



**ETINED**

Time for change



*Ethics  
Transparency  
Integrity*

**ETINED**  
**Council of Europe  
Platform on Ethics,  
Transparency and  
Integrity in Education**



**Volume 1**  
7th Session of  
the Prague Forum

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

**ETINED**  
**Council of Europe**  
**Platform on Ethics,**  
**Transparency and**  
**Integrity in Education**

Volume 1 – 7th Session  
of the Prague Forum

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# Introduction

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**O**ne of the new flagship projects of the Directorate of Education of the Council of Europe is dedicated to its Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED).

The Council of Europe has worked for decades to promote quality education, which it has clearly defined in Recommendation CM/Rec(2012)13 to its member states on ensuring quality education. This specifies that a quality education must be free of corruption.

Corruption can affect all levels of education, in all European countries: from the embezzlement of funds intended for school buildings in pre-primary education to plagiarism in university essays and the selling of diplomas. Individuals might suffer sexual exploitation in the classroom; children from certain communities might be favoured for school admission while others are subject to extra payments; at institutional level there may be opaque and inaccessible recruitment procedures or nepotism; and, at the highest level, national budgets may be distributed unfairly, favouring certain higher education institutions. Corruption is evident in the most well-publicised incidents, like the high-profile resignation of ministers following revelations that their diplomas are fake or that they are guilty of plagiarism, to the most hidden – such as only teaching compulsory topics during private, fee-paying tutorials.

The examples of corruption are numerous and they can affect any child in Europe at different points of their schooling. A recent survey showed the percentage of the perception of corruption in education by citizens:<sup>1</sup> although numbers ranged from 6-7% to 70-72%, no country was seen as exempt from corruption.

The long-term consequences are disastrous: corruption disrupts citizens' trust in the school system and in democratic institutions more generally, resulting in a lack of participation in the democratic process. Corruption can also result in a diminution of a given country's reputation at international level.

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1. *Global corruption barometer 2013*, Transparency International, available at [www.transparency.org/gcb2013/report](http://www.transparency.org/gcb2013/report), accessed 5 September 2016.

The Council of Europe has developed comprehensive standards, legal instruments, norms and recommendations to fight corruption through criminal, civil and administrative law, all of which are monitored by the Group of States against Corruption (GRECO).<sup>2</sup> Its Parliamentary Assembly has also recently set up an alliance of parliamentarians called the PACE anti-corruption platform.<sup>3</sup> ETINED will now focus on the level where everything begins: education.

In April 2013, the ministers of education of the 50 States Parties to the European Cultural Convention (ETS 18)<sup>4</sup> agreed through the Helsinki Final Declaration to work together on ethics, transparency and integrity in education, for the mutual benefit of all European children, and to set up a platform to do so.<sup>5</sup>

ETINED is a network of specialists appointed by member states of the Council of Europe and of States Parties to the European Cultural Convention. Its mission is threefold:

- ▶ to share information and best practices in the field of transparency and integrity in education;
- ▶ to contribute to the development of adequate answers to challenges that corruption poses to the sector of education and higher education (HE);
- ▶ to create a virtuous cycle in education, whereby all actors commit to fundamental positive ethical principles.

ETINED wants to propose a new approach based on the idea that quality education will only be achieved, and corruption effectively addressed, if all relevant sectors of society commit fully to fundamental, positive ethical principles for public and professional life, rather than relying only upon top-down, mechanistic regulatory measures. It wants to help develop a culture of democracy and participation, based on the principles of ethics, transparency and integrity. Corruption should be fought through legal norms and structures, but this is not enough. It must also be considered unacceptable by stakeholders and the public at large.

ETINED will, as a first step, focus on three main themes of work:

- ▶ the ethical behaviour of everyone involved in education and codes of conduct for teachers and education professionals;
- ▶ academic integrity and plagiarism in the HE sector;
- ▶ the problem of diploma mills in the context of the recognition of qualifications.

The following activities are planned:

- ▶ an international seminar on plagiarism;
- ▶ a study comparing policies favouring academic integrity in HE across the 50 States Parties to the European Cultural Convention;
- ▶ regional roundtables on the impact of national codes of conduct for the

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2. Available at [www.coe.int/greco](http://www.coe.int/greco), accessed 5 September 2016.

3. Available at [website-pace.net/web/apce/anti-corruption-platform](http://website-pace.net/web/apce/anti-corruption-platform), accessed 5 September 2016.

4. All 47 member states of the Council of Europe, plus Belarus, the Holy See and Kazakhstan.

5. Final Declaration of the 24th Session of the Council of Europe Standing Conference of Ministers of Education, Helsinki, 26 and 27 April 2013, available at [www.coe.int/en/web/education-minister-conference/previous-conferences](http://www.coe.int/en/web/education-minister-conference/previous-conferences), accessed 5 September 2016.

teaching profession, with a view to establishing common guidelines based on good practices;

- ▶ pilot projects in member states.

The platform was launched by the Minister of Education, Youth and Sports of the Czech Republic, Ms Kateřina Valachová and the Director General of Democracy of the Council of Europe, Ms Snežana Samardžić-Marković on the occasion of the 7th Session of the Prague Forum on 1 and 2 October 2015.

The present publication is a compilation of the speeches and presentations that were made at the launch of ETINED in Prague. States Parties to the European Cultural Convention were also invited to submit written contributions on the theme and sub-themes of the Prague Forum, with concrete proposals and implications for future action at European level on the same. These contributions included:

- ▶ executive summaries about reforms being carried out by states or having a direct link with the theme of the forum, detailing the main challenges and the responses made;
- ▶ case studies or examples of good practice of evaluation of results obtained following reforms made or pilot projects conducted by states in relation to the sub-themes of the forum.

The contributions from member states are reproduced in Part II of the present document.



# Programme of the 7th Session of the Prague Forum

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## Thursday 1 October 2015

### **9-9:30            Opening session – Launch of the platform**

Chaired by Ladislav Bánovec, Director of the Department of International Relations, Ministry of Education, Youth and Sports of the Czech Republic

Welcome speeches:

Kateřina Valachová, Minister of Education, Youth and Sports, Czech Republic

Radka Wildová, Dean of the Faculty of Education, Charles University, Czech Republic

Tomáš Zima, Rector of Charles University, Czech Republic

Snežana Samardžić-Marković, Director General, DGII – Democracy, Council of Europe

### **9:30-10:30      Plenary session 1**

“Setting the framework: the work of the Council of Europe in the field”

Chaired by Jindřich Fryč, Chair, Steering Committee for Educational Policy and Practice (CDPPE), Council of Europe

- Presentation of the work done by the Group of States against Corruption (GRECO) by Christian Manquet, Vice-President of GRECO
- “An introduction to the work on ethics, transparency and integrity in education done by the Council of Europe”: presentations by Ian Smith (University of the West of Scotland) and Tom Hamilton (General Teaching Council for Scotland), United Kingdom

### **10:50-12:15    Plenary session 2**

“Cross views on perspectives and practices”

Chaired by Marie-Anne Persoons, Representative of the CDPPE

Speakers:

- Haldis Holst, Deputy Secretary General, Education International
- Boris Divjak, U4 Anti-Corruption Resource Centre Norway
- Muriel Poisson, International Institute for Educational Planning (IIEP-UNESCO)
- Elena Panfilova, Transparency International

Questions and answers

**14-15:30 Parallel working group sessions: case studies**

### **A. Ethical behaviour of all actors in education**

Chaired by Sabine Rohmann, Education and Culture Committee of the INGO Conference of the Council of Europe, Member of the Bureau of the CDPPE

Case studies:

- A national case study of how ethical behaviour has been approached in professional codes and standards, Tom Hamilton, General Teaching Council for Scotland, United Kingdom
- Advocating for honesty and transparency, Daiva Penkauskiene, Modern Didactics Centre, Lithuania
- Ethical principles, Ian Smith, University of the West of Scotland, United Kingdom

### **B. Academic integrity/plagiarism**

Chaired by Maija Innola, Ministry of Education and Culture of Finland, Representative of the CDPPE

Case studies:

- Promoting maturity in policies for plagiarism across Europe and beyond, Irene Glendinning, Coventry University, United Kingdom
- Plagiarism in German medical dissertations, Debora Weber-Wulff, University of Applied Sciences, Germany

### **C. Recognition of qualifications**

Chaired by Stefan Delplace, EURASHE, Member of the Bureau of the CDPPE

Case studies:

- The Decision of the Benelux Committee of Ministers on mutual automatic generic recognition of the level of higher education degrees M(2015)3 of 18 May 2015, Marie-Anne Persoons, Belgium
- The experience of the Swedish ENIC-NARIC office in dealing with fraudulent credentials and diploma mills, Erik Johansson, Department of Qualifications Recognition, ENIC-NARIC Sweden

**16-17:00 Group sessions continued**

**17:00 Meeting of the general rapporteur with working groups rapporteurs**

**20:00 Award of the Pro Merito Medal of the Council of Europe in memory of Germain Dondelinger**

### **Friday 2 October 2015**

**09:30-11 Roundtable – Input to the future work of the platform: answers from the parallel working group sessions**

Chaired by Etienne Gilliard, Vice-Chair, CDPPE

Input from:

- Michèle Eisenbarth, Permanent Representative of Luxembourg to the Council of Europe, Chair of the GR-C
- Lea Meister, European Students' Union
- Quentin Reed, Education consultant
- Giorgi Sharvashidze, Deputy Minister, Ministry of Education and Science, Georgia
- Jens Vraa-Jensen, Education International

**11:20-12:30 Plenary session 3**

Presentation of the general report of the forum by Tomáš Foltýnek, Mendel University Brno, Czech Republic, General Rapporteur

“Inspiration for the future” – The essentials of educating the community. Keynote speech by Bertrand de Speville, Consultant, former head of the Independent Commission against Corruption (ICAC) of Hong Kong, United Kingdom

Presentation of the main challenges and expectations of the priorities of work, Jindřich Fryč, Chair, CDPPE

**Closing remarks**

Lukáš Teplý, Department of Strategy and European Affairs, Ministry of Education, Youth and Sport of the Czech Republic



Part I

**Presentations made  
at the Prague Forum**

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## Opening session

# Launch of the platform

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**Kateřina Valachov, Minister of Education,  
Youth and Sports, Czech Republic**

Dear Ms Samardžić-Markovi,

Dear Mr Zima,

Dear Ms Wildov,

Honourable guests,

Dear participants,

Let me first of all thank the organisers of the 7th Prague Forum for inviting me to open this event. I am very glad that this forum takes place here in Prague, on the premises of one of the oldest universities in the world, Charles University.

The 7th Prague Forum is a result of the long-term work of the Council of Europe in the field of promotion of quality education. The role of education is crucial for the future of our societies. The public system of education is practically the only one that accompanies people from their early childhood until their adulthood on a daily basis. As such, education is the most powerful tool for the better future of people. Good and accessible education provides social, cultural and economic emancipation for all. Education is also fundamental for a functional relationship among generations, for cultural understanding and tolerance as well as for the development of democratic citizenship. All these are values that we need to foster, especially in the current difficult situation in Europe.

The Ministry of Education and the Czech Government are aware of the key role of education for a democratic and socially just society. Quality and accessibility of education for all is our political priority. Therefore, we have prepared a system of support for children with special educational needs and changes in the financing of the educational system that will provide accessible education as well as leisure activities for children and youth. Of course, the system of higher education is of high importance as well – not only as the source of a qualified workforce, but mainly as a system producing well-educated people and citizens.

The main theme of this forum – “ethics, transparency and integrity in education” – is a topical and important issue. It is clear that in a quality system of education providing equal opportunities for all there is no place for unjustified benefits and other types of corruption, and, of course, any other forms of discriminatory or even harmful behaviour on the part of actors at all levels of the educational system.

Ladies and gentlemen,

I am looking forward to your fruitful discussion and to various opinions on this topic and wish your conference success.

Thank you.

## **Radka Wildová, Dean of the Faculty of Education**

Madam Minister,

Your Excellency, Mr Rector,

Madam Director General,

Ladies and gentlemen, dear guests,

It is my great honour to welcome you, participants of the 7th Prague Forum on educational policies in Europe organised by the Council of Europe in co-operation with the Ministry of Education, Youth and Sports, Charles University in Prague and the Faculty of Education, on the theme "Towards a pan-European platform on ethics, transparency and integrity in education".

### **Introducing the Faculty of Education**

The Faculty of Education, as one of the largest faculties of Charles University in Prague, fulfils its mission in the field of higher education and lifelong learning for teachers, educators and other educational staff, including the staff of the School of Management. We prepare teachers training to specialise in all curricular subjects in elementary and secondary schools. Research is mainly focused on the science of education and training, especially on didactics. Next year, along with other faculties of education in the Czech Republic and in Slovakia, the Faculty of Education at Charles University will celebrate 70 years as a university faculty.

The faculty is professionally oriented and works across the whole spectrum of education, from pre-school education to adult learning. Although Charles University in Prague has five other faculties involved in the preparation of teachers, the Faculty of Education is the only one dedicated to teacher preparation.

Currently, the Faculty of Education has more than 4 800 students studying full-time and part-time (66% in full-time study). In addition to the bachelor's and master's courses, the Faculty of Education also offers doctoral courses, which sees a future for the development of disciplines and subject didactics, which has long been in its research activities and international co-operation.

### **The Faculty of Education's international co-operation**

Faculty members are actively involved in international co-operation with universities and institutions in Europe and beyond. There are 61 international intercollegiate agreements for collaboration, with the most focus on extensive co-operation with Germany and Poland. A contract with Joetsu University in Japan was recently concluded and will come into operation in January 2016 during the preparation of a travelling exhibition involving four universities from Taiwan, Mongolia, Japan and

the Czech Republic. Very close ties have traditionally been developed with Slovakian universities, in terms of educational mobility, the organisation of joint international conferences and the creation of specialist publications.

For the development of international relations in the field of science and research with French institutions it is of considerable importance to Charles University that we are a member of CEFRES (Centre français de recherche en sciences sociales).

Charles University has long supported student and staff mobility and work placements under Erasmus+, in which all departments are involved. Most contracts under Erasmus+ have been agreed with universities in Germany, France and Spain and the Slovak Republic.

The faculty is one of the first faculties of Charles University and in the Czech Republic actualises the Erasmus Mundus programme. Together with the University of Roehampton (the co-ordinating institution) and the University of Oslo, we plan to provide an MA in Special and Inclusive Education for students and academics.

There is, thus, relatively broad experience in international projects, shown in the past in dealing with projects under Frameworks 5, 6 and 7 and more than six Tempus projects. In 2014, faculty members were involved in 15 international European Union (EU) projects, one of which is a project belonging to the 7th Framework Programme. Application for the project ERASMUS-KA3 is currently being completed. In 2015, the faculty submitted three requests for the Horizon 2020 project.

### **Today's meeting**

As Dean of the Faculty of Education, I fully support and welcome the initiative of the Council of Europe and its efforts to launch a pan-European platform on ethics, transparency and integrity. I am pleased that it is Charles University that is hosting participants for such an important forum, and which can create an appropriate environment for discussing such a serious and, at the same time, very current topic.

The Faculty of Education, the Czech Republic and Slovakia closely co-operate through the Association of Deans of Faculties of Education. The main topics of the 7th Prague Forum and its results will be used in the working meetings of the Association of Deans. The results of the forum will be followed very closely and we will try to reflect them in practice in the faculties' teaching.

One of the key priorities of the faculty is to ensure the quality of teaching and research activities. Thus:

- ▶ the faculty pays great attention to plagiarism in the academic work of its students and the publication activities of its research and teaching staff;
- ▶ the faculty strives for transparency in recruitment, systematically and through a multi-tier system and monitors compliance with all laws and regulations regarding admission procedures;
- ▶ the faculty has established long-term monitoring mechanisms for compliance with all regulations and measures for students to fulfil their course requirements and that are necessary for the proper and successful completion of studies (it is not a degree factory!);

- ▶ the faculty ensures that its staff comply with ethical principles in teaching and research activities.

In the above matters, faculty managers are working closely with the full support of the Academic Senate and with student councils.

As part of Charles University, the Faculty of Education is ready to actively engage in taking the necessary action to work with the Czech Ministry of Education, Youth and Sport for the launch of the Council of Europe's Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED). The faculty is also ready to assist in implementing strategies to support ethics, transparency and integrity in the education of children in Europe, specifically in the Czech Republic, and to educate future teachers in this spirit. Part of this platform's activities is discussion on the issue of ethical principles in education, including ethics in the work of teachers in education, plagiarism and fake certification. Since they profoundly affect the mission of the Faculty of Education (teacher training and the continuing professional learning and development of teachers), we shall closely follow and, where necessary, contribute to this debate, and disseminate and act upon the results of these discussions. Ethical principles in education will be exercised in relation to international co-operation emerging from activities in the Association for Teacher Education in Europe (ATEE), of which the faculty is an institutional member.

In conclusion, let me (once again) wish you a warm welcome and every success for the workings of the 7th Prague Forum.

### **Tomáš Zima, Rector of Charles University**

As Rector of the biggest and oldest central European University, I warmly welcome the long-running activities of the Council of Europe to promote quality education at all levels of education.

Quality education is interconnected with equal opportunities for students, teachers and schools and thus I am very pleased that the Council of Europe considers these themes to be important, and battles to promote equal opportunities and set up a wide range of related measures.

Looking at the outcomes of the last ministerial meeting that took place in Helsinki in 2013, focusing on governance and quality education, I find it crucial that all ministers also agreed on the importance of information exchange through best practices on ethics and integrity in education and in this respect underlined the role of quality education.

Bearing in mind the globalisation of the European educational area, such things that threaten integrity in education cannot be resolved separately in each country. Thus I welcome the initiative of the Council of Europe and all member states to establish the Pan-European Platform on Ethics, Transparency and Integrity in Education.

From my perspective, I find such activities to be crucial not only because my university exists in the common European academic world, but also because we train the next generation of citizens and – what is more – future experts who will be educating the next generations of Europeans.

For all of our teachers and students, building an environment that respects the rules of morality is a prerequisite for everyday ethical behaviour.

In the Czech Republic, we also have to fight against negative phenomena such as diploma mills and plagiarism. Czech universities work together very closely in this field and have established efficient inter-university co-operation. They have mutually developed and implemented projects in this area nationally and, likewise, participated in international projects. We consider this to be an important subject for the Czech Rectors Conference, which I have the honour to chair. Consequently, we possess the capacity to contribute towards these outcomes from the very beginning of the establishment of the Pan-European Platform on Ethics, Transparency and Integrity in Education.

The issue of ethical principles is one of the priority areas of our joint endeavours and is reflected in all our educational activities. As Rector of Charles University, I feel that it is a great privilege for my institution, one that I personally appreciate very much, that discussions on the related issues will take place at my university, and that the platform will be launched in the Czech Republic.

**Snežana Samardžić-Marković, Director General,  
DGII – Democracy, Council of Europe**

Ministers, Excellencies, Ladies and Gentlemen,

I would like to thank the Czech authorities, especially Minister Valachová and Mr Jindřich Fryč, for hosting this, the 7th Prague Forum.

In the name of the Secretariat, I would also like to thank very much a person whose help has been essential for the organisation not only of this Prague Forum, but of all seven. I speak of course of Alena Spejchalová, who has been involved from the very beginning. Dear Alena, your dedication, great professionalism and efficiency in finding solutions to sometimes tricky problems have ensured the success of these meetings. I have been told that you were once a basketball player, and we can certainly see your team spirit shine through your professional commitments.

Dear Minister, Dear Jindřich, thanks to your longstanding dedication and commitment, we are launching our ethics in education platform at this prestigious event. The Pan-European Platform on Ethics, Transparency and Integrity in Education – also called ETINED – was one of the concrete political undertakings made by the ministers of education at the 2013 Helsinki Ministerial Conference.

The platform will be a network of specialists from the 50 States Parties to the European Cultural Convention. They will be co-operating with other international organisations and agencies engaged in the field, some of which are represented here today: Transparency International, U4 Anti-Corruption Platform and IIEP-UNESCO. I would like to pay tribute to the immense body of work produced by your organisations and say how happy we are to be working with you.

I think we are especially lucky that this forum is being held in the Faculty of Education of Charles University, a university founded in 1348, one of the oldest in Europe, the university of Franz Kafka, Milan Kundera, Karel Čapek and so many other important figures of European and Czech history. Thank you, dear Rector, dear Dean, for welcoming us here today.

The ethics in education platform has been designed to promote ethics in education and to tackle corruption. When I tell people this, they are often doubtful or surprised. They say: "Really? Is there corruption in education?"

Well, in some countries, corrupt practices in education are well known. It makes me think about a popular joke in one of our member states, in which a man visits a professor and says:

"My son is such an idiot, he will never pass your entrance exams", to which the professor replies: "I bet you \$1 000 that he will!"

In other countries, there may be less public discussion of corruption in education. But this does not mean it doesn't exist.

In reality, as shown by recent examples in the news, no country can claim to be exempt from this scourge. I think of recent examples of ministers being obliged to resign for plagiarism in their university theses.

A recent survey from Transparency International measures public perceptions of corruption in education.<sup>6</sup> It is true that figures vary enormously from one country to another – from 6-7% to 70-72% – but the survey also shows that no country is exempt and that the European average is around 34%.

It is also true that there is no reliable data available on actual levels of corruption. This is because corruption in education takes so many forms and because, although it is sometimes obvious, it can be very difficult to pinpoint.

Corruption touches every level of education, from pre-primary to higher education.

It includes the most blatant forms of corruption – paying bribes to enter a certain school, obtaining diplomas dishonestly or buying a research paper written by someone else – right through to the most hidden, such as teachers selling books or extra lessons to students and only allowing those who pay for such "services" to pass their course or exam.

All these forms of corruption vary and can be organised in a systematic or ad hoc way.

But they all pervert and disrupt the fundamental cement of our democracies: the trust we place in the system, the belief that rules apply to everyone. If we do not tackle corruption in education, we are effectively teaching children that those who get ahead are those who know how to flout our societies' rules and standards. On that basis, how can we possibly develop a culture of democracy?

Traditionally, education has been seen as a passport to a better life and a means to create a better society. Schools and universities are rightly vaunted as places – perhaps

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6. *Global corruption barometer 2013*, Transparency International, available at [www.transparency.org/gcb2013/report](http://www.transparency.org/gcb2013/report), accessed 5 September 2016.

the only ones – where young people can succeed on merit alone: where everyone is equal, irrespective of their background.

One of the main elements of corruption is unfairness. It perverts education, so that, instead of contributing to social cohesion, it contributes to further differentiation. Access to education is then no longer based on merit or on need and academic qualifications are no longer linked to achievement.

The social costs of corruption are steep. Citizens lose trust in the democratic system. The international reputation of the country suffers.

Let me quote Professor Stephen Heyneman:

In a democracy, the public takes a very active interest in the fairness of its education system. If the public does not trust the education system, more may be sacrificed than economic growth; it might be said that current leaders, whether in commerce, science, or politics, had acquired their positions through privilege rather than achievement. If the school system cannot be trusted, it may detract from a nation's sense of social cohesion, the principal ingredient of all successful modern societies.

Sometimes corruption can be dangerous at an individual level. Who wants to be treated by a doctor with fake qualifications, for example? And corruption in the form of sexual harassment can damage young people for the rest of their lives. At group level, corruption can amount to discrimination against certain communities.

Clearly, a solution must be found.

And that is why the ministers of education of the 50 States Parties to the European Cultural Convention agreed at the Helsinki Ministerial Conference to join forces and work together on ethics, transparency and integrity in education. They agreed to create a dedicated platform for this purpose.

The idea was to commit to fundamental ethical principles. And, today, we are launching that very platform.

The aim of the ethics in education platform – ETINED – is to promote a new, holistic approach to achieving quality education and addressing corruption. This approach calls on all relevant sections of society to commit fully to fundamental, positive ethical principles for public and professional life. It does not rely on top-down, mechanistic regulatory measures. Corruption cannot be fought through legal norms and structures alone, as important as these are to set up the reference framework.

If we want to see a change in the situation over the long term, what is needed is a change of mentality and culture. Unethical behaviour must be considered unacceptable by the public and everyone else involved. People must feel confident enough to speak up if they witness corruption; those who are involved in corruption should feel both ashamed and insecure – because they expect to be found out.

Through the platform, the Council of Europe aims to:

- ▶ share information and best practices on transparency and integrity in education;
- ▶ help develop answers to the challenges posed by corruption in education and higher education;

- ▶ create a “virtuous cycle” so that everyone in education commits to fundamental, positive ethical principles;
- ▶ pool resources and best practices on ethics, transparency and integrity in education and disseminate this information through training, tools, guidelines and a website.

We will begin with:

- ▶ guidelines on ethical principles and behaviour, based on consultations with those involved at regional roundtables;
- ▶ a seminar on plagiarism;
- ▶ a study comparing policies for academic integrity in the 50 States Parties to the European Cultural Convention;
- ▶ checklists and policy recommendations on diploma mills;
- ▶ pilot projects in interested countries.

To conclude, I am proud today to officially launch the Council of Europe’s Platform on Ethics, Transparency and Integrity in Education.

As we will have ample opportunity to discuss over these two days, ethical behaviour is a sine qua non of a living democracy. Corruption is its antithesis.

## Plenary session 1

# **“Setting the framework: the work of the Council of Europe in the field”.** **An introduction to the work on ethics, transparency and integrity in education done by the Council of Europe**

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*Ian Smith (University of the West of Scotland) and Tom Hamilton  
(General Teaching Council for Scotland), United Kingdom*

### **Abstract**

This presentation identifies the development of the Council of Europe’s Pan-European Platform on Ethics, Transparency and Integrity in Education (ETINED) as based on the overarching approach that all relevant sections of society should commit fully to positive ethical principles for public and professional life. This positive principles-based approach moves beyond anti-corruption regulatory measures, and advances the Organisation’s commitment to quality education, following on from the Helsinki Declaration of April 2013. The presentation summarises the work that has been reported to the Council of Europe’s Steering Committee for Educational Policy and Practice (CDPPE) on developing approaches to ethical principles for education and the ethical behaviour of all actors in education. Particular emphasis is given to “implementation scenarios” for advancing these approaches through the platform, and mention is also made of plans to address academic integrity and plagiarism as well as recognition of qualifications as part of the platform’s development.

## Introduction, including approach to references

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

The principal outputs of this work are the "Ethical principles" document, presented to the informal session of the CDPPE in Brussels, December 2014, and "The ethical behaviour of all actors in education" document, presented to the plenary session of the CDPPE in Strasbourg, March 2015 (Smith and Hamilton 2014, 2015). Both these documents are on the new Council of Europe ETINED website.<sup>7</sup>

Throughout this presentation, detailed references will be made to particular parts of these two documents. The documents themselves extensively reference the work of other organisations in the area of ethics, transparency and integrity in education. In the current presentation, these full references to all the outputs of other organisations will not always be repeated. All the full references to the work of other organisations can be found in the relevant sections of the "Ethical principles" and "The ethical behaviour of all actors in education" documents.

While the December 2014 and March 2015 documents were authored by the presenters, the role of the ETINED Working Group set up by the Council of Europe was important in developing these documents. This working group comprised members of the CDPPE, including the current Chair; representatives of other key groups of actors, that is Education International (EI) and the European Students' Union (ESU); senior staff from the Council of Europe Secretariat; and the presenters in their role as Council of Europe experts. The working group held four major meetings between September 2014 and June 2015, and its discussions contributed significantly to the approaches taken in the documents.

## A positive, principles-based approach for the Council of Europe

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

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

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7. Available at [www.coe.int/etined](http://www.coe.int/etined), accessed September 6, 2016.

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

The platform's approach advances the Organisation's commitment to quality education, as stated in the Final Declaration from the Council of Europe Standing Conference of Ministers of Education on "Governance and quality education", Helsinki, April 2013, and also reflected in the 6th Prague Forum, October 2012, and the Meeting of Ministers' Deputies, December 2012, from which the Recommendation CM/Rec(2012)13, Appendix and Explanatory Memorandum link quality education with being free of corruption (Council of Europe 2012a, 2012b, 2013). All these documents are available on the ETINED website.

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

### **The broader context for all member states of the Council of Europe**

Although the platform prefers the term "ethics, transparency and integrity" and focuses on the Council of Europe's member states, the work of the platform links with the worldwide concern with corruption in education, and the need for active responses to this. For example, a key background reference such as Transparency International's 2013 Report is on global corruption in education (Transparency International 2013). Another interesting example of worldwide emphasis on relevant issues (in this case for higher education) that emerged during the work of the ETINED Working Group is the September 2014 Poznan Declaration by the Compostela Group of Universities (Compostela Group of Universities 2014). This group includes around 70 universities as members from across the world (although over 20 are from Council of Europe countries).

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

For example, a source such as the Boston College Center for International Higher Education's Higher Education Corruption Monitor, in its "Academic Corruption News", currently provides examples of corruption from eight "mature" countries, including western European countries, out of a total of 36 countries cited. This is significant, even if there may be an argument that the literature to provide evidence in "mature" countries may be available more readily (Boston College 2015). Of the 23 Council of Europe countries from which members of the Compostela Group of Universities are drawn, about half are "mature".

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

### Links with existing work by other organisations

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

Particularly important are existing "overview" sources, that is sources on the general relationship between "ethical principles" and "ethical behaviour" statements. Such resources have been produced by organisations such as the International Institute for Educational Planning (IIEP), Transparency International and the U4 Anti-Corruption Resource Centre. A particularly helpful example is "Teacher codes: learning from experience" (van Nuland 2009), but other sources from these organisations are referred to in the "Ethical principles" and "Ethical behaviour" documents.

Also particularly important are existing "statement" documents, namely documents that combine statements on ethical principles and ethical behaviour. Such resources have been produced by Education International (EI); the International Association of Universities – Magna Charta Observatory (IAU-MCO); the United Nations Educational, Scientific and Cultural Organization's European Centre for Higher Education (UNESCO-CEPES); UNESCO; the European Commission; and national organisations such as the General Teaching Council for Scotland (GTCS). A particularly helpful example is the Education International Declaration on Professional Ethics (2004), and other important examples from the organisations listed above are referred to in the "Ethical principles" and "Ethical behaviour" documents.

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

## “Ethical principles” and “ethical behaviour of all actors in education”

In developing the platform, it is important to explore the relationship between statements on ethical principles and statements on the ethical behaviour of actors. Distinctions are normally drawn between these two types of statements.

“Ethical principles” statements are generally high-level statements, providing “headline summary” themes for subsequent “ethical behaviour of actors” statements (McKelvie-Sebileau 2009: 19). They refer to “beliefs” (van Nuland 2009: 19), “norms” (Poisson 2009: 20) and “values” (ibid.).

“Ethical behaviour of actors” statements provide much more specific guidance on the conduct and practices expected of actors. They refer to “ethical rules” (van Nuland 2009: 40-1), “principles of professional practice” (ibid.), “rules of professional practice” (ibid.), “codes of conduct” (ibid.: 20; Poisson 2009: 16) and “standards of professional conduct” (Poisson 2009: 22-3, 51).

Particularly valuable resources for exploring such distinctions are three publications by the IIEP from 2009: the van Nuland-authored document mentioned earlier; Poisson’s “Guidelines for the design and effective use of teacher codes of conduct”; and McKelvie-Sebileau’s “Patterns of development and use of codes of conduct for teachers in 24 countries”. Indeed, most of the phrases used as examples above come from these three IIEP sources.

The connections with these sources are developed further in a case study presented later in this document, Ian Smith’s 7th Prague Forum parallel working group session on the ethical behaviour of all actors in education, “Developing an ‘ethical behaviour of all actors in education’ document for the Council of Europe’s Pan-European Platform on Ethics, Transparency and Integrity in Education” (Smith 2015). Underpinning these general references are fuller references to the three IIEP publications in the “Ethical principles” document.

However, although distinctions can be made between the two types of statements (“ethical principles” and “ethical behaviour of actors”), there is also a close connection between them. Indeed, both can be included in a single document, and this is the case for many documents produced by other organisations. Although two separate documents have been produced for the platform, the detailed “ethical behaviour of actors” statements in the “Ethical behaviour” document have been presented under the overall heading of “Ethical principles”<sup>8</sup>

## Ethical principles

In defining, grouping and sequencing ethical principles for education, the position proposed for the platform is that all actors involved in education should show an unwavering personal commitment to the following 14 ethical principles:

- ▶ integrity

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8. Smith and Hamilton 2015.

- ▶ honesty
- ▶ truth
- ▶ transparency
- ▶ respect for others
- ▶ trust
- ▶ accountability
- ▶ fairness
- ▶ equity, justice and social justice
- ▶ democratic and ethical governance and management of the education system and educational institutions
- ▶ quality education
- ▶ personal and systems improvement
- ▶ institutional autonomy/institutional independence
- ▶ international co-operation.

It is recognised that there may be some differences in type between these principles, especially between the first nine principles (up to, and including, “equity, justice and social justice”) and the remaining five (from “democratic and ethical governance and management of the education system and educational institutions”). The first nine are in a sense more fundamental, and can be applied to areas beyond education. The remaining five are more specifically education focused. However, the view is taken for the platform that the final five are still important principles for education.

These issues are explored more fully in the publications on “Ethical principles” (volume 2) and on the “Ethical behaviour of all actors in education” (volume 3).

## Groups of actors in education

The eight groups of actors in education currently covered for the platform in the “Ethical behaviour” document are:

- ▶ teachers in schools;
- ▶ academic staff in higher education (HE);
- ▶ school pupils;
- ▶ HE students;
- ▶ parents/guardians/care givers/carers of school pupils;
- ▶ parents/guardians/care givers/carers of HE students;
- ▶ employers and managers within the education system;
- ▶ relevant public officials, and the political leaders and representatives of broader civil society more generally.

As discussed subsequently, there are proposals to add to these groups of actors. However, even the presentation of these eight groups has been debated by the ETINED Working Group. For example, it was decided to present “teachers in schools” and “academic staff in higher education” separately rather than as a single group, for instance “teachers at all levels”. The term “academic staff in higher education” was used rather than “higher education lecturers” to ensure that the term also includes academics in largely leadership and management roles, and those in predominantly research rather than teaching roles. The term “school pupils” (rather than “students”) was used simply to distinguish them from “higher education students”, and not to imply a dismissive attitude to the status of school pupils. The full term “parents/guardians/care givers/carers” was used to emphasise the complexities around which adults, in addition to biological parents, may be in formal positions in relation to school pupils and HE students. There may be particular differences between “employers and managers” in the school and HE sectors respectively. It was judged particularly important to ensure that the category “relevant public officials, and the political leaders and representatives of broader civil society more generally” was as broad as possible.

### **“The ethical behaviour of all actors in education” and future developments within implementation scenarios**

Detailed statements on “The ethical behaviour of all actors in education” are presented under the overall headings of the 14 ethical principles for education, with the eight groups of actors in education as sub-headings within each overall heading. This makes for 112 separate statements.

Future implementation scenarios include developing further detailed statements for other actors, especially: the wider workforce of administrative and technical support staff in education, employers and managers in the wider private business sector, and the media. These implementation scenarios also include producing briefer extracts/summaries of key aspects of the full documents for particular groups of actors, especially from the “detailed statements” (extracts/summaries that will be practical, concise and user-friendly guidelines and tools).

### **Wider implementation scenarios for ETINED on ethical principles/ethical behaviour of all actors in education**

In addition to the further development of the documents mentioned above, there are wider implementation scenarios for the platform’s approach to ethical principles/ethical behaviour of all actors in education.

These include using the “Ethical principles” and “Ethical behaviour” documents explicitly as the basis for more formal Council of Europe guidelines on ethical principles, rather than simply as background source documents.

More broadly, the Council of Europe currently envisages the platform as primarily “human” and “real world”, at least initially (see terms of reference on the 7th Prague Forum SharePoint, Council of Europe 2015a). However, there is also a clear aspiration to advance website developments, linked to raising awareness, disseminating information, sharing best practice and developing expertise. The Council of Europe recognises the resource challenges, including for staffing, in developing a “full function” website. Recognition of these challenges emphasises the attraction of collaboration with other organisations on website presence.

Collaboration on websites could be part of wider collaboration through memoranda of understanding with other organisations working on ethics, transparency and integrity in education. Potential organisations for collaboration include the IIEP, Transparency International and the U4 Anti-Corruption Resource Centre. Such collaboration would strengthen global action on ethics, transparency and integrity in education. Of course, it will be important to look at complementarity within partnerships, for example when considering website developments, including between the Council of Europe’s specific focus on “Europe” (that is its member states) and the wider, global remit of other organisations beyond the Council of Europe’s area of focus.

