://education.gov.mt/en/Ministry/Documents/Education%20Act%20-%20Amended%202012.pdf>. Council for the Teaching Profession, <https://education.gov.mt/en/Ministry/Pages/boards/ctp.aspx>. Council for the Teaching Profession (2012), "Teachers' Code of Ethics and Practice", available at <https://education.gov.mt/en/Ministry/Documents/New%20Code%20of%20Ethics%20Doc%20EN.pdf>. Interview with national expert, Malta, 15 September 2016.



The goals of the model code are:

- ▶ to establish the ethical norms and rules of conduct for teachers when engaged in their professional tasks;
- ▶ to uphold the reputation/authority of the educators in educational establishments;
- ▶ to ensure unified norms of conduct for educators.

Even though the code is not a legal act, but only a recommendation, the text suggests that breaches of professional ethics should be examined by collegial bodies of educational institutions (probably referring to school boards and to pedagogical councils or teachers' councils in schools). The code also stipulates that adherence to its norms should be taken into account when examining serious breaches and considering disciplinary measures against teachers (for actions incompatible with the teaching profession).

Apart from the ethical aspects of integrity and respect for others, the code focuses on the requirements for teachers to behave, speak and dress appropriately, and to be mindful of the reputation of their educational institution. Requirements like these are usually omitted in the codes of Nordic countries, the United Kingdom and Ireland, but are common in codes in eastern Europe. When the government of Hungary moved to include such requirements in a code for teachers in 2015, protests by teachers' unions ensued.<sup>17</sup>

There is no evidence of any wide-based discussion with stakeholders preceding the adoption of the code. When circulating the code, the ministry proposed that regional and local authorities and schools should publish it on their websites and promote it through publications in the media and on social media. The letter accompanying the code also suggested that teachers' awareness of the norms it lays down should be raised through round-table discussions, seminars and conferences.

According to the expert who was interviewed, there is still little awareness of the code's norms among teachers. Some schools have their own codes, and some have adopted the model code or parts of it as part of their code. The model code has not changed the procedure for dealing with possible breaches of teaching ethics – such cases are, as before, discussed by the school's pedagogical council, and the final decision must be approved by the head teacher if it concerns disciplinary measures (such as dismissing the teacher).

The expert pointed out that most schools do not have a culture of accountability linked to the ethical conduct of teachers. The lack of a culture of accountability leads to abuses of instruments formally intended to uphold professional and ethical norms. Thus, a recent discovery of multiple cases of sexual harassment in one of Moscow's schools revealed that when complaints were first raised by some students in 2005, the school administration issued a memorandum, appealing to school ethics, which formally prohibited students from public criticism of the school's teachers.

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17. HungaryToday (2015), "Hungarian Government under fire for new code of ethics for teachers", available at <http://hungarytoday.hu/news/hungarian-government-fire-new-code-ethics-teachers-73309>.

### Good practices:

- ▶ In some schools that have developed and adopted their own codes of conduct for teachers and students, these codes are used for protecting students' and teachers' rights. Breaches are discussed in teachers' councils or in general assemblies (teachers, parent and student representatives, and possibly representatives of the local community).

### Obstacles to implementation:

- ▶ Lack of ownership; the document was created top-down and teachers are not widely aware of its implications.<sup>18</sup>

## 3.9. Scotland (United Kingdom)

Ethical principles reflected in the code: Scotland											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social Justice	Democratic governance	Quality education	Personal and systems improvement
X	X	X	X	X	X	X	X	X		X	X

The current version of the Code of Professionalism and Conduct for Teachers in Scotland is from 2012. The organisation responsible for developing, adopting and updating the code is the General Teaching Council for Scotland (GTCS). This is a collegial, regulating body for the teaching profession, consisting of 37 members, the majority of whom are teachers. Other members are nominated by Scottish authorities, universities and churches. When the code was last updated, the Scottish Youth Parliament was also consulted.