Implementation scenarios could include a “Council of Europe recommendation to member states ... with a distinctive emphasis on the public responsibility of actors in education to achieve ethics, transparency and integrity in education” (Council of Europe 2015b). This could be issued by the Committee of Ministers. They could also include a “Council of Europe Charter of Ethics ... which institutions/organisations could commit to and sign” (ibid.). This could be at the level of member states or at the level of institutions/organisations within states. Alternatively, such a document could be non-binding, that is, not requiring formal signature. There will need to be further discussion on whether such an initiative should be a more formal binding code, or take the form of less formal pan-European guidelines. There are precedents for such a charter, such as the 2010 Charter on Education for Democratic Citizenship and Human Rights Education (including its recommendation, appendix and explanatory memorandum) (Council of Europe 2010).

Implementation scenarios could also include undertaking a pan-European study reviewing existing codes of conduct for schoolteachers, and making recommendations arising from this review (to include concrete national examples of best practice, guidelines for producing codes and areas requiring further development). Such a study could include four to five “regional roundtables” as a way of obtaining feedback on the issues from relevant actors. This initial study would be on schoolteachers because much work on codes for this group already exists.

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

Implementation scenarios could include the establishment of national or regional pilot projects on ethics, transparency and integrity in education. These pilot projects could involve new developments working from the “Ethical principles” and “Ethical behaviour” documents, or they could involve the evaluation of existing developments against the approaches taken in these documents.

### **Additional areas for development beyond ethical principles/ethical behaviour**

In addition to further developments around ethical principles and ethical behaviour, the platform will take forward developments in two other areas.

Firstly, it will focus on academic integrity and plagiarism. The intention is to build on the recent EU-funded project Impact of Policies for Plagiarism in Higher Education Across Europe (IPPHEAE), which focused on the EU, by expanding consideration to the 50 States Parties to the European Cultural Convention. Parallel working group session B includes a presentation by Irene Glendinning of Coventry University on academic integrity/plagiarism, based on her work for the IPPHEAE project.

Secondly, developments will be taken forward on the recognition of qualifications/accreditation and diploma mills. These developments will be based on the Council of Europe’s collaboration with the ENIC-NARIC network (ENIC refers to the European Network of Information Centres [in the European Region], and NARIC refers to the National Academic Recognition Information Centres [in the EU]).

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## Parallel working group sessions: case studies

# Working group A: Ethical behaviour of all actors in education

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### 1. A national case study of how ethical behaviour has been approached in professional codes and standards for Scottish schoolteachers

*Tom Hamilton, General Teaching Council for Scotland, United Kingdom*

#### **Introduction**

The workshop introduces the areas to be covered during the presentation. A brief explanation of the role and remit of the GTCS is given. Following this the current Teacher Education Standards in Scotland are introduced and explored, particularly in terms of the statement on Professional Values and Personal Commitment that they all contain. Next, the Code of Professionalism and Conduct (COPAC) is introduced and its approach explored. Links between the standards and COPAC are highlighted and finally, details of a planned review of COPAC are provided.

#### **Role and remit**

Initially formed in 1965 as a non-departmental public body, the status of the GTCS changed in 2012 to that of an independent Professional, Statutory Regulatory Body (PSRB) that reports on an annual basis to the Scottish Parliament.

The GTCS has various legal duties. First and foremost, it has to keep a register of teachers and registration is a legal requirement for any teacher in the state school sector in Scotland. While not legally required to do so, about 90% of teachers in the independent school sector in Scotland are also registered, with schools seeing registration as a “kitemark” of quality. (It should be noted that a bill currently before the Scottish Parliament proposes to make registration in the independent school sector mandatory.)

The GTCS also has the legal power to establish and review the standards of education and training appropriate to schoolteachers. It therefore determines teaching qualifications and sets the requirements for Initial Teacher Education (ITE) programmes for schoolteachers. In most countries it is the government that makes such determinations but in Scotland this role is given, through legislation, to the GTCS, a PSRB.

Another element of the GTCS's remit is to establish and review the standards of conduct and professional competence expected of a registered teacher. For conduct, the GTCS does this through its work on professional values and its model of professionalism. The values are central to what it means to be a teacher in Scotland and the GTCS extensively publicises and encourages debate on what teacher professionalism is and should be. For competence, the GTCS publishes a Framework on Teacher Competence that is endorsed by the Scottish Negotiating Committee for Teachers (SNCT), a tripartite organisation comprising the Scottish Government, the Scottish local authorities (which employ teachers) and the education unions. With the endorsement of the SNCT, the framework is then used by all local authorities as the basis of steps to be taken to measure and support the competence of any teacher in Scotland whose proficiency is questioned.

Another important element of the remit of the GTCS is to investigate the fitness to teach of individuals who are, or are seeking to be, registered. This gives the GTCS legal powers to refuse applications for registration from people deemed not to be fit to teach and to cancel the existing registration of any individual whose conduct is judged to fall significantly short of the standards expected of a registered teacher. (The GTCS also has a range of other disposals such as reprimands.)

A final element of the role and remit of the GTCS is that it is required by the legislation to set up and maintain a system of "re-registration" for all teachers. This five yearly sign-off against the standards is called the Professional Update.

## **Teacher education standards in Scotland**

The GTCS has a suite of standards that cover all the stages of teaching from being a student to being a head teacher. They are:

- ▶ the Standards for Registration (Provisional, Full);
- ▶ the Standard for Career-Long Professional Learning;
- ▶ the Standards for Leadership and Management (Middle Leadership, Headship).

The Standards for Registration are in two parts, Provisional and Full, and are mandatory requirements to become a teacher in Scotland. The Standard for Provisional Registration lays out what a student in a Scottish university completing an ITE programme must meet on graduation while the Standard for Full Registration specifies what must be attained at the end of a probationary period in order to achieve Full Registration. (The Standard for Full Registration thereafter is the baseline standard for competence for all teachers in Scotland.)

The Standard for Career-Long Professional Learning is not mandatory but experienced teachers may choose to use it to reflect their development as accomplished

teachers. It is designed to be aspirational and to encourage ongoing professional learning throughout the career of a teacher.

The Standards for Leadership and Management are in two parts, Middle Leadership and Headship. These parts address the career progression of teachers who opt for a promoted post pathway in leadership and management. From 2018/19 it will become mandatory for all head teachers on appointment to hold the Standard for Headship.

## **Elements of the standards**

The following diagram appears in all Scottish Teacher Education Standards.



The diagram lays out the three elements that the GTCS has deemed to be necessary for a teacher in Scotland. Teaching in Scotland is viewed as a complex task that requires each of these elements before it can be successfully completed.

At the heart of being a teacher in Scotland are Professional Values and Personal Commitment but teachers must also have Professional Knowledge and Understanding and Professional Skills and Abilities. All three elements must be successfully attained (and then maintained) in order to teach.

## **Professional values and personal commitment**

Scotland is happy to emphasise the importance it puts on values for teachers and that statement of values has been a longstanding practice within its Teacher Education Standards.

When the previous standards were being reviewed and the current suite of standards being developed there was debate around the values that should be included. These were not tablets of stone developed by the GTCS and handed down from on high – there were specific questions asked and comment sought from all parties

involved in education over what should be included. Ultimately, the following areas were identified:

- ▶ social justice;
- ▶ integrity;
- ▶ trust and respect;
- ▶ commitment.

As all the standards were being reviewed at the same time the opportunity was also taken to include exactly the same statements on values in all the standards, emphasising that such values are of continuing relevance at all career stages and levels. Whether you are a student teacher or a head teacher, the same values should be at the heart of what you do.

## **Social justice**

The section on social justice spells out the need for teachers to embrace locally and globally the educational and social values of sustainability, equality and justice, recognising the rights and responsibilities of future as well as current generations. It goes on to state that teachers should commit to the principles of democracy and social justice through fair, transparent, inclusive and sustainable policies and practices in relation to age, disability, gender and gender identity, race, ethnicity, religion and belief, and sexual orientation. Teachers are further required to value as well as respect social, cultural and ecological diversity and promote the principles and practices of local and global citizenship for all learners. They are also expected to demonstrate a commitment to engaging learners in real-world issues to enhance learning experiences and outcomes, and to encourage learning as a way to a better future. Finally, they are enjoined to respect the rights of all learners as outlined in the United Nations Convention on the Rights of the Child (UNCRC) and their entitlement to be included in decisions regarding their learning experiences and have all aspects of their well-being developed and supported.

## **Integrity**

The section on integrity requires teachers to demonstrate openness, honesty, courage and wisdom. They are expected to critically examine their personal and professional attitudes and beliefs and to challenge assumptions and professional practice. Critical examination is also required of the connections between personal and professional attitudes and beliefs, values and practices so as to effect improvement and, when appropriate, bring about transformative change in practice.

## **Trust and respect**

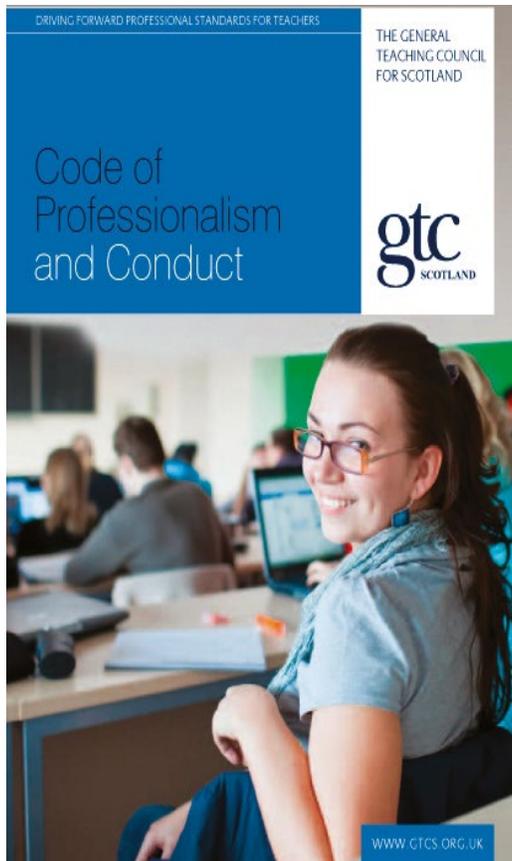
The section on trust and respect states that teachers must act and behave in ways that develop a culture of trust and respect through, for example, being trusting and respectful of others within the school, and with all those involved in influencing the lives of learners in and beyond the learning community. They must also provide and

ensure a safe and secure environment for all learners within a caring and compassionate ethos and with an understanding of well-being. There is also an expectation that they will demonstrate a commitment to motivating and inspiring learners, acknowledging their social and economic context, individuality and specific learning needs, and taking into consideration barriers to learning.

## Commitment

The final section on professional commitment enjoins teachers to engage with all aspects of professional practice and to work collegially with all members of their educational communities with enthusiasm, adaptability and constructive criticality. They are expected to commit to lifelong enquiry, learning, professional development and leadership as core aspects of professionalism and collaborative practice.

## Code of professionalism and conduct



The original version of COPAC was introduced in May 2008 and, to reflect legislative changes and the change in the status of the GTCS, a revised version came into force on 2 April 2012, the date that the GTCS became an independent body.

Based on GTCS values, COPAC provides guidance on the conduct expected of registered teachers in five sections:

- ▶ professionalism and maintaining trust in the profession;
- ▶ professional responsibilities towards pupils;
- ▶ professional competence;
- ▶ professionalism towards colleagues, parents and carers;
- ▶ equality and diversity.

COPAC has various uses but, importantly, it clearly states the standard of conduct and competence expected of registered teachers. Although the negative behaviours described in the code are unthinkable to the vast majority of registered teachers and members of the public, the GTCS has a duty to identify them so that the boundaries of professional behaviour and conduct are clear and public trust in teachers is maintained.

That said, the tone of COPAC is worthy of comment as it does not simply preach at teachers but rather sets them various ethical dilemmas, suggesting to them that they need to give particular thought to how they should behave in certain situations.

## **Planned review of COPAC**

A review of COPAC is planned for the near future. The purpose of the review will be to update COPAC, ensuring that it is in line with current expectations and that it matches with the Teacher Education Standards, including their values. The plan is for the process of review to follow the same kind of broad model as used for other recent reviews, such as that of the standards. Consultation and consensus building will be central to the process.

The review will be conducted under the auspices of the GTCS, which will also eventually sign off the final document. Various GTCS Committees will be directly involved in the process. These will include the Professional Regulatory Assurance Committee and the Education Committee. A steering group with representation from a wide range of actors is likely to be set up and a writing group will take forward the preparation of the actual text.

The steering group will be expected to do exactly what its title implies, and hence will benefit from including a wide range of voices, including employers, the teacher unions and, to represent the public interest, parents.

Public consultation will certainly feature in the process and it is likely to take the form of regional public meetings, focus groups and online opportunities to comment. Publicity will be sought through material on the GTCS website, press releases and extensive use of social media such as Twitter.

## **Conclusion and questions for discussion**

What has been outlined above relates to the specific context of Scotland and it is important to bear in mind that other countries have different systems and contexts.

While lessons may be learned from other systems it is unlikely that one country's solutions will be a perfect fit for another: adapting may be better than simply adopting. That said, the following questions may be worthy of consideration:

- ▶ within the work of the GTCS, how does it ensure that there is linkage between the standards and COPAC?
- ▶ importantly, how does the GTCS ensure that the values identified are actually enacted by teachers?
- ▶ finally, are the values identified above of significance and use beyond Scotland?

## **Websites**

Standards: [www.gtcs.org.uk/professional-standards/professional-standards.aspx](http://www.gtcs.org.uk/professional-standards/professional-standards.aspx)

COPAC: [www.gtcs.org.uk/fitness-to-teach/fitness-to-teach.aspx](http://www.gtcs.org.uk/fitness-to-teach/fitness-to-teach.aspx)

Accessed 9 September 2016.

## **2. Advocating for honesty and transparency**

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### **Abstract**

Corruption has three main components that are controllable, and one that is not. The three controllable ones are: opportunity, incentive and risk. The uncontrollable component is personal honesty (National Institute of Law Enforcement and Criminal Justice 1978).

This case study introduces a brief analysis and reflections on anti-corruption educational activities carried out in Lithuania from 2002 to 2008 by the Modern Didactics Centre, an educational non-governmental organisation (NGO), in co-operation with national and international partners. These initiatives emerged in accordance with the National Anti-Corruption Programme and general EU policy on transparency and accountability for democratic and sustainable societies. The case study presents a short overview of the in-country context, educational environment, project activities and their outcomes, with a major focus on ethical, moral, value-based approaches, attitudes and behaviours promoted, taught and learned by teachers and students in the secondary and HE sectors. The author of this case study reflects upon successes and failures, and shares her insights on how anti-corruption education could be supported in a social context full of contradictions and uncertainty.

### **Pre-history and context of the initiative**

Anti-corruption education was initiated by the Modern Didactics Centre (MDC), an educational NGO, quite accidentally. The visit of Special Investigation Service

specialists (STT) in early March 2002, however, has led to long-term anti-corruption actions in the formal education system of Lithuania and beyond.

The Head of the STT Corruption Prevention Department, Kęstutis Zaborskas, along with senior specialists Artūras Paliušis and Aida Martinkėnienė, approached the MDC with a request to contribute to the National Corruption Prevention Programme, adopted by Lithuania's Seimas (Parliament) in January 2002. One of its objectives is as follows: "to develop and apply anti-corruption curricula in comprehensive schools and HE colleges. Special anti-corruption curricula should be carried out at universities and colleges that offer specialities most prone to corruption. Anti-corruption education should become an inseparable part of the public education system" (Resolution No. IX-711 of the Seimas 2002). At the time no one had an understanding of what an anti-corruption programme in education was, what it should look like, and what it meant – there were no ready-made examples, no similar practices already in place. In spite of the programme adopted nationwide and the Law of Corruption Prevention (May 2002), the initiative had political will without financial support, and aspirations without an action plan.

In making the decision to become involved or not in a misty "affair" the significant factors were the following:

- ▶ the importance and scope of the initiative at a national level;
- ▶ the interesting challenge it provided as well as professional ambitions to develop a programme that had no analogues;
- ▶ the possibility of a unique partnership developing in working with professionals from institutions outside of the education sector.

Also, we saw the opportunity as a contribution to the Lithuanian state's application to enter the "EU club", in line with the obligation to reduce the percentage of corruption and use different means to fight corruption. It was also a means of contributing to civil society's democratisation by disseminating knowledge and understanding, strengthening values and developing attitudes.

The MDC started developing a project idea and proposal for the Open Society Fund – Lithuania (OSF – Lithuania) while looking for strong partnerships to support the endeavour. A partnership was established between March and May 2002, initially consisting of STT specialists (the main consultants on the issue), representatives of the Ministry of Education and Science (a channel to spread information to all schools), Transparency International – Lithuania Chapter (access to research and international data) and experts from PLS Rambøll Management, Denmark (foreign expertise). A visit to Poland to become acquainted with local anti-corruption education initiatives was organised in April, and in-country consultations with educational experts – programme and textbook authors as well as teacher-experts – took place from May to June 2002. A proposal was submitted to OSF – Lithuania in June, as well as to the Danish Embassy in Lithuania. Project activities started in September 2002 and ended in December 2003.

## **Project activities and outcomes**

The project aimed to develop an integrated anti-corruption education programme for comprehensive schools and recommendations for teachers, as well as to prepare teacher-multipliers of the programme developed. The project started with the announcement of a competition for school teams to participate in the project activities. Competition requirements were the following:

- ▶ applications had to be submitted by school teams consisting of different subject teachers;
- ▶ teams had to take on the responsibility to participate in all project activities, co-operate with each other, contribute to the development of the programme and test it during lessons, and ensure continuation of its implementation and dissemination following the end of the project;
- ▶ teachers had to present letters of motivation;
- ▶ teachers had to have experience in programme development and participation in projects.

Ultimately, 149 teachers and 52 school teams applied to take part in the project. The MDC selected 11 teams and 32 teachers, a difficult task in itself. The selection committee tried to read between the lines and uncover true, intrinsic motivation, desire and commitment. We believe that we succeeded in finding participants who would continue the implementation of the programme. The teachers' motivation letters, as seen in the extracts below, spoke of a very strong value-based approach:

*"we want to learn and understand democracy as the harmony of individual and societal interests ... we have to teach pupils to follow principles of democracy in private and public life, to notice the mismatch between democratic values and personal behaviour".*

*"I think, that in a state ruled by law there is no place for any citizen, any civil servant, whose will is above the law."*

*"Only conscience and public opinion have the power to follow the rule of law. We have to teach pupils to teach that."*

*"Changes in approach or values partially depend on who is the transmitter of information. I want to be a transmitter, who feels knowledgeable, confident."*

*"The topic has an existential dimension. It is about making responsible decisions, that is why it is important."*

The entirety of the project was designed in such a way that learning, teaching and material development activities ran in parallel. Teachers were learning about the concept of corruption and its prevention while at the same time applying elements of the workshops in practice, and developing lesson plans. The programme and recommendations were developed within a year, and preparation for the dissemination of the programme took another year. In 2004, 22 out of the group of 32 teachers became teacher trainers and started offering training for other school teams.

## **Follow-up activities**

The same year, the MDC started developing a programme for colleges and universities. This "expansion" to HE was inspired by the success of the school programme. But in

this case there was less enthusiasm and more scepticism, even clearly demonstrated resistance towards introducing the programme into the HE curricula. The publication *Anti-corruption education at school* was published in 2006. It contained theoretical materials, examples of course modules and optional course examples.

The main lesson learned from four years of these projects was that the education sector cannot be isolated in the battle against corruption. Schools need support from the local environment, and the local environment has to know how schools can support local initiatives in transparent governance, accountability and justice. In 2006, the MDC initiated a project that brought together schools, municipalities and different state organisations working at the local level for the international project Youth for Transparency and later, in 2008 Open Local Governance. The initiative was implemented in parallel with the Centre for Citizenship Education in Poland. The project's unique focus was need-based activities in the regions. Municipalities needed their activities to be clearer and more understandable for citizens. Pupils wanted to know better how decisions are made and acquire a sense of belonging to a community; citizens wanted appropriate information written in colloquial language. Each municipality thus implemented local projects that had value for them, receiving funding from the international project. The final project results were published in "Youth for transparency or 7 steps towards effective communication" (2007) and "Teaching for transparency" (2008). Ten municipalities and 29 teams participated in both projects. In total 179 pupils, 80 teachers and 29 municipal servants participated directly.

A professional development course of 36 hours was developed by the MDC in 2004 and accredited by the Ministry of Education and Science in 2009. During an eight-year period (2004 to 2011), 564 teachers were trained to apply anti-corruption education strategies in formal and non-formal curricula. This number could be considered low if one accounts for all teachers working in schools, however we feel that it was quite sufficient given the duration and the form of the training. The programme included three days of contact work at schools, and two days of practical work during lessons, observed by MDC experts.

### **Main characteristics of the anti-corruption programmes: openness, integrity, participation**

From the very beginning it was clear that educational programmes had to fulfil the mission of educating knowledgeable and responsible future citizens by providing necessary information about corruption and encouraging a negative attitude towards it, enabling individuals to live according to the moral standards of democratic societies. It was decided to focus on ethical norms and values rather than on corruption theory, research data and numbers, cases investigated, and so on.

We started well. Selected teachers expressed very strong value-based approaches in their letters of motivation. But we had to take a step further and ask inconvenient questions of the participants: what is my personal attitude towards phenomena of corruption? What is my personal practice? How do I think, feel and act? How does it affect my dignity and self-esteem? How does it affect my relationships with others? To answer these questions was not an easy task, as it called for

openness, honesty and truth. We were not asking the questions directly, but led the programme in such a way that those questions manifested themselves, became “naked”, “visible” and impossible to escape. Confusion and tension were broken by programme experts who served as model examples, sharing their personal stories about how they and their family members had experienced incidents of corruption, how they felt at that moment and how they felt now. Tough debates and “hot” discussions took place (for instance about the “pros” and “cons” of corruption), but they were possible due to the open standpoint the programme adopted; without it no further steps could be taken. How do you teach others fairness and honesty when you lie yourself? Maya Gainer, in “Shaping values for a new generation: anti-corruption education in Lithuania, 2002-2006” writes that “the biggest challenge fell to the teachers – in the form of developing lesson plans that would bring up corruption naturally, capture students’ interest, and leave a lasting impression without preaching” (2015: 5), but the essential challenge was to be honest with oneself. When teachers said: “Yes, I have been in corrupt situations because I had no other choice, and it had to do with the health, security and the property of my family, and I do not know if I will not participate in a similar situation in the face of personal danger;” that was when the real work of the programme started. Then we started analysing all the possible “benefits” and “losses” of corruption on personal, institutional, local, national and international levels. We examined different stories and examples. We learned from theory and research, from others and ourselves. Only with an open attitude could we start working on school curricula, lesson plans and out-of-school activities.

Teachers felt confident in teams, and were comfortable working on the values framework. They started from what is familiar for pupils: their personal and familial experiences, their observations of their environment and their honest approaches. Teachers clearly indicated that personal choice is always possible and that it depends on one’s values and the ethical norms of the community. Such an approach allowed them to nurture an independent and responsible attitude – to become “healthily sceptical” about public opinion and information, and to question common practices, like giving bribes and seeking personal good in spite of the harm to others. It also encouraged taking on concrete actions at school and in the local community – to research, to investigate, to observe. In some schools there were cases when pupils came into light conflict with their family members because they were asking inconvenient questions. Teachers had to explain to parents what they were doing during lessons and why. Their school’s participation in the project and support meant that teachers were not left to face undesirable situations alone. Such situations were discussed among partners and solutions were found in each case.

A challenge was to find the right place in existing curricula to present the topic of anti-corruption activities. It had to be such a place that new content and a new approach could organically flow into a subject, theme and existing school programme. Another challenge was to do it in a way that immediately captured the pupils’ attention, involving them and not leaving them indifferent. The first challenge was successfully met by a group of MDC experts, who had experience in developing school curricula, subject programmes and textbooks. The second challenge was met by a critical thinking skills development methodology owned by the MDC.

If openness, integrity and participation worked in the case of general education, it did not work in the case of HE, keeping the entire programme in mind. We were able to find dedicated and professional teachers who took on responsibility for the programme. But we were not able to implement it fully due to the resistance of administration and some teachers, who were invited to participate, but dropped out. Our openness was sometimes received as innocence, naivety (fighting with windmills) or arrogance (acting as though we were better than others). Our initiative was sometimes considered to be undermining (“digging under base”; “what are you getting at?”). In retrospect, it may be that the initiative was introduced too early and maybe too rapidly, without a sufficient incubation period. Ultimately, those who contributed to the methodological material for *Anti-corruption education at school* practised the same approach as the schoolteachers, and they were honest and open in discussions with students.

## Lessons learned

At the beginning “corruption” was a new concept and a big word, freshly presented in legal documents and public discourse. Despite the fact that during the Soviet period corruption used to be a regular practice, nobody acknowledged the phenomenon openly. People were involved in “affairs” but not in “corruption”; they were “smart”, “but not “corrupted”. The concept arrived with new rhetoric, and people started to think: “Is it really such an evil? If yes, who am I? Bad or good? What should I do?”

Teachers and programme developers faced a challenge: how to teach a concept that it is not fully understood, but is experienced? How to demonstrate a personal position, when it is not clear to you either? Together, we all had to go through the processes of personal “identification”: revision of belief and values, the identification of misunderstandings and failures, and formation of a new approach towards the phenomena of corruption. Only then were we able to stand in front of classrooms of pupils and students, teachers and other adults, and look into the eyes of people and talk, explain, discuss. Pupils’ response to anti-corruption education lessons was deep, sensitive and authentic, as the following quotes demonstrate:

“Corruption has to be fought LOUDLY – everybody has to see, hear and know that law breakers will not escape punishment. People must change. Corruption will decrease if honesty, not money is valued. I am sure – our country would look like paradise if all Lithuania’s people followed the 10 Commandments of God.”

“I think, that corruption damages our state – blocks its development and makes us unequal. All people by nature have rights and are equal.”

“Corruption is an evil. There is no place for intelligent and educated people in a corrupted society. Corrupted society – it is a society for the rich, a small group of people that vote for the government to become even richer. That’s how justice is understood in a corrupted state. I think that corrupted civil servants spend sleepless nights.”

We have understood that anti-corruption work needs an open and sensitive approach. Declaring a thousand times that “corruption is evil and has to be fought” in many cases has the opposite effect – people tend to hide, stop talking and resist. This could be due to many reasons: personal practice, injustices experienced, the disappointment

of being left alone in some situations, or seeing a mismatch between words and actions. Successful anti-corruption education includes:

- ▶ well prepared and qualitative information on the topic;
- ▶ well-selected strategies and means of information delivery;
- ▶ professional “deliverers”: teachers, trainers, scientists and civil servants who serve as model examples;
- ▶ partnership: working in cross-sectoral, cross-institutional teams, getting as much support from outside as possible.

## **Anti-corruption education now**

Society’s sensitivity to corruption is high in some cases, and not in others. There is no need to explain the term itself – everybody understands what you are talking about. People can recognise simple forms of corruption and are sensitive to manifestations of phenomena. But such forms as nepotism, misuse of confidential information and trading in influence for personal benefits are sometimes hardly recognised as corruption, and may even be accepted as the norm. “Selective justice” is alive in public procurement and other fields of social life. This makes our work more complicated.

Anti-corruption education cannot be left wholly to schools and teachers. They do their job well in the classrooms. Anti-corruption education has to be directed to society as a whole. Teachers’ voices on how they have learned to practise honesty, openness and integrity have to be heard. This has to be seen by other adults as inspiration to think about their own standpoints.

We need true, not simply declared, political will to implement programmes, commitment and accountability to society; we lack examples of success and models to be followed; we have to build strong partnerships in our anti-corruption attempts; we have to demonstrate belief in people and promote a culture of trust; and we need a deep, comprehensive evaluation of all previous measures in order to negotiate and agree on concrete programme priorities.

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### 3. Ethical principles

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#### **Abstract**

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

#### **Introduction, including approach to references**

This case study is based on work that the presenter, Ian Smith, undertook with his colleague, Tom Hamilton, for the Council of Europe’s CDPPE in preparing for the launch of ETINED.

The purpose of the case study is to explore in more detail some of the topics introduced in the joint presentation by Ian Smith and Tom Hamilton in “An introduction to the work on ethics, transparency and integrity in education done by the Council of Europe” during plenary session 1 of the 7th Prague Forum, 1 October 2015.

The principal outputs of this work are the “Ethical principles” document, presented to the informal session of the CDPPE in Brussels, December 2014, and “The ethical behaviour of all actors in education” document, presented to the plenary session of the CDPPE in Strasbourg, March 2015 (Smith and Hamilton 2014, 2015). Both these documents are on the Council of Europe ETINED website.

Throughout this case study (as was the case with the plenary presentation), detailed references will be made to particular parts of these two documents. The documents themselves extensively reference the work of other organisations in the area of ethics, transparency and integrity in education. In the current case study, these full references to all the outputs of other organisations will not always be repeated, although some will. The full references to the work can be found in the relevant sections of the “Ethical principles” and “Ethical behaviour” documents.

## **Statements on ethical principles and the ethical behaviour of actors**

In developing any initiative to produce “ethical behaviour” statements for major educational actors, it is important to explore the relationship between statements on ethical principles and statements on the ethical behaviour of actors. Distinctions are normally drawn between these two types of statements.

Particularly valuable resources for exploring such distinctions are three publications by the IIEP from 2009: van Nuland’s “Teacher codes: learning from experience”; Poisson’s “Guidelines for the design and effective use of teacher codes of conduct”; and McKelvie-Sebileau’s “Patterns of development and use of codes of conduct for teachers in 24 countries”. Indeed, most of the phrases used as examples below come from these three IIEP sources.

“Ethical principles” statements are generally high-level statements, providing “headline summary” themes for subsequent “ethical behaviour” statements (McKelvie-Sebileau 2009: 19). They refer to “beliefs” (van Nuland 2009: 19), “norms” (Poisson 2009: 20), and “values” (ibid.).

“Ethical behaviour” statements provide much more specific guidance on the conduct and practices expected of actors. They refer to “ethical rules” (van Nuland 2009: 40-1), “principles of professional practice” (ibid.), “rules of professional practice” (ibid.), “codes of conduct” (ibid.: 20; Poisson 2009: 16) and “standards of professional conduct” (Poisson 2009: 22-3, 51). Underpinning these overall references are fuller references to the three IIEP publications in the “Ethical principles” document.

However, although distinctions can be made between the two types of statements (“ethical principles” and “ethical behaviour”), there is also a close connection between them. Indeed, both can be included in a single document, and this is the case for many documents produced by other organisations (see “Ethical principles” document). A particularly helpful example of this is the Education International (EI) Declaration on Professional Ethics (Educational International 2004). Although two separate documents have been produced for the platform, the detailed “ethical behaviour” statements in the “Ethical behaviour” document have been presented under the overall heading of “Ethical principles”

In developing ETINED materials, it is also important to remember that there was CDPPE guidance not to be “over-philosophical” in the approach to, and presentation of, such issues (to assist with the user-friendliness of documents for wide audiences). Therefore, in producing such materials, the key point was

to ensure that there is a close connection between the “ethical principles” and “ethical behaviour” statements, rather than spending excessive time debating fine distinctions between them.

### **Defining, grouping and sequencing ethical principles for education**

In defining, grouping and sequencing ethical principles for education, the position proposed for the platform is that all actors involved in education should show an unswerving personal commitment to the following 14 ethical principles:

- ▶ integrity
- ▶ honesty
- ▶ truth
- ▶ transparency
- ▶ respect for others
- ▶ trust
- ▶ accountability
- ▶ fairness
- ▶ equity, justice and social justice
- ▶ democratic and ethical governance and management of the education system and educational institutions
- ▶ quality education
- ▶ personal and systems improvement
- ▶ institutional autonomy/institutional independence
- ▶ international co-operation.

It is recognised that there may be some differences in type between these principles, especially between the first nine principles (up to, and including, “equity, justice and social justice”) and the remaining five (from “democratic and ethical governance and management of the education system and educational institutions”). The first nine are in a sense more fundamental, and can be applied to areas beyond education. The remaining five are more specifically education focused. However, the view is taken for the platform that the final five are still important principles for education.

For example, the principle of international co-operation involves all actors in education recognising the importance of positive international collaboration in education activities. This means that for HE academic staff the “main motivation in international co-operation ... should be the disinterested exchange of ideas etc. as part of the world community of scholarship. The main motivation should not be the commercial marketization and commodification which sees institutions’ ‘internationalisation’ objectives as essentially about income generation through recruitment of international students”.

In some senses, “integrity” is an overarching or underpinning principle. However, the “quality education” principle appears quite far down the list of 14 principles. This is not intended to diminish the overarching importance of the commitment to quality education that underpins initiatives such as ETINED; it is placed here because it is more specifically related to “education”.

The principle of “equity, justice and social justice” is complex, but it addresses aspects that should apply universally, rather than being simply the expressions of particular political viewpoints. For example, it involves the broad approach to non-discrimination embodied in the European Convention on Human Rights.

## **Identifying and defining groups of actors in education**

The eight groups of actors in education currently covered for the platform in the “Ethical behaviour” document are:

- ▶ teachers in schools;
- ▶ academic staff in HE;
- ▶ school pupils;
- ▶ HE students;
- ▶ parents/guardians/care givers/carers of school pupils;
- ▶ parents/guardians/care givers/carers of HE students;
- ▶ employers and managers within the education system;
- ▶ relevant public officials, and the political leaders and representatives of broader civil society more generally.

As discussed subsequently, there are proposals to add to these groups of actors. However, even the presentation of these eight groups has been debated by the ETINED Working Group. For example, it was decided to present “teachers in schools” and “academic staff in higher education” separately rather than as a single group, for instance “teachers at all levels”. This is partly to recognise the specific research-related issues that affect HE staff. The term “academic staff in HE” is used rather than “HE lecturers” to ensure that the term also includes academics in largely leadership and management roles, and those in predominantly research rather than teaching roles.

The term “school pupils” (rather than “students”) was used simply to distinguish them from “HE students”, and not to imply a dismissive attitude to the status of school pupils. Although HE students are presented as a separate group, it is important to remember that these students are joint members of the HE academic community with academic staff, and in this sense could almost be presented together with them.

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

The full term “parents/guardians/care givers/carers” was used to emphasise the complexities around which adults, beyond biological parents, may be in formal positions in relation to school pupils and HE students (this full term is abbreviated

subsequently here, and in the “Ethical behaviour” document, to “parents, etc.” to avoid the constant repetition of the full phrase).

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

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

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

As part of the platform, it is proposed to develop further detailed statements for other actors, especially: the wider workforce of administrative and technical support staff in education; employers and managers in the wider private business sector; and the media.

## **Existing sources on “ethical behaviour” statements for actors in education**

As is detailed extensively in the “Ethical behaviour” publication, there are significant issues with existing sources that may be reviewed for “ethical behaviour” statements for any actors beyond schoolteachers and HE academic staff. Particularly, these include the following groups.

### **School pupils**

There are major international documents dealing with the rights of school pupils, and the obligations on other actors such as public authorities to respect and promote these rights. This emphasis on pupils’ rights is, of course, entirely appropriate. However, these sources do not provide detailed statements on the responsibilities of school pupils.

### **HE students**

Similarly, and appropriately, existing major international and national documents on HE students deal extensively with student entitlements and rights. Once more,

however, while some relevant documents make reference to student responsibilities, these references are limited, and do not provide much detail.

### **Parents/guardians/care givers/carers**

Again, sources at international and national level make some reference to parents' responsibilities, but generally focus on the entitlements and rights of parents, etc. of school pupils. While this emphasis on the entitlements and rights of parents, etc. to be involved in the school education of their children is entirely appropriate, such sources do not offer full statements on parental responsibilities as a basis for detailed "ethical behaviour" statements.

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

### **Employers and managers within the education system**

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

### **Public officials, and the political leaders and representatives of broader civil society more generally**

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

The general implications of this summary review for the platform's "Ethical behaviour" document is that there are significant gaps in existing sources on "ethical behaviour" statements for the above groups of actors in education.

The platform's "Ethical behaviour" document attempts to address these gaps by including an emphasis on:

- ▶ the responsibilities of school pupils, HE students and the parents, etc. of school pupils;
- ▶ the ethical obligation of parents, etc. of HE students to not interfere inappropriately in the HE experiences of their children;

- ▶ extended statements of the ethical behaviours expected of employers and managers in education;
- ▶ updated comprehensive statements of the ethical behaviours expected of all relevant representatives of broader civil society, as well as of all public officials and political leaders with responsibility for any part of the education system.