The goals of the code are:

- ▶ to set out the key principles and values for registered teachers in Scotland;
- ▶ to state not only to the profession, but also to members of the public, the standard of conduct and competence expected of registered teachers;
- ▶ to ensure that the boundaries of professional behaviour and conduct are clear and that public trust in teachers is maintained.

The code mentions, in conjunction with the standards for the teaching profession, the standards of teachers' conduct and ethics, to which all registered teachers are

18. Sources: Модельный кодекс профессиональной этики педагогических работников организаций, осуществляющих образовательную деятельность [Model Code of Professional Ethics for Pedagogical Workers of Organisations Implementing Educational Activities], available at [www.garant.ru/products/ipo/prime/doc/70490592/#ixzz4Kydsqecb](http://www.garant.ru/products/ipo/prime/doc/70490592/#ixzz4Kydsqecb). Interview with national expert, 12 September 2016.

expected to adhere. Breaches of the code are examined by the respective school, but there is also a complaints mechanism through which a case can be referred to a Fitness to Teach Panel under GTCS. There are sanctions associated with serious breaches of the code, in some cases up to losing registration as a teacher. However, evidence suggests that most teachers adhere to the high standards set by the code: out of about 75 000 registered teachers, only 200-300 complaints are registered per year and fewer cases merit deeper consideration.

According to the expert interviewed for this study, the reasons why the code is having an impact are that:

- ▶ it is realistic and the standards it sets are the ones that the majority of the teaching profession would agree upon;
- ▶ it does not try to regulate the minutiae of teachers' conduct but defines the major issues;
- ▶ it is not abstract, but matter-of-fact and helpful when teachers are deciding how to behave in specific situations.

*Good practices:*

- ▶ During initial teacher education, GTCS ensures that all student teachers know about the code and standards (they talk to each individual student).
- ▶ The code is referred to during the induction scheme for new teachers.
- ▶ The code and standards are revisited during the "Professional Update" – a re-accreditation scheme for teachers which they undergo every five years.
- ▶ The Fitness to Teach Panel, which examines breaches of the code, is a professional self-regulatory body, and most of its members are teachers.
- ▶ Adherence to the code is also referred to in the Professional Review of teachers that takes place every year.<sup>19</sup>

### **3.10. Spain**

Educational administrations in each of the 17 Spanish Autonomous Communities (with the Ministry of Education for Ceuta, Melilla, UNED, UIMP and Overseas) are responsible for ethics-related matters. A technical body, the Education Inspectors Corps, performs the inspection function in each territory. Whenever an ethical dysfunction is detected or a complaint is received regarding ethics, the Education Inspectorate issues a report, which usually results in administrative resolution by the authorities of the relevant educational administration.

On the other hand, some professional bodies such as the "Consejo General de los Ilustres Colegios de Doctores y Licenciados en Filosofía y Letras y en Ciencias de España" and the "Consejo General de Colegios Oficiales de Pedagogos y Psicopedagogos de España" have drawn up recommendations for the whole Spanish territory. These

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19. Sources: General Teaching Council for Scotland (GTCS), [www.gtcs.org.uk/about-gtcs/who-we-are/history-of-GTCS.aspx](http://www.gtcs.org.uk/about-gtcs/who-we-are/history-of-GTCS.aspx). GTCS (2012), *Code of Professionalism and Conduct*, available at [www.gtcs.org.uk/fitness-to-teach/complaints/copac.aspx](http://www.gtcs.org.uk/fitness-to-teach/complaints/copac.aspx). Interview with national expert (former head of education at GTCS), 12 September 2016.

recommendations are related to the professional duty-based ethics and include commitments and responsibilities regarding:

- ▶ the students
- ▶ the students’ families and tutors
- ▶ the educational institution
- ▶ the colleagues
- ▶ the profession
- ▶ the society.

For the purpose of the present study, the Code of Conduct for Catalonia was analysed.