The resulting Council of Europe document is seen as distinctive because of its emphasis on “public responsibilities” and because it aims to include all main actors in education in a single document.

(See “Ethical behaviour” document, for detailed references to the specific documents of international and national organisations that illustrate the points made in this section.)

### **Some discussion questions**

The presenter concluded the working group session by leaving participants with the following four questions:

- ▶ how should we relate statements on ethical principles for education and statements on the ethical behaviour of actors in education?
- ▶ how should we define, group and sequence ethical principles for education?
- ▶ how should we identify and define groups of actors in education?
- ▶ what are the implications of a review of existing sources from other organisations for the development of Council of Europe statements on the ethical behaviour of all actors in education?

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# Working group B: Academic integrity/ plagiarism

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## 1. Promoting maturity in policies for plagiarism across Europe and beyond

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### **Abstract**

The project Impact of Policies for Plagiarism in Higher Education Across Europe (IPPHEAE) was funded by the European Commission (2010 to 2013). A consortium of five universities investigated the effectiveness of policies within HEIs for managing and discouraging cases of student plagiarism and academic misconduct in 27 member states of the European Union. The findings, based on just under 5 000 responses, led to recommendations for each country surveyed on how national and institutional policies could be strengthened in order to promote an institutional culture of academic integrity.

### **Background**

The Bologna Process is achieving harmony in HE course structures and credits across Europe, but there is still very little commonality in quality assurance, governance and educational strategy across European HEIs. In 2009-10 a consortium of five EU universities designed a project proposal to investigate how different HEIs were responding to the specific growing threat of student plagiarism to institutional quality and integrity. Funding was granted under the Erasmus Lifelong Learning Programme for the project Impact of Policies for Plagiarism in Higher Education Across Europe (IPPHEAE) and the project operated successfully between October 2010 and September 2013.

The decision by the European Commission to fund the project acknowledged that, although a great deal of prior research had been conducted into the problems of plagiarism and academic dishonesty in Anglophone countries, very little was known about how European HEIs were responding to the problem. Further, never before had a comparative study been conducted involving all 27 member states of the EU to explore the effectiveness of policies for addressing plagiarism.

The project results are discussed in this paper, but a more detailed account of the project findings is included as a book chapter by this author in the *Handbook of academic integrity* (Glendinning 2016).

## **Project aims and objectives**

An overarching aim for the project was to raise awareness across the European educational landscape that academic standards will suffer unless academic misconduct is taken seriously by institutions. The expectation was to find examples of effective national and institutional policies and practices that could be shared across and beyond Europe. Project objectives included the development of resources to help deter, detect and respond to cases of academic misconduct.

The main instrument for the research was a survey of HE students, teachers and senior managers. The anticipated volume of data from teachers and students, and the range of languages spoken by the target population, determined that the main surveys needed to be online questionnaires consisting of questions that could yield comparable data.

An investigation into previous surveys and consultation with experienced researchers, particularly Jude Carroll (formerly at Oxford Brookes University, UK), confirmed that no suitable survey instrument existed for reuse. Ideas for questions were found through a review of literature and research (e.g. McCabe surveys; Park 2004; Tennant and Rowell 2010; Tennant and Duggan 2008; Hayes and Introna 2005).

Different questions were designed for teachers and students, with some overlap for comparison and triangulation of responses. The questions were translated into 14 languages to ensure that participants could understand and respond accurately, using mainly Likert scale questions. Coding of the responses allowed data from all 14 language versions to be analysed as single datasets.

The survey for senior institutional managers and administrators was also made available as an online questionnaire, again translated into 14 languages. Since the expected volume of responses was lower, this survey had many open questions to encourage free-format responses. In addition, semi-structured interview questions were designed for both senior managers and for use with participants working externally to institutions, typically in nationally based roles, on quality assurance and educational policy.

A variation of the student survey was designed to be conducted as student focus groups, to allow a small amount of qualitative data to be captured, with opportunities to explore some areas in more detail. Most focus groups were conducted by students employed as research assistants, which helped to put participants at ease when discussing what could be seen as a controversial topic. The detailed analysis of the student focus group data will form part of a forthcoming PhD thesis.

In addition to the survey, several case studies were completed with in-depth studies evaluating, comparing or documenting interesting practices in policy development or implementation. One partner, Mendel University in Brno, developed the anti-plagiarism software tool ANTON, which was piloted and evaluated during the project.

## **Results**

Including all methods of data collection, just under 5 000 survey responses were collected encompassing 27 EU member states, with well over 200 HEIs contributing to

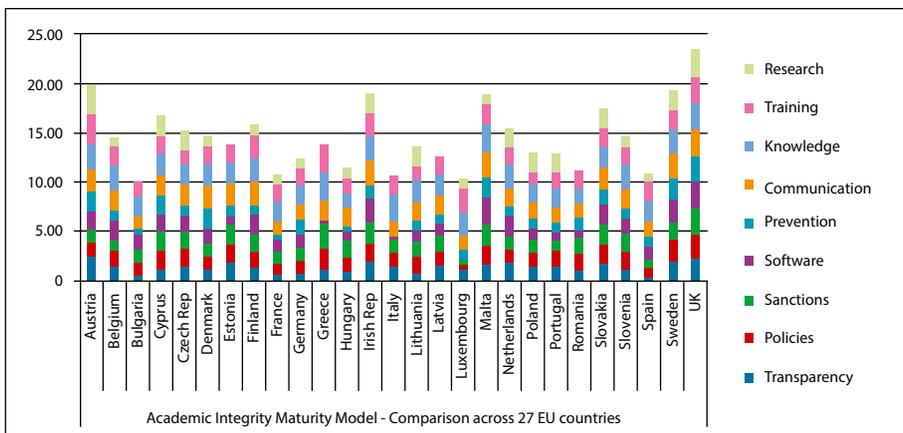
the study. Although in a few countries response rates were likely to be representative samples, especially Austria, Portugal and Malta, in other countries great reluctance by individuals and institutions to contribute to the survey led to patchy coverage (particularly in Greece, Italy, the Netherlands and Denmark).

Reasons for refusal or reluctance of potential contributors include: fears about anonymity; fear that poor practice in their institutions would be exposed; lack of any clear institutional guidance and policies to report; and the number and complexity of questions in the online questionnaires, as disincentives to those with low interest in the subject of the research. Some academics approached reported few or no known incidences of plagiarism or academic misconduct (for example in the UK, Estonia, Denmark and Sweden), which was cited in different places as evidence either for effective policies or justification for having no policies.

Invitations to participate were sent to all IPPHEAE partners' existing EU contacts. Also, many Europe-based HE support organisations helped to forward the request to institutions. Voluntary decisions by institutions and individuals about whether to participate meant that the data cannot be seen as a fully representative sample of the whole HEI sector for most of the countries studied. Nevertheless, the resulting responses reflect views in HEIs within each EU member state studied and provide insights into the perspectives of students, teachers and managers in each country, where none existed before this project.

The detailed survey results are available on the project website (<http://plagiarism.cz/ippheae/>).<sup>9</sup> A country report was prepared for each of the 27 EU member states incorporating a set of recommendations. An overarching EU-wide report compared the results for all countries using a tool called the Academic Integrity Maturity Model (AIMM), created by the author specifically for this project, and based on a set of nine metrics calculated from the survey data (Glendinning 2014, 2015).

**Figure 1. AIMM scores and profiles for each of the 27 EU countries surveyed**



9. Available at <http://plagiarism.cz/ippheae/>, accessed September 6, 2016.

Results for each country are summarised on one page of the EU-wide report, providing AIMM scores, both numerically and graphically, together with a list of strengths and opportunities, as well as weaknesses and threats.

## **Selected findings**

The data collected is wide-ranging and complex, therefore only a few key results will be presented here, with general discussion and interpretation of the broad findings.

One of the most significant findings to emerge is lack of agreement among participants about what is acceptable academic practice for students, teachers and researchers. This deficit was found to apply at all levels of the survey, within and between institutions and countries.

In many parts of the EU, particularly in countries where rote learning is still predominant, plagiarism of materials in the form of restatement without attribution of sources is often the normal and acceptable way for HE students at bachelor's and master's levels to demonstrate what they have learned. In countries including France, Poland, Romania and Bulgaria, it is common to find that HE students at undergraduate and master's level are rewarded for reproducing theory and memorising lecture notes, and discouraged from including original ideas in assessed course work. Several student respondents noted their discomfort with this situation and suggested that plagiarism would be reduced if they were rewarded for their own ideas and critical reflection.

In other countries including the UK, Malta, Sweden and the Republic of Ireland, evidence emerged of an institutional culture requiring students to demonstrate independent learning in assessed work, combined with measures deployed systematically in some institutions to detect and penalise plagiarism and other forms of cheating.

The concept of collusion by students, or sharing work and ideas, was seen by some respondents as the normal way students learn from each other. This was recorded, for example, in France and Poland. In contrast, respondents from the UK and Ireland reported that collusion by students in work designed to be individual is viewed and penalised as a form of cheating in their institutions.

Other important conceptual differences of opinion observed in the responses included acceptance or denial that the concept of self-plagiarism was a problem with student work or in academic publications. Some participants said they had observed varying practices for handling cases of plagiarism and self-plagiarism in peer reviews for journals and conferences, ranging from condoning or ignoring the issue to rejecting the paper. This finding aligns with the ongoing work of Retraction Watch and the Committee on Publication Ethics (COPE).

In Sweden and Germany, there is a requirement for academic staff to prove "intent" to deceive by the student before a case of student plagiarism can be successfully brought up. Obstacles such as this that place heavy demands on academic staff time create major disincentives to drawing attention to cases of suspected cheating. Respondents from Sweden suggested that onerous procedures often drive academics to circumvent the regulations by applying their own penalties.

Policies have been developed by several universities in the UK trying to minimise the burden on academic staff and encouraging them to follow the correct procedures for academic misconduct cases (MacDonald and Carroll 2006; Morris and Carroll 2011; Park 2004; Glendinning UK case study). However, the types and severity of penalties applied for cases of academic misconduct varied significantly across countries and institutions. Many student and teachers did not know what penalties were applied, how often the different types of penalty available were used or whether students' circumstances were taken into account. The inability of teachers to respond on these issues suggests there may be a lack of transparency leading to inconsistency and inequity in student outcomes.

In Sweden, where national standard policies and penalties exist, the maximum inconvenience for a guilty student is one year's suspension, after which studies may be resumed with a clean slate. Respondents believed that the most severe sanction was very seldom applied and many suspected cases of dishonesty are not reported or are dealt with informally. Very few teacher respondents, from across Europe, selected "suspending student registration" as an option for penalising cases of plagiarism in an assignment (8%) or a final project (18%). The most severe form of sanction, according to some teachers from the UK (33%), Austria (6%), France (38%) and Lithuania (9%), is for students to be expelled or permanently excluded for more serious forms of misconduct.

While most respondents said their institutions had policies for plagiarism and academic misconduct, responses to related questions suggested that often policies were not effectively or consistently applied. Figure 2 shows teachers' responses for 19 EU member states to a question about how consistently teachers are dealing with cases of plagiarism, broken down according to country. Taken overall 44% of teachers responded negatively to the statement, only 19% of respondents expressed agreement and 37% did not express an opinion. These responses suggest that more could be done to strengthen the implementation of existing policies and also to communicate and monitor procedures surrounding academic misconduct.

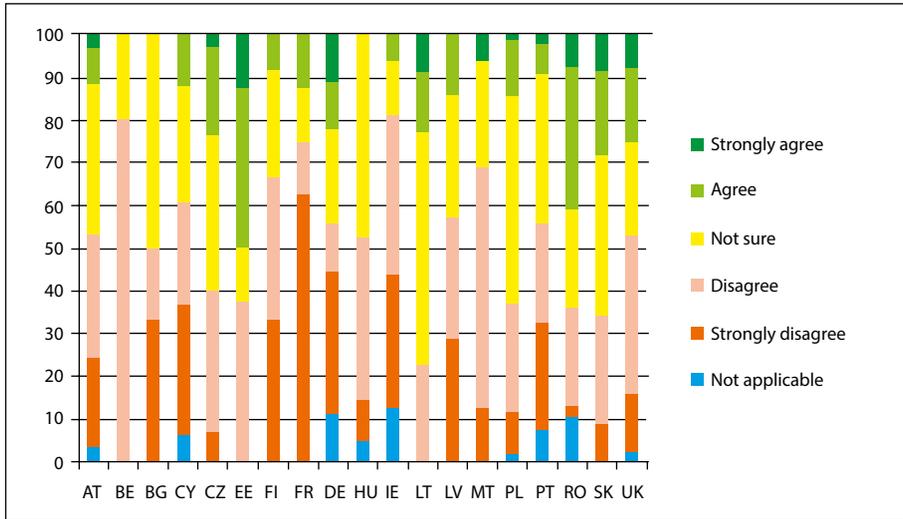
It is worth reflecting on potential conflicts of interest highlighted in several senior management and national interviews.

All HEIs depend on student fee payments for their operating costs, either received from the student directly or as government grants. International students are a lucrative source of income in some countries, particularly in the UK, where international tuition fees range from about £10 000 to almost £40 000 per annum. If students do not progress or graduate because they are failed or expelled due to academic misconduct then the institution may lose valuable revenue. As an example, the Finnish Government provides funds for institutions based on student completion, not admission.

The growing importance of HEI league table positions may be leading to problems in this regard in the UK. Several organisations and national newspapers base national rankings of HEIs on performance metrics including attrition rate, results from an annual national student satisfaction survey (NSS) and the number of good quality completions (percentage of first class and upper second class honours degrees awarded). These factors could encourage grade inflation and discourage fail grades. Individual academic staff may feel pressured to maintain a high percentage of passes

at module level, irrespective of the variable nature of student abilities and academic misconduct cases.

**Figure 2. “I believe that all teachers follow the same procedures for similar cases of plagiarism”**



Factors such as these may present tensions for institutional managers, module and course leaders and institutional conduct officers, who may feel obliged to consider reducing sanctions, despite clear evidence of deliberate attempts to subvert the assessment process.

Misconduct in examinations featured in the results for several countries, notably France, Belgium, Romania and Bulgaria (France IPPHEAE: 2-3; Belgium IPPHEAE: 5). In France, the lax approach to invigilation featured in a report commissioned by the French Government (Mazodier et al. 2012). In some eastern European countries, the concern was more about use of communications technology to enable “wired up” students (more recently using wireless devices) to receive help from friends and family during examinations. Other responses indicated that institutions are trying to detect and stop such unfair practices by using cameras and sound jamming equipment in the examination halls (Romania IPPHEAE: 9; Bulgaria IPPHEAE: 5-6).

Responses from some eastern European countries pointed to problems with bribery and corruption to circumvent the normal admission or progression requirements (Bulgaria IPPHEAE), confirmed by Transparency International’s research into corruption in education (2013).

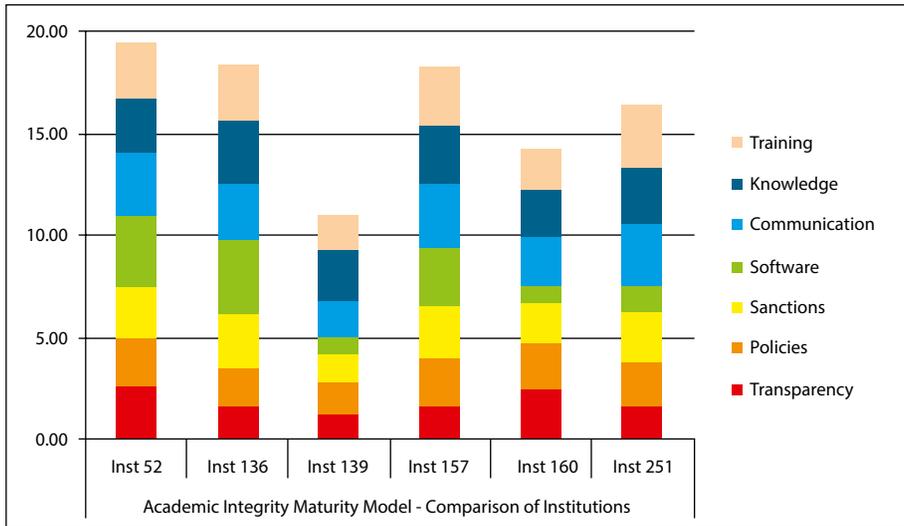
A surprising finding was that none of the EU national HE quality assurance agencies included routine monitoring of institutional policies for academic misconduct in their auditing policies, guidelines and procedures. In interviews concerning UK national policy it was suggested that academic integrity policy deficiencies would be identified by the Quality Assurance Agency for Higher Education’s institutional audit panels through scrutiny of annual monitoring processes, but doubts about this were expressed by other UK respondents.

It emerged that many EU national quality agencies focus on course accreditation and approval rather than examining the effectiveness of quality processes and systems. Combined with this was the revelation that in many universities across Europe there is little or no oversight of grading or marking decisions made by academics, a concept that was several times described by interviewees as “the professor is God”. Where there is little oversight for quality or integrity there is no way of knowing how consistent approaches and decisions are for either student assessment or student misconduct.

**Recent developments**

During the initial formulation of AIMM to compare national results from the IPPHEAE, it became apparent that this tool could be readily adapted to evaluate policies at institutional level. Recently, trials have been conducted using anonymous student and teacher data from the IPPHEAE. When discussed with the institutions surveyed, this analysis was found to have value in directing the focus for strengthening institutional policies. As a result of dissemination activities about the research further institutional surveys were conducted following requests. The resulting institutional profiles to date are shown in Figure 3.

**Figure 3. Comparison of institutional policies, using the Academic Integrity Maturity Model**



It emerged that a similar tool had been developed in parallel by Tricia Bertram Gallant through the International Center for Academic Integrity (ICAI), the Academic Integrity Rating System (AIRS). It was agreed to evaluate the two toolsets to explore whether a hybrid tool could be constructed that built on the strengths of both.

The AIRS/AIMM hybrid now has the working title of Scorecard for Academic Integrity Development (SAID). It specifically draws on research conducted in the United States (ICAI’s *Academic integrity handbook*, AIRS), Australia (Bretag and Mahmud 2014), the UK (Morris and Carroll 2011) and Europe (Glendinning 2013).

SAID is based on 10 characteristics indicative of “mature” policies. International workshops, keynotes and conference presentations during 2015 were utilised to seek feedback for refining the characteristics. The latest version below was presented at the Council of Europe’s Prague Forum on 1 October 2015.

Characteristics of mature policies and systems for academic integrity in HEIs include:

- ▶ institutional governance and strategic commitment to support academic integrity;
- ▶ clear and consistently applied institution-wide policies and procedures for academic integrity;
- ▶ fair and proportional sanctions applied across the institution;
- ▶ engagement and buy-in of the whole academic community with regard to strategies for deterring academic misconduct;
- ▶ institutional culture and values for encouraging scholarship and deep learning;
- ▶ student leadership in actively supporting the institutional strategy for academic integrity;
- ▶ transparency, openness, maintaining institutional data, and effective communications at all levels;
- ▶ ongoing evaluation, monitoring, reviews to enhance strategy, policies and systems;
- ▶ engagement with research and development within and external to the institution into academic integrity;
- ▶ institutional understanding about what is acceptable academic practice, in line with international norms.

A set of questions has now been defined to score the maturity of institutional policies and systems on each category. An online questionnaire will be constructed and tuned for responses from students, teaching staff, administrators and academic integrity officers. The questionnaires (initially English only) will allow the tool to be evaluated through piloting in volunteer HEIs in different parts of the world. The final toolset will be translated into different languages accessed via a purpose-built online platform.

In defining its characteristics and related questions, it became clear we had a proposal for a set of benchmarks for effective institutional policies for academic integrity. Further elaboration on each of these characteristics is included in a paper published by the IIEP (Glendinning 2015: 7-10).

A further spin-off from the IPPHEAE by key team member Tomáš Foltýnek, from Mendel University in Brno, is a proposal to formalise a European network of academic integrity that would be hosted by his institution and affiliated to the US-based ICAI.

It is hoped that these initiatives will receive the required funding in order to continue the important work started through the IPPHEAE project.

## Summary of recommendations

The following recommendations can be drawn from the results of the project as essential elements fostering academic integrity:

- ▶ strive to reach consensus on definitions and standards for integrity;
- ▶ achieve international agreement on a set of benchmarks that define characteristics of mature policies and systems for academic integrity in HEIs;
- ▶ develop SAID and its associated online platform for evaluating the maturity of institutional policies for academic integrity, based on the defined benchmarks;
- ▶ support (in practical terms and financially) from education departments at EU level and national/regional governments for institutions to develop effective institutional policies;
- ▶ encourage systematic monitoring of institutional academic integrity policies by agencies responsible for oversight of quality, accreditation and validation;
- ▶ institute a programme of awareness raising and research through the formation of a European network of academics with interest in promoting good practice in academic integrity;
- ▶ promote a culture of academic integrity at all levels of education through all the above activities and a targeted international programme of seminars and conferences;
- ▶ ensure that an ongoing programme of effective education is provided for students at all levels to promote good academic practice, ethical conduct, honesty and integrity.

## Final thoughts

Improving integrity in education will serve as a catalyst for tackling corruption and dishonesty generally in civil society. It may be difficult and slow to make progress, which makes it urgent that we begin immediately.

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## 2. Plagiarism in medical dissertations in Germany

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### **Introduction**

Generally speaking, German medical dissertations are not taken seriously in academic circles. As has now been shown by the collaborative documentation effort of the VroniPlag Wiki academic community, many of these theses are not just short, simple or shallow, or suffer from fabricated data: there is also heavy and blatant plagiarism. In the past, when plagiarism was discovered and publicly discussed, it was quickly dismissed as a very rare situation, an absolute singularity, as the dean of the medical school in Münster insisted after a public discussion about a plagiarism case in 2011 (University of Münster 2011).

Plagiarism in medical doctoral dissertations in Germany is not, as it turns out, a singularity. And it is not just a half-sentence copied here or there or a missing footnote or a malformed reference entry. The copying is brazen, often extending over pages, and includes either large swathes of verbatim copying, or slightly rearranged passages from online sources.

Universities are overwhelmed, as in addition to having to deal with the many reported cases of academic misconduct, they must also attempt to staunch the advancing tidal wave of plagiarism. This paper will look more closely at the problem.

### **Medical dissertations in Germany**

Early complaints about medical doctorates can be found in historical documents (Kaiserlich privilegierter Reichs-Anzeiger 1794; Allgemeiner Anzeiger der Deutschen 1817). More recently, in 2004, the German Council of Science and Humanities (Wissenschaftsrat) noted that the medical doctorate was not on a par with other scientific doctorates and often constituted only "pro forma" research (Wissenschaftsrat 2004: 75), although it is fiercely defended by members of the medical academic community (Bitter-Suermann 2009: 582-3).

Doctorates in medicine in Germany today are a mass phenomenon. More than 60% of all graduates will also complete a doctorate, although the percentage has been falling in recent years; only in physics and chemistry do a higher percentage of graduates carry out doctoral-level work: other fields have much lower rates (Hauss et al. 2012). Official German statistics show that only about 6% of the student population at doctorate-granting institutions in Germany were studying medicine or dentistry or other health sciences in the winter term 2014/15 (157 166 out of 2 698 910) (Statistisches Bundesamt 2015: line 4.1: 322), while at the same time 7 326 out of 28 147 or 26% of the doctorates granted were in these fields (ibid.: line 4.2: 19).

Medical doctoral theses in Germany are frequently very thin volumes that are hurriedly prepared in parallel with the already stressful study of medicine, sometimes even starting in very early semesters, instead of waiting until after graduation. A thesis

can only be handed in, however, when the study programme has been completed, sometimes years later. The topics are often not chosen by the students, but handed out by the academic advisor.

Some medical schools, for example Münster, accept one or several publications with multiple authors in an international journal as a thesis by publication, often with the advisor as co-author. Although it is understandable that the research groups work closely together and are eager to publish their results, it is often not made transparent what part each member played in the creation of the publication. And if the advisor is also co-author, he or she is in essence grading their own work. Since there are hundreds of predatory international publishers offering pay-to-publish models that only feign rigorous peer review, it becomes even more difficult to judge the quality of such publications (Beale 2015).

The goal for many doctoral students in medicine is to finish the work as quickly as possible, as they are understandably eager to start applying their knowledge in practice. Since the general public in Germany calls a practitioner in medicine the same as an academic who has completed a dissertation, *Doktor*, the major focus for many students appears to be on obtaining the honorific associated with the degree. However, it is a requirement for the use of that honorific in Germany to have a published dissertation, that is, a contribution to research. Only after publication is the degree conferred and can then be used as part of one's legal name. Thus, students look for efficient ways to complete and publish their theses. Open access publication channels at a university are seen as a fast track to publication.

The report issued by the German Council of Science and Humanities is a scathing assessment of doctorates in medicine and on the teaching and research conditions in German medical schools (Wissenschaftsrat 2004). The council doubted that there was much to be learned in the preparation of these theses, especially because the supervision situation is so poor that not even basic research methodology can be taught. It found the scientific contribution of this "pro forma" research to be highly questionable, and noted that the focus is more on the occupational and social recognition imparted by the title of "Dr" than on answering research questions, although there are also many excellent theses to be found.

To add insult to injury, the European Research Council decided in May 2010 that the German "Dr med." is not acceptable as an equivalent to a PhD – this prevents German medical graduates from obtaining research funding and post-doctoral positions in other countries. They must do additional work, such as a habilitation, to be considered equivalent (Bönisch 2010).

Even though there has been a sacrifice of quality in order to gain efficiency in the process of obtaining a doctorate, the perception in the medical community has been that as long as the data is not falsified or fabricated, a thesis is considered to be acceptable. Made-up mice, creative picture manipulations, or dropped outliers are quickly seen as academic misconduct, but plagiarism was not considered to be an issue in medicine.

But as the chair of the Committee on Doctoral Dissertations at the Charité in Berlin, Jörg-Wilhelm Oestmann, has noted (2015):

Up until recently, I was of the opinion that with my almost 20 years of experience in the process of granting doctorates, plagiarism is not a problem in medicine. "We fake data, but plagiarism is not an issue." The developments of the past year have disabused me of that notion. There are currently 27 cases of plagiarism under investigation at the Charité for theses submitted in years past. Other medical schools are confronted with the same problem. Quite a number of doctors will probably be losing their academic degrees.<sup>10</sup>

What led up to the discovery of these cases of plagiarism that caused Professor Oestmann to change his mind?

## **Finding plagiarism in theses**

It is necessary to take a step back and look at what has led to the phenomenon of public documentation of plagiarism in dissertations in Germany.

In March 2011, a group of German-language researchers set up an online public platform called VroniPlag Wiki for collaboratively documenting plagiarism in published academic works. Since then, this online academic community has been documenting text parallels in dissertations and habilitations that could be considered to be plagiarism. They have published documentations of 152 cases in various disciplines and all over Germany, as well as a number of other European countries, as of 1 October 2015.

The group was formed in response to widespread public discussions about plagiarism that arose in Germany in early 2011. The popular Minister of Defence, Karl-Theodor zu Guttenberg, had submitted a dissertation in law to the University of Bayreuth in 2007 that turned out to be a case of extreme plagiarism involving more than 90% of the pages, beginning from the first line of the thesis. In an intensive collaborative effort, this plagiarism was publicly documented at a site called GuttenPlag Wiki (2011). The media echo was extensive, and zu Guttenberg stepped down as minister on 1 March 2011.

The VroniPlag Wiki group has been documenting plagiarism in medical dissertations and habilitations from the time it was founded and has to date published documentations on 53 medical doctorates, six medical habilitations, 25 doctorates in dentistry, and three in veterinary medicine. These 87 theses were documented by the group on the basis of tips from well-informed whistle-blowers, or from serendipitous finds, or were identified by either cross-checking a small cluster of theses or by a more systematic search for potential plagiarism through the tens of thousands of theses available online. Five of these theses, documented as being plagiarisms, were not published digitally, but the rest were available from open access offerings of the various universities affected. Two of the 87 documentations are for theses accepted at Spanish universities, one from Italy, and the rest are from medical schools throughout Germany.

The first medical thesis documented was a curious habilitation from the Charité (VroniPlag Wiki: Ut) that contained large portions verbatim from three dissertations for which the author had been the advisor. Two of the dissertations were published

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10. Translation by the author.

before the habilitation and one was published a year after the habilitation was submitted. However, one detail about the numbering of the illustrations showed that this dissertation must have been available at the time the habilitation was submitted. The Charité reported that they found no academic misconduct in this case, as the authors were all members of the same working group. More detail about this case, and the work of the VroniPlag Wiki group, can be found in the author's book, *False feathers* (Weber-Wulff 2014a).

Contrary to popular belief, the VroniPlag Wiki group does not have specialised software for automatically finding and documenting plagiarism. It also does not use a software system such as Turnitin or PlagScan or any of the many other software systems that purport to determine plagiarism. Instead, the sources for plagiarism are discovered using simple tools such as a search engine, and good old-fashioned, time-consuming research methods that also include reading the thesis and looking for signs of copying.

From early 2014, a somewhat more intensive investigation of medical dissertations that have been published online in university library collections was mounted. It seemed unimaginable that anyone would knowingly publish a plagiarism in an open access publication, because then anyone in the world would easily be able to detect the copied portions. However, dozens of theses have been discovered and documented that plagiarise to quite alarming extents, with pages and pages taken verbatim from various sources, and the investigation has only just begun.

It is not difficult to download theses from a university library repository, although each has its own quirks and methods of accessing the files. It is computationally quite simple to compare one file with each of the others in a corpus, noting the similarity factor. It is, however, quite time-consuming, as the number of comparisons grows rapidly with each additional file to be compared with all of the others. The major effort, however, is still to come: the documentation. More technical details of this dissertation-mining project are discussed in two blog articles by the author (Weber-Wulff 2014b, 2014c).

When looking for potential plagiarism, a tremendous number of false positives were found. There were identical copies of theses, as students can upload multiple versions of their theses. However, this is the same thesis submitted by the same person, perhaps with a minor correction on a page or two. Other false positives include uploads that only consist of a title page – the name of the university and the department are then enough to indicate what appears to be plagiarism – or joint work that is stated as such in each thesis.

At first, only theses from a single institution were compared with each other, then theses from the institutions were compared pairwise with all the other institutions. Each investigation turned up a shocking number of potential plagiarisms that then had to be carefully documented.

The documentation process, even for a short thesis, is quite laborious, as discussed in Weber-Wulff (2014a) and summarised here. A researcher manually creates so-called “fragments” in order to document online a text parallel between at most one page of the thesis and only one source. If there are multiple sources on the page, multiple

fragments must be set up, and each is annotated with metadata about the page and line numbers, in order to assist a reader in locating the portion of text in question. One researcher also documents the bibliographic information for the source, and at least one other person must review each fragment before it is counted. Navigational aids are prepared semi-automatically in order to help the researchers get a good overview of the extent of the plagiarism.

When a documentation is deemed extensive enough, the names of the author and the advisors are published online and a report is generated and sent to the degree-granting institution. There is no hard definition of what “extensive” means: each case must be judged individually. The documentation can continue to grow, as other researchers find additional sources. It is never possible to state that a thesis is plagiarism-free, as there could still be a source that has not yet been found. The general public often misunderstands this. They expect there to be some sort of magic software that finds all instances of plagiarism, or gives a text a clean bill of health. The latter is generally impossible. Software can only point to potential plagiarism, it can never determine originality. And if it does find a text parallel, it cannot determine if it is properly referenced or not. Only a human being is capable of determining plagiarism.

## **Patterns of plagiarism**

There appear to be three major patterns of plagiarism in medical theses, although there are many theses that combine two or even three of these patterns. These are particularly visible in the two major clusters that have been investigated up until now, the University of Münster (with 23 documented cases) and the Charité in Berlin (with 33 cases).

### **Intra-institutional plagiarism**

If one suspects plagiarism in a medical thesis in Germany, a good place to start looking for a source is in the local research group. The habilitation of the advisor and the theses of previous doctoral students can be sources for incredible amounts of unreferenced text – and data – overlap.

One example is a dissertation with 85 net pages submitted to the University of Heidelberg (VroniPlag Wiki: Nk) in 2002 but not defended until 2006. Almost three quarters of the pages are taken verbatim or with only minor changes, including much of the data, from the habilitation of the advisor, which was published in 1995. Fragments on two pages were taken from another dissertation prepared under the same advisor that was published in 1998. This dissertation, too, was copied from the habilitation of the advisor (VroniPlag Wiki: Awb). In both cases, the university decided that academic misconduct had taken place, but only a censure was issued. The doctorates were not rescinded. Similar webs of interlocking habilitation and doctoral theses would show up time and again.

Another example of intra-institutional plagiarism was not documented by VroniPlag Wiki, but was found by a German-language Wikipedia editor. Just a few weeks after

zu Guttenberg resigned, the editor was researching a specific type of cancer. Two dissertations from the University of Münster were found on that topic, one from 2006 and one from 2009. The editor was at first excited to have found two theses and not just one, as doctoral dissertations at least tend to have extensive literature surveys, even if they are short. Disillusionment soon set in, as it became apparent that the latter thesis was for all practical purposes a copy of the earlier one, except that the authors were not identical and did not state that they had worked together (Anonymous IP 2011). The university was informed, and in July 2011 they rescinded the 2009 doctorate. The dean is rather presciently quoted as noting that, "even after years, plagiarists are in danger of being found out" (University of Münster 2011).

Twenty-three highly plagiarised medical and dental dissertations have been found to date in Münster. One of the first theses to pop up, in 2010 (VroniPlag Wiki: Gt) corresponded on 100% of the 61 pages with a 2009 thesis with the same advisor (VroniPlag Wiki: Ckr). This prior work is not referenced at all in the thesis. Although the theses were about investigations dealing with the eyes of two different types of ape, the texts were identical, as were many of the figures and illustrations. The numerical data, however, were different although very similar. Looking closely at the numerical results it could be seen (for example on p. 48 of Gt) that the numbers had just been arbitrarily changed. However, the averages and standard deviations reported in Gt did not match the data as presented.

The intra-institutional plagiarism did not stop there. Ckr was just the second link in a chain: a plagiarism of a plagiarism of a plagiarism was found. All these theses were prepared under the same advisor. The University of Münster has recently announced that it will be sanctioning the professor who advised this chain, as announced shortly after the Prague Forum (Zafar 2015).

A second web of major intra-institutional copying was found in Münster that included six dissertations that were again all with the same advisor. These were dissertations for dentists who were writing about the effects of this or that on rat brains. Anywhere from between 30% and 86% of the pages exhibited extensive plagiarism, often from older dissertations at the institution. Another 16 theses in Münster have been shown to be suspicious, but the volunteer academics at VroniPlag Wiki did not want to continue the documentation, as in the meantime, another complete intra-institutional plagiarism was discovered at a different medical school.

This had been submitted to the Charité in Berlin in 2010 (VroniPlag Wiki: Ali), and the 55-page thesis about prostate cancer was also a copy of 100% of the pages from the text of a thesis prepared two years earlier with the same advisor, without any reference to that thesis. Only five sentences could not be found in that thesis. Here, as with Gt, the numbers were changed in the basic data, but the percentages given did not match the data: they were, however, identical to the source. The audacity of this case, and the prominence of the medical school, led to press coverage (Padtberg-Kruse 2014).

In addition to three previously documented cases of plagiarism, 30 new ones were found at the Charité with eight more deemed suspicious. Five new ones plagiarised from only one source: another dissertation or habilitation from the same institution. Even if the others had more plagiarised sources, one more thesis (VroniPlag Wiki: Alm) had plagiarised fragments on all of its 24 pages, most of them from the habilitation

of the advisor. There was also an interesting network of six theses in forensic medicine at the Charité about the age determination of young people according to the properties of teeth. All six had the same advisor. The theses copied extensively from either the habilitation of the advisor, or from each other.

This intra-institutional plagiarism points to a specific form of academic corruption. Here, the results of the research, including text and data, seem to be considered to belong to the group and are reused at will, without making the provenance of the data and text clear. It appears that some sort of tacit approval for this type of collusion, that is, the extensive reuse of text among members of the same institution, exists.

## Inter-institutional plagiarism

Some dissertation writers also turn to dissertations published online at other universities, and copy bits and pieces from them in order to assemble a text in which to embed their own findings. A typical example of this can be seen in a thesis from the University of Bonn (VroniPlag Wiki: Mak). This 34-page dissertation that was concerned with calculating sums, averages, standard deviations and quotients for a given Excel sheet, embedded the tables in 18 pages of material copied out of five other dissertations from three universities.

Another thesis submitted to the University of Münster in 2007 (VroniPlag Wiki: Bm) includes extensive material from 17 doctoral dissertations accepted at other universities, a diploma thesis, and one habilitation that are all available online. It is interesting to note here that although the thesis was submitted in 2007, the entries in the bibliography are all much older. There is one reference from 2002, but the rest are from 2001 or earlier. This can be a good indicator of potential plagiarism.

At the University of Mainz, a thesis was submitted in 2009 about wound healing for a doctorate in dentistry (VroniPlag Wiki: Tz). Curiously, the author already had two doctorates, one in medicine from Mainz in 2004 and a science doctorate from Frankfurt in 2008 on a medical topic. Over half of the 30 pages that make up the dissertation are taken almost verbatim from a thesis in medicine from Gießen that was published in 2003.

Medical theses are also serving as sources for plagiarism in other, related fields. A thesis in science on a medical topic that was submitted in 2010 to the University of Vienna in Austria (VroniPlag Wiki: Ves) contains material taken verbatim or slightly changed without reference from 18 theses in medicine or science from eight different universities, as well as 15 chapters from a handbook. It is interesting to note that in this case, the university states that it has been using plagiarism detection software since the winter term 2007/08 (University of Vienna 2006). This demonstrates again that software cannot reliably detect plagiarism. It is only possible if the sources are found in the software databases, which they apparently were not in this case.

In the pattern of inter-institutional plagiarism, the standard excuse of “joint work” that only forgot to properly acknowledge the collaboration falls away. The pattern also shows that Volker Rieble, a law professor from Munich, was unfortunately correct in his 2010 assessment that open access publications would only encourage plagiarism (Rieble 2010: 54-5). However, the solution is not to ban open access, but

to keep people from plagiarising. It is because the theses and the sources are publicly available that plagiarism documentations have been possible.

## Extra-institutional plagiarism

Textbook material, diverse pages from the Internet and especially Wikipedia have turned out to be oft-used sources, both referenced and not, for medical theses. Comparing theses with the associated Wikipedia version has turned up alarming amounts of text copied verbatim. Wikipedia has been found to be the source for topics in neighbouring disciplines such as history, statistics or learning theories. But one also finds texts describing basic medical knowledge taken 1:1 without reference from Wikipedia or other web pages. One worries that this is the result of harried medical students not even having the time to look up topics in a textbook, but rather trusting to the wisdom of the crowd, as codified in the ever-changing Wikipedia.

To date, 18 medical dissertations have been determined to have at least one unreferenced fragment from Wikipedia. Some have quite extensive sections copied verbatim. For example, a thesis submitted to the University of Bonn in 2010 (VroniPlag Wiki: Go), has nine pages out of a total of 61 thesis pages taken from just the Wikipedia article on epilepsy, as well as two fragments about “Matlab”, the software used in the research.

It appears that those who have copied from Wikipedia have not stopped there. If there is at least one Wikipedia text found in the thesis, other sources have been found that were copied without reference. Two theses, one from the Charité (VroniPlag Wiki: Anh) and one from Münster (VroniPlag Wiki: Lh) each have unreferenced text taken from six different Wikipedia articles.

## Dealing with the plagiarism problem

The extent of plagiarism found in medical dissertations in just a small sample was unexpected, both for the plagiarism researchers and the affected universities. The investigation is by no means finished. Since the documentation is time-consuming and the researchers with VroniPlag Wiki work as volunteers, the findings thus far can only be interpreted as demonstrating that a problem exists, and it is not just the problem of a single university or field. Only the tip of the iceberg has been exposed. The universities must be proactive, or they will be forced into having to react to increased plagiarism allegations. It is not just VroniPlag Wiki that can find these plagiarisms: they are published worldwide. Anyone can – and eventually will – see the problem. The sheer amount of brazen plagiarism is what has convinced Professor Oestmann that medicine, too, has a plagiarism problem.

The reaction of universities to the documentations sent to them has been very varied. Some do not even bother acknowledging receipt of the notification. Although the rules at many universities stipulate that the informer is to be advised of the end result of the investigations, they often are not. When pressed for information, some universities respond with allusions to privacy laws, although the object in question is a scientific publication, not a personal matter. More detail on the reactions of the universities can be found in Dannemann and Weber-Wulff (2015).

When universities do get active, they tend to address the symptoms. They purchase so-called plagiarism detection software in the hope that it can quickly and reliably separate the wheat from the chaff. Unfortunately, as the author has repeatedly shown, all systems are plagued with both false positives – properly quoted material is flagged as plagiarism – and false negatives, that is, the software finds no plagiarism where there is much. In addition, each system will generally find different sources and report widely different “scores” in attempting to quantify the amount of plagiarism.<sup>11</sup>

Another attempt to deal with the problem is to set up mandatory or elective seminars on good scientific practice for doctoral students. This is in and of itself always a good idea. Preventing plagiarism from happening is much better than having to sanction students after the fact. But it will not solve the problem of plagiarising students, as some have learned this behaviour in high school and see others, in particular some professors, plagiarising material written by, for example, junior researchers, with impunity. It is essential that the topic of academic misconduct be discussed openly throughout the university, and that the top-level management of the university be committed to encouraging good scientific practice in word and deed.

There are communication problems associated with sanctions such as revoking doctoral degrees. One is concerned with the person, the other with the academic community. On a personal level, in Germany the honorific conferred with a doctoral degree is often used socially and professionally. The honorific is documented on legal identification documents and prominently displayed on doorbells and name plates. When a doctorate is revoked, it is up to the person who has had their dissertation revoked to remove all traces of the title, but there is no agency that oversees this process.

More important to the academic community is the communication about the publication. This would also be necessary for cases in which a doctorate is not rescinded, but is only the subject of a censure. The text is still a plagiarism, and future researchers will probably be unaware of the problems with the text. When a doctorate is rescinded, the library catalogue needs to be amended. Either the notice that the text is a doctorate needs to be removed, or a statement that the document in question is considered a plagiarism needs to be placed into the catalogue, such as the one that is found at the University of Münster library (2014; VroniPlag Wiki: Gt)

Removing the document from an online repository may be necessary for copyright reasons, but there should be a web entry that responds to the URL that informs the reader of the situation. It is possible – and there are documented cases of this happening, for example (Weber-Wulff 2014a: 48) – that the thesis will be quoted in later years, as authors may have no knowledge of the academic misconduct connected with the thesis. Journal papers can be retracted or corrections issued, but this is not possible for a dissertation. Even if a second edition of the thesis is printed (and accepted by the university), it does not replace the first one. The plagiarisms need to be kept by the library for future researchers, perhaps those that are investigating plagiarisms.

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11. For more in-depth discussion of the problems associated with plagiarism detection systems, see Weber-Wulff (2014a), Weber-Wulff (2004-2013), and Weber-Wulff and Köhler (2011).

There is one solution that is specific for the field of medicine in Germany. All students who successfully complete their medical degrees should receive the title of MD together with their licence to practise medicine. The study programme should include a focus on understanding research, but the practice of accepting sub-standard theses should be terminated. Students who are interested in doing research can embark on a PhD programme, as in other fields.

## **Summary**

The work of VroniPlag Wiki has demonstrated that there is a massive plagiarism problem in medicine in Germany. The investigation is neither representative nor anywhere near completion. But it is clear that there are very serious plagiarisms slipping through the quality control processes at many German medical schools.

It is urgent that the medical field gets serious about combating this problem. Some universities are beginning to understand that they have to act, but purchasing plagiarism detection software or setting up seminars for doctoral students is not enough. This only addresses the problem on a superficial level. This is a systemic problem, and it needs to be addressed at a systemic level.

## **Acknowledgements**

I have been a member of the VroniPlag Wiki academic community since April 2011. The immense time and energy all active members have put into the meticulous collaborative documentation of the plagiarism cases has provided an extensive database for observations such as these. Our countless fruitful discussions about the plagiarism found have been instrumental in helping me to focus on this problem. I am deeply indebted to one member in particular, who wishes to remain anonymous. His curiosity and focused determination have contributed immensely to the investigations of medical theses. This has truly been a collaborative effort, but any errors in my reporting are entirely my own.

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# Working Group C: Recognition of qualifications

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## 1. “Germain Dondelinger” – The Decision of the Benelux Committee of Ministers on mutual automatic generic recognition of the level of higher education degrees M(2015)3 of 18 May 2015<sup>12</sup>

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### **Abstract**

On May 18 2015, the five ministers in charge of HE in Belgium, the Netherlands and Luxembourg agreed on a Benelux decision on the mutual automatic generic recognition of HE degrees in the Benelux Union. Its full name pays tribute to the personal contribution to its realisation by the late First Governmental Counsellor, Germain Dondelinger, who was the representative of Luxembourg in the initial negotiations. The decision guarantees the legal right to each citizen to automatic degree recognition of any officially recognised bachelor’s or master’s degree obtained in the three countries of Benelux. Such degrees will be immediately recognised as being of equivalent bachelor’s or master’s level without the mediation of any recognition procedure across the entire Benelux territory. This new legal instrument builds on earlier partial bilateral agreements that have now been expanded to a collective arrangement for the Benelux region as a whole. It can therefore be considered as the formal expression of the mutual trust of the Benelux authorities in each other’s HE systems and, in particular, in the quality assurance mechanisms underpinning them. Despite the limitation to “generic” and “academic” recognition, it remains the first concrete regional achievement, both in the EU and the entire European Higher Education Area, to the common goal of automatic international recognition of degrees and qualifications. For the Benelux countries this decision is, however, only a first step towards a genuine Benelux Higher Education Area, for which further obstacles will have to be cleared in the near future.

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12. *BESCHIKKING van het Benelux Comité van Ministers betreffende de automatische wederzijdse generieke niveauserkenning van diploma’s hoger Onderwijs/DÉCISION du Comité des Ministres Benelux relative à la reconnaissance mutuelle automatique générique de niveau des diplômes de l’enseignement supérieur. M(2015)3, Bulletin Benelux Publicatieblad 2015/2, pp. 5-15.*

## **Benelux: an introduction**

The term “Benelux”, an abbreviation for Belgium, the Netherlands and Luxembourg, is a well-established geographical term referring to a particular region in western Europe. Due to reasons of vicinity and shared history a variety of more or less structured policy co-operation modalities have always existed between these three relatively small countries.

This type of ad hoc co-operation is, however, to be clearly distinguished from the treaty-based Benelux co-operation in the framework of the Benelux Union as an international organisation.

In the latter context the juridical term “Benelux” referred initially to a customs agreement concluded in 1944 and evolving towards a general economic co-operation framework from 1958 onwards. In 2010 Benelux changed its name to “Benelux Union”, reflecting the expansion of its competences from economic co-operation to matters of sustainable development, justice and interior affairs. Its mission statement – which explicitly refers to Benelux as a testing group for European integration – clearly demonstrates the ambition of the Benelux countries to take an initiating role in furthering and deepening European co-operation.

## **The Benelux higher education landscape**

It should be observed that the Benelux region has a relatively scattered landscape when it comes to HE, with five separate HE systems.

The federalisation of Belgium has entailed full devolution of the competence of education to each of the three (linguistic) Communities of Belgium, which explains the existence of three separate (higher) education systems in that country since 1989. Moreover, the differences in size between the systems across the Benelux region are significant. The Netherlands, but also the Flemish and French Communities of Belgium, have relatively large HE systems with a wide variety of universities and university colleges, which stands in sharp contrast with Luxembourg and the German-speaking Community of Belgium, counting not more than a handful of HEIs.

The existence of separate HE systems across the Benelux region did not prevent automatic recognition from being firmly rooted in existing bilateral agreements, legislative provisions and other established practices. A good example is the (amended) treaty between the Kingdom of the Netherlands and the Flemish Community of Belgium regarding the accreditation of study programmes in Dutch and Flemish HE,<sup>13</sup> on the basis of which, since 1 April 2014, holders of accredited Dutch or Flemish bachelor’s or master’s qualifications are considered to hold an equivalent Flemish or Dutch accredited degree, respectively. Moreover, the Luxembourg Government grants semi-automatic

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13. *Verdrag tussen het Koninkrijk der Nederlanden en de Vlaamse Gemeenschap van België inzake de accreditatie van opleidingen binnen het Nederlandse en het Vlaamse hoger onderwijs*, 3 September 2003 (Belgisch Staatsblad, 12.11.2004; Nederlands Tractatenblad, 2003, nr. 167) as amended by the *Protocol of 16 January 2013* and coming into force on 1 April 2014 (Belgisch Staatsblad, 18.03.2014; Nederlands Tractatenblad, 2013 nr. 35).

recognition to HE qualifications that are recognised by the EU country of origin. In Belgium, automatic recognition of HE degrees across the three communities is realised by means of the so-called “omnivalence” of degrees and qualifications guaranteed by the Belgian Constitution.

This new legal instrument, that is the Benelux Decision on the mutual automatic generic recognition of HE degrees of 18 May 2015, could therefore build on earlier partial bilateral agreements and expand them to a collective arrangement for the Benelux region as a whole. It can therefore be considered the formal expression of the mutual trust of the Benelux authorities in each other’s HE systems and, in particular, in the quality assurance mechanisms underpinning them.

Moreover, the decision is an important step towards administrative simplification and more efficient use of resources. The abolishment of expensive and sometimes lengthy recognition procedures is indeed expected to benefit both individual graduates as well as public authorities in charge of recognition.

Finally, the decision can be seen as a clear expression of the ambition of the Benelux ministers in charge of HE to play a pioneering role in contributing to the common European goal of automatic recognition of HE degrees, as put forward by the European ministers in charge of HE at their meeting in Bucharest in April 2012 in the context of the Bologna Process.<sup>14</sup>

## **Scope of the decision**

### **Benelux decision**

The decision “Germain Dondelinger” is the first Benelux decision in the field of education.

The Committee of Benelux Ministers has several legal instruments at its disposal: recommendations, decisions, directives and agreements. For the automatic recognition of HE degrees they took the option of a decision. Benelux decisions give effect to the provisions of the Benelux Treaty, whereby the terms of the treaty must be observed. They are binding for the member states. In order to be binding for the citizens of the three countries, Benelux decisions should be implemented in national regulations.

According to the subsidiarity principle, education-related matters are expected to be subject to Benelux recommendations in the first instance. Nevertheless, for the realisation of automatic recognition of HE qualifications across the Benelux countries, the ministers in charge of HE, without any hesitation, opted for a Benelux decision. This type of legal instrument was considered to be the only way to guarantee the right to all citizens to automatic recognition of their HE degrees. In addition, it

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14. EHEA Ministerial Conference, *Making the most of our potential: consolidating the European Higher Area, Bucharest Communiqué*, 27 April 2012, p. 5: “Support the work of a pathfinder group of countries exploring ways to achieve the automatic academic recognition of comparable degrees”, available at [www.ehea.info/pid34363/ministerial-declarations-and-communiqués.html](http://www.ehea.info/pid34363/ministerial-declarations-and-communiqués.html), accessed 7 September 2016.

provided the practical advantage of avoiding a heavy parliamentary procedure, typically required for Benelux agreements.

## Reference to the late CDPPE Chair

In the political negotiations leading to the adoption of the Benelux decision, the late First Counsellor to the Luxembourg Government, Germain Dondelinger (1953-2015), played a pivotal role. The Benelux partners have therefore expressed their acknowledgement by attaching his name to the decision as a collegial tribute to his personal and irreplaceable contribution to the citizens of the Benelux region as well as to his commitment to the European Higher Education Area.

## Content of the decision

The decision guarantees the legal right of each citizen to automatic degree recognition of any officially recognised bachelor's or master's degree obtained in the three countries of Benelux. Such degrees will be immediately recognised as being of equivalent bachelor's or master's level without the mediation of any recognition procedure across the entire Benelux territory.

The scope of the decision is further elucidated below.

### Level of degrees

The decision stipulates automatic recognition of bachelor's and master's degrees only. Doctoral (PhD) degrees and short-cycle (associate) degrees are not included in its scope. Only officially recognised and quality-assured degrees pertaining to one of the education systems of the Benelux countries can be automatically recognised across the whole region.

### Automatic v. procedural recognition

Automatism of recognition is a legal right for the citizen. This implies that no natural or legal person can impose any procedure upon a holder who wishes to make use of the degrees to which the decision is applicable.

### Generic v. specific recognition

Automatic recognition is only guaranteed as generic recognition, that is regarding the level of the degree. Nevertheless, it is expected that recognition of the general level of the degree will make a stronger case for specific recognition, that is in a particular study field.

### Academic v. professional recognition

The decision is confined to academic recognition of degrees, that is seen from the angle of their value as learning qualifications. It is therefore not targeting the EU-regulated aspects of access to professions under the EU Directive on professional recognition.<sup>15</sup>

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15. Directive 2005/36/EC as amended by Directive 2013/55/EU.

Nevertheless, the Recommendation of the Benelux Committee of Ministers on cross-border labour mobility of 11 December 2014<sup>16</sup> voiced the expectation that the – at that time forthcoming – Decision on the mutual automatic generic recognition of the level of HE degrees would enhance the professional recognition and hence the mobility of workers across the Benelux countries.

## **Way forward to a genuine Benelux Higher Education Area**

The signature of the Benelux Decision on the mutual automatic generic recognition of the level of HE degrees has been seen by the international community as a good practice for the further integration of the European Higher Education Area. Nevertheless, in the context of the Benelux region itself, there is a clear awareness that there is some way to go in the creation of a genuine “Benelux Higher Education Area”.

### **Implementation in national legislation**

First of all, it should be observed that a Benelux decision is not self-executing. It has to be implemented in the national legislation of all Benelux countries. Although the national regulations can be prepared through lightweight procedures, such as governmental decisions, the process of national implementations will probably only be concluded by mid-2016.

### **Widening and deepening the scope of the decision**

The success of the decision will furthermore depend on the degree to which its scope can be widened and its impact deepened. An expansion of the automatic recognition to the level of short-cycle (associate) degrees and doctoral (PhD) degrees seems to be the logical next step. Tackling the issue of specific recognition, that is recognition of qualifications in a specific study field, is another, which could possibly be addressed via the intermediate stage of pilot projects for disciplines that already show a high degree of European convergence.

### **Transitivity of recognition**

But it is in the field of transitivity of recognition that there is still a long way to go, although there are already some examples of good practice at bilateral level, such as the co-operation between the German-speaking Community with the larger Belgian Communities for the screening of recognition dossiers and in the field of quality assurance, the fact that the Netherlands and the Flemish Community of Belgium share the same accreditation organisation.

The co-operation between the different quality assurance and recognition bodies should nevertheless be reinforced in order to establish a practice of transitivity of

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16. Benelux Recommendation M(2014)17, available at [www.benelux.int/files/9714/1829/6650/M201417-FR.pdf](http://www.benelux.int/files/9714/1829/6650/M201417-FR.pdf) and [www.benelux.int/files/8714/1829/6631/M201417-NL.pdf](http://www.benelux.int/files/8714/1829/6631/M201417-NL.pdf), both accessed 7 September 2016.

recognition decisions across Benelux decisions about qualifications from countries outside Benelux. This would imply that a (procedural) recognition decision taken in one Benelux country would be automatically valid in the rest of the Benelux region.

## Continuing relevance of the Lisbon Recognition Convention

It goes without saying that in the short and medium term, procedural recognition practices will continue to prevail in cases where specific recognition is implied. From this perspective the Benelux decision does not replace but rather complements the Lisbon Recognition Convention, the correct application of which is the only means to guarantee the fairness of the procedure.

## Conclusion

This new legal instrument is the first regional achievement towards the common European goal of automatic recognition of qualifications in HE, both for the EU and for the European Higher Education Area as a whole. Most of all its innovative strength resides in the fact that it establishes a legal right to citizens, and not in a unilateral way but with the strong support of the academic community.

## 2. The experience of the Swedish ENIC-NARIC office in dealing with fraudulent credentials and diploma mills

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## Abstract

There are no quick fixes to the problem with credential fraud and diploma mills. Nevertheless, this article offers some ideas on how to tackle them. A holistic approach to the problem is essential: it forces one to reflect upon the function and nature of fraudulent credentials as well as one's role as a gatekeeper. The article stresses the necessity of consistency in dealing with fraudulent credentials by adopting counter-fraud guidelines, policies and procedures. The understanding between the Swedish ENIC-NARIC and the Afghan Embassy in Stockholm, for example, shows the value of exploring country-by-country solutions to the problem of fraud. A shift from paper documents to digital credentials and verification services is long overdue. Ukraine, for example, provides a digital service for the verification of educational documents, and US institutions are switching to electronic transcripts and even electronic degrees. There are also regional and global initiatives such as EMREX and the Groningen Declaration that promote the establishment of digital student data depositories and digital exchange of student data. Finally, the article offers concrete ways to stop diploma mills with emphasis on publishing national blacklists and the introduction and enforcement of laws protecting the terms "university" and "college".

The tools to stop fraudulent credentials and diploma mills are out there. The question is: are the member states of the Council of Europe willing to use them?

## Introduction

The Swedish ENIC-NARIC has more than 30 years of experience with the evaluation of foreign credentials. The number of applicants and the origin of their qualifications are essentially dictated by the ugliness of this world: turmoil and war. The mass exodus of people from Bosnia in the 1990s, followed by Iraqis in the 2000s and now Syrians are reflected in our statistics. The number of applications during the past five years has, however, grown year by year by roughly 20%, causing unprecedented stress on the organisation. Faced with a balancing act of quantity versus quality, the question is how the organisation can both promote the prompt integration of an ever-growing quantity of foreign skilled labour and at the same time make sure that only individuals with proper documentation receive an assessment. This article will try to answer that question.

**Figure 1. Number of applications for the evaluation of foreign higher education credentials, 2009-2014**



Source: Swedish ENIC-NARIC

## A holistic perspective is essential

### Fraudulent credentials do not exist in isolation

Two things are meant by a holistic approach with regard to fraudulent credentials. Firstly, it is essential to understand the systemic function and effect of fraudulent credentials. The purchase of fake degrees feeds criminal organisations and, moreover, dilutes the value of education and accomplishment, undermines meritocracy and rewards deceit and unfairness. Fraudulent credentials, furthermore, do not exist in isolation. The purchase of fraudulent credentials can very well indicate that there might be other problems with the individual's identity and CV as well. This conclusion is reflected in the logic of the fake degree industry, where it is common to offer "package deals", including a fake birth certificate, a fake passport, a fake driving licence, a fake high school diploma, a fake degree, fake recommendation letters, etc. This is a profit-driven and ruthless industry that is often involved in other

crimes, e.g. money laundering, tax evasion and even terrorism. In the screenshot below, we can see that the website “Superior Fake Degrees” offers more than just fake degrees.<sup>17</sup>

Source: [www.superiorfakedegrees.com](http://www.superiorfakedegrees.com)

## The gatekeeper

Secondly, it is essential to understand the role of one’s organisation in society. Often public authorities are unaware of their own crucial role in the system. Instead of understanding the whole picture, the focus is on myopic goals such as quantity and turnaround time.

On 30 March 2015, the Swedish National Council for Crime Prevention published a report titled “The certificate that opens the door to the welfare system – A report on welfare offences committed using incorrect certificates”. The report was the result of a study involving 13 public authorities, including the Swedish Council for Higher

17. For example, in the aftermath of the terrorist attacks by the Norwegian right-wing terrorist Anders Behring Breivik in 2011, it was concluded that he had financed his purchase of weapons and explosives by selling fake degrees on the Internet through the website [diplomaservices.com](http://diplomaservices.com). See Pidd H. (2012), *Anders Behring Breivik spent years training and plotting for massacre*, *The Guardian*, 24 August 2012, available at [www.theguardian.com/world/2012/aug/24/anders-behring-breivik-profile-oslo](http://www.theguardian.com/world/2012/aug/24/anders-behring-breivik-profile-oslo), accessed 7 September 2016; See also *United States of America v. Richard John Novak*, Sentencing Memorandum, United States District Court, 05-CR-180-3-LRS, September 17, 2008, available at [www.justice.gov/sites/default/files/criminal-fraud/legacy/2011/02/16/09-17-08novak-sent-memo.pdf](http://www.justice.gov/sites/default/files/criminal-fraud/legacy/2011/02/16/09-17-08novak-sent-memo.pdf), accessed 7 September 2016.

Education (the Swedish ENIC-NARIC). It vividly illustrated the interdependency of public authorities in the welfare system; a mistake in one part of the system would accumulate over time throughout the system, affecting numerous other public authorities and undermining public trust in the system.

The Swedish ENIC-NARIC is part of the Swedish welfare state ecosystem. The organisation has a dual function:

- ▶ to promote the prompt integration of foreign skilled labour in the Swedish labour market;
- ▶ to make sure that only individuals with proper educational documents are given access to the Swedish welfare state.

A gatekeeper is a person who controls access to something. Thus, the Swedish ENIC-NARIC functions as a gatekeeper. If we do not do our job properly we run the risk of becoming a laundromat for fake credentials and identities. The organisation, individuals and society will suffer.

### **Tackling credential fraud in a consistent way**

The Swedish Council for Higher Education is a relatively new organisation, established on 1 January 2013. In the spring of 2013, an anti-fraud task force was founded. The anti-fraud task force is an inter-departmental unit with members from the Department of Admissions and Student Information and the Department for Qualifications Recognition (Swedish ENIC-NARIC). The mission of the task force is to develop methods and procedures to prevent forgeries in our assessment and admission process. It is, furthermore, the responsibility of the task force to monitor the matter of fraudulent credentials and increase the awareness of this issue within the agency.

Counter-fraud guidelines were adopted by the Swedish Council for Higher Education in 2014. The guidelines constitute an inter-departmental document referring to the Swedish Penal Code, according to which the use of fraudulent credentials is a crime. The task force involved the organisation's senior legal advisor and the document was signed by the director general.

Additionally, counter-fraud policy and procedures were adopted the same year. This document is a departmental document, referring to the counter-fraud guidelines, and constituting in effect an interpretation of the guidelines. The document defines fraudulent documents and provides information on how to verify credentials and when to file a police report.

In the recognition of foreign credentials it is essential to have functioning guidelines and policies on fraudulent credentials. This goes for ENIC-NARIC offices as well as HEIs dealing with admission of foreign students. Policy documents of this kind have many benefits. Firstly, these documents reflect the fact that you have acknowledged fraud as a problem that you have decided to do something about. Secondly, they provide useful definitions. Finally, policy documents contribute to consistency in dealing with fraudulent credentials.

## **Credentials can be trusted, part 1: the Afghan Embassy in Stockholm**

Our experience with Afghan credentials goes back to the 1980s. We contacted the Afghan authorities on numerous occasions over 30 years without ever receiving an answer. Against this background, in 2010 we stopped evaluating Afghan credentials altogether. This was an extreme measure prompted by a growing number of suspected fraudulent credentials from Afghanistan, suspected fake identities and a non-existent verification process. During the period 2010 to 2014 no Afghan credentials were evaluated by the Swedish ENIC-NARIC. Things, however, started to look brighter in 2014 when the Islamic Republic of Afghanistan opened an embassy in Stockholm. In December that year we met with the Ambassador and First Consular. This was followed by a meeting in April 2015, when we came to an understanding with the embassy.

According to this, applicants with Afghan credentials are required to contact the embassy for verification of IDs and degrees. The embassy checks the information against databases in the Afghan capital, Kabul. If there is a positive match, the degree is stamped and signed by the embassy. A certificate confirming the ID of the applicant is issued as well. The verified documents are then presented to us by the applicant. The embassy has provided us with samples of the stamps used on the documents and which signatures are to be expected. There are designated contact persons at the embassy that we can turn to if we have any questions.

The co-operation with the embassy has been a success. Since April 2015 more than 50 Afghan nationals with degrees have received evaluation statements from the Swedish ENIC-NARIC enabling these individuals to pursue a profession or continue studying in Sweden.

The co-operation with the Afghan Embassy shows that issues of fraud have to be approached on a country-by-country basis, and that it is not always possible or advisable to work with an embassy. In this case, however, we can now feel confident that the credentials that are presented to us are authentic and the identity of the applicant has been checked.

## **Credentials can be trusted, part 2: Ukrainian and US digital solutions**

Developed by the Chinese and improved by Johannes Gutenberg, the printing press has served mankind well for two millennia. Yet, in the era of laser printers, scanners and advanced computer software we cannot trust paper anymore. Instead we must seek trust elsewhere. These days, there are numerous digital verification tools at the disposal of the credential evaluator. For example in 2001, the Ukrainian Ministry of Education and Science launched the Osvita website.<sup>18</sup> The website contains more than 20 million records and allows for the verification of both degrees and transcripts in real time. The website is trilingual (Ukrainian, Russian and English) and user-friendly. In 2014, we received 231 applications for the evaluation of Ukrainian HE qualifications

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18. Available at <https://osvita.net/ua>, accessed 7 September 2016.

and we were able to verify 76% of these through the Osvita website.<sup>19</sup> Instead of contacting institutions in the Ukraine or the Ukrainian ENIC for verification of credentials we can now easily do it through Osvita. The Osvita website both minimises turnaround time and helps us detect fraudulent credentials. Other countries that have launched similar online verification services include Bulgaria, China, Ecuador, Kyrgyzstan, Mexico, Moldova, Peru and Russia.

An alternative digital solution to verification has been developed in the United States. Here, the official transcript – not the degree – constitutes the most important educational document. Strict privacy laws, furthermore, prohibit the release of student information to a third party without the consent of the student.<sup>20</sup> Against this background transcripts are usually printed on security paper and sent by postal service directly from the institution to a third party (e.g. the Swedish ENIC-NARIC). Thus, it is common practice for institutions, employers and governmental bodies to only accept official transcripts sent in sealed envelopes directly from the student’s institution.

With more than 4 000 HEIs in existence, paper and postage costs are daunting. As an alternative to sending paper transcripts by postal service, the University of Chicago and University of Pennsylvania started to issue electronic transcripts (e-transcripts or eTranscripts) in 2002. Today, a quarter of all US HEIs (including a majority of the Ivy League universities) use e-transcripts and the number is growing. The electronic transcript is sent from the institution to an e-mail recipient as an encrypted PDF file. The electronic document is tamper-proof and can only be accessed through a login page. Stanford University has even taken things one step further by offering electronic degrees that are sent as encrypted PDF files.

In 2012, only 4% of US transcripts sent to the Swedish ENIC-NARIC came in the form of electronic transcripts. In 2014, that figure had risen to about 16%. The Swedish ENIC-NARIC gladly accepts e-transcripts from US institutions as a prompt and secure way of transmitting student data.

Both the Ukrainian and US examples are testimony of a global trend towards replacing paper documents with digital alternatives. Initiatives such as the Groningen Declaration, EMREX (Erasmus+) and the Erasmus Without Paper Project (EWP) promote the further development of digital solutions in the educational field. Many of the above-mentioned states that have launched online verification services are economically poor. This shows that this is not a money issue, but rather a question of priorities and political will. Bulgaria, Moldova and Ukraine are Council of Europe member states that should be praised for their work in providing secure online verification services for educational credentials.

## **Diploma mills can be stopped**

In June 2015, a Swedish diploma mill had the audacity to turn to the German ENIC-NARIC and ask to be registered as a recognised Swedish institution on the German-run

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19. The remaining 24% were mostly older degrees not included in Osvita.

20. See the 1974 Family Educational Rights and Privacy Act, FERPA, available at [www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html](http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html), accessed 7 September 2016.

Anabin list of recognised foreign institutions.<sup>21</sup> Later that year, the Swedish ENIC-NARIC received enquiries from New York and Copenhagen regarding credentials from yet another Swedish diploma mill. These examples show that the problem of diploma mills is not limited to national borders.

In the past 15 years, the Swedish ENIC-NARIC has seen a significant growth in the number of cases that concern dubious institutions, including diploma mills. Virtually all cases concern entities that claim to be recognised in one or several Council of Europe member states or states that have observer status (e.g. the US). The states of the Council of Europe are, however, not only on the delivering end of the diploma mill industry but on the receiving end as well. In other words, these “universities” should be of great concern to the Council of Europe since they undermine the value of knowledge and corrupt societies.

In 2009, the Council for Higher Education Accreditation (CHEA) and UNESCO jointly published the document *Toward effective practice: discouraging degree mills in higher education*. It provides a number of useful recommendations that can be adopted by the Council of Europe. The recommendations include informing the public about diploma mills and publishing lists of recognised institutions. So what works and what doesn't?

## **Relying on information to the public alone will not suffice**

The Swedish ENIC-NARIC has tried this approach for 15 years with very meagre results. In fact, information alone does not work and it is only a bad excuse for doing nothing. Information does, however, work in combination with other (legal) measures.

## **The media is your ally**

In lieu of functioning legislation to combat diploma mills, consider the media to be a trustworthy ally. For example, the Swedish media has exposed high-profile individuals using degrees from diploma mills as well as dubious institutions operating in Sweden. Media exposure usually puts an instant end to any diploma mill, thus the Swedish ENIC-NARIC has actively fed media with all the information it has required including, *inter alia* statistics and sample degrees from fake universities.

## **Publish a blacklist**

The importance of publishing whitelists of recognised institutions is generally understood by the member states of the Council of Europe. This is, however, not the case when it comes to blacklists. The reason for this is probably the Council of Europe's negative experience with blacklists in the late 1980s and early 1990s. To my understanding, the problem with these lists was that the Council of Europe tried to provide a comprehensive list of all existing diploma mills and that the list accidentally included some recognised institutions.<sup>22</sup> In other words, the idea was good yet the

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21. Available at <http://anabin.kmk.org/anabin-datenbank.html>, accessed 7 September 2016.

22. Council of Europe: List of non-accredited institutions, Strasbourg, July 4, 1986, Doc. DECS/Rech

undertaking was too large. Instead of disregarding the idea altogether, I suggest that the competent educational authority in each Council of Europe member state publish a national blacklist of non-recognised institutions claiming to be recognised or in some way connected to the country in question. In this context and for legal reasons it is important to avoid focusing on what these organisations are (i.e. diploma mills) and instead emphasise what they are not (i.e. recognised institutions). In order to avoid being sued for slander, it is paramount that one avoids words such as “diploma mill”, “degree mill” and “fake university” and instead use words such as “non-recognised” and “non-accredited”. The Swedish ENIC-NARIC provides a blacklist of non-recognised Swedish HEIs.<sup>23</sup> Similar blacklists are provided by British Columbia (Canada), Denmark and the United Kingdom.

## **Introduce laws that stop diploma mill activity and enforce these laws**

Start by cleaning your own doorstep and realising that organisations (including universities) and markets cannot self-regulate. Sweden is a good example of the latter. Many countries have existing laws that could be used to counter diploma mills, yet they are not enforced (e.g. Sweden). Other jurisdictions may have weak laws that govern education, yet powerful consumer laws that are strongly enforced (e.g. Hawaii). Most effective are, however, laws that protect the key words “university” and “college” in a given language and in translation. Some US states, all provinces of Canada, Australia and some European countries have successfully introduced laws of this kind. Among the Council of Europe member states Norway and Denmark stand out. Norway has existing laws that have protected the words “university” and “college” since 2005. Denmark introduced similar legislation in 2010. Besides protecting vital educational terminology, Norwegian law also legally defines what a diploma mill is and makes no distinction between a fake degree from a real university and a fake degree from a fake university. The latter effectively stops the use of credentials from diploma mills on the labour market and for further studies.

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## Plenary session 3

# Presentation of the general report of the Forum

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*Tomáš Foltýnek, Mendel University Brno, Czech Republic, with  
input from the working group rapporteurs: Eva Egron-Polak,  
Jens Vraa-Jensen and Cloud Bai-Yun*

### Abstract

The main purpose of the 7th Prague Forum was to launch ETINED. Following the launch, the forum dealt with the framework of the platform and discussed the initial sub-themes: ethical behaviour of all actors in education, academic integrity and plagiarism, and recognition of qualifications. Participants identified many challenges and discussed how to face them. Five principles that could contribute to addressing the challenges came up most often: ownership and involvement of stakeholders; a positive approach to change mindsets; an early start in communicating ethical issues; focus on processes rather than results; and setting priorities for a future agenda.

### Introduction

Let us start with the joke mentioned during the presentation of Ms Snežana Samardžić-Marković, which perfectly demonstrates that corruption in education may take many forms:

A parent complains to a teacher: 'My son is so stupid that he will not pass your exam!'  
The teacher answers: "I bet you \$1 000 that he will!"

The main purpose of the 7th Forum was to launch ETINED. The mandate for creating this platform was given by the Ministerial Conference in Helsinki in 2013. Additional purposes of the meeting in Prague were to address the fight against corruption and fraud in education and research, and exchange information through case studies and best practices.