<b>Ethical principles reflected in the code: Catalonia</b>											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity justice Social Justice	Democratic governance	Quality education	Personal and systems improvement
<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

The Code of Conduct for Catalonia was adopted in 2006, and has since been revised twice. The initial code was developed by the Ethics Commission of the College of Education – the professional association of qualified educators of Catalonia, established in 2002. It was reviewed and updated by the same body.

The goals of the code are:

- ▶ to define ethical principles in the teaching profession;
- ▶ to describe the professional duties of educators and define their responsibilities towards the people they educate;
- ▶ to define ethical principles of teachers’ relationships with other professionals, with their organisations and with society.

The code contains specific references to: (a) desirable behaviours (such as good teamwork, collegiality not dependent on hierarchy, and respect for other professionals engaged in work with the same students), and (b) to impermissible behaviours (for example, plagiarism). The emphasis on personal and organisational development and research-based teaching is particularly strong in the code.

*Good practices:*

- ▶ Every time the code is reviewed and revised, teachers have 30 days to discuss the updated version.<sup>20</sup>

20. Sources: Col·legi de Pedagogos de Catalunya (2013), Codi de Deontologia, available at [www.pedagogs.cat/reg.asp?id=1759&c=28&sc=103&i=ca](http://www.pedagogs.cat/reg.asp?id=1759&c=28&sc=103&i=ca). Col·legi de Pedagogos de Catalunya, [www.pedagogs.cat](http://www.pedagogs.cat).

### 3.11. Sweden

Ethical principles reflected in the code: Sweden											
Integrity	Honesty	Truth	Transparency	Respect for others	Trust	Accountability	Fairness	Equity Justice Social Justice	Democratic governance	Quality education	Personal and systems improvement
X				X	X	X	X	X		X	X

In Sweden, the two teachers’ unions, the Teachers’ Union and the National Union of Teachers, require that their members comply with the professional Code of Ethics for Teachers. The current code was adopted in 2006 and slightly updated in 2010.

As in Finland, the code emphasises internalised ethical principles of the teaching profession and the great responsibility of the profession:

As a teacher, you are forced to constantly make ethical decisions in your position. This applies not only in relation to students, parents, colleagues and school management, but also in matters relating to the priorities of the contents of teaching, designing a positive environment and development of the school.

Also as in Finland, honesty and transparency are not particularly emphasised in the code, it being taken for granted that teachers will be honest.

The teachers’ unions place responsibility for managing compliance with the code at the individual school level.<sup>21</sup> However, they organise professional ethics seminars in order to enhance teachers’ knowledge of the standards.

The teachers’ unions themselves do not initiate disciplinary action in cases of non-compliance. Head teachers, colleagues or parents (or anyone else) can report individual cases to the Swedish Schools Inspectorate, which then decides whether to report the case to the Teachers’ Disciplinary Board.

The Board is a government-appointed professional compliance body; its members must have a background in working within the pre-school or school system. Teachers who violate professional ethics can be issued warnings or have their licences revoked.

*Good practices:*

- ▶ Both teachers’ unions organise seminars on the Code of Ethics for Teachers, which cover questions such as: Why do we have the code? For what, for

21. These are two separate unions - Teachers’ Union or Lärarförbundet is the larger of the two. The National Union of Teachers or Lärarnas Riksförbund is smaller and meant “exclusively for qualified teachers, study advisors and vocational guidance officers”. [www.lr.se/omlr/otherlanguages/otherlanguages/thenationalunionofteachersinsweden.5.7ab87730137ad71e89780001406.html](http://www.lr.se/omlr/otherlanguages/otherlanguages/thenationalunionofteachersinsweden.5.7ab87730137ad71e89780001406.html) & [www.lararforbundet.se/taggar/om-lararforbundet](http://www.lararforbundet.se/taggar/om-lararforbundet).

whom? How do we use it? How does it apply to everyday work? What are the typical professional ethical dilemmas?