The forum focused on:

- ▶ the implications for action in national education contexts, as well as the role of all actors in education;
- ▶ proposing initiatives for capacity building at institutional level, through peer learning and sharing of best practices;
- ▶ encouraging anti-corruption initiatives;
- ▶ strengthening global action.

Snežana Samardžić-Marković, Director General, DGII – Democracy, Council of Europe, officially launched ETINED, which aims to be:

- ▶ a framework instrument on ethical principles;
- ▶ a means to establish relevant national and regional pilot projects;
- ▶ a tool of dissemination of policy options and sharing best practices;
- ▶ a platform for developing the expertise of all actors.

ETINED will focus on the following initial sub-themes:

- ▶ ethical behaviour of all actors in education;
- ▶ academic integrity and plagiarism;
- ▶ recognition of qualifications.

These sub-themes were also topics of discussions in parallel sessions (see below).

The ethical behaviour of all actors in education was presented during the plenary session, but this article addresses it as a part of parallel working group A – Ethical behaviour of all actors in education.

## Plenary sessions

### Input from global organisations

After the opening speeches, the official launch of ETINED and the setting of the framework (introduction to how GRECO works and the presentation of ethical principles), representatives of relevant global organisations provided their responses to the set questions. The speakers represented two bodies that deal with education: EI and IIEP/UNESCO, and two bodies that deal with corruption: the U4 Anti-Corruption Resource Centre and Transparency International.

The speakers were given three questions:

- ▶ what are the main challenges?
- ▶ what works?
- ▶ how can your organisation contribute?

### What are the main challenges?

From the point of view of the representatives, the main challenges are corruption as a whole, and the interconnection and relationship between the quality of an

educational system and the overall level of corruption in society. A poor educational system supports a corrupt society and vice versa. However, society can be influenced by an effective educational system, so it should be obvious where one should cut the “infinite chain”.

Specifically, corruption in vocational education and training (VET), cross-border education and recognition of diplomas were mentioned as areas of education that are not currently being addressed by any research or initiatives.

Another challenge mentioned by the participants was scope. There was a great concern as to whether we are able to cope with all the challenges or whether we will just continue to focus our efforts on HE.

### **What works?**

From the point of view of corruption, it is important to set standards for budgets and public monitoring. Standards have to be agreed, required and publicly checked and enforced. Transparency is the best means of preventing corruption. Tracing surveys and/or financial audits also help. All money has to be accounted for and traceable in order to judge whether it was spent appropriately.

Ownership and buy-in from actors is essential to tackle corruption. If all actors in education are motivated and convinced about the usefulness and efficiency of the system, the willingness to condone fraudulent behaviour will decrease significantly. We need motivated students, well-paid teachers, parents who trust the system, employers who appreciate the knowledge of alumni, and public authorities that value and respect quality education. The bottom-up approach works well, but the role of politicians should not be underestimated. Politicians should “lead by example”.

Peer-to-peer teaching is often more efficient and effective than learning in large classes, especially when discussing ethical values.

Getting key topics onto people’s agendas will be a crucial prerequisite for success, for example by sensitising people to ethical issues using topics that are relevant locally or regionally.

### **How can your organisation contribute?**

There are many resources that are ready to be used immediately. UNESCO has an online platform devoted to ethics and corruption and containing materials, books, guidelines, databases, press articles and other resources. A teachers’ code of ethics and a teachers’ code of conduct are also available to use. There is extensive experience with dissemination, sharing of strategies, involvement of experts and management information systems.

Of course, ethics is not only about corruption. Corruption is just a part of the issue we need to address.

## Parallel working groups

### **A: Ethical behaviour of all actors in education**

The first case study of the parallel working group presented professional codes and standards developed by the GTCS, UK. The Code of Professionalism and Conduct for teachers defines three elements for each standard:

- ▶ values and professional commitment (central);
- ▶ knowledge and understanding;
- ▶ skills and abilities.

The values are:

- ▶ social justice: commitment to social values such as sustainability, democracy and gender equality;
- ▶ integrity: openness, honesty;
- ▶ trust and respect: of students, colleagues, parents, etc.;
- ▶ professional commitment: collegiality, lifelong enquiry, collaboration.

The second case study presented was the Lithuanian project launched by an NGO following the establishment of a national corruption prevention campaign by parliament in 2002. The organisation developed an anti-corruption educational programme, working with a number of schools that were selected on the basis of a competition to identify school teams. Teachers were fully involved in the creation of the programme and agreed to disseminate the principles. The programme adopted an approach to embed democratic principles and moral standards into the mission of education. It strengthened self-improvement, critical thinking skills, was built on personal touch, and provoked teachers to think about their own attitudes in order to ensure ownership. The idea that can be adopted by ETINED is that approaches must be based on personal values and ethical behaviour rather than focused on corruption; it must have qualitative rather than quantitative information, and it must be cross-sectoral rather than focused on education only.

The third case study was about the process of linking ethical principles to ethical conduct by a number of specific actors. This theme had already been presented on during a plenary session. This part of the article merges the conclusions of both parts.

ETINED will be based on 14 ethical principles:

- ▶ integrity
- ▶ honesty
- ▶ truth
- ▶ transparency
- ▶ respect for others
- ▶ trust
- ▶ accountability
- ▶ fairness

- ▶ equity, justice and social justice
- ▶ democratic and ethical governance and management of the education system and educational institutions
- ▶ quality education
- ▶ personal and systems improvement
- ▶ institutional autonomy/institutional independence
- ▶ international co-operation.

The discussions in the working group focused first on definitions. Participants felt that the principles were too vague and it was not always certain that everyone interpreted them in the same way. Therefore these principles, as keystones for any agenda, need to be more specific. Participants suggested that adding suitable adjectives, especially to the last five principles, could help to make them more understandable. For example “international co-operation” could be qualified as “fair” or “equitable”.

The second starting point considered eight actors in education:

- ▶ pupils in schools
- ▶ students in HEIs
- ▶ teachers in schools
- ▶ academic staff
- ▶ parents/care givers of pupils
- ▶ parents/care givers of students
- ▶ employers/managers
- ▶ relevant public officials/political leaders/civil society.

The rationale for dividing the actors in these groups was explained and accepted, though the idea of adding another actor – the media – was also discussed. This is a possibility that needs to be considered.

The discussion based on the case studies highlighted that it is not easy to transfer processes such as standard setting and codes developed by national authorities from one context to another. As local context is always important, areas where ethical dilemmas are surfacing need to be identified.

The participants asked if we could assume that teachers, students, parents and public officials shared the same values. And if they do not, what should we do about it? These questions remained unanswered.

It was underlined that the key to success is to know how to integrate anti-corruption considerations into all subject areas. It needs to be voluntary, not linked to policy or official curriculum development. The need to change mindsets was mentioned. In particular, this may be done via peer learning, through international exposure, and joint projects locally with schools, universities and local government.

Participants also noted that there are many different codes in place, such as professional codes for scientific associations, legal codes backed by criminal law, institutional codes, etc. Why is this not enough and why are we still facing corruption and misconduct? Each association applies different sanctions yet there is very little

monitoring of how these codes are applied, who implements the code and who applies sanctions. Their real impact is therefore difficult to measure.

The newly revised European Standards and Guidelines for Quality Assurance in Higher Education is a step forward for this debate and could be a stepping stone for the development of further standards in the area of ethics.

## **B: Academic integrity and plagiarism**

The first case study presented findings from the EU-funded project IPPHEAE. The most important conclusions from this case study are: firstly, there is an inconsistent understanding and definition of plagiarism and good academic writing practice; secondly, mature policies for academic integrity are needed, including how to protect “whistle-blowers” and others who are raising questions about academic malpractice.

The second case study dealt with plagiarism in German medical dissertations. The most important messages were: firstly, the existing digital tools to identify plagiarism are not sufficient and reliable; secondly, it is important to remember that any individual research publication is a contribution to the societal pool of knowledge, so any fraud is cheating the whole of society and its future development. Publications are by definition public. Cheating with publications means cheating the whole of society.

A similar idea was then repeated during the discussion: research and education are a part of the development of the whole of society and fraud is a violation of the principle of respect for others. Plagiarism and corruption are only a part of the issue and a general debate on ethics is essential.

The discussion also touched on the key principles arising from the forum: ownership, starting early in education, and focus on processes. These principles are described in detail below.

At the end, two questions remained unanswered:

- ▶ is the growing focus on performance indicators and economic competition creating a basis for more corruption?
- ▶ can ETINED develop new general accepted standards and guidelines for ethics and ethical behaviour?

## **C: Recognition of qualifications**

The working group received two case study presentations. The first was from Belgium (Flemish Community), which presented a positive example in recognition; the second was from Sweden, highlighting issues needing attention. These presentations were intended to address the sub-themes of the forum discussion and to identify challenges and common concerns, which will inform future work programmes.

The first presentation introduced the decision on automatic recognition of qualifications in Benelux, a formal political expression of the mutual trust of the Benelux authorities in each other’s HE systems and, in particular, in the quality assurance mechanisms underpinning them.

The second presentation illustrated the types of fraud that exist around qualifications, ranging from fake qualifications to identity fraud. Educational fraud is often linked to ID fraud, abuse of welfare systems, money laundering and human trafficking, highlighting the crucial role of recognition. As counter-fraud measures, Sweden has developed and advocates a number of procedures including qualifications policing, verification and developing clear guidelines and policies (as in the case of the Swedish anti-fraud task force).

Diploma mills are equally significant. Bringing in legal instruments to combat them was suggested. Countering educational fraud is not a matter of money, but a willingness to recognise and prioritise addressing the phenomenon.

Following the presentations, the group discussed the following questions:

- ▶ are there any good practices at national level relevant to ETINED?
- ▶ what are the challenges to recognition of qualifications?
- ▶ do fraudulent credentials constitute a problem?
- ▶ what could the members of the Council of Europe do to promote digital solutions to the problem of fraudulent credentials?

### **Are there any good practices at national level relevant to ETINED?**

An increasing number of countries have developed counter-fraud systems through detection of fraud or the safeguarding of quality-assured provision, including Sweden, Norway, Russia, the United Kingdom, Moldova, Mexico, Bulgaria, France and Ukraine.

Making use of bilateral/multilateral automatic recognition agreements can also be a useful instrument. Additionally, the integration of recognition into other platforms such as diplomatic or social security channels could be helpful, as well as databases of detected cases.

### **What are the challenges to recognition of qualifications?**

It was felt that the measures in place are either detection-centred or focused on safeguarding quality assured by national provision. However, there is a clear lack of common approaches and there exists significant scope for co-ordinated efforts.

### **Do fraudulent credentials constitute a problem?**

Education fraud often links to greater, far more complex security issues and abuse of social welfare systems.

It was felt that member states alone could not combat certain issues alone. It was suggested that common guidelines or frameworks be developed in support of efforts made at national level. There should be a common approach to education fraud linking qualifications to social security; it is not a matter of education alone.

## What could the members of the Council of Europe do to promote digital solutions to the problem of fraudulent credentials?

Blacklists – databases of fraudulent institutions – can be helpful in identifying fraudulent diplomas. However, past experiences of the Council of Europe demonstrate that centralised solutions can be difficult. Member states are encouraged to proactively provide information on quality-assured national provision.

### Key implementation principles

Five principles were most commonly raised during the discussions at the forum as possible answers to the challenges we are facing:

- ▶ ownership;
- ▶ positive approach;
- ▶ an early start;
- ▶ focus on processes, not results;
- ▶ priorities.

### Ownership

Ownership is about the involvement of all stakeholders in the design of educational policies. Actors should not experience educational processes as something coming from above. It has to be our system, our rules, our curricula, our honour codes, our list of competences, etc. Only if we are convinced that it is our system are we not going to cheat it.

This serves as inspiration for several recommendations: involve students in the creation of honour codes. They are much more willing to obey them. Involve students and parents in the creation of curricula. They will be much more convinced about the usefulness of schoolwork.

Consequently, we need to involve stakeholders in common processes: make students raise questions about what is going on. Motivate people to point out negative effects. Of course, trust is needed on all sides. All actors in education need to be partners.

We need to encourage teachers to convey the message. We need to provide them with materials. It is useful to employ indirect forms of communication, such as the media, theatre and cinema. They are powerful and can help people to adopt and accept ethical values. This supports the idea of adding the media into the set of actors in education.

The private sector is also a part of the problem. It is not possible to get rid of corruption in the public sector and leave it in the private sector. Corruption in private companies has to be addressed with the same effort and intensity as it is in public companies. This is not only about private universities, but also about the economic system as a whole.

Research and education is not only an instrument of individual promotion and development of employability and the economy. It is also a contribution to the development of the pool of knowledge, part of the development of the whole of society. Fraud is a violation of the principle of respect for others.

## **Positive approach**

The approach to ethics, transparency and integrity in education (though not only in education) has to be based on personal values and ethical behaviour rather than focused on corruption and disclosure of negative effects. The approach must point out qualitative information and has to be cross-sectoral. Increasing positive principles in education involves a change of mindset across whole societies.

To change the mindset of our societies is a long-term goal. It takes time, maybe several generations. It is necessary to avoid resignation: corruption, plagiarism and other forms of misconduct must not be seen as a normal part of education or a normal part of life. Mindsets can be changed via peer learning, international exposure and joint projects locally with schools, universities and local government.

The quality of education is affected by the maturity of society through the ethical values it has adopted; these values can be changed through education. It is not only education that has to be changed. It is necessary to change the whole of society. Therefore, close co-operation with other global organisations is needed. We need to go beyond education. Ethical values include democratic citizenship and culture, human rights and the rule of law. We need to unify definitions and make sure we all are talking about the same things.

Detection of misconduct and catching people who have breached the rules is of course necessary, but it should not be the core of the strategy. The real challenge is motivation for all actors. What helps is to increase accountability. All actors have to be accountable, without exception.

## **Early start**

It is essential to start a debate on ethical questions early – that is, in school. This should be based on a set of generally recognised standards and definitions. It should also include the professional development of supervisors and other education staff in ethical questions. But rigid rules will not help.

Researchers and HEI teachers are usually former PhD students, PhD students are former master's students, and master's students are former bachelor's students. Bachelor's students are former high school students; they are former basic school pupils and they used to be in kindergarten. We cannot expect that people change only between master's and PhD level or between a PhD and employment. Ethical issues have to be communicated as early as possible. They have to spread through the whole curriculum, and be present everywhere.

Getting ethics into the learning process requires the involvement of parents and other stakeholders, such as local authorities. Local context is crucial, especially for younger children.

## **Focus on processes, not results**

Education has many roles and many outcomes. A good result in a PISA test or a similar assessment is just one of them. We also expect personal development, the acceptance of social responsibility, citizenship, and participation in democratic processes. We need pupils and students to adopt the positive values of our society, and help prevent xenophobia and other potentially risky ways of thinking. Focusing on rigid quantitative measures rather than qualitative ones is often counter-productive.

The same applies to research. Society does not need piles of papers, articles, reports, chapters and books. Society needs knowledge and wisdom. Pressure to produce quantity leads to recirculation, plagiarism, self-plagiarism, and the existence of fake conferences and low-quality journals that are more cash machines than platforms for exchanging research results, knowledge and inspiration.

We need to be able to discover and deal with negative phenomena before bad things happen. We should not rely on technical solutions. It is vital to look at where the problem begins.

Funding mechanisms based on counting exercises and quantitative measurements are a part of the problem. Many such tools work against openness and transparency. More basic funding is needed, along with accountability and the assurance that educational and research processes are conducted appropriately and have a significant contribution to society.

However, focus on processes can lead to conflict of roles. Specifically, conflicts between delivery and ethics can arise. Who will set checks and balances then?

## **Priorities**

To cope with all the challenges mentioned will be difficult. Will we be able to get rid of the negative effects and set up positive measures? The agenda is intimidating: get ethical issues onto the agenda of people; incorporate ethical principles into international policies, national and regional educational systems, and curricula; and convince school managers and teachers to adopt them, behave accordingly and share them with their pupils and students. In parallel, we need to change society's mindset, focusing not only on education, but on other sectors as well. The economy is especially crucial, as corruption is often economically motivated.

We have to eradicate corruption from all levels of education; we have to create equal opportunities for men, women and all children from all social backgrounds. We have to fight plagiarism, cheating during exams and paper mills. We have to adopt efficient measures against diploma mills and fake universities.

All these problems need to be addressed while people deal with economic problems, climate change, wars, refugee crises, disease and other contemporary global issues.

It is very difficult to get issues onto the agenda of people. Talking about the problems is just a first step. We need people to agree that ethical values are important. We need people to be actively involved. And that will be hard. We cannot deal with

it all. The priorities have to be set in such a way as to make sure that the process is finite and efficient. It is crucial to have a fight plan, as Bertrand de Speville calls it in his final keynote speech.

## Future agenda

We have the platform, we have lots of resources, and we have problems that are clearly described. Now we need a plan to make things change.

It is not only developing societies that need to change, but also mature societies. Corruption remains at high levels and takes sophisticated forms. New forms are difficult to identify so we need to continue working on this, disseminating examples of success. True political will remains a key assumption for success.

A good starting point for setting priorities was drafted in the final keynote speech of Bertrand de Speville. We need a strategy. The strategy has to be a combination of enforcement, prevention, public education and support. People must understand that corruption is bad. They must not be corrupt. But they must actively denounce this effect, not only for themselves, but also in their communities. Public support has to be active. Applause for those who fight against corruption is not enough, we need all to fight actively.

The objectives of our strategy work at two levels:

- ▶ immediate: provide information. Persuade people; tell them what is going on. They need to trust the authorities, so the authorities have to be transparent and accountable (a core presumption of the whole process of changing mindsets);
- ▶ ultimate: change the community, change attitudes towards corruption, change behaviour, and eliminate all forms of misconduct in education.

Change has to be measured. We need a way to find out whether an effort has been successful or not. However, counting success by the number of people arrested is not appropriate. We need a positive approach.

A change of attitudes is a clear indicator of success. We have some examples of success from the past: Singapore and Hong Kong managed to transform themselves and significantly reduced corruption in their societies. There are still some countries with systemic corruption, where it is practically impossible to even start the discussion. The platform should focus on these countries first.

Three main challenges for the upcoming months mentioned by Jindřich Fryč were:

- ▶ co-operation with international organisations;
- ▶ involvement of experts;
- ▶ visibility of the platform.

Quality education can be achieved only if ethical principles are adopted by and applied to all actors in education. We need close co-operation with respected international organisations working in the same field. The exchange of knowledge

and experience is necessary. We will start with memoranda of understanding and develop co-operation.

To achieve the visibility of ETINED, we need to create a web portal to take the issues forward and share resources. Specialised reports on specific issues should be published here. Materials that are available need to be tested and piloted before being rolled out fully. ETINED needs to offer good practice examples and explain why they work, especially those that teachers buy into and examples from different countries.

## Conclusion

This report has summarised the key ideas mentioned during the forum. It described the discussion during both plenary sessions and parallel working groups. Based on these discussions, we pointed out five implementation principles: ownership, positive approach, an early start, focus on processes and setting priorities. Based on these, the future agenda was drafted.

However, there are still many questions that remain unanswered. Some of them are mentioned below:

- ▶ do all stakeholders share the same values? If not, what do we do?
- ▶ should we add the media into the set of actors in education?
- ▶ can ETINED develop new generally accepted standards and guidelines for ethics and ethical behaviour?
- ▶ how do we implement ethical principles? How do we really change mindsets? How do we raise the interest of countries?
- ▶ how do we assess the impact of adopted measures?
- ▶ how do we set the balance between delivery and ethics when we focus on processes?
- ▶ is the growing focus on economic competition creating a basis for more corruption?
- ▶ how do we increase the accountability of actors in education?

Let us hope that ETINED finds the answers soon.

# “Inspiration for the future – The essentials of educating the community”<sup>24</sup>

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*Bertrand de Speville, Consultant, de Speville & Associates*

**P**eople need to understand why corruption is a bad thing; it is not a self-evident proposition. Then they need to understand how they can individually play their part in the fight against it. A crucial part is to come forward to the authorities and report what they believe to be happening. But there are many reasons why people are unwilling to do that. Ambivalence, indifference, apathy, tolerance, resignation and fear have to be addressed if information is to start flowing. This is the immediate objective of the public education and support element of the strategy. The more important, long-term objective is to bring about a complete change in people’s attitude to corruption. For the moment it is the close link between the enforcement and public education elements of the strategy that deserves emphasis.

As regards the public education and support element of the strategy, let us first consider what educating the whole community entails. There are two objectives: one that must be reached quickly, the other that can be achieved only in the long term. First, investigating corruption needs information from those who know what is going on. But people are usually most reluctant to provide information to the authorities. They must quickly be encouraged to do so in order for the enforcement side of the strategy to show the results that the community wants to see. The long-term objective is nothing less than bringing about a change of attitude to corruption in everyone in the community, an objective that many have dismissed as impossible but that has been shown in a few places to be entirely feasible.

We should realise that educating the whole community means every sector and every age group, every rank from the highest to the most humble. Our leaders – politicians, senior officials and judges – need to understand as much as do schoolchildren and students why corruption is a bad thing (not a self-evident proposition) and what each of them can do to help fight the problem.

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24. This paper is based on the relevant chapter of de Speville B. (2010), *Overcoming corruption – The essentials*, de Speville & Associates, London.

As in any other sphere, the means of getting the message across are, broadly speaking, two: face-to-face communication (meetings, talks, seminars, training, etc.) and mass communication (radio, television, print media, posters, the Internet, etc.).

It is clear that the task of educating the whole community is much too large for an anti-corruption body alone. It will never have the means to recruit enough educators and communicators. It must therefore make use of the community's own teachers and leaders.

Like the work of prevention, the work of education and public support can be programmed. An obvious division of labour separates the mass communication work from the face-to-face work. Two divisions of specialists planning their work for the year ahead in consultation with the other two operational departments, investigation and prevention, produces the co-ordinated approach essential to success. The face-to-face division will target its audiences, whether senior officials, judges, police recruits, business managers, schoolchildren or business school graduates. The message to be conveyed will be tailored accordingly. The mass communication division will divide its budget between the different means of communication, and its messages will convey particular themes. There is no limit to the creativity of educators and communicators in getting the anti-corruption message across, especially with the help of their advisory committee.

It is now generally recognised that an anti-corruption body on its own, or even the government on its own, cannot succeed in defeating corruption. A widespread problem that has affected the whole community requires public support if it is to be overcome.

“Public support” means the active participation of the community, not merely the expression of support for the cause from the sidelines. But active public support is hard to come by. People do not see why they should become actively involved when it is the anti-corruption body that has been given the job. Surely the community can breathe a sigh of relief that it is not their job and need only approve of the efforts of the anti-corruption body.

That view is profoundly mistaken. Unless the community's active support is developed, the anti-corruption body alone cannot beat corruption. It is worth repeating that the support of the community is one of the essentials of success against corruption. Without it, any anti-corruption strategy fails. If the anti-corruption strategy can be regarded as the spear of the nation against corruption, the anti-corruption body as the spearhead can achieve little without the shaft of public engagement. The anti-corruption body must engage the public service institutions, the private sector enterprises and the community-based organisations in active participation.

When an anti-corruption body has been created, there is a real risk that the departments, agencies and ministries of the administration itself will sit back. They will leave it to the anti-corruption body without providing their active help. The public sector is a major part of the problem of corruption. It is incumbent on the management of the entities of the public sector to ensure that each of those entities plays its role in being part of the solution.

A number of measures are needed to ensure that active public support is developed. They should be taken by the anti-corruption body itself and by the national administration, the legislature, the judiciary, the business sector and all the other sectors of the community. This paper considers the measures that should be taken by each of these participants. First, however, it describes the general approach to bringing the community on side.

### **Engaging the community at the outset**

The first of the essentials for succeeding against corruption is political will. But political will is fragile. There are ways of strengthening that fragile commodity. One of them is the government's consultation of the opinion formers of the community, the purpose of which is, first, to inform the community of the main issues that arise in fighting corruption and of the government's initial thinking and, second, to seek the views of the opinion formers on these issues. The consultation should be done before the government decides how to implement a national strategy against corruption and should involve opinion formers in all sectors and at all levels. The fact that the government takes the trouble to consult the community at once gives people the encouragement to express their views, views that will be taken into account in formulating the implementation plan. The issues themselves indicate how they will directly affect the community.

### **Using the teachers**

Once the anti-corruption body is operational, its education department will seek to reach the community in two ways: mass communication and direct face-to-face communication. The intention here is not to explore the details of the methods of the education department's work, but rather to make the point that the department itself will never have enough educators and communicators to carry the anti-corruption message to every part of the community. In direct communication it must rely on the leaders of the community to convey the message to their employees, members, trainees, students, audiences and congregations. It is therefore crucially important for the anti-corruption body to enlist the support of the community's leaders from the outset, for they are the ones who can most effectively get the message across. They will not be persuaded overnight to come on board; it takes time. Yet it must be done.

### **Establishing advisory committees**

The anti-corruption body must win and retain the trust and confidence of the public if it is to succeed. One of the best ways of doing that is to let people see that it is doing its job honestly, competently and fearlessly, and is not abusing its powers. Furthermore, the advice of citizens experienced in various walks of life provides invaluable help to the anti-corruption body in each of its main fields of operation – enforcement, prevention and public education – and in general policy and staffing matters.

An effective way of achieving that objective has been found in the use of advisory committees of citizens. The anti-corruption body therefore should have five advisory committees of citizens selected for their experience and expertise. They should comprise citizens appointed in their own right (not as representatives of any institution or organisation) and certain members of the public service appointed by reason of the office they hold. How these committees are appointed and how they work in practice, their size, function, composition, qualities of the members, their terms of appointment, selection, method of working and cost are set out briefly here. Initially, these committees should be chaired by the head of the anti-corruption body or his or her deputy until they have settled into a regular *modus operandi*.<sup>25</sup>

It would be a mark of the importance attached to service on these committees if the appointments were made by the head of state, who would also select the members of the two advisory committees on policy and staff discipline. He or she would appoint members of the three operational committees from nominations put forward by the head of the anti-corruption body since the body itself is the best judge of the operational assistance needed.

While the anti-corruption body will remain responsible for making the decisions, it will be greatly assisted in the different aspects of its work by advice from these committees. The committees have a number of advantages. First, at general policy level a small group of prominent members of the community, meeting regularly with the head of the anti-corruption body, would provide advice on the shape and direction of the campaign against corruption and on personnel employment matters. Second, respected and respectable citizens with relevant experience would voluntarily provide valuable advice on specialised topics for each arm of the strategy. Third, the committee considering complaints from the public on the conduct of officers would provide independent consideration of the complaints and advice on disciplinary measures. Fourth, all these committees will represent the community, demonstrate community involvement and, most importantly, monitor the conduct of the anti-corruption body on behalf of the community.

Since public support in the fight against corruption is vital, this form of public involvement is key to developing community trust that builds active support. In particular, the committee working with the investigation department, as its main function, has to advise the head of the anti-corruption body whether an investigation that cannot become a court case should be closed. The great majority of investigations do not end up in court, either because the informant's suspicions were mistaken or because there is no sufficient evidence. It is vitally important that the public have confidence that the allegation has been thoroughly investigated and that the matter can properly be closed. On behalf of the public this committee should consider the report of the investigation and the recommendation by the investigating officers that no further action should be taken by the anti-corruption body. It will then decide whether to advise acceptance of the recommendation. This committee's other job will be to monitor the progress of investigations to see that they proceed with all reasonable speed. Obviously a high degree of confidentiality is necessary in this committee.

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25. The initial period would vary from one committee to another but should be from one to three years.

Unpaid service to the community is certainly not rare in most countries and there is no doubt about its advantages. It appeals to people who are committed to the cause and who are prepared to donate their time and expertise to the general good. It saves taxpayers' money and it limits the amount of service that can properly be asked of anyone.

Members should be asked to serve for a period of 12 months, renewable if desired. They are appointed in a way that recognises the status of the position and their standing in the community. That is why the head of state should be invited to appoint them. Their appointment should be suitably publicised. They should not be overburdened, preparing for and attending a two- to three-hour meeting once a month, at the most. Though unpaid, they should be reimbursed the cost of travelling to and from meetings.

Advisory committees should be serviced by staff of the anti-corruption body, who should be responsible for meeting schedules, agendas, circulation of material in advance and minutes of meetings. Meeting dates should be fixed 12 months in advance so that committee members can incorporate them into their busy schedules. Draft reports and recommendations should seek the specific advice of members. Meetings should be kept as short as possible and occur no more often than once a month so as not to overburden committee members. Each committee should report annually to the head of state separately from the anti-corruption body itself.

Experience over many years has shown that advisory committees can provide valuable support to the anti-corruption body and are a vital means of developing and maintaining the trust of the community.

## The continuing role of the national administration

Having provided the initial impetus for the national fight against corruption, the administration's effort obviously cannot end there. It has to continue to provide its support in a number of ways:

- ▶ the provision of necessary resources, year in, year out;
- ▶ the administration needs to make clear to all its ministries, departments and agencies that the anti-corruption body is there to lead the fight and that they are all to work with it and under its guidance;
- ▶ the administration should instruct all its ministries, departments and agencies, including the law enforcement agencies, that all allegations and reports of corruption are to be referred, without delay and uninvestigated, to the anti-corruption body;
- ▶ the larger ministries and agencies, on the advice of the anti-corruption body, should each be required to form an internal anti-corruption unit to work with the anti-corruption body in developing its own prevention and education initiatives. In the case of smaller entities of the administration, the appointment of a liaison officer will provide the link to the anti-corruption body. Both the anti-corruption unit and the liaison officer should be directly answerable to the head of the ministry, department or agency concerned;

- ▶ the administration should make use of the anti-corruption body to provide an integrity rating service so that an integrity assessment can be made of candidates for senior appointments and promotions in the public service;
- ▶ the administration should ensure the rules governing the conduct of ministers and public service employees are observed;
- ▶ it is the responsibility of the administration to ensure that the principle of supervisory accountability applies throughout the public service;
- ▶ given that co-operative effort between the administration and the anti-corruption body is essential to success against corruption, the administration should encourage all its ministries, departments and agencies to seek the advice of the anti-corruption body in preventing corruption and in educating their employees;
- ▶ the administration should put in place a debarment system for preventing any entity from bidding for a government contract if it has been found guilty of corruption;
- ▶ the administration has a duty to ensure that corruption prevention recommendations from the anti-corruption body are put into effect;
- ▶ the administration can and should encourage the community to help it fight corruption in rural development;
- ▶ in many democratic countries party political funding and the funding of electoral campaigns is a major source of corruption. The administration should consider how this aspect of the country's corruption problem might be tackled;
- ▶ the system of immunity from criminal process is in some countries far wider than is justified in a country that is subject to the rule of law. It is incumbent on the administration to ensure that immunity from criminal process is reviewed and adjusted if necessary so as to apply to the fewest categories of people in the least number of circumstances. Likewise, the rules for the lifting of immunity should be reviewed and simplified;
- ▶ if the country's anti-corruption efforts are taking effect, it is incumbent on the administration to broadcast that progress abroad if it wishes to attract foreign investment and improve its reputation.

The suggestion is sometimes made that the anti-corruption body should post an officer, perhaps undercover, to the most corruption-prone entities of the administration to find instances of corruption. This course should not be adopted. Undercover operations have their place in an anti-corruption body's work but they are delicate operations fraught with risk and should be confined to specific investigations. Even if he or she were not undercover, the officer would run the risk of being quickly isolated or compromised. Furthermore, such a posting would run counter to the development of the entity's ownership of its own anti-corruption measures and, in particular, of the responsibility of its own personnel to report suspicions of corruption.

Investigating corruption is usually a delicate matter. Such investigations, especially in their early stages, are fragile in the sense that evidence can quickly evaporate before it has been secured. Frequently, corruption investigations that have been

started by inexperienced supervisors in the suspect's organisation are referred to the anti-corruption body in a state that precludes any proper outcome. These matters are best left to the specialists. That is why all ministries, departments and agencies should be required to refer all reports or suspicions of corruption uninvestigated to the anti-corruption body.

As regards the integrity rating service mentioned earlier, it is perhaps obvious that the probity of the public service requires that only officers of integrity be appointed and promoted. The anti-corruption body has an important part to play in that process. From its accumulated intelligence database it should be able to provide for the administration an integrity rating assessment. Whenever a senior appointment or promotion in the public service is being considered, the appointing authority should be required to turn to the anti-corruption body for an assessment of the candidate's integrity.

The administration should ensure that the public service abides by its own regulations on the conduct of its public officers. The management of the public sector needs to ensure that those for whom they are responsible know what is expected of them, that those expectations are to be complied with and that any deviations from those standards will be followed by disciplinary action. For example, do public officers make a declaration of assets as and when the law requires? Is there any general understanding in the public service of what is meant by a conflict of interests and what the public officer who finds themselves in that position is supposed to do? Do public officers know how to react correctly for their own protection if they are offered a bribe? It is the responsibility of management to ensure that those for whom they are responsible understand these matters.

The regulations governing the conduct of public employees are usually difficult to access. They tend to be buried in a large volume of regulations dealing with many other matters besides conduct. The format hardly lends itself to being tucked into an inside pocket or kept in the top drawer of one's desk. The electronic version is often difficult to find on the government website. The administration should see to it that the rules governing conduct of public employees are extracted and summarised into a brief code of conduct. The code should be a tailored, handy leaflet containing only the essentials. One of the essentials would be practical advice on how to react correctly in situations where the public officer's integrity is at risk of being compromised. The leaflet would serve as both a readily accessible, quick reference guide and, for the public, a source of information on what standards of behaviour to expect from public officers.

Any asset declaration system applicable to ministers and public service employees should ensure that the system has as its sole objective the identification of actual or potential conflict between public duties and personal interests, that it is so designed as to be able to meet that objective and that it is scrupulously observed by all those to whom it applies.

The significance of the principle of supervisory accountability, which is normally found in the regulations governing the conduct of public service employees, is often overlooked. The principle has an important bearing on the fight against corruption. If an officer under an employee's supervision is found to have acted corruptly by

taking advantage of a system falling into the supervisor's area of responsibility, the supervisor runs the risk of being found wanting in their duties of supervision and management. If he or she should have known of the corrupt activity and should have known of the vulnerability of the system, the supervisor's ignorance is a matter of disciplinary censure. That is why the administration should ensure that the principle of supervisory accountability is applied throughout the public service.

As regards a contract-tendering debarment system, in many countries the tendering system for public contracts gives rise to corruption. Many countries have in place a system for excluding from tendering any company or individual previously convicted of corruption. Given the perceived extent of the problem, the administration, with the assistance of the public procurement regulatory bodies and the anti-corruption body, should design and adopt a debarment system that would prevent convicted entities from tendering for public contracts.

When it comes to giving effect to the corruption prevention recommendations of the anti-corruption body, it can happen that the concerned ministry, department or agency does not implement the recommendations. The anti-corruption body has no way of getting the recommendation implemented except by persuasion. If that fails, the anti-corruption body has no power to compel compliance. The only effective way of proceeding then is to bring hierarchical pressure to bear on the recalcitrant ministry or department. In the absence of a satisfactory reason why the recommendations should not be promptly implemented, the anti-corruption body should report the matter to the administration, which in turn should hold the recalcitrant public entity accountable.

The inspection of rural development projects undertaken by local government in a large developing country is difficult to carry out. Site inspection services are often stretched beyond their capacity. Added to that is corruption in the inspection services themselves. Some countries have successfully applied a system of community inspection or monitoring. If the beneficiary community is given the specifications (in simplified form if necessary), it can see for itself whether the project standards are being met. The thickness of a road surface or the size of construction timbers can be observed by the untrained eye. The relevant ministries of the administration should consider adopting this system of community self-help.

The funding of political parties and electoral campaigns presents a corruption problem in many democratic countries. The ever-growing demand for funding is seen as a source of serious corruption. The problem includes the misuse of state resources by electoral candidates. Rarely is funding and expenditure properly regulated. The administration would make a major and direct contribution to the fight against corruption if it were to regulate the financing of political parties and electoral campaigns.

In some countries judges, prosecutors, elected representatives, ministers and even senior civil servants enjoy immunity from the criminal process on the ground that they could not otherwise perform their official functions fearlessly and impartially. These countries also have a more or less elaborate system for lifting this immunity in certain circumstances. The result is often that the incumbent cannot be dealt with even for corruption in office. The administration has a clear duty to re-examine the extent of immunities and the procedures for lifting

immunity to ensure that they extend no further than is strictly necessary in a country that lives by the rule of law.