- ▶ The National Union of Teachers provides podcasts and other materials on current dilemmas in teachers' professional ethics via its website.<sup>22</sup>

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22. Sources: Lärarnas Riksförbund (2006), "Yrkesetik i Vardagen" [Ethics in everyday life], available at <http://teachercodes.iiep.unesco.org/teachercodes/codes/Europe/Sweden.pdf>. Lärarnas Riksförbund (2010), "Lärares yrkesetiska principer" [Teachers' professional ethics], available at [www.lr.se/utvecklasyrket/yrkesetik/lararesyrkesetiskaprinciper.4.3cb716391262c05111b8000100.html](http://www.lr.se/utvecklasyrket/yrkesetik/lararesyrkesetiskaprinciper.4.3cb716391262c05111b8000100.html). Yrkesetiska seminarier [professional ethics seminars], available at [www.lararforbundet.se/artiklar/yrkesetiska-seminarir](http://www.lararforbundet.se/artiklar/yrkesetiska-seminarir).



# ETHICS

## 4. Good practices

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This section of the study sums up the examples of successful practices related to the development and implementation of codes of conduct for teachers.

As can be seen from the case studies in the previous section, successful implementation of codes of conduct is closely linked to how the code is developed and disseminated, and to the extent to which it is geared towards the real experiences and circumstances of the teaching profession. Therefore, the first set of successful practices is linked to the development and dissemination of the code.

### Stakeholder involvement in the development of teachers' codes

The examples of successful codes from countries such as Finland, Ireland and Scotland are all linked to the principle that the code is developed “by teachers for teachers” and is curated by a body that is closely associated with the teaching profession.<sup>23</sup> Thus, in both Ireland and Scotland, the codes have been developed by teaching councils, which consist mainly of teachers or former teachers. In Catalonia, the code is developed by the College of Educators, which is a professional body for qualified teachers and educators, similar to a teaching council. In Scotland, the Teaching Council also includes representatives of authorities, universities and churches. In Finland, the Ethical Committee in charge of developing and updating the code does not consist mainly of teachers but rather of university professors and other ethical authorities (for example, a pastor), but the code it produces has to be accepted by the Trade Union of Education.

Other stakeholders are consulted during the development and updating of the code. For example, in Scotland, the National Parent Council, the Teacher-Parent Council, and the Youth Parliament of Scotland were consulted when reviewing and updating the code. In Ireland, two parents' councils – Primary and Post-Primary – were consulted when the code was developed and revised in 2007 and 2012, respectively.

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23. From the interview with the Irish expert.



## **Integration of dissemination activities with teachers' education, training and professional review**

In countries where the code is seen not just as an aspirational standard but also as a set of guiding principles realistically linked to teachers' work, the emphasis is placed on familiarising teachers with the code throughout their professional career. Ideally, engagement with the code should occur at several stages of teachers' professional-development paths: in Finland, Ireland, Malta and Scotland, teachers are familiarised with the code during initial teacher education, induction and continuing professional development. In Scotland, the code is also used as a reference in teachers' professional reviews. Some countries lay emphasis on familiarisation with the code during specific stages of a teacher's professional career: in Azerbaijan, for instance, there is a special course on the Teachers' Code of Ethics at the institute responsible for continuing professional development.

## **Practical workshops and seminars are held for teachers with the involvement of professional bodies responsible for the code of conduct**

Conducting training workshops and seminars in schools or in local/regional centres and reaching out to teachers in their everyday working environment seems to be a widely used practice for raising awareness of the principles and issues addressed by codes of conduct or ethics. For instance, in Malta, representatives of the Council for the Teaching Profession are invited to schools where they present the code and discuss with teachers ethical issues that are specifically relevant in that particular school. During the past three years, the council conducted over 20 professional development sessions on the code in individual schools. In Ireland, the Network of Primary School Teachers organised workshops on the code with the teaching council's involvement. In Albania, implementation of the code was supported by extensive training provided by NGOs in different regions of the country, which co-ordinated with regional directorates of education.