Every country makes considerable effort to project its image abroad. It is important for the world to know that a country is taking its corruption problem seriously and is not complacent about its anti-corruption achievements. It falls to the administration to use all the means at its disposal, including its representative offices abroad and their contacts with foreign chambers of commerce, to convey the effectiveness of its anti-corruption efforts.

### The legislature's contribution

Having completed the initial tasks of enacting the legislation that established the anti-corruption body, the legislature's continuing role in the fight against corruption comprises several elements.

First, it will normally have a monitoring role in examining the annual reports of the anti-corruption body and its advisory committees and questioning the administration on the progress of the effort against corruption. In doing so, legislators should guard against inquiring into investigations that may be opened, are under way or have been closed. Given their role as representatives of the people, legislators find it difficult to refrain from questions they regard as being in the public interest. It is vital to the success of the fight against corruption that they appreciate the wider public interest of confidentiality in the investigative work of the anti-corruption body in matters that may not or will not reach the public domain of the criminal justice system.

Second, the legislature will consider and approve the funding of the anti-corruption effort through the national budgetary process.

Third, legislators and other elected representatives, like most citizens, will not always understand their personal duty when they find themselves in a situation that creates a conflict between their official duty and the personal interests of themselves or others. It is incumbent on them to gain a clear understanding of the concept of conflict of interest and their personal obligation in such situations. They should ensure that their house rules on the matter of declaring a personal interest are unambiguous and carry effective sanctions when they are broken. The speaker of the national assembly and chairmen of local councils should ensure that, with the help of the anti-corruption body, members take part regularly in refresher courses on the matter.

Fourth, just as an asset declaration system applicable to ministers and public service employees should ensure that the system has as its sole objective the identification of actual or potential conflict between public duties and personal interests, so too an asset declaration system for elected representatives should have the same objective. There is a widespread misconception that the objective of a declaration of assets system is to identify the corrupt. It does no such thing. In the case of elected representatives, the system enables the public to know that, when a representative speaks or votes on a matter, his or her personal interests may be affecting their stance. If the public is to be able to identify such a conflict of interest, it is necessary that the asset

declaration be accessible to the public. It is for the legislature or the local assembly itself to establish a system that allows asset declarations to be publicly accessible as far as is necessary to fulfil the objective of identifying a conflict of interests.

In many countries attempts to introduce a declaration of assets system for elected representatives have failed, either because the system has never been put in place or because the rules have been honoured more in the breach than the observance by members themselves. The message thus given to the community heightens the perception that corruption is growing even among the political leadership. A refusal to declare one's assets is taken to mean that one has ill-gotten gains to hide. If there is nothing to hide, why not declare, goes this line of thinking. Yet revealing substantial assets results in the inference that they are ill-gotten. The widespread misconception referred to earlier that the objective of the system is to identify the corrupt is largely responsible. The reluctance of elected representatives to subscribe to a declaration system designed on that basis is understandable. The inference that would inevitably be drawn by disclosing that one had substantial assets would prove nothing and would be unjust. The infringement of the right to privacy enshrined in the constitution would be unjustifiable as being an unnecessarily wide derogation from that right. The size of one's savings account, for instance, would normally be irrelevant to any question of conflict of interests.

While these objections by elected representatives to such a system have merit, there is no denying that their refusal creates a poor impression in the community and in some countries has held up accession to the UN Convention against Corruption. In such cases it is time to return to the drawing board and, with the assistance of the anti-corruption body, draft a declaration system based squarely and solely on the object of identifying any conflict of interests when an elected or appointed representative speaks or votes on a matter at hand. The design of a system based on that objective would take into account the content of the declaration and the extent to which the declaration needs to be made publicly available.

Fifth, the regulation of the funding of political parties and electoral campaigns referred to earlier is obviously a subject of direct concern to members of the legislature. They will no doubt have much say in shaping the regulating legislation.

Sixth, if elected representatives enjoy immunity from criminal process, especially as regards corruption, they have a duty to support the anti-corruption effort by co-operating with the administration in reviewing the system of immunities.

Finally, in respect of their most obvious function as legislators, members of the lawmaking body should be aware of the opportunities for corruption created by the legislation they are about to enact. Not all those opportunities can always be avoided but legislators would be wise to call on the advice of the anti-corruption body's prevention specialists while the draft can still be changed.

## **The judiciary's contribution**

Apart from the obvious duty of trying and sanctioning corrupt conduct, the judiciary has a number of contributions to make in fighting corruption.

As regards judiciary codes of conduct, judges, magistrates, presiding officers and court staff have ethical questions to resolve that do not necessarily arise in the duties of other public officials. The codes of conduct that apply to the judiciary therefore have significant differences from the general code applicable to all public servants. Like other public servants, however, judges, magistrates and their staff need practical guidance on how to react correctly and for their own protection when improperly approached. The head of the judiciary should ensure that its codes of conduct are, with the assistance of the anti-corruption body, reviewed, promulgated, observed and enforced.

The earlier observation that senior people should not always be assumed to be knowledgeable about the notion of conflict of interests applies equally to the judiciary. The head of the judiciary should arrange to have instituted a regular programme of promoting a thorough understanding among the judiciary, including presiding officers and senior court staff, of the concept of conflict of interests and of the personal responsibility that rests on the individual. Again, the anti-corruption body's assistance would be helpful.

Any declaration of assets system adopted for judges and magistrates should, as any such system, be based on the objective of identifying conflict of interests. That objective governs the architecture of the system. Declarations should therefore be seen by the senior judge in charge of allocating the court's business.

If judges and prosecutors enjoy immunity from criminal process, especially as regards corruption, they – like elected representatives – have a duty to support the anti-corruption effort by co-operating with the administration in reviewing the system of immunities applicable to them.

The success of the national fight against corruption depends upon the effective enforcement of the laws against corruption. In turn, effective enforcement largely depends on minimum delay in the matter reaching trial. A climate of over-tolerance of applications for postponements is a major factor in the delay of cases coming on for trial. Senior judges have an important role to play in conveying and reinforcing that message to the rest of the judiciary.

Corruption cases could be given priority over other cases, which would mean a corruption case going to the top of the waiting list as soon as it was registered at the court. That could have the undesirable result of a minor corruption case leap-frogging more serious cases of other criminality. A mechanism could be devised to address this problem: a magistrate would consider an application by the prosecutor to move the corruption case to the top of the list. He or she would be able to weigh the importance of getting the corruption case dealt with against the nature and seriousness of the cases listed ahead of it. The endorsement of the head of the judiciary for such a system would ensure its adoption.

Special courts within the normal court system could be designated to deal with corruption cases. These courts would provide a forum for the speedy disposal of corruption cases and would develop an expertise allowing them to deal with such cases more efficiently. In the absence of corruption cases the court would deal with other cases. Again, the endorsement of the head of the judiciary and the support of judges for creating such a court would ensure its adoption.

In many developing countries customary courts deal with relatively minor offences at local district level. These courts are usually the most numerous and are spread throughout the country. They provide the closest contact with the justice system that the citizen will normally have. Justice is dispensed summarily and swiftly, there is usually no backlog of cases and the accused has the right to be tried in a higher court if he or she wishes. Again, the support of the senior judiciary for the use of these courts would carry great weight. The active encouragement of their use in appropriate cases could have a profound effect on the problem of delay.

A system of cautioning offenders in minor cases could be used. Given the anti-corruption body's essential policy of investigating with a view to prosecution every allegation of corruption capable of being investigated, it is inevitable that many of their cases will be trivial instances of bribery. These cases contribute to the backlog of cases in the courts. In several countries there exists for appropriately minor criminal cases a system of formally cautioning the offender without taking them to court. The matter is disposed of by a formal caution administered by a senior officer and the caution is noted on the offender's record. Certain preconditions would apply: the matter was trivial, the suspect admitted the offence, the suspect had not previously been cautioned for a similar offence and the prosecutor had given prior agreement to the matter being dealt with by way of caution. Additionally, the number of such disposals would be included in the statistics contained in the anti-corruption body's annual report.

A specialised unit in the public prosecutor's office to deal with corruption cases should be considered. The obvious advantage of such a unit acquiring an expertise in handling corruption cases is the resulting speed and efficiency. Given the importance of processing corruption cases rapidly, a specialised prosecution unit would provide important support to the national anti-corruption effort.

## Involving the business sector

The ethical dilemmas of the private sector differ considerably from one part of that sector to another. The ethical questions of the financial sector are not those of the construction industry or the retail trades. One code of conduct cannot apply to all. The private sector umbrella organisations and the anti-corruption body should together assist each part of this sector to prepare a model code of conduct for adoption by enterprises within that part of the sector.

The role of the private sector in affecting the community's attitude to corruption can hardly be overstated. It is therefore crucially important that the representative organisations of the business sector join in partnership with the anti-corruption body in promoting ethical conduct in business. Small and medium enterprises in particular, which lack the resources for an in-house corporate compliance unit, need help. Experience shows that an ethics resource centre can provide that help efficiently and cheaply. A partnership with the anti-corruption body, making use of one of its centrally placed branch premises and of its personnel to man the centre, would allow the centre to be run by a board of business people that sets the centre's policy and directs its activities.

Promoting sectoral model codes of conduct, providing advice to business companies and helping the anti-corruption body spread the anti-corruption message throughout the private sector have been demonstrated to improve the climate for doing business.

Since the investigation of corruption depends on information from the public, private sector employees are an essential source of information on corruption in both the public and private sectors. The private sector's umbrella organisations can have a positive effect in influencing employers to encourage employees to report corruption and to ensure protection from subsequent discrimination. The umbrella organisations, with the help of the anti-corruption body, should mobilise their member enterprises for a "report corruption without fear" campaign, emphasising that all reports to the anti-corruption body are made in strict confidence.

### **Community participation**

The professions, trade unions, community-based organisations such as sports associations, religious bodies and NGOs have an active part to play in the same way as described for the private sector. The anti-corruption body should help them develop model codes of conduct. They should make a point of encouraging their members and adherents, as responsible citizens, to support the fight against corruption by reporting suspicions of corruption to the anti-corruption body.

### **Concluding remarks**

In recognising that public support is one of the essentials for beating corruption, we must also realise that that support will not spring up overnight. Overcoming resignation, apathy and fear can be a slow process. Yet it must be done. Trust in the anti-corruption body and active support of its leadership in fighting corruption must be developed methodically and continuously. It is equally important to realise that community trust is fragile; it can be lost overnight. That thought has proved to be the strongest incentive for proper conduct by the officers of the anti-corruption body.

In a country that has suffered widespread corruption for a long time, it is often said that it is impossible to change the community's attitude to corruption. In a few places in the world that has been proved to be untrue. The heartening fact is that the community's attitude to corruption can change for the better. That change is surely the true mark of success against this crippling phenomenon.



## Biographical notes

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**Bertrand de Speville**, formerly Commissioner of the Independent Commission Against Corruption (ICAC) of Hong Kong, is a consultant in anti-corruption, good governance and integrity systems. He is the principal of the firm de Speville & Associates, which has advised in some 50 countries.

His engagements have included projects for the Organisation for Economic Co-operation and Development, the Council of Europe, the United Kingdom Department for International Development, the World Bank, the Asian Development Bank, the United Nations Secretariat, the United Nations Office on Drugs and Crime, the United Nations Development Programme, USAID, Transparency International, the Carter Center, the European Union, the Organization for Security and Co-operation in Europe, national governments and private sector corporations. For five years he was the advisor to the Council of Europe's Multidisciplinary Group on Corruption.

As Commissioner of the ICAC he was directly responsible to the Governor of Hong Kong for the conduct of the campaign against corruption, and in particular for the continuing drive to raise the ethical standards of Hong Kong business.

de Speville is by profession a lawyer who trained and practised in London in the private and public sectors. He went to Hong Kong in 1981 as a legal advisor to the Hong Kong Government. He was Solicitor General from 1991 to 1993, when he was concerned mainly with criminal legal policy and the implementation of Hong Kong's newly introduced human rights legislation.

He has spoken on anti-corruption at the Royal Institute for Public Administration, the Royal Institute for International Affairs, the John F. Kennedy School of Government at Harvard University, the World Bank and the International Monetary Fund. He is the author of *Overcoming corruption – The essentials*, published in 2010 and a contributing author of *International corruption* (Sweet & Maxwell 2010). In 2012, he was awarded the Gusi Peace Prize in Manila.

In 2014, the Government of Malaysia appointed him a member of the International Review Panel for the National Key Result Areas Against Corruption and the Malaysian Anti-Corruption Commission.

**Tomáš Foltýnek** is Research Assistant at the Department of Informatics and Vice-Dean for International Affairs at the Faculty of Business and Economics, Mendel University in Brno, the Czech Republic. A member of the Ethical Committee of the Higher Education Council in the Czech Republic, he teaches theoretical informatics, algorithms and cryptography. He has been dealing with plagiarism since 2008. He was involved in the EU-funded project Impact of Policies for Plagiarism in Higher Education Across Europe and has organised conferences and workshops about plagiarism since 2013. He was invited to speak at the Informal Meeting of the Council of Europe's CDPPE in 2014.

**Tom Hamilton** is Director of Education, Registration and Professional Learning at the GTCS. Qualified in both Primary and Secondary, Tom's last post in a school was as Principal Teacher in English at Doon Academy, Dalmellington. He then spent a number of years in teacher education and was Associate Dean of the School of Education of the University of Paisley (now University of the West of Scotland) before joining the GTCS in October 2004 as Professional Officer for Professional Standards.

His current post involves developing, promoting and implementing the GTCS's educational, registration and professional learning policies.

**Erik Johansson** is a Credential Evaluator at the Swedish Council for Higher Education (ENIC-NARIC Sweden). He has a master's degree in Peace and Conflict Studies from Uppsala University (Sweden). Erik has worked with credential evaluation since 2000. Prior to joining the Council for Higher Education he worked for the National Agency for Higher Education and the National Board of Student Financing. Erik specialises in the educational systems of the former Soviet Union and North America. He is also an expert on educational fraud and diploma mills. Erik has presented at educational conferences in both Europe and North America on topics relating to educational fraud. Erik has also been involved in national and international anti-fraud task forces.

**Marie-Anne Persoons** is International Policy Advisor at the Department of Education and Training, Flemish Community of Belgium. She graduated in Oriental Languages and History (section of Indo-Iranian studies) from the Catholic University of Leuven in 1984. In 1984-1985 she continued her study of the Chinese language at National Taiwan Normal University. Further studies in Leuven include a postgraduate degree in Philosophy (1988) and a PhD in Oriental studies (1995). More recently she obtained a master's degree in Public Management from the University of Antwerp (2008).

Apart from interpretation from and to Chinese for the Court of Antwerp, where she was appointed as sworn translator in 1989, her professional experience was initially related to teaching and research in the Chinese language, Asian (art) history and the philosophy of art, respectively at the Catholic University of Leuven (1985-1988), the Antwerp Institute of Art History (from 1991 up to the present) and the Royal Academy of Fine Arts Antwerp (1992 to 1996).

In 1996, Marie-Anne Persoons joined the Department of Education and Training of the Flemish Community of Belgium. In this context she was an active member of the EU Education Committee and the Bologna Follow-up Group, both groups she chaired in 2001 during the period of the Belgian EU Presidency. From 2007 to 2009 she was in charge of the general co-ordination of the Benelux Bologna Secretariat before working as seconded national expert for the Unit EIT and economic partnerships at DG Education and Culture, European Commission (December 2009 to November 2011).

After returning to the Flemish Department of Education and Training in December 2011 she took up the responsibility of co-ordinating the department's multilateral and bilateral dossiers. In this context she has been representing the Flemish Community of Belgium in the Council of Europe's CDPPE since 2012, as well as in several OECD, Council of Europe, UNESCO and Benelux working parties and networks. In 2015 she

was appointed Vice-Chair of the OECD Education Policy Committee and of the OECD Group of National Experts on School Resources.

Scientific publications include articles related to the field of Asian culture and HE policy, as well as course material connected to her teaching experience.

**Daiva Penkauskiene** is director of the Modern Didactics Centre, a non-for-profit NGO, since 1999. She used to work for the international organisations the Open Society Fund – Lithuania (1993-1999), the International Reading Association (2000-2006), and the Reading and Writing for Critical Thinking International Consortium (2004-2012). Her professional interests cover teaching and learning strategies, education for/of critical and creative thinking, and anti-corruption education. As far as anti-corruption education is concerned, she is interested in the development, implementation and assessment of programmes, methodological materials and projects in-country and abroad (Albania, Armenia, Azerbaijan, Georgia, Bulgaria, Kyrgyzstan, Kosovo,<sup>26</sup> Moldova, Romania and Ukraine). In the work sphere, she is involved in formal and non-formal anti-corruption education, including ethics; good, transparent governance; and dissemination of information to society as well as its empowerment to act for public welfare.

**Ian Smith** is a Professor of Education at the University of the West of Scotland, UK, where he completed a nine-year term as Head and Dean of the School of Education in 2009. Particularly since 2010, a major focus of Ian's work has been international educational consultancy, most recently as an expert consultant for the Council of Europe, including on partner projects funded by the EU. The focus of this work has been on ethics, transparency and integrity in education, and anti-corruption in education. For example, he is heavily involved in developing ETINED. He has worked on these topics for the Council of Europe in countries such as Albania, Armenia, Azerbaijan and Greece, and also presented on them for the Council of Europe at major events in Brussels, Prague and Strasbourg. These activities have involved writing numerous research reports and associated publications. Previously, Ian's general research interests were in education policy and practice, especially teacher education, and he is the author of a range of publications in this field, including the book *Convergence or divergence? Initial teacher education in Scotland and England* (co-author, 2006). He has also been the Editor of the *Scottish Educational Review*, the main academic journal for educational research in Scotland. Ian has been involved in a wide range of national bodies in Scotland relating to teacher education; he has chaired the Scottish Teacher Education Committee (STEC), representing the Deans of Education in Scotland's universities.

**Debora Weber-Wulff**, originally from the United States, is a computer scientist and professor for media and computing at the engineering college HTW in Berlin, Germany. She has been publishing on the topic of plagiarism since 2002: her book *False feathers: an academic perspective on plagiarism* was published by Springer in 2014. Since 2011, she has been active in the German academic community VroniPlag Wiki, which

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26. All references to Kosovo\*, whether to the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo\*.

documents plagiarism in doctoral dissertations and other academic publications. This work has encouraged extensive discussion of plagiarism in Germany. Since 2004, she has also been testing so-called plagiarism detection software and conducting seminars about the issue of plagiarism and the problems the use of such software incurs. In 2014, she looked at plagiarism in medical dissertations in Germany, and her current research is on duplicate publications in open access medical journals.

Part II

# **Contributions from member states**

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## Albania

# Some aspects of the fight against corrupt practices in the higher education system in Albania

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*Dhimitri Bako, Expert in Higher Education,  
Ministry of Education and Sports*

**T**he Albanian Government has strong political will to fight corruption: it is one of the deepest wounds in Albanian society, minimises opportunities for the sustainable political, economic and social development of Albania and dissociates it markedly from EU countries. Our government is significantly intensifying the fight against corruption and efforts to dismantle the wall of impunity. We are focusing on three areas: prevention, awareness and punishment.

### Prevention

The Albanian Government:

- ▶ is examining all existing legislation and is proposing and approving legislative initiatives to eliminate as much as possible the opportunities that leave room for corrupt practices in the public and private sector, in line with EU standards and international instruments (e.g. GRECO, OECD, UNCAC);
- ▶ is developing state policy and implementing concrete measures, including those related to the improvement and expansion of e-government systems, and improving dramatically services to citizens in all sectors of the public service, while minimising motives and opportunities for the corruption of public officials and citizens;
- ▶ has developed and approved the National Strategy and Action Plan against Corruption, which is being effectively implemented;
- ▶ is enforcing current legislation and undertaking new initiatives regarding the publication of official documents and transparency in administrative procedures.

## Awareness

The Albanian Government:

- ▶ is effectively involving civil society, the private sector and the academic sector in the design, implementation and monitoring of legal initiatives, strategies and programmes against corruption;
- ▶ is taking legal initiatives and supporting implementation of measures to encourage people to report corruption;
- ▶ is undertaking and supporting public awareness initiatives, especially among younger generations, regarding their roles and responsibilities in the fight against corruption and mechanisms to eliminate it, including through work in ethical and civic education in schools.

The punishment of corrupt practices and making lawbreakers accountable is another direction of the engagement of the Albanian Government in the fight against corruption.

## The higher education sector

Pursuant to Order No. 97 dated 21 February 2014 of the Prime Minister “On approval of the organisational structure of the State Educational Inspectorate” (SEI), for the first time an Inspection Department was established in the SEI for HEIs. This unit is tasked to monitor and assure quality in the HE sector. Essential reform in the HE system in Albania has been ongoing since the end of 2013. The main pillar and objective of this reform is improvement and enhancement of quality in HE.

The following month, the Minister of Education and Sports, citing Article 64, “Control of legality”, of Law No. 9741 dated 21 May 2007 “On higher education in the Republic of Albania”, issued Order No. 106, dated 28 March 2014 “On carrying out the implementation of the law on public and private institutions of higher education”. Pursuant to it, 59 specific sub-working groups with representatives from the Ministry of Education and Sport (MAS), the Albanian Accreditation Agency for Higher Education (PAAHE) and the SEI were set up, which for the first time, in the period May to July 2014, carried out through a completely transparent process the verification of the legality criteria in all institutions of public HE (15) and private HE (44) in the Republic of Albania.

During the inspection, several violations in the activity of HEIs were found. At the conclusion of the above process, a final report was prepared for each HEI, which detailed these violations and irregularities in the activities of these institutions.

On the basis of the findings, the Ministry of Education and Sports proposed concrete measures for each of the HEIs, ranging from conditions or recommendations for improvement in the conduct of their academic activities, to partial or full suspension of activities and even the revoking of licences or closure of institutions.

The proposals for such concrete measures were associated with the drafting of the relevant sub-laws, which provided procedures to be followed by HEIs that had had their licences suspended or revoked, as well as continuity for students who had to transfer to other institutions, followed by other definitions.

Specifically, the following measures were proposed:

- ▶ induction conditions and recommendations for the improvement of the above-mentioned criteria for 13 private HEIs;
- ▶ suspension of activity for 13 private HEIs;
- ▶ revocation of licences for 18 private HEIs. They were considered to be institutions that awarded a large number of educational degrees based on inadequate or inferior education and assessment of the recipients (diploma mills). They offered illegitimate academic degrees and diplomas in that either they were not institutionally accredited or they offered unaccredited study programmes;
- ▶ closure of one public HEI;
- ▶ closure of subsidiaries/branches of the four public HEIs;
- ▶ reduction of quotas for some programmes of study;
- ▶ suspension of admissions in the first cycle of studies.

The Ministry of Education and Sports has asked the competent specialised bodies to carry out verifications regarding declarations of employees in private HEIs and their contribution payments and verification of the payment of taxes by these HEIs. It will continue with cross-examinations with the respective competent authorities regarding the above, in order to increase transparency and avoid cases of fraud and corruption towards students, as well as to avoid non-disclosure of staff numbers or non-declaration of liabilities to the state by the above-mentioned entities. The ministry has made public the results of inspections carried out.

For the first time, the distribution of study quotas in public HEIs was based on a survey of quotas allocated in the past four years and a number of evaluation parameters such as reception capacities declared by public HEIs, the results achieved by students, the meeting of the legality criteria in providing teaching, etc. The conclusions of this study served as the basis for a new standard in the allocation of quotas.

Through this essential process, the ministry has completed the preliminary assessment of HEIs, thereby creating the necessary conditions to start working on their accreditation by a foreign agency, a member of the European Association for Quality Assurance in Higher Education, which is contracted to carry out the quality assessment and ranking of all public and private HEIs.

In the academic year 2014/15, for the first time, the Ministry of Education and Sports made a selection of Albanian candidates from territories outside the country based on merit evaluation criteria, the reception capacity of each HEI and priorities expressed by representatives of the countries concerned. The evaluation and selection was made by a nationwide special commission set up by the ministry. Also for the first time, in the context of transparency, the names of the winning candidates were announced on the ministry's website, allowing everyone the opportunity to see and contest the results (in case of possible inaccuracies). The same procedure was followed also for candidates from special social categories such as Roma, people with disabilities, orphans, ex-convicts and persecuted groups, for whom assessments were made by a special commission set up in the ministry in co-operation with the Ministry for Social Welfare and Youth, which made public the results.

For the last two years, in compliance with state quality standards, testing for long-term specialisation in the medical field (which provides 70% of total points) has been carried out electronically, close to the National Agency of Examinations and in a format similar to the state examinations, to transparently assess candidates and leave no room for corruption. A regulation now exists stipulating that for specialisation exams, all the principles and criteria established by the state for long-term specialisations in medicine are to be prepared in co-operation with the Faculty of Medicine, UMT and the Ministry of Health, and signed by two ministers responsible for matters of education and health issues. The regulation provides clear procedures for evaluating the candidates starting from the National Agency for Exams' (AKP) computerised testing and evaluation method for selecting candidates, as well as the performance evaluation of specialisation. For the first time it was determined that oral interviews should be conducted for all candidates before computerised testing to eliminate unilateral evaluations and corruption, as there have been numerous complaints by students in previous years; in addition, decentralisation of decision making allows for commissions to be set up as well as monitoring by representatives of the two respective ministries. Furthermore, the relevant acts are defined and published and made transparent, as were 5 000 computerised test questions with answers for all fund applicants.

In the last academic year, ranking lists and winners, as well as scores and the relevant criteria for transfers to public HEIs and second programmes of study, have been defined in the relevant acts of the ministry and made publicly available on the website of the Ministry of Education and Sports. The ministry has verified the application of the criteria set by HEIs themselves.

The recognition of qualifications is a complex process and has a high public impact as well. To objectively assess this process and evaluate the statistics concerning the influx of applications and the duration of pending assessments in this process, the Ministry of Education and Sports co-ordinates actions with the National Agency of Information Society (NAIS), providing an online service accessible through the portal e-Albania.

Currently, it has been assessed that the workflow, up to the final recognition of the diploma, should be evaluated on the basis of documentation that the interested individuals generate. This service will provide the opportunity to interested parties, identified at the portal e-Albania with their credentials, to generate these documents online, eliminating the respective bureaucracies and negative cases of their damage or loss. Through this service online every individual will be able to track the process of recognition of their diplomas, thus having the opportunity to be informed in real time about the process in a transparent way. Also, these online services will accelerate the process of recognition of qualifications, especially for documentation associated with the apostille stamp. The experts assessing documents submitted by any interested person will have the option of accessing them online, and periodically provide their own assessments in this regard without delay or undeserved bureaucratic procedure. Such an online processing service aims at the development of a proper database of all individuals who have completed their studies abroad, at bachelor's, master's or doctorate level. This database will even allow the recording of statistics to help in policy making; this is an ongoing process that will come together soon.

## Azerbaijan

# Teacher's Code of Ethics in Azerbaijan

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*Vafa Yagublu, Senior Advisor, Ministry of Education of the Republic of Azerbaijan*

**T**he Teacher's Code of Ethics was introduced in Azerbaijan in May 2014. It identifies a set of principles that describe the professional conduct, personal conduct and professional competence expected of a teacher by modern society. It is based on core values, namely integrity, respect and responsibility.

The Teacher's Code of Ethics codifies what is already common practice within the teaching profession. Its purpose is to:

- ▶ provide a set of principles that will guide teachers in their everyday conduct and assist them in solving ethical dilemmas;
- ▶ affirm the public accountability of the teaching profession;
- ▶ promote public confidence in the teaching profession.

There are six sections in the document: introduction; principles of ethical behaviour; the teacher's personality; relationships; the teacher's oath; and regulations.

The section on principles of ethical behaviour includes integrity, professionalism and personal responsibility, loyalty, acting with courtesy, impartiality, gender equality, and confidentiality.

The section on the teacher's personality deals with the professional standing of a teacher and the profession as a whole. Although there is no definitive boundary between the personal and professional conduct of a teacher, it is expected that teachers will be positive role models at school and in the community; respect the rule of law and provide a positive example in the performance of civil obligations; not exploit their position for personal or financial gain; ensure that their personal or financial interests do not interfere with the performance of their duties; and act with discretion and maintain confidentiality when discussing workplace issues. Teachers value their professionalism and set high standards of competence: they are committed to pursuing their own professional learning.

The relationships section is structured as following: relationship with students; relationship with colleagues; relationship with administration; and relationships with parents, teachers and the community. It is stressed that in their professional role, teachers do not behave as a friend or a parent, they interact with students without displaying bias or preference, and they make decisions in students' best interests. Teachers hold a unique position of influence and trust that should not be violated or compromised. They should be respectful of and courteous to parents. They consider parents' perspectives when making decisions that have an impact on the education or well-being of a student, and communicate and consult with parents in a timely, understandable and sensitive manner. Teachers take appropriate action when responding to parental concerns. Also, they demonstrate collegiality by treating each other with courtesy and respect, valuing the input of their colleagues, and sharing expertise and knowledge in a variety of collaborative contexts.

The unique part of the new document is the section on the teacher's oath. According to the rules, a teacher has to take an oath and sign it at the beginning of his or her career (only once). The signed copy is to be kept in the teacher's portfolio.

The Teacher's Code of Ethics was initiated by the Azerbaijan Ministry of Education, which took account of broad international experience in its preparation of the document.

Belgium (Flemish Community)

## **“Germain Dondelinger” – The Decision of the Benelux Committee of Ministers on mutual automatic generic recognition of the level of higher education degrees M(2015)3 of 18 May 2015**

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*Marie-Anne Persoons, International Policy Advisor, Department  
of Education and Training, Flemish Community of Belgium*

**O**n May 18 2015, the five ministers in charge of HE in Belgium, the Netherlands and Luxembourg agreed on a Benelux Decision on the mutual automatic generic recognition of HE degrees in the Benelux Union. Its full name pays tribute to the personal contribution to its realisation by the late First Governmental Counsellor, Germain Dondelinger, who was the representative of Luxembourg in the initial negotiations. The decision guarantees the legal right to each citizen to automatic degree recognition of any officially recognised bachelor’s or master’s degree obtained in the three countries of Benelux. Such degrees will be immediately recognised as being of equivalent bachelor’s or master’s level without the mediation of any recognition procedure across the entire Benelux territory. This new legal instrument builds on earlier partial bilateral agreements that have now been expanded to a collective arrangement for the Benelux region as a whole. It can therefore be considered as the formal expression of the mutual trust of the Benelux authorities in each other’s HE systems and, in particular, in the quality assurance mechanisms underpinning them. Despite the limitation to “generic” and “academic” recognition, it remains the first concrete regional achievement, both in the EU and the entire European Higher Education Area, to the common goal of automatic international recognition of degrees and qualifications. For the Benelux countries this decision is, however, only a first step towards a genuine Benelux Higher Education Area, for which further obstacles will have to be cleared in the near future.



Bulgaria

## Developing and implementing the Strategy for Educational Integration of Children and Pupils from Ethnic Minorities (2015-2020)

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*Krassimira T. Todorova, Chief Expert, International and European Co-operation Department*

**O**ne of the reforms relevant to the forum's themes, which Bulgaria has been in the process of enacting, is the draft Strategy for Educational Integration of Children and Pupils from Ethnic Minorities (2015-2020) together with the Plan for Action underpinning its implementation. The aforementioned Strategy further upgrades those actions already undertaken in the 2004 Strategy, launched then under the same title.

Analyses of policies related to educational integration since 2004 uncovered various positive and negative effects and tendencies. A significant success in the work of the Ministry of Education and Science was the full restriction imposed on the practice of moving healthy, unprivileged children (exclusively of Roma origin) in auxiliary schools, for social reasons. The ministry has led and implemented the integration of these pupils in a general school environment. In the meantime, so-called central schools have been established with the aim to provide for improved quality of education for children and pupils (including those belonging to ethnic minorities), who have been taught, in most cases, in mixed classes. The right of children to learn their mother tongue either in municipal or state schools is foreseen and is being supervised by the government. Presently, school curricula for learning Turkish, Roma, Hebrew and Armenian as mother tongues are endorsed and available for all pupils who have been enrolled from the first to eighth grade.

It is to be noted that focusing on problems related to educational integration has triggered a series of intercultural initiatives at school level, most of which are taking place within the framework of various projects, funded preliminarily by European and other international sources, and implemented with the active participation of civic organisations. Different study aids have been compiled, and pedagogical and educational professionals have undergone in-service trainings on how to apply intercultural approaches and programmes. The additional in-service training qualification intended for teachers dedicated to teaching in multicultural educational settings, together with assigning the specific post of “teacher assistant”, has also proved very beneficial.

Despite the change that has taken place in educational practice following the adoption of the Strategy for Educational Integration of Children and Pupils from Ethnic Minorities, it has to be said that a substantial part of its educational potential for integration remains unfulfilled. The intercultural approach has not yet become fundamental to planning activities and organising educational practice. In addition, the history and culture of ethnic minorities have been insufficiently presented in study content. Fundamental elements of cultural identity, in most cases, are perceived in terms of traditional folklore with no respect for the other cultural achievements of ethnic minorities, and even less to their contribution to national culture and societal development. Pedagogical professionals who are qualified and possess the competence to provide children with proper knowledge and attitudes to deal with ethno-cultural diversity, and overcome negative stereotypes and cultural distance, are still insufficient in number. The compiled experience from implementing projects aimed at promoting competent teaching in a multicultural environment has not been put to good use, including by NGOs. Children belonging to vulnerable ethnic groups have not been fully covered by the pre-school and primary education system; the need to achieve a good command of the Bulgarian language upon enrolment in the first grade is also largely unmet. As a whole, there is a need to provide for methodological tools and support that will alleviate stress and ensure a gradual transition from the mother tongue to acquisition of the official language (Bulgarian) for ethnic minorities. Another setback is the lack of an adequate link between institutions and local communities in order to boost public support for the implementation of integration policies. There is more to be done in terms of co-ordination and co-operation between institutions and parents, as well as engaging the latter as partners in the process of implementing integration policies.

The dynamic changes that have taken place across Bulgarian society over the last 10 years, along with the structural incompleteness of the Strategy as of 2004, call for its constant and consistent upgrade so that it can comply with the recommended standards. The upgrade consists also of developing an Action Plan, which will further assist the Ministry of Education and Science in improving co-ordination between its directorates, units, municipalities, universities that prepare student teachers and pedagogical staff and the various structures of civic society engaged in the issues related to educational integration. Coming to decisions on crucial problems such as school segregation for Roma pupils as well as secondary segregation of schools around Roma residential areas is only possible through a well-planned, context-sensitive

move towards desegregation, through the joint efforts of responsible institutions and civic organisations active in the field.

The guiding principles in implementing the Strategy for Educational Integration of Children and Pupils from Ethnic Minorities are conformity with the law; coherence; transparency and promotion of results; continuity; sustainability of results; accountability; monitoring; and control.

The strategic goals of the Strategy are as follows:

- ▶ full socialisation of children and pupils from ethnic minorities;
- ▶ ensuring equal access to quality education of children and pupils from ethnic minorities;
- ▶ affirming intercultural education as an integral part of the process of modernisation of the Bulgarian education system;
- ▶ safeguarding and developing the cultural identity of pupils and children from ethnic minorities.

For the implementation of the aforementioned strategic goals, a series of activities is foreseen, among which the most important are:

- ▶ holding information campaigns for parents and the community to explain the mutual benefits from the integrated education of children and pupils from ethnic minorities;
- ▶ developing an electronic platform, based on the website of the Ministry of Education and Science, for compiling and promoting best practices in the educational integration of children and pupils from ethnic minorities;
- ▶ implementation of plans for gradual desegregation, at municipal level, on the basis of analyses of educational needs and public attitudes;
- ▶ appointing an “assistant to the teacher” when there is a need for complementary educational and training activities with children and pupils from ethnic minorities;
- ▶ providing for (when necessary) additional language education and training in Bulgarian for children and pupils from ethnic minorities;
- ▶ providing additional training for pedagogical staff on how to work efficiently in a multicultural environment;
- ▶ building up an information system for detection and monitoring of children at risk;
- ▶ providing support for joint events of children from different ethnic groups intended to safeguard and promote common and more specific traditions around the world;
- ▶ incorporating topics relating to intercultural education in the syllabi and curricula for all fields of study offered by HEIs that prepare students to become pedagogical specialists and education professionals;
- ▶ providing opportunities for learning about the culture of ethnic cultural groups (in schools as well), in the form of free elective classes or compulsory elective classes;

- ▶ elaborating and approving curricula for learning in different mother tongues by the time of graduation from upper secondary school;
- ▶ establishing conditions for upgrading study materials /ads/ relevant to the history and culture of different ethnic cultural groups;
- ▶ devising a state educational standard for civic, intercultural and health education. This will be enacted by the upcoming Pre-School and School Education Act, already open for public discussion.