## **Adequate disciplinary procedures**

Despite the recognition that sanctions should not be the primary means of implementing codes of conduct, several countries provide the possibility of lodging a complaint against teachers or other triggers for the review of professional conduct, complex inquiry procedures and harsh sanctions in the cases of serious breaches. In Albania, England, Ireland, Malta, Scotland and elsewhere, serious breaches may lead to temporary or permanent exclusion from the teaching profession. Moreover, the opportunity to submit complaints about serious misconduct and see them reviewed in a fair procedure by a respectable body offers all the individuals concerned a chance not only to protect themselves but also generally to contribute to upholding high professional standards in schools.

## Regular reviews of the code

Several of the countries covered have had their codes recently reviewed (England, Finland, Ireland, Malta and Scotland), which is a prima facie sign that the codes are practical instruments rather than statements with a merely formalistic purpose. Recently, Malta added provisions regarding social media and private tutoring. The example of Ireland also shows that even the overall nature of the code may change over time (in this case from rather aspirational to rather regulatory). In these countries, the evolution of the codes has not only allowed for a reaction to the changing environment but has also permitted adjustments to ensure the greatest degree of usefulness for the profession and implementation.

## Professional bodies providing consultation and guidance on the application of the code

A specific example of good practice is the role of the Ethical Committee in Finland, which issues opinions on particular ethical issues for teachers as they arise. This is an important method of supporting teachers, because it provides extended guidance that cannot usually be incorporated into the text of a code. Such guidance gives reasons for focusing on particular issues, reviews various aspects of selected problems (for example, reasons why solving the problems is challenging and what the consequences will be if the problem remains unaddressed) and describes what should be done. The guidance is a flexible means of reacting and proposing solutions to topical issues. A similar and important tool of support – common for codes of conduct in general but not so much in the cases covered – is providing guidance to the individuals who conduct inquiries, as the Council for the Teaching Profession does in Malta.



## 5. Challenges and gaps

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This section provides a brief overview of the challenges and gaps in the development and implementation of codes of conduct for teachers.

### A code not embedded in professional culture

When developing a code of conduct or ethics for teachers and a policy framework for its implementation, one of the key challenges is linking the code to the culture of the teaching community. It is well known from cultural theory that professional cultures in different countries and regions differ significantly. The historical development of the teaching profession and the institutional settings in which it operates have been vastly different in Albania and in Scotland, in Finland and in Russia – which leads to a different professional culture. As a result, codes of conduct for teachers adopted by central governments in line with the international trend sometimes come up against inertia and a lack of interest among those in the teaching profession, especially if the policy framework for implementation is not embedded in the professional culture or not discussed extensively with the professional community. This has been the case, for instance, with codes of conduct adopted by many governments in 2012-15; for example, Azerbaijan, Hungary, the Republic of Moldova and the Russian Federation.

### Lack of ownership

Codes created by central governments and communicated to schools and teachers through official channels tend to be prescriptive. They focus more on the external duties of the teachers towards the state and the educational institution, and less on the inner ethical values of the profession, such as integrity, accountability and care for the students, and the quality of their education.

As a result, there is an evident lack of ownership of the code among those in the teaching profession: teachers do not identify with the principles of the code in their everyday work and do not see it as part of their mission to uphold its standards. Moreover, some items in government codes may be against the self-perception of independence and self-regulation within the profession and thus trigger protests, such as those in Hungary in 2015.

The most obvious way to overcome a lack of ownership is to ensure involvement of stakeholders in the development, review and updating of the code, as well as to link dissemination and awareness raising to professional development activities for teachers. Co-operation between different policy bodies and education stakeholders is crucial for these strategies to be successful.

## Lack of a clear implementation framework

Even prescriptive codes (such as those adopted by central governments) sometimes lack a clear policy framework for implementation, which is a key feature of well-functioning regulatory codes (for example, in England, Ireland and Scotland).

Implementation frameworks based solely on legal instruments that regulate serious breaches of professional conduct (for example, administrative or criminal law) are not likely to be effective in promoting ethical professional behaviour throughout the teaching profession. Specific implementation frameworks and professional bodies set up to regulate the teaching profession are likely to be more effective.

## Rules without aspirational value statements

Some codes mostly contain rules to be complied with, assigning a relatively lower priority to the formation of teacher values or to aspirational aspects. This is the case in England, for example. While the study did not find any evidence of ineffectiveness in the implementation of the code, closer scrutiny would be needed to see whether such codes achieve optimum internalisation of broader values in the professional community. It should be borne in mind that compliance with rules is important, but rules alone do not always sufficiently promote value-based judgment and the necessary strategic thinking.<sup>24</sup>



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24. Whitton H. (2009), "Beyond the code of conduct: building ethical competence in public officials", U4 Brief, No. 2, available at [www.u4.no/publications/beyond-the-code-of-conduct-building-ethical-competence-in-public-officials/](http://www.u4.no/publications/beyond-the-code-of-conduct-building-ethical-competence-in-public-officials/).

## 6. Lessons learnt and recommendations

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This section sums up the main findings and lessons learnt from this study and proposes initial recommendations based on these.

### Participatory development and review of codes of conduct/ethics

Codes of conduct/ethics for teachers are more closely linked to real life and are likely to have more impact if they are developed or revised with substantial involvement from the professional community. This involvement may take the form of consultations, working groups, committees, or approval by professional bodies such as teaching councils, and workshops or seminars familiarising teachers with draft versions of the code and inviting discussions.

The participatory approach helps to avoid a lack of relevance and to ensure that the codes are embedded in the culture of the teaching community. Participation of education stakeholders in the development and review of codes of conduct/ethics should be encouraged so as to create a sense of ownership and responsibility for the code.

### Culturally embedded and relevant codes

Values and principles of the teaching profession reflected in the codes differ greatly among countries. However, the codes seem to have more impact in countries where their content is closely linked with the professional culture of teachers. For instance, an aspirational code containing only guiding principles and targeted towards a high sense of professional responsibility and self-awareness fits well with the traditions of the teaching profession in Finland, where, according to the national expert, “teachers are very autonomous, and given a lot of discretion in their work”.

In a system that monitors performance of teachers and schools on a regular basis (for example, England), the code is more regulatory, providing clear guidelines against which a teacher’s professional conduct can be evaluated.

At the same time, as pointed out by the Scottish expert, an excessive degree of prescriptive detail should be avoided even in a regulatory code – it should remain simple and clear, so as to be understandable and relevant for all teachers. The content of the code of conduct or ethics for teachers should fit in with the professional culture of the education community in a given country, match the policy environment within which teachers and schools operate, and be accessible and relevant for all teachers.

## Implementation linked to professional development paths

The countries where codes have more impact, according to the experts, are those in which the methods of dissemination and raising awareness about the code and its content are closely linked to teachers' professional development paths. Familiarising teachers with the code during initial teacher education, during induction and during continuing professional development, and using the code for professional reviews of teachers (where relevant) ensures that the code is a living element in the life of the teaching profession and that it informs the practice of the profession. Implementation of the code of conduct or ethics for teachers should include awareness raising and training, which should be linked to different stages of teachers' professional development paths, beginning with initial teacher education and continuing with induction and continuing professional development. Appropriate resources and time should be allocated for this purpose.

## Fair and impartial inquiry by a professional body into breaches of the code

Several recommendations emerge from the analysis of ethical inquiries and disciplinary procedures. Less serious breaches of codes are best dealt with at school level; in other words, at the level closest to the teachers' practice. Whether the school or a professional body, collective and inclusive bodies – committees, panels and councils (for example, with the participation of parents, students and laypersons) – should carry out the initial review of potentially serious breaches.

Such a collective and inclusive inquiry body ensures that not only the code itself but also its application reflects the shared values and principles of the teaching profession and the broader education community. Especially where the inquiry may lead to serious legal consequences for the teacher, the final decision should be made by authorised officials (head teacher, ministry official, teaching council board) based on the opinion of the collective body. And such decisions should be subject to judicial review if challenged. The latter possibility is essential to ensure that the process and decision are impartial, fair and duly grounded.