The most anticipated outcomes of implementing the Strategy are to fully engage all stakeholders in the process of educational integration, and to successfully integrate children and pupils in a multicultural educational environment within kindergartens and schools, reducing the share of early leavers (18 to 24 years of age) to under 11%.

European education policies, despite the variety of approaches applied, are all aimed at the educational integration of children and pupils from ethnic cultural groups. Interculturality is emphasised, and looked upon as an opportunity for mutual recognition and understanding, namely by bringing children and pupils closer together and connecting them so they learn to interact in various situations.

The Strategy is governed by international standards related to children's rights and the rights of persons belonging to ethnic cultural groups, to which the Republic of Bulgaria is a party. Among them are the Universal Declaration on Human Rights; the International Covenant on Civil and Political Rights; the International Covenant on Social, Economic and Cultural Rights; the International Convention on Elimination of All Forms of Racial Discrimination; the International Convention against Discrimination in Education; the International Convention on the Rights of the Child; the UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities; the Framework Convention for the Protection of National Minorities; and the UNESCO programme Education For All.

Last but not least, in the implementation of education integration policies targeted at children from ethnic minorities, it is of paramount importance that they be based on ethics, transparency and the inclusion of all possible stakeholders in the field of education.

## Cyprus

# Code of Conduct Against Racism and Guide for Managing and Reporting Racist Incidents in Schools

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*Ioannis Savvides, Primary Education Inspector,  
Ministry of Education and Culture*

**F**ollowing a recommendation of the European Commission against Racism and Intolerance, the Ministry of Education and Culture, in collaboration with the Anti-Discrimination Body, has drafted a Code of Conduct Against Racism and Guide for Managing and Reporting Racist Incidents in Schools, taking into account the views of experts in the field of intercultural and anti-racist education. The code discusses research and policy that identifies the need for a whole-school anti-racist policy, with a broad conceptualisation of racism in all forms, in order to include all sorts of discrimination. It also provides schools and teachers with a detailed plan on how to deal with and prevent racist incidents, which they may adjust to their specific needs before they adopt it and begin its implementation. It includes definitions of basic concepts (racism, racist incidents, homophobia, transphobia, bullying, discrimination, stereotypes, diversity, etc.), outlines the responsibilities and commitments expected of each member of the school community, and provides the steps to be followed by schools for dealing with racist incidents in a practical rubric. As the code views diversity as a multifaceted phenomenon, involving various aspects of people's identities, it is expected to contribute to the decrease of bullying and discrimination based on any form of diversity in schools (religion, ethnicity, language, appearance, disability, gender, etc.).

The Code and Guide have important implications for the ethical behaviour of all actors in education, is related to their beliefs, norms and values and offers specific guidance on the conduct and practices expected of them. Specifically, the Code and Guide require that all members of each school community commit to the following:

- ▶ respect the rights of all members of the school community;
- ▶ recognise and implement their responsibilities, based on the school regulations, to counter racism and discrimination;
- ▶ behave in a safe and responsible manner, avoiding any aggressive behaviour or other communication that indicates lack of respect towards individuals or property;

- ▶ reject and condemn all forms of racism, harassment or discrimination towards any member of the school community;
- ▶ avoid direct or indirect provocation of any racist incident;
- ▶ take part in dealing with racist incidents, which needs to happen immediately, categorically and consistently, based on the Code and Guide;
- ▶ intervene peacefully when observing racist incidents in order to interrupt them, assist the victims and report the incident to the person responsible.

Teachers commit, additionally, to the following:

- ▶ be informed about the Code and Guide and their relevant responsibilities;
- ▶ self-reflect regarding their own views and stereotypes about diversity;
- ▶ set high expectations and provide all students with opportunities to progress;
- ▶ discuss the implementation of the anti-racist policy and its evaluation, as well as racism and discrimination issues and the relevant legal framework in teachers' meetings;
- ▶ recognise and immediately challenge any stereotypes in the school context;
- ▶ teach their students about their rights and responsibilities, as well as about the Code and Guide and encourage them to report any racist incidents that they observe;
- ▶ report immediately any racist incidents that they observe;
- ▶ implement activities that respond to the learning objectives of the Health Education Curriculum, related to diversity, racism, bullying, discrimination and empathy;
- ▶ create an inclusive learning environment where all students feel comfortable and have positive interactions;
- ▶ take care so that no child is left alone during school breaks;
- ▶ refer to all children in the same manner and avoid discourse that separates "our children" and "foreign children";
- ▶ contribute to the evaluation of the implementation of the anti-racist policy;
- ▶ promote equal opportunities and positive social relations, avoiding any discrimination against any individual because of their characteristics;
- ▶ be positive models for anti-racist behaviour in class, in the playground and in the teachers' staffroom, avoiding jokes or other comments based on stereotypes.

Concrete proposals and implications for future action at European level:

- ▶ capacity building for all actors by:
  - establishing a forum of sharing best practices in anti-racism policies and relevant programmes;
  - setting up general guidelines;
  - providing expert support where needed;
- ▶ creation of support mechanisms (quality controls and accreditation bodies).

France

## Rules of professional conduct in the French civil service

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*Isabelle Roussel, General Inspector, Education and Research Administration (IGAENR), Ministry of Education, Higher Education and Research (MENESR)*

### Professional ethics in the civil service: a common legal framework for all civil servants

All civil servants in France, a category that includes teachers, are bound by a set of precise rules. Title I of the Regulations applicable to civil servants (Law No. 83-634 of 13 July 1983 governing the rights and duties of civil servants) serves in practice as a kind of code of conduct. In many respects it is based on the founding principles of the Order of 9 October 1945 (the first real regulations applicable to civil servants in France), which in turn was directly inspired by the 1789 Declaration of the Rights of Man and of the Citizen (in particular, Article 15, “Society has the right to hold every public official to account for his administration”).

The Regulations applicable to civil servants therefore define a number of rules or “obligations” based on values that stem from the very nature of public service and that may be summed up by the following three requirements: integrity, impartiality and efficiency.<sup>27</sup>

Efficiency entails the obligation of civil servants to devote their professional activity exclusively to the performance of their assigned duties (Section 25 of the Law of 13 July 1983).

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27. Regarding these questions, see, in particular, Vigouroux C. (2012), *Déontologie des fonctions publiques*, Dalloz, No. 00.11. Also see Sauvé J.-M. (2013), “Quelle déontologie pour les hauts fonctionnaires?”, ENA, 27 March 2013.

This fundamental principle directly rules out the possibility for public service functions to be combined with gainful private professional activity; exemptions to that general rule may occur only on an exceptional basis in conditions that are strictly defined by law (there are specific provisions concerning the possibility for HE teachers to engage in parallel private activities directly connected with their teaching activity).

Very strict rules have been adopted to penalise any failure to adhere to standards of integrity: a system of criminal sanctions has accordingly been put in place in order to combat, together with the institution, misappropriation of public funds, embezzlement, influence peddling and active or passive corruption. This is the case, for example, for the unlawful taking of interest: Article 432-12 of the Criminal Code makes provision for very severe penalties (a five-year prison sentence, a €75 000 fine and a possible five-year ban on the exercise of civic rights or holding of a public office by the individual concerned).

On the obligation of neutrality, according to the Conseil d'État, a civil servant must comply with the obligation of strict neutrality that applies to any official involved in providing a public service (CE, 3 May 1950, Dlle Jamet, p. 247); this means that civil servants' behaviour must be totally independent of their political, philosophical or religious convictions. This obligation is linked to the principle of secularity and neutrality on the part of the state.

The obligation of discretion and confidentiality is linked to the concept of professional secrecy and may be necessary in the interests of the service. Alongside this obligation of discretion (and hence of non-disclosure) is the duty of discretion, meaning that all civil servants, particularly those in positions of responsibility, are duty-bound to exercise restraint when expressing their opinions, particularly in public.

The obligation of morality, of "good moral conduct and character", means that civil servants must refrain from any behaviour, including in their private lives, that reflects badly on the department for which they work. The courts have on numerous occasions referred to the duty of morality, which they deem to be particularly important for certain professions, such as teachers, and also judges and police officers, "in view of the nature of their duties".

## Applying these principles

The administration may have recourse to several instruments of a preventive or punitive nature in order to ensure compliance with these principles.

Civil servants or public officials who fail to comply with their obligations and hence with the applicable code of professional conduct may first and foremost be liable for disciplinary sanctions. Disciplinary offences must be seen in relation to the civil servant's professional obligations and level of responsibility; the administrative courts will therefore be more severe in assessing the moral conduct of professionals such as teachers whose position brings them into contact with vulnerable or young people. By the same token, public officials' trustworthiness and loyalty will be assessed differently depending on their place in the hierarchy. It should be noted that HE

lecturers have their own disciplinary system, in which they are judged entirely by their peers.

Civil servants may also be held criminally liable for acts committed during the exercise of their duties or outside of work.

The two types of proceedings – disciplinary or criminal – may be initiated in parallel and one and the same offence may give rise to both types of sanction.

Alongside these punitive instruments a culture of prevention is emerging. For example, in parallel to the above-mentioned criminal penalties, an “ethics committee” for the civil service has been in place since 1995. This body has the task of scrutinising moves by public officials and certain civil service employees to the private sector or competitive public sector, in order to check that there is no incompatibility between planned private activities and their former duties, and to assess whether there is any risk that the official’s involvement in the new activity might violate the Criminal Code, reflect adversely on the functions previously exercised or compromise the normal functioning of the service.

## Recent developments

Numerous educational, HE and research bodies have adopted charters of professional ethics. For example, in April 2012 the Ministry of Education published a charter of professional ethics applicable to all staff employed by the national education sector (tenured staff, trainees, contractual and part-time staff) involved in whatever capacity in setting exam subjects or organising final exams, as well as to jury members. Those officials can be held liable for non-compliance with the principles set out in that charter. In July 2012, the General Inspectorate of the National Education and Research Administration (IGAENR) adopted a charter of professional ethics in order to “formalise the ethical principles to be applied in conducting its missions and activities”.

In the HE and research sector, on 29 January 2015, a number of research bodies (CNRS, Inserm, Inra, Inria, IRD, Cirad, the Curie Institute) and universities (represented by the Conference of University Chancellors) signed the National Ethical Charter for the research professions. In addition, in 2014 the CNRS Ethics Committee also published a guide aimed at promoting “ethical and responsible research”.

A number of legislative texts have been adopted recently to strengthen the system for guaranteeing transparency in public life and the civil service: for example, Laws Nos. 2013-907 and 2013-908 of 11 October 2013 led to the creation of an independent administrative body, the High Authority for Transparency in Public Life, composed of six independent experts, with a chair appointed by the Council of Ministers on the recommendation of the French Parliament. This law also defines the concept of conflict of interests in order to avoid any conflict between public and private interests that could jeopardise the independent, impartial and objective exercise of public duties.

Furthermore, draft legislation on the professional ethics, rights and duties of civil servants has been submitted to Parliament. This bill is intended, among other things,

to ensure that the specific values of neutrality, impartiality, integrity and secularity – recognised by the case law as fundamental to the work of civil servants – are enshrined in the regulations applicable to civil servants; it also aims to extend the powers of the civil service ethics committee.

### **An example of the importance of ethical issues in the French civil service**

Questions of professional conduct are now systematically included in the initial and ongoing training offered to staff, both teachers and management personnel, in the education sector. For example, the 2014-2015 annual training programme for primary schoolteachers included training days devoted to ethical and professional conduct issues.

Similarly, the statutory training of management staff includes lectures and workshops not only on those ethical and professional conduct issues but also on questions pertaining to citizenship and the principle of secularity.

The Higher School for National Education, Higher Education and Research (École supérieure de l'éducation nationale, de l'enseignement supérieur et de la recherche – ESEN) organises regular training courses on all questions relating to the responsibility and professional ethics of civil servants. These issues are also regularly discussed in seminars on other topics such as the equal treatment of girls and boys at school.

# Teaching and education professions: reference framework of professional competences and the ethical dimension

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*Sébastien Lobiau, Deputy Head of the Department for the European Union and Multilateral Organisations, Department for European and International Relations and Co-operation – Ministry of Education, Higher Education and Research (MENESR)*

In France, the teacher recruitment and training process is organised at national level. The ethical dimension is a mandatory part of the training of new recruits in the teaching and education professions. This constitutes a component of the institutional framework for teacher training laid down in legislation.

## Reference framework of professional competences for teachers and education staff

In France, teachers and education staff perform the tasks that the state has assigned to schools. As civil servants and employees of the public education service they contribute to fulfilling the primary objective of schools, which is to provide instruction and education in order to promote the educational achievement and social and professional integration of all pupils. They prepare pupils to fully engage as citizens, imparting to them for that purpose the values of the French Republic. They promote a spirit of responsibility and concern for the common good and exclude all forms of discrimination.

The Ministerial Order of 1 July 2013 defines a reference framework of professional competences for teachers and education staff.<sup>28</sup> This reference framework is based on the concept of competences as defined by Recommendation 2006/962/EC of the European Parliament: “a combination of knowledge, skills and attitudes appropriate to the context”. Each competence calls for the individual concerned to exercise “critical thinking, creativity, initiative, problem solving, risk assessment, decision taking, and constructive management of feelings”.

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28. Available at <http://legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000027721614&categorieLien=id>, accessed 8 September 2016.

Each competence in the reference framework is accompanied by a list of items illustrating in detail the constituent elements and scope of that competence. These items do not constitute a list of instructions but are examples of how a given competence can be applied in various situations associated with the exercise of the profession.

Among the 14 competences defined for all teaching and education staff are two that refer explicitly to ethical principles and responsibility.

### **Imparting the values of the French Republic**

This involves:

- ▶ the ability to teach and instil in pupils the principles of democratic life and the values of the French Republic: liberty, equality, fraternity, and rejection of all forms of discrimination;
- ▶ helping pupils to develop a critical mind, teaching them to distinguish between knowledge and opinions or beliefs, to argue a case and to respect the opinions of others.

### **Exercising the role of educator responsibly, in accordance with ethical principles**

This involves:

- ▶ giving all pupils the necessary attention and support;
- ▶ refraining from all forms of disparagement of pupils, parents, fellow teachers or any member of the educational community;
- ▶ making a contribution to providing education in such cross-cutting areas as health, citizenship, sustainable development, and arts and culture;
- ▶ combating, and teaching pupils to combat, stereotypes and all forms of discrimination, promoting equality between girls and boys, and between women and men;
- ▶ contributing to promoting the well-being, security and safety of pupils; preventing and dealing with violence at school; identifying all forms of exclusion or discrimination; and detecting any signs of severe social hardship or abuse;
- ▶ helping to identify all forms of high-risk behaviour and helping to address these;
- ▶ respecting and enforcing the school rules and applicable charters;
- ▶ respecting the confidentiality of personal information of pupils and their families.

## **The national training framework for teachers and education staff**

The Ministerial Order of 27 August 2013 defines a national framework for the curriculum of the “MEEF” (teaching, education and training professions) master’s degree aimed at primary and secondary schoolteachers and other education staff.<sup>29</sup>

29. Available at [www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000027905257&categorieLien=id](http://www.legifrance.gouv.fr/affichTexte.do?cidTexte=JORFTEXT000027905257&categorieLien=id), accessed 7 September 2016.

The content of the “MEEF” master’s programme organised by the network of teacher training colleges (ESPE) is based on the reference framework of professional competences for the teaching and education professions.

The training comprises a common core for all students of teaching, education and training, focusing on the following areas in particular:

- ▶ professional practices in relation to the different learning situations, including managing a class and preventing violence at school; taking account of pupils’ diversity and of the situation of, in particular, pupils with a disability; methods of differentiation in the classroom; and teaching and supporting pupils with learning difficulties;
- ▶ knowledge relating to pupils’ educational path, including a competence-based approach; a common core of knowledge and culture; a common set of key competences; the specific characteristics of the different levels of education, including pre-school; pupil evaluation methods; pupil guidance; and pupils’ learning process;
- ▶ teaching content pertaining to the principles and code of ethics of the profession: teaching the principle of secularity; combating all forms of discrimination; and instilling a culture of gender equality.

The training also provides a knowledge of cross-cutting educational topics and major societal issues, such as citizenship, artistic and cultural education, environmental issues and sustainable development and health education. These subjects may be taught in a variety of ways: a discipline-based or interdisciplinary approach; incorporation into school projects; and interventions by outside partners, partner associations or experts.

### **Arrangements for assessing probationary periods and for the permanent appointment of teachers and education staff**

Circular No. 2015-055 of 17 March 2015 defines the arrangements for assessing trainees’ probationary periods and for the permanent appointment of teachers and education staff.<sup>30</sup>

Following the training given by ESPE, the probationary period is now assessed on the basis of the reference framework of competences provided for in the above-mentioned Ministerial Order of 1 July 2013.

By way of example, the assessment grids for trainee teachers must take account of competences reflecting an awareness of the regulatory and institutional aspects of the professional environment and of their responsibilities in their future role as teachers.

The jury checks whether or not the following competences are sufficiently mastered:

- ▶ CC1. Imparting the values of the French Republic
- ▶ ...

30. Official Journal No. 13 of 26 March 2015, available at [www.education.gouv.fr/pid25535/bulletin\\_officiel.html?cid\\_bo=87000](http://www.education.gouv.fr/pid25535/bulletin_officiel.html?cid_bo=87000), accessed 8 September 2016.

- ▶ CC2. Acting in compliance with the fundamental principles of the education system and within the regulatory framework of the school
- ▶ ...
- ▶ CC6. Exercising the role of educator responsibly, in accordance with ethical principles

The jury ascertains whether the trainee teacher:

- ▶ adheres to and enforces the principles of equality, neutrality, secularity, fairness, tolerance, and rejection of all forms of discrimination;
- ▶ complies with the requirements of punctuality, diligence, security and confidentiality;
- ▶ conducts himself or herself as a responsible adult in the classroom and at school;
- ▶ treats pupils and other members of the education community with respect;
- ▶ enforces the school regulations.

# Situation regarding the recent measures for combating fraud in the education sector, examination fraud in particular

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*Sébastien Lobiau, Deputy Head of the Department for the European Union and Multilateral Organisations, Department for European and International Relations and Co-operation – Ministry of Education, Higher Education and Research (MENESR)*

**A** ministerial circular on the preparation, organisation and supervision of *baccalauréat* examinations was published in the National Education Official Journal (BOEN) on 12 April 2012 together with an examination ethical charter stipulating civil servants' obligations as regards the setting of exam subjects. This circular formally sets out in a single document the different stages in the organisation of an exam, each of which must be conducted in strict conditions of secrecy and security.

## Preventive measures

School principals and teachers have an important role to play in preventing cheating by explaining to pupils from the start of the school year the conditions under which they may use documentary resources during mock exams or the preparations for supervised personal research projects (TPE – specific tests that form part of the examination process), and by drawing their attention to the risks to which they expose themselves by copying or plagiarising.

Awareness about examination rules and the sanctions that apply in the event of non-compliance can be further strengthened by ensuring that all examination candidates receive this information prior to exams (by posting it at the entry to the examination room and giving it to all students to read before the first written exam).

All candidates must present the letter summoning them to the exam and valid proof of identity with a photograph, or a recently issued certificate of school attendance.

No one may enter the examination room after the envelope containing the exam questions has been opened, unless exceptionally authorised to do so by the person in charge of the examination centre.

Only paper provided by the administration may be used, including for rough drafts.

No candidates may leave the room, either temporarily or permanently, during the first hour of the exam, except in cases of absolute necessity. At the end of the first hour, candidates may only temporarily leave the room one at a time and must be accompanied by an invigilator.

No candidate may permanently leave the room without handing in his or her exam paper, even if it is blank. The header must be duly completed and the candidate must sign the attendance sheet before leaving. No distinctive information (signature, name, etc.) must appear on the exam paper, except in the header.

To prevent the use of mobile phones or other unauthorised equipment (tablets, smart watches, etc.) to exchange or search for information, the *Académies* use telephone detectors in examination centres. This system, deployed secretly, has a real deterrent effect. Indeed, even though the use of technological devices remains the most common form of cheating (30.87%), it has declined over the past two years.

In addition to the Education Ministry's monitoring of social networks, the examination service can also rely on the assistance of the Technical Service for Judicial Research and Documentation (– STRJ), which is part of the gendarmerie's judicial department, in order to combat possible rumours about the prior divulgation of exam subjects, particularly via the Internet. The aim is to check the veracity of any facts that may call the confidentiality of exam subjects into question.

With effect from the 2018 examination session, whenever calculators are authorised for certain exam subjects, they will have to be equipped with an exam function, which among other things will allow their memory to be cleared for the duration of the exam.

Following security inspections of the academic premises allocated for the preparation of exams, various security loopholes have been identified and work is under way to remedy them.

## Punitive measures

Candidates who cheat may be liable for the following sanctions (Article D. 334-32 of the Education Code):

- ▶ a reprimand;
- ▶ no mention of any special distinctions on the diplomas of successful candidates;
- ▶ a ban for a maximum period of five years on sitting for any *baccalauréat* examination or any other exam to obtain a qualification from a public education establishment at post-*baccalauréat* level. This sanction may be a suspended ban if it does not exceed two years;
- ▶ a ban for a maximum period of five years on enrolling in any public education establishment at post-*baccalauréat* level.

A major reform of the disciplinary procedure for examination candidates has been undertaken since 2012. The responsibility for that procedure has been transferred from the disciplinary departments of universities to an academic commission appointed by the Rector of the *Académie*. The aim is to deal with suspected cases of exam fraud more quickly and more efficiently while guaranteeing the same rights of defence as the previous procedure. Accordingly, the commission must reach a decision in the two months following the announcement of the results of the examination session during which the events that gave rise to the proceedings took place.



# National Ethical Charter for the research professions

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*Sébastien Lobiau, Deputy Head of the Department for the European Union and Multilateral Organisations, Department for European and International Relations and Co-operation – Ministry of Education, Higher Education and Research (MENESR)*

**O**n 29 January 2015 a number of research bodies (CNRS, Inserm, Inra, Inria, IRD, Cirad, the Curie Institute) and universities (represented by the Conference of University Chancellors) signed the National Ethical Charter for the research professions.

The text of the charter is reproduced in full below:

## **“Preamble**

In a knowledge and innovation society marked by an ever-faster pace of knowledge building and transmission, and by international competition, public education and research establishments are ideally placed to help meet the current and future challenges. They are responsible for producing, disseminating and transferring decisive advances in knowledge and of contributing to the application of expert know-how, particularly in support of public policies. In order to live up to that major responsibility they must consolidate their relationship of trust with society.

The aim of the National Ethical Charter for the research professions is to specify the criteria for a rigorous and responsible scientific approach, to be applied, among other things, in the context of all national and international partnerships.

This charter reflects at national level the principal international texts in this area: the European Charter for Researchers (2005); the Singapore Statement on Research Integrity (2010); the European Code of Conduct for Research Integrity (ESF-ALLEA, 2011). It is fully aligned with the reference framework proposed by Horizon 2020, the EU Framework Programme for Research and Innovation.

It is the responsibility of every public research and education establishment to apply this charter by promoting best practice in research, raising awareness among and training their staff and students, setting out ethical standards and putting in place clear and generally recognised procedures in order to prevent and deal with any breaches of those ethical rules.

It shall be for each institution to adapt this charter as appropriate to the disciplines and professions concerned.

### **The charter**

The National Ethical Charter for the research professions concerns all the men and women (designated hereinafter by the generic term “researchers”) in an establishment or institution, whether permanent members of staff or not, who contribute to research and who undertake to uphold the principles of integrity set out in this charter, in their research activities or activities in support of research.

### **Compliance with the applicable legislative and regulatory provisions**

All researchers must be familiar with the legislative and regulatory provisions governing their professional activities and abide by the relevant texts, particularly in respect of research on human beings, animals and the environment.

### **Reliability of research**

Researchers must honour the commitments entered into within their research unit or in the context of specific contracts. Research projects must be conducted using the most appropriate methods.

A detailed description of the research protocol must be set out in the laboratory notebook or another medium in order to guarantee the reproducibility of experimental work.

All raw data (which shall be the property of the establishment) and the analysis of the results must be preserved for verification purposes.

Conclusions must be based on a critical analysis of the results and possible applications should not be unduly exaggerated. The results must be transmitted in their entirety in an objective and honest fashion.

All research work necessarily draws on previous studies and results. Use of those sources must be clearly indicated by means of explicit references in all scientific productions, publications or communications. In certain cases it is necessary to obtain prior authorisation for that purpose.

### **Communication**

It is in the nature of research results for them to be communicated to the scientific community and the public at large, giving due recognition to all previous intellectual and experimental contributions and to intellectual property rights.

In most cases research is a group effort, and when this is the case the decision to publish must be taken collectively and each author must enjoy intellectual property rights. Authorship must be based on the performance of an explicit role in the research project, and all individuals who qualify as authors must be recognised as such. Contributors whose role does not justify granting them authorship according to international criteria must be given credit for their work in the “acknowledgements” section of the publication.

Freedom of expression and opinion shall be exercised within the legal framework that applies to the civil service, which entails the duty of discretion, confidentiality, neutrality and transparency regarding all ties or interests. When expressing themselves

in a personal or institutional capacity, researchers must distinguish between that which belongs to their field of scientific expertise and that which is founded on their personal convictions.

They must obey the same rules when communicating via social networks.

### **Responsibility in group projects**

In their professional activities researchers undertake to perform the tasks assigned to them by their employer, in compliance with the rules of conduct that apply within the institution.

Those in charge of the group project, and more generally speaking, researchers fulfilling a supervisory or training function, must pay due attention to ensuring that the project is understood and supported by all, to explaining each person's contribution and to developing each person's competences in the context of the group endeavour.

Respectful working relations must be encouraged. Discrimination, harassment and abuse of authority constitute professional misconduct.

Falsification or fabrication of data and plagiarism constitute severe breaches of the principle of integrity. They must be reported to the institution and action must be taken to stop them.

### **Impartiality and independence of assessments and expert reports**

When assessing the research project of a laboratory or colleague, researchers must examine all documents with impartiality, declare any interests they may have and withdraw if they detect a possible conflict of interests that is incompatible with an objective assessment. They are bound by the confidentiality of the deliberations and may not make any use of the data communicated to them during the assessment process.

In the case of an expert appraisal carried out on behalf of the institution, researchers must comply with the terms of the national charter on scientific expert appraisals and the specific version that applies to their institution.

### **Collaborative projects and multiple activities**

Collaborative projects, in particular outside the institution and at international level, must be the subject of prior agreements with the public or private partners and must preserve the researcher's independence, in particular as regards the provision, use, communication and intellectual property rights of data. Such projects shall be subject to the same ethical rules, with a responsibility to ensure integrity, transparency and honesty.

Researchers wishing to act as consultants or experts in parallel to their research activities must inform their employer and abide by the rules on multiple activities and remuneration that apply within their institution. Any ties or interests they have as a result must be declared when engaging in any form of communication.

### **Training**

Ethical rules must be incorporated into training curricula, particularly those for master's and PhD degrees."



## Hungary

# Executive summary about reforms in Hungary – Ethical behaviour of all actors in education

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*Dóra Szentirmai, EU Co-ordinator and International Desk Officer, Ministry of Human Capacities*

**W**e are convinced that education institutions from kindergarten to university, and even adult education institutions can operate in a proper way if the existing ethical norms are public and transparent, and if they include the respect of each other and are accepted by all those involved.

### Teachers

A new code of conduct is under development in Hungary. This will be prepared by the recently established National Teachers' Public Body. Currently, consultations are taking place about the text, which is expected to be adopted at the end of the year.

It has to be emphasised that the code of conduct is prepared and approved by an autonomous public body (and not by state organs or agencies), composed of teachers and educators who carry out their daily work at education institutions.

According to Paragraph 83 (2a) of the Act on National Public Education the code of conduct on ethical principles approved by the National Teachers' Public Body will be obligatory in public education institutions maintained by the state or municipalities.

Considering that various education institutions and maintainers have already prepared their own codes of conduct for themselves and for their employees, and in order that the basic principles are applied uniformly in all public education institutions, the Act on National Public Education stipulates as follows:

83 § (2a) The maintainer of the private public education institution prepares its own institutional Ethical Code of Conduct that applies to the teachers employed in its institutions, taking into consideration the general ethical principles of the Code of Conduct approved by the Teachers' Public Body.

The code of conduct prepared by the National Teachers' Public Body summarises the ethical norms of the teaching profession, and the requirements of relations between students, parents, colleagues, the school leader, the maintainer and governing bodies. It includes guidelines for research and describes the elements of an ethical disciplinary procedure.

## Students

In every public education institution in Hungary, a school policy must be prepared and adopted by the teaching staff, according to the principle of subsidiarity, by consulting the students. The policy regulates the practice of children's rights and obligations. The school and dormitory policy explains students' rights, responsibilities and rules of behaviour, as required by the school and the dormitory.

The regulations of the Ministry of Human Capacities define the policy of an institution, including the regulations for absence, failure to fulfil an obligation, payment of tuition, use of an electronic diary by parents, planned schedule of the exams, duration of breaks, use of objects and tools of the school, required behaviour outside school, etc.

## Basic principles of ethical behaviour in the field of public education

International research indicates that the success of the education system of a country depends first and foremost on its teachers and school leaders.

In fact, a precondition of the renewal of the public education system is the restoration of respect for the teaching profession. As a first step, in September 2013 a new teacher career model was introduced in Hungary. According to the Act on National Public Education, within the framework of a career model, all teachers and education experts have to take a qualification exam between 1 September 2013 and 30 June 2018.

Up to 1 January 2019, parallel to the introduction of the teacher advancement system, teachers' salaries will be gradually increased. The first phase of the increment was introduced in 2013.

## Ethical behaviour in the field of higher education and research

The most important principles concerning the ethical behaviour of all actors in academic life and the publication of scientific works are included in the science-ethical Code of Conduct of the Hungarian Academy of Sciences.

The content of the science-ethical Codex of the Hungarian Academy of Sciences has been adopted and applied also by the Hungarian Doctoral Council. Besides this, the Hungarian Doctoral Council has released a recommendation about the regulation of the withdrawal of a doctoral degree, approved by the Hungarian Accreditation

Committee. As of 1 January 2014 this recommendation has been approved by all Hungarian doctoral schools and included in their own codes of conduct.

Hungarian HEIs define in their own competence the principles of ethical behaviour of their educational actors in their quality assurance regulations or their codes of conduct. According to a survey conducted by the Hungarian Rectors' Conference in 2014, 11 out of 26 Hungarian universities have regulations that refer to science-ethical and general education-ethical issues. In a further six universities a code of conduct is under development.

In the Code of Conduct of the Budapest Business School, for example, the following points (among others) concern the ethical behaviour of educators:

- ▶ the educator's duty is an honourable and transparent professional activity;
- ▶ the educator has to make it clear how much he/she and how much other researchers have contributed to a research work/examined question. Those who have contributed to an extent that is not determining shall be given an acknowledgement by the author. The author shall keep and store the partial results of his/her research to be able to prove his/her findings;
- ▶ the fair and accurate professional work of the educator, his/her co-operation ability and honesty should be a model to be followed by students.

### **Best practice – A Hungarian development**

The plagiarism detection programme of the Institute for Computer Science and Control of the Hungarian Academy of Sciences, KOPI, has been operating as an open service since 2006. Uniquely, KOPI is able to find used quotations and their translations from the Hungarian and English Wikipedia. At the moment KOPI supports searching in Hungarian, English and German, but it is being continuously extended in other languages.



# Italy

## The case study of the Italian National Evaluation System

Paolo Corbucci, Italian Ministry of Education, University and Research

### Italian Education and Vocational Training System Framework

The following actors are involved in the governance of the Italian education and vocational training system:<sup>31</sup>

- ▶ the Ministry of Education, University and Research, responsible for setting the minimum service performance levels (Livelli Essenziali delle Prestazioni – LEP) for the education system;
- ▶ the Ministry of Labour and Social Policies, responsible for setting the minimum service performance levels for the vocational training system;
- ▶ the Regions and Autonomous Provinces, which are the local competent authorities administrations in charge of planning, organising and providing/delivering vocational education and training (VET);
- ▶ the social partners that contribute to designing and organising active labour market policies, and particularly, VET policies.

Compulsory education lasts 10 years (i.e. up to 16 years of age) and includes the first education cycle and the first two years of the second (either upper secondary schools or three to four-year vocational training courses). In addition, everyone has the “right/duty” (*diritto/dovere*) to pursue his/her education and training for at least 12 years in the national school system, or until he/she obtains a three or four-year vocational qualification within the initial vocational education and training (IVET) system before reaching 18 years of age (Law 53/2003, “*Delega al Governo per la definizione delle norme generali sull’istruzione e dei livelli essenziali delle prestazioni in materia di istruzione e formazione professionale*” (“Delegating the government to establish general regulations regarding education and the minimum service performance levels for education and vocational training”).

31. “Primo rapporto italiano di referenziazione delle qualificazioni al quadro europeo EQF” (“First Italian report on the referencing of national qualifications to the EQF”), June 2012, available at <http://bw5.cilea.it/bw5ne2/opac.aspx?WEB=ISFL&IDS=18746>, accessed 8 September 2016.

## The National Evaluation System

According to the overall objective of the Europe 2020 strategy, the education and training systems have to become more attractive, effective and efficient.

The main channel for the achievement of this objective is the pursuit of higher quality and even the excellence of the educational offer.

In line with this main aim, considering that quality assurance – within a framework of continuous quality enhancement – should support reforms of education and training systems in line with EU and national reform agendas, the new National Evaluation System was approved in 2013 with Presidential Decree No. 80.

According to the Italian system, the evaluation process of schools is based on periodic and systematic audits concerning students' learning outcomes and it is developed in order to enhance the role of schools in the process of self-assessment, which consists, in line with the EQAVET Recommendation,<sup>32</sup> in the analysis and evaluation of their service.

The evaluation, according to the Italian system, is aimed at improving the quality of training offered and learning outcomes, and will in particular pursue:<sup>33</sup>

- ▶ the reduction of early school leaving;
- ▶ the reduction of the differences between schools and geographical areas as regards the level of students' learning outcomes;
- ▶ the strengthening of students' basic skills compared with the starting level;
- ▶ the improvement of medium- and long-term student results at university and in the labour market.

The main actors involved in implementing the National Evaluation System are: INVALSI (Istituto nazionale per la valutazione del sistema educativo di istruzione e di formazione), INDIRE (Istituto nazionale di documentazione, innovazione e ricerca educativa) and the team of inspectors nominated by the Ministry of Education.

In fact, within the Department for the Evaluation of the National Education System of the Ministry of Education,<sup>34</sup> an inter-institutional group has been established that consists of experts from the ministry, INVALSI, INDIRE and educational institutions. It is in charge of all the strategic choices for the set-up of the evaluation system, which will be realised step by step over the next three years, as described below.

### Self-assessment

Schools are required to develop an analysis and internal assessment based on data and information, according to the process outlined by the self-assessment report defined by a shared platform (Rapporto di autovalutazione – RAV).

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32. EQAVET Recommendation, 18 June 2009 (2009/C 155/02).

33. *Direttiva Ministeriale 11*, 18 settembre 2014.

34. *Direzione generale degli ordinamenti scolastici e la valutazione del sistema nazionale di istruzione*.

All schools must have implemented their RAV by the end of September 2015, exclusively online through a dedicated common platform.<sup>35</sup>

### **External evaluation**

An external evaluation will be implemented by 2016 through audit visits made by inspectors from the Ministry of Education dedicated to this specific aim. In the first phase about 1 000 schools will be involved, as required by Directive 11/2014.

### **Review and improvement (RAV update)**

By the end of school year 2015/2016, according to the provisions of RAV, all schools will plan and implement specific actions for improvement, if needed with the support of INDIRE or other public and private entities (universities, research institutes, professional and cultural associations).

A first update of RAV, aimed at checking the state of the process and a possible redefinition of goals, is planned for the month of July 2016.

### **External evaluation – Improvement actions – Actions of social reporting**

In the third year of full implementation of the assessment procedure, while schools pursue the self-assessment, external assessment and improvement initiatives, they must also promote, even after the publication of the first report, public events aimed at social reporting, the last stage of the procedure.

## **The Italian evaluation system in the European framework**

The system as described was conceived in order to improve the quality of the education system and its attractiveness to young people. In line with the EQAVET Recommendation it was conceived to reduce drop-outs and improve employment by reducing the skills mismatch between demand and supply in the labour market.