## Regular review and updating of codes

As a rule, codes should be reviewed and amended to reflect changes in the education environment. If the national code is going to be reviewed, a broad inclusive review process should be designed. The process could start with a series of discussions in which teachers and other individuals concerned discuss the code and the new challenges that the revised version could help solve. Based on the conclusions of the deliberation, an authorised body would re-issue the code.

A similar process should take place in countries with model codes that serve as samples for specific schools. At schools with their own codes, the review process should be simpler but should still be inclusive and deliberative. Where the review

and update of the code have not been a regular practice, it is advisable to institutionalise the process, with a mandatory review exercise to be held at least once after a certain number of years.

### **Consultation and guidance**

The evidence from some of the countries covered in this study suggests that professional bodies responsible for codes of conduct/ethics can provide ongoing consultations and guidance to teachers on ethical issues. This makes it possible to focus on ethical issues of particular relevance at a given moment in time and to support teachers by explaining or discussing the best ways to solve professional dilemmas that are not directly dealt with in the code. Ongoing guidance from professional bodies responsible for the code, whether through workshops, consultations and other face-to-face arrangements, or through websites and social media, is a good way to support teachers in implementing the code.





## 7. Conclusions

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**A**s highlighted in the introduction, codes of conduct/ethics are expressions of values and principles of the teaching profession. They can serve to strengthen the ethics of the profession; for example, by preventing the risk of students being exposed to discrimination, harassment and other misconduct. Codes and their implementation measures can guide, support and professionally socialise teachers. Codes can also be regulatory tools, prescribing standards of conduct often backed by legally established disciplinary sanctions for serious breaches of the code. Codes are also a means of communicating the profession's standards to the education community and society at large.

In some countries the codes serve all of these purposes. Elsewhere, achievements are rather piecemeal or even remain entirely absent. Nonetheless, overall the study contains evidence of a variety of benefits that the codes have helped to bring about.

The basic benefit that can be expected from any code is that teachers are aware of its requirements and comply accordingly. These effects are probably most reliable in countries where appropriate standards of conduct are already firmly embedded in the profession and the behaviour of only a few individuals causes concerns. Codes help strengthen the principles of professionalism and responsibility, and other significant principles such as fairness, especially in countries where they build on a strong pre-existing professional culture.

Positive promotion of the principles and values included in the code, combined with practical guidance on how to apply those principles in real life, is likely to be effective in countries with a higher degree of self-awareness in the teaching profession (such as where self-regulatory professional bodies exist). That is why promoting the development of a professional culture among teachers is a primary concern; this can be based on other instruments besides the code to further professional self-regulation and individual self-awareness.

Depending on the particular environment, awareness and compliance achieves various specific aims. In one country the aim is an increasing focus on students' learning rather than on the teachers' own needs. Such shifts positively transform the relationship between teachers and students, and between teachers and parents. In another case, the codes have helped to protect the rights of students and teachers and to subject breaches of professional ethics to fair inquiry and discussion within schools. Realistic and matter-of-fact codes have proved practically useful in guiding teachers regarding the correct behaviour in specific situations.

The best way to ensure that the codes remain relevant to the professional community is to engage stakeholders in the development of the code and to link dissemination and implementation of the code with teachers' professional-development paths. Regular reviews and updating of the code are necessary in order to reflect changes in the education environment.



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The aim of the ETINED platform is to contribute to the development of a culture of democracy and participation, based on ethics, transparency and integrity. It defends the idea that quality education can only be achieved, and corruption effectively curbed, if all relevant sectors of society commit fully to fundamental ethical principles for public and professional life, rather than relying exclusively upon top-down, methodical regulatory measures. Corruption must be fought through legal norms and structures, but that is not enough. It must also be considered unacceptable by all stakeholders and the public at large.

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