Moreover, EQAVET offers a framework with quality criteria, indicative descriptors and reference indicators to support member states to increase transparency and thus mutual trust, mobility across borders and lifelong learning. The recognition of the importance of self-assessment, ongoing monitoring and periodic review of programmes are other elements in common with the Italian National Evaluation System. The Italian system's scope is also coherent with the Council of the European Union's conclusions on quality assurance supporting education and training of 20 May 2014.<sup>36</sup>

*“As key contributors in the drive towards better jobs, stronger growth and competitiveness,*

35. Available at [www.istruzione.it/snv/index.shtml](http://www.istruzione.it/snv/index.shtml), accessed 8 September 2016.

36. Council of the European Union Conclusions on quality assurance supporting education and training, Education, Youth, Culture and Sport Council meeting, Brussels, 20 May 2014.

EU education and training systems face significant challenges which continuous quality enhancement can help to address. These challenges include: broadening access; reducing drop-out and improving retention rates; supporting innovative learning; and ensuring that learners acquire the knowledge, skills and competences required for an inclusive society, active citizenship, lifelong learning and employability, regardless of their social and economic backgrounds.”

Confirmed by the Riga Conclusions of last June,<sup>37</sup> the new medium-term deliverables are:

- ▶ work-based learning in all its forms;
- ▶ quality assurance in VET/information and feedback loops in VET;
- ▶ access to training and qualifications for all (aimed at up-skilling and re-skilling);
- ▶ key competences in VET;
- ▶ professional development of VET teachers and trainers.

The Italian system can be considered a good example of transparency implementation as we know that:<sup>38</sup>

- ▶ most EU countries do not have a specific definition of what “quality in school education” is and do not use the term “quality assurance”;
- ▶ in the majority of EU countries, quality assurance systems are not sufficiently consolidated.

In this context we believe that the Italian National Evaluation System can be considered in line with the overall European strategy to increase transparency between quality assurance in the different sectors, recognition and certification, and it would also help to build trust and support permeability across sectors and countries.

As a proposal for the platform, it might be useful to realise a comparative analysis of the national systems for the assessment of education and training.

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37. Council of the European Union, Riga Conclusions 2015, 21 and 22 June 2015.

38. European Commission (2015), “Comparative study on quality assurance in EU school education systems – Policies, procedures and practices”, European Union, Luxembourg.

# Transparency in the evaluation of learning outcomes and relationships

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*Paolo Corbucci, Italian Ministry of Education, University and Research*

## Foreword

The assessment of learning outcomes and students' relations with teachers and the education system is one of the main grounds on which the principle of transparency can positively assert its effects.

The results achieved by students can be influenced by relationships and evaluation processes based on transparency. For this reason, a challenge for the national education system, even compared to European goals, is represented by the transferring of the general principles of transparency from the formal to the substantive level, as well as the norms and behaviour of those involved in teaching and the evaluation of results.

## Transparency and the rights of students

A law from 1998 (DPR 24 June 1998, n. 249, "Statutes of female students and secondary school students") explicitly states:

Students have the right to receive cultural education and vocational training respecting and valuing everyone's identity and open to a plurality of ideas.

The school pursues continuous learning and enhances students' natural tendency, through appropriate information. It values the opportunity to make requests, develop topics freely chosen and realise their own initiative.

In this framework one of the fundamental rights of students is a transparent and prompt evaluation. In fact, every student needs to be informed about his/her learning and growth level, as it progresses day by day along the educational path. In this way the student will become responsible for his/her future results and potential. In this sense, transparency becomes a tool to begin a self-assessment process that leads to an identification of strengths and weaknesses as well as enhance performances.

## Transparency, student behaviour and disciplinary sanctions

Good relationships in a school led by the principle of transparency are manifested in how the school regulates matters related to discipline and student behaviour.

Indeed, schools must identify in advance which behaviours constitute disciplinary misconduct, indicating students' duties, proper conduct within the school, related penalties, the competent bodies and relevant procedures.

A way to affirm the principle of transparency and to promote positive constructive relationships with a positive effect on learning outcomes is to determine in advance the limits and purposes of the interventions of school authorities with regard to students' disciplinary misconduct. The nature of disciplinary sanctions, too, is significant: Sanctions are always temporary, proportionate to disciplinary infringement and inspired by the principle of repairing the damage. They take into account the personal circumstances of the student. The student is always given the opportunity to convert them into activities in favour of the school community.

In this way, transparency and integrity influence each other: the transparent and declared-in-advance behaviour of school authorities, and therefore their integrity, promotes correct behaviour and integrity by end users as well as stakeholders.

## Transparency and educational "contracts" with students

An example of the involvement of all stakeholders in actions derived from the need to transparently share common objectives is represented by the *"Patto educativo di corresponsabilità"* (DPR 235/2007), which binds the school, students and families to a "contract" of transparent responsibilities: "On registration to the school, parents and students are required to sign an educational pact of co-responsibility, aimed at defining detailed and shared rights and duties among the educational institution, students and families."

## Transparency and school boards

School boards are also called to the challenge of transparency as soon as they establish their strategies and tools to achieve the overall objectives set at national and European level. The Presidential Decree 122/2009, regarding boards and students' learning outcomes assessment, is oriented to the achievement of transparency.

- ▶ The teaching board, consisting of all the teachers of a school, must (before the beginning of learning activities) define methods and criteria to ensure consistency, fairness and transparency of the evaluation, while respecting the principle of academic freedom. The teaching board should "fix in advance the tools and methodologies of assessment in accordance with the principles defined by the decrees setting up new regulations".<sup>39</sup>

39. Presidential Decree No. 122 of 22 June 2009.

The training supply plan must follow the criteria of transparency, recently reintroduced to Italian schools for the purpose of evaluation: “The periodic and final assessment is one of the main responsibilities of schools ... and should therefore meet consistency, motivation, transparency and accountability criteria.”<sup>40</sup>

## Transparency and learning outcomes

The above-mentioned rule reminds one of the very close connection between transparency and consistency with the objectives of learning: “Therefore the training plans offer made by schools should indicate, in advance, the types and tools used for the ongoing assessment, and procedures and policies adopted at the end of each evaluation period. This is to make the whole process of evaluation transparent and consistent with the specific learning objectives and outcomes.”

Anyone interested should be able to know beforehand not only what the educational goals are, but also the types of tests used to assess the learning outcomes. They should also be allowed to verify, in a transparent way, consistency between the types of assessment defined in advance and the learning objectives.

If one of the objectives consists in the development of attitudes to testing and the use of the laboratory, then all tests of learning cannot be conducted only through testing in the classroom.

Schools must ensure families receive prompt information on the learning process and assessment carried out at different stages of the educational path. Information technology and communication tools must be used in accordance with privacy laws.

## Transparency, information and new technologies

The importance of new technologies for transparency, even beyond evaluation, is also stated in the last law on reforming schools, No. 107 of 16 July 2015, which launched the National Plan for the Digital School, coherent with the European framework, in order to “develop and improve students’ digital skills and to make digital technology an educational tool for skills development in general”.

In addition, the National Plan sets the specific goal of transparency in the relationships of schools, managers, teachers, students and others by fostering organisational and technological tools to promote governance, transparency and sharing data.

Another example in the framework of the ongoing reform in the Italian education system, connected to transparency and the widespread use of technology, is the transition from paper-based to electronic means for managing student data, for instance for report cards, records and communications with families. The Ministry of Education plans to send appropriate guidelines to all schools so they can implement

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40. Ministerial Circular No. 89 of 18 October 2012.

the principles of transparency and accessibility of data in line with information security and the protection of personal data.

### **The Triennial Learning Opportunities Plan (Piano triennale dell'Offerta Formativa)**

The relationships of schools, families, students and territory are also set through the Learning Opportunities Plan, which was transformed into the Triennial Learning Opportunities Plan (*Piano Triennale dell'Offerta formativa*) by Law 107/2015. The Learning Opportunities Plan, known in Italy as POF, introduces in a transparent way “the curricular, extracurricular, educational and organisational planning” that schools adopt thanks to their autonomy. In order to allow a comparative evaluation by students and families, and to assure full transparency and promotion, the triennial plans of learning opportunities will be published on a unique web portal starting from next year.

In the case of POF, the principle of transparency is relevant to stress two other principles: on one side, autonomy and on the other, the comparison of opportunities and, therefore, the principle of “freedom of choice”.

### **Transparency, autonomy of schools and freedom of choice for families**

The Learning Opportunities Plan and the decisional autonomy of schools strikes a balance between school autonomy and the right to transparency of families. POF represents an important instrument to prevent autonomy from translating into irresponsibility, in contrast with the goals of both the autonomy in itself and the educational system covered by public, national and European institutions. Moreover, the transparency of POF allows families to make mindful choices, in particular in comparing different schools for the enrolment of their children, and so to respect their own freedom of choice. There is a risk that statements and declarations of intent, even if transparent, do not correspond to the real behaviours of those actors called to put them into practice. But POF represents a tool of transparency, and anyone can refer to it in case of conflict between theory and practice.

### **Proposals at European level**

The reforms mentioned above deal with the evaluation of learning outcomes and relations aimed at increasing levels of learning; they could be developed at European level through different methods, mentioned only briefly here.

First of all, and in general, every national school system should be aware of the main methodologies and tools implemented at European level to achieve transparency. More specifically, in line with the concepts described in the previous examples, it

would be very useful to disseminate the different methods adopted in European countries for transparent evaluation according to the common European goals on learning. Finally, ETINED could give member states the opportunity to share principles and policies for transparency, but also best practices adopted.

### Other examples of policies for transparency

On account of the limited space available I have not mentioned more examples of national policies for transparency and legality that have become operational in Italian schools recently. I cite, in brief, only three examples here.

First, the three-year programme for transparency and integrity set up according to Law 150/2009 on the optimisation of the productivity of public work and efficiency, transparency and integrity in public administration. According to the last annual programme, recently published for 2015-2017, the Italian Ministry of Education, University and Research is to implement the principle of transparency, considered not only as the right to inspect files and documents, but as “a whole accessibility to information regarding the organisation and activity of public administrations, in order to encourage widespread forms of control on official duties and use of public resources”.

Through such a three-year plan, transparency is to be considered, as well as a source of formal obligations, a fundamental principle for good administration, able to “enhance” organisational and individual performances.

Second, the *Carta d'intenti* (statement of intent), signed by the Ministry of Education, University and Research, the National Anti-Mafia Direction, the National Anti-Corruption Authorities and the National Association of Magistrates, titled “Educating for legality and deterrence, control and combating mafia and organised crimes”, is aimed at promoting a programme of “legal education and deterrence, control and combating of the mafia and organised crime”.

Third, the statement of intent for “Education for economic legality”, signed on 10 May 2015 by the Italian Ministry of Education, University and Research with many other national institutions, seeks to disseminate the culture of legality in the economic and financial area of education.



## Lithuania

# Academic integrity and plagiarism

*Vigilijus Sadauskas, Ombudsman for Academic Ethics and Procedures of Lithuania*

Ombudsman functions are stipulated in the Statutes of the Office of Ombudsman for Academic Ethics and Procedures of the Republic of Lithuania (hereinafter referred to as the "Office"), and approved by Resolution No. XI-1583 of 15 September 2011 of the Seimas of the Republic of Lithuania. One function is to consider the complaints of applicants and under its own initiative carry out investigations of the actions of natural and legal entities (acts and omissions) that violate or are suspected to violate academic ethics and procedures, including the principles of academic integrity, academic freedom, impartiality in assessing research, equal rights to participate in competitions, and ethical relations as well as complaints regarding the abuse of heads of HE and research institutions and heads of administration of departments in the field of academic ethics and procedures. A second function is to co-operate with Lithuanian and foreign institutions, offices and organisations as well as international organisations and other natural and legal persons in analysing cases of violation of academic ethics and procedures, and use of academic networks to exchange information on the violations of academic ethics, including plagiarism and other violations of intellectual property rights related to unauthorised use of research or artwork as well as cases of counterfeiting, fraud and manipulation of research data.

The office is a newly established institution. This is why it needs to seek out new methods and share good practices with foreign institutions from the field of academic ethics.

### Activities in 2013

On 17 September 2013, the Ombudsman participated in a meeting organised by the Vilnius University Students' Representation, which discussed the presentation of the investigation, Academic Integrity Index 2013, carried out by the Lithuanian National Union of Students, and which identified related problems and solutions.

On 18 September 2013, the Ombudsman visited Mykolas Romeris University and met the Vice-Rector for Research and International Relations and other members of the academic community. During the meeting, academic ethics and integrity problems were discussed and the good practice of European universities was shared.

On 25 October 2013, the Ombudsman participated in a meeting of the Board, Council and Secretaries General of the European Universities Association with the Lithuanian academic community. The meeting was held at Mykolas Romeris University.

On 21 and 22 November 2013, the Ombudsman participated in a high-level conference, Structural Change Promoting Gender Equality in Research Organisations, organised in the framework of the Lithuanian Presidency of the Council of the European Union. During the conference, EU researchers discussed gender imbalance in research, which may cause inefficient use of human resources, and ensuring gender equality in research as one of the key priorities of the European research area. The aim of the conference was to bring together the policy makers of European research, agencies funding research, heads of European research and HEIs, well-known researchers and representatives of research-intensive business to discuss measures promoting gender equality in research and HE organisations.

On 20 December 2013, the Ombudsman participated in a meeting of the Lithuanian University Rectors' Conference held at Vilnius Gediminas Technical University, where he read a paper "On directions and procedures of co-operation of the Ombudsman for Academic Ethics and Procedures with the Lithuanian University Rectors' Conference" and discussed the participation of the representatives of the Lithuanian University Rectors' Conference in the Advisory Committee formed by the Ombudsman.

Between September and December 2013, the Ombudsman participated in three meetings of the Research Council of Lithuania, where essential problems of academic ethics were discussed and guidelines and directions for further work were set.

## Activities in 2014

In May 2014, the Ombudsman participated in the discussion "How much does a diploma actually cost?", organised by the Vilnius University Faculty of Mathematics and Computer Science student representative. The Ombudsman read a report on the written works issue, presented data from studies conducted and provided suggestions on how HEIs can ensure fair thesis writing.

In May 2014, the Office of Ombudsman organised the conference Academic Integrity Culture in a Changing Society with Mykolas Romeris University. The Office of Ombudsman made a presentation, "Academic ethics policy Lithuania", and presented research on Lithuanian high schools and colleges in the codes of ethics, the prevalence of plagiarism cases, as well as principal recommendations on academic ethics and procedures for the prevention of possible violations of existing measures.

# Reform of academic recognition of foreign qualifications system in Lithuania

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*Ieva Vaiciukevičienė, Head of Division of Law,  
Centre for Quality Assessment in Higher Education*

The Centre for Quality Assessment in Higher Education (Studijų kokybės vertinimo centras – SKVC) is an independent organisation financed by the state budget of Lithuania. It was founded in 1995 to implement national policy on research and HE within its remit and to contribute to the harmonisation of the Lithuanian HE system with the principles of the European Higher Education Area.

The main objectives of the SKVC, which are defined in the current Law on Research and Higher Education and the SKVC Regulations, have remained essentially the same since the adoption of the first SKVC Regulations:

- ▶ to promote the quality of HE through external reviews and accreditation of HEIs and study programmes;
- ▶ to create favourable conditions for the free movement of persons by organising and performing the assessment and/or recognition of foreign HE qualifications in the Republic of Lithuania.

Lithuania ratified the Lisbon Recognition Convention in 1998. The SKVC was appointed to be the national ENIC-NARIC centre of Lithuania in 1999. For 16 years, the SKVC has taken part in the development process of the Lithuanian national system of academic recognition of foreign qualifications in line with the principles and spirit of the Lisbon Recognition Convention and the latest European trends and requirements.

The most recent reform of the academic recognition of foreign qualifications in Lithuania was implemented in 2012. The main features of this regulation are described below.

Until 1 April 2012, the academic recognition of foreign qualifications was the exclusive function of state institutions – the SKVC and the Ministry of Education and Science of Lithuania. From 1 April 2012 the right of academic recognition has been provided to the SKVC and Lithuanian HEIs that have been authorised by the ministry.

As the process of academic recognition was decentralised and liberalised, the SKVC took on a role as the consultant and monitoring body for academic recognition decisions passed by HEIs. At the moment SKVC and ministry representatives are working on the creation of an effective two-stream information flow between the SKVC and HEIs in order to assure the harmonised practice of academic recognition in Lithuania.

The recognition procedure is defined as a step-by-step system. The first step in the process is to measure whether the institution – the qualification provider – has official status (accreditation) and if it has a functioning quality assurance system. If the institution lacks one of these features, the academic recognition process is terminated. Where the provider is not recognised but is legitimate, a statement of information can be issued.

The importance of the status of the qualification provider in the academic recognition process is pointed out in the European Area of Recognition Manual (SKVC experts also took part in drafting this manual), although sometimes it is hard to obtain all the necessary information regarding this subject. That is why common tools and instruments, together with precise information regarding the national education systems (including quality assurance principles and the qualifications framework) of the countries are vital to come to decisions concerning concrete foreign qualifications.

Lithuania, together with other Baltic Sea countries (Estonia, Latvia, Denmark, etc.), is working on different projects (e.g. AURBELL, Nordic-Baltic) in order to share information regarding national education systems. Comparison tables of the awarded qualifications have been created and useful recommendations have been passed. With the project AURBELL, moreover, the representatives of the ENIC-NARIC centres of the three Baltic States – Lithuania, Latvia and Estonia – are discussing the possibility of automatic recognition procedures.

Following the implementation of the 2012 reform, academic recognition procedure moved towards a learning outcomes approach. The practice of SKVC recognition decisions focuses on the real output of concrete qualifications, not the input.

The real challenge that the SKVC is facing now is to instruct, train and provide with the necessary information, tools, instruments and actual practice, new players in the field of academic recognition in Lithuania, namely HEIs. This process has just begun, as only two HEIs (Lithuanian state universities) were granted the right of academic recognition by the ministry in 2015.

As this is a brand new, concrete theme that HEIs are extremely interested in taking up responsibilities for, the SKVC has begun to work as a consultant with trainings, the first of which took place in 2015. Representatives of HEIs were provided with information, tools and instruments that would be useful in the recognition process, and practical cases were studied. The main focus of these trainings is to emphasise the necessity of following the principles and criteria of the Lisbon Recognition Convention, and to support universities with all required methodological help.

These activities of the SKVC should help HEIs achieve compliance with 1.4 Standard of Standards and Guidelines for Quality Assurance in the European Higher Education Area (ESG), approved by the Ministerial Conference in May 2015, which addresses fair recognition of HE qualifications.

The SKVC, apart from its functions as the national ENIC-NARIC centre of Lithuania, also acts as the national agency for quality assurance in Lithuania. In this field, the SKVC evaluates and accredits study HEIs and their programmes in Lithuania.

Since 2012, the SKVC has been a full member of the European Association for Quality Assurance in Higher Education and the European Quality Assurance Register for Higher Education. The fact that the SKVC is a member of the latter while functioning as the national ENIC-NARIC centre makes its activities very symbiotic, allows it to have a 360-degree prospect on national and European HE, and provides other actors with precise, relevant and timely information.



## Luxembourg

# Social justice: measures adopted by the Luxembourg Government in order to keep disadvantaged pupils at school

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*Georges Paulus, Teacher and Head of Mission, Department of Vocational Training, Ministry of Education, Children and Youth*

### Introduction

As pointed out in the reports by Ian Smith and Tom Hamilton, social justice is one of the essential principles of ethics in education. However, when speaking of social justice we cannot overlook the need to look more closely at the issue of disadvantaged pupils in schools. This concerns, of course, not only non-discrimination and the fight against racism, but also pupils with special needs and – a highly topical issue – children from migrant and refugee backgrounds. More generally speaking, we are talking about access to the educational competences and knowledge that are vital for individuals to be able to participate with dignity as fully fledged citizens in democratic society.

Yet international studies (PISA, etc.) clearly reveal a gap between members of the indigenous educated classes (*Bildungsbürgertum*) and disadvantaged population groups, such as those from immigrant or working-class backgrounds, who have specific needs. The principles of “democratic and ethical governance and management of the education system and educational institutions”, “quality education” and “personal and systems improvement” set out by Smith and Hamilton are particularly relevant in this regard.

Indeed, high quality education is not possible unless it is inclusive, which means that it must also include vulnerable or disadvantaged population groups. It is the duty of national governments to take the necessary steps to integrate all population categories into the school system. However, this challenge can only be met with the help of all stakeholders involved in education.

In education, the ethical principle of social justice is synonymous with the principle of inclusiveness, which means enabling all pupils to acquire knowledge, to be prepared for their role as citizens in society and to be harmoniously integrated into the world of work. I shall therefore describe some of the initiatives taken by the Luxembourg Government in order to combat a specific educational problem, that of school drop-out.

Since the 1980s, the Luxembourg authorities have taken various measures to reduce the drop-out rate. Although the initial focus was on combating unemployment, specific measures were adopted in a second phase with the emphasis on keeping children in school and on prevention.

This paradigm shift is reflected in the change of terminology, with concepts such as “keeping children at school” or “promoting school attendance” now replacing “the fight against unemployment” or “measures to combat school drop-out”. Indeed, the drop-out phase occurs at a very late stage in the process of failing to attend school, and if the aim is to ensure that children succeed at school, more emphasis needs to be placed on preventive measures and on the detection of early warning signs.

## Measures to combat unemployment

### Careers guidance and vocational training courses (COIP)

With the emergence of structural unemployment in the 1980s, so-called careers guidance and vocational training courses (COIPs) were set up for pupils leaving school without any qualifications and unable to find a job. These courses are aimed at updating young people’s theoretical and practical skills in order to improve their employability. They are supported by the Local Action for Youth (ALJ) services: a system of local units staffed by qualified educators.

### Local Action for Youth (ALJ)

The ALJ was created in parallel to COIP in order to provide support at local level during the transition between school and work for young people wishing to go back to school or seeking information or solutions with regard to their professional lives, school or personal situations. The ALJ has since diversified its action in order to promote young people’s employability and discourage school drop-out.

### **Preparation of pupils in year 9 for the transition from school to work**

The ALJ organises basic job-seeking courses for year 9 pupils in co-operation with the Employment Agency. The approach consists of helping young school-leavers possessing few core competences to find an apprenticeship.

A local ALJ office is to be found in all technical schools (*lycées techniques*) offering a preparatory stream (*régime préparatoire*) for children with poor school results or learning difficulties, and organises and assesses vocational guidance courses.

Finally, the ALJ organises ongoing training on the school-to-work transition for teachers of the lower secondary levels.

## Monitoring and supporting young people during the transition from school to work

The ALJ monitors:

- ▶ pupils leaving lower secondary technical education and entering vocational training;
- ▶ pupils leaving “Second Chance Schools” (École de la 2e Chance – E2C);
- ▶ young people who have dropped out of the Luxembourg school system;
- ▶ young people who have completed their certificate of professional aptitude (*Certificat de Capacité Professionnelle – CCP*), the basic vocational training diploma.

This monitoring involves providing support to all young people who want it during the transition phase. In particular, all young people who leave school without a diploma are contacted. This personalised approach involves taking into account the specific circumstances of the young person, the creation of a (new) vocational project, providing support at all stages in the implementation of that project and referring the young person to other services.

### School drop-out study

Since 2003, Luxembourg has been conducting a detailed study involving the systematic collection of data at regular intervals in order to measure the extent of this problem. This has led to the adoption of prevention and assistance measures. A detailed analysis of data has revealed the following key characteristics of pupils who drop out of school:

- ▶ critical age group: 16 to 18;
- ▶ groups that are the most affected: pupils from poorly educated immigrant, working-class backgrounds;
- ▶ education levels that are the most affected:
  - above all, basic and initial vocational training (years 10 to 12);
  - basic secondary level (year 9);
- ▶ repeating years: pupils who have had to repeat a year more than once during their time at school (the most clear-cut indicator);
- ▶ gender: two thirds of pupils who drop out of school are boys.

Following this study, the Luxembourg Government adopted new guidelines to combat early school leaving:

- ▶ improved guidance at school;
- ▶ systematic monitoring of pupils who drop out of school by the ALJ;
- ▶ special classes for children with behavioural problems;
- ▶ vocational initiation courses for various occupations (*Insertion professionnelle divers métiers* – IPDM);
- ▶ E2Cs;
- ▶ definition of educational and professional qualifications for pupils with special needs.

Accordingly, since 2003, a whole set of new measures has enabled the school drop-out rate to be reduced from 18% to 9%.

### Measures for keeping children in school

The specific actions of the ALJ described earlier, that is the creation of classes for children who are not eligible for vocational training, an action plan for the inclusion of children with special needs and specific measures for children with behavioural problems in the so-called “mosaic” classes have enabled more children to be kept in school, thereby contributing to the civic education of young people who need it most.

Since 2005, the ministry has conducted individual monitoring of children who leave school with no qualifications. A list of these young people is produced on a monthly basis.

### Vocational initiation courses for various occupations (IPDM)

COIPs, organised by the vocational training centres, have been extended to technical secondary schools and are known as vocational initiation courses for various occupations (IPDM).

They are aimed at pupils over the age of 15 who do not meet the requirements for entering vocational training and who lack the skills to find a job and/or who left school early, with a view to bringing them back into the education system. The educational approach is geared to a practical, active and sustainable learning process. The training is supplemented by one or several internships in a company.

### Relay or “mosaic” classes

“Mosaic” classes were introduced under the action plan to combat school drop-out in order to prevent the exclusion from school of children with severe learning difficulties or behavioural problems who have not obtained any qualifications. It involves providing temporary personalised support for six to 12 weeks with the aim of reintegrating children into their original class or into a class adapted to their level of development.

The personalised support offered by the mosaic system has had positive results for two thirds of pupils, enabling them, in other words, to be reintegrated into school or to continue their schooling. In the other cases improvements in terms of the pupils' social or family lives have been noted. There are many complex, multifactorial situations – psychological problems, addiction problems, severe learning difficulties – that are beyond the scope of the mosaic system.

### **Support at secondary school from youth workers/educators**

Since 2009, the law on compulsory schooling has enabled pupils at risk of educational and social exclusion to benefit from the support of additional qualified educators. Some 50 projects specifically targeting pupils in danger of dropping out have been launched in about 20 secondary schools.

### **Second chance schools (E2C)**

E2Cs were set up in 2009 in order to give young people another chance to succeed in the regular school system. It is aimed at adolescents or young adults between the ages of 16 and 24 who left school before obtaining any recognised qualifications and at those who qualify for vocational training but have not found an apprenticeship.

### **Facilities for pupils with behavioural problems**

In 2012, the Ministry of Education took measures to set up a facility for pupils with behavioural problems. It will accommodate pupils between the ages of 11 and 15 who are suffering from severe behavioural problems and risk being sent to specialised facilities abroad.

The aim is to reintegrate these pupils into a mainstream class as quickly as possible, after a maximum of two years in the facility. Particular importance is attached to monitoring these pupils in a highly structured school environment, where the children are taught in small groups. Pupils will learn how to improve their learning strategies and regain the motivation to study at school.

### **Assessment adapted to children at secondary school with special educational needs**

With the passing of the law on access to educational and professional qualifications for children with special educational needs, a Commission on Reasonable Accommodation (CAR) was set up in order to specifically adapt the conditions for conducting assessments in secondary schools.

The implementation of this law has enabled pupils who until now were excluded from regular school due to a disability to be integrated into mainstream secondary school classes. This not only makes for a more equitable school system but also helps develop cross-cutting civic education competences for other members of the education community.

## **Platform for attendance at school (PAS)**

In 2013, in an effort to reduce the school drop-out rate, the Psychological and School Guidance Centre (CPOS) launched a platform for attendance at school (PAS) in the lower levels of secondary education.

This platform calls on three key players in the pupil's environment: the school itself (the school management, teachers, and the school psychological and guidance services); the people close to the pupil (parents, family, friends, fellow pupils); and the PAS team (educators, psychologists, social workers, researchers). The PAS offers one-on-one support to pupils at high risk of dropping out and makes various resources (human, teaching, methodological) available at school.

Romania

# The Romanian Anti-Corruption Strategy in Education – Examples of best practices

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*Gabriel Liviu Ispas, Director of the Minister's Cabinet*

*Cristina Istrătescu, European Affairs Advisor, Ministry  
of National Education and Scientific Research*

Education is the foundation of a healthy society, a human right under the Universal Declaration of Human Rights and a constitutional guarantee in most countries. In Romania, education is a national priority and the educational process should be conducted in an environment that provides quality, security and efficiency.

In this context, given that the integrity of the education system has a direct and indirect impact on the level of integrity of society as a whole, maintaining a high level of integrity in the education system should represent an objective for all the stakeholders involved in the educational process.

In reality, however, the educational process can be affected by a number of social and economic factors, such as a weak economy, low wages, unemployment, poor management of the state budget, lack of leadership and the poor management of people holding positions of responsibility, which tend to favour the emergence of corruption.

In the international arena, the existing concerns with regard to preventing and fighting corruption have intensified, particularly since 2000. Currently, we can already ascertain the existence of a genuine system of relevant standards, which may constitute grounds for structuring effective national policies in this field.

In the framework of Romania's efforts in recent years to prevent and combat corruption, but also of the need to appropriate these efforts in order to adopt a well-planned approach sustainable in the medium and long term in the field of corruption prevention, the education sector has a fundamental role.

As far as the Romanian education system is concerned, national legislation provides the necessary mechanisms and tools to ensure proper implementation of the legal provisions designed to fight corruption. In this case, the correct diagnosis of the causes and the logic behind corruption plays an important role in truly and effectively preventing corruption as well as in visibly reducing this scourge wherever it is already installed, generally and in the education sector, particularly.

As a response to the extent to which the national education system in Romania has been permeated by corruption, leading to decreased efficiency and quality of education and a lower level of confidence on the part of both the direct and indirect beneficiaries of Romanian education, in 2013, through an Order of the Minister of Education, the Anti-Corruption Strategy in Education 2013-2015 was approved. This promotes the use of the best practices from the National Anti-Corruption Strategy 2012-2015 as well as the implementation of a unified methodology for assessing institutional corruption risks.

The draft strategy was elaborated within the project Preventing Corruption in Education through Information, Training and Empowerment, which was co-financed by the European Social Fund through the Administrative Capacity Development Operational Programme and implemented by the Ministry of Education during the period June 2011 to May 2013.

Below, we aim to illustrate a few initiatives of the Ministry of Education as examples of best practices in addressing the phenomenon of corruption in the Romanian education system.

### **Project: Preventing Corruption in Education through Information, Training and Empowerment**

This project sought to develop effective management of human resources in the Ministry of Education, in structures subordinated to the ministry and in the public administration with roles and responsibilities in the field of education, by strengthening and developing a system of knowledge and specialised practices at the management and execution levels to implement the National Anti-Corruption Strategy in education.

The results obtained are as follows:

- ▶ an institutional diagnosis of corruption at the level of the ministry and its subordinated institutions was accomplished (four focus groups);
- ▶ 10 regional debates were organised in order to consult stakeholders on the content of the education section of the anti-corruption strategy;
- ▶ an anti-corruption strategy in education was developed by using expertise from the public, NGO and academic sectors;
- ▶ an anti-corruption seminar and six workshops were organised to develop the draft strategy;
- ▶ a database of procedures and tools for monitoring vulnerable factors in education that are likely to generate corruption among management staff

of the ministry and its subordinated structures was made functional;

- ▶ 1 415 people (civil servants and contract staff, representatives of institutions of secondary education and local authorities, members of the boards of directors of schools in secondary education, staff from the county schools inspectorates and from the School Inspectorate of Bucharest, as well as civil servants from the ministry) were trained on the issue of corruption in education and ways of preventing it;
- ▶ four guides about anti-corruption in education were produced and distributed;
- ▶ a campaign to promote the project, in the form of a TV spot, a radio spot, a brochure for the printed press and an online campaign was accomplished;
- ▶ a national survey on corruption and the education system was conducted.

### **Project: Modern Systems of Acquisition, Evaluation and Information regarding Doctoral Theses and of Management of Academic Titles within the Ministry of Education and Scientific Research<sup>41</sup>**

This project, which took place between 2011 and 2014, had the overall objective of improving the organisational effectiveness of the ministry through the implementation of a modern system for acquisition, evaluation and information regarding doctoral theses and the management of academic titles. Its specific objectives were:

- ▶ identifying specific problems, including the problem of plagiarism;
- ▶ redefining specific procedures and workflows;
- ▶ generating a new procedural framework by developing modern tools, including plagiarism assessment through specialised software;
- ▶ improving the skills of staff personnel through specific training activities to use the system that would be implemented through the current project.

The project falls within the framework defined by the strategy of the ministry to increase transparency in decision making, including in the procedures for conferring doctorates and for obtaining academic teaching titles.

These procedures involve several actors from the education arena: the Ministry of Education, HEIs and the National Council for the Attestation of University Titles, Diplomas and Certificates (CNATDCU) – an advisory body that the ministry relies on in exercising its legal duties.

The system to be implemented under the project is accessible online.<sup>42</sup> The platform comprises, as an essential step in assessing doctoral theses, a thorough check for plagiarism.

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41. Co-financed by the European Social Fund through the Administrative Capacity Development Operational Programme 2007-2013.

42. Available at <http://doct.edu.ro>, accessed 24 October 2016.

## Campaigns for informing citizens about their rights and obligations in preventing and combating corruption

Along with the training of officials for the purpose of assuming the fundamental values of integrity, transparency and accountability in the performance of their professional activities, another good practice in preventing and combating corruption is raising the awareness of citizens and stakeholders from the education sector about the effects, implications and risks of corruption.

These campaigns should be promoted at the national and especially the local unit level.

In this regard, an extensive national campaign was developed within the project Preventing Corruption in Education through Information, Training and Empowerment to promote integrity at the pre-university level in the education sector.

The campaign included broadcasting an anti-corruption TV spot, a radio spot, publishing a brochure for the printed press and an online campaign. The campaign was positively reviewed by the mass media and was the first one to promote integrity in education, thus representing an innovative approach in this field. Meanwhile, the campaign message was adjusted to the current socio-economic conditions and took into account both the denunciation of corruption and the recognition and promotion of the dignity and integrity of teaching staff.

## Establishing specialised bodies designed to prevent and combat corruption in the education sector

The project Preventing Corruption in Education through Information, Training and Empowerment also took into account the need to establish specialised bodies to promote integrity in the education sector. Thus, the National Commission for the Prevention of Corruption in Education was created at the level of the Ministry of Education to promote and implement the Anti-Corruption Strategy in Education as well as its action plan for managing an online database of procedures and tools of prevention and assessment of corruption at the pre-university level of the education sector.

Through the online portal,<sup>43</sup> anyone can make referrals to the National Commission for the Prevention of Corruption in Education on possible cases of corruption in the education sector.

Meanwhile, the Ministry of Education has launched a hotline for reporting incidents of integrity (tel Verde 0800 801 100), which operates during the national examinations.

Following the example of European practice, certain associations may be set up to raise awareness about and prevent the negative effects of corrupt conduct in the education system. Membership of these bodies is open to teachers, school inspectors and employees of the Ministry of Education, and they can use it as a forum to discuss the active ways to promote integrity and improve quality in education.

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43. Available at [www.educatiepentruviitor.ro](http://www.educatiepentruviitor.ro), accessed 9 September 2016.

## Russia

# Fighting against plagiarism, fraudulent credentials, cheating and corruption in education in Russia

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*Vera Skorobogatova, Head of Glavexpertcentr/  
National Information Centre*

*Gennady Lukichev, Director of National Information Centre on  
Academic Recognition and Mobility, Peoples' Friendship University*

Programmes for the prevention of plagiarism, distribution of fake qualifications and cheating have been conducted in the past, but have been increased since 2012.

### The fight against plagiarism

The following measures have been taken against plagiarism:

- ▶ the intensified use of modern information technologies to identify plagiarism (two Internet projects):
  - the free “antiplagiat.ru” system for students, teachers and other individual users;
  - an extended “antiplagiat.vuz” system for universities, research and other organisations. This is paid software, and in March 2013 there were 163 university-participants of the system. By December 2014, there were 100 more participants;
- ▶ publication of all diploma papers prior to their defence. This measure creates significant barriers to plagiarism;
- ▶ the spread of such requirements to the current practice of universities: all essays and term papers are also checked for plagiarism;

- ▶ in the field of doctoral training nearly a quarter of the councils for defence of dissertations were closed down, including those that demonstrated a lack of rigour in the acceptance of theses and did not identify plagiarism. Most were councils that, over the years, demonstrated low efficiency (i.e. a very small number of hearings and assessments of dissertations), along with councils who missed plagiarism and whose quality of work was poor. The number of hearings procedures and submitted theses was reduced by nearly 30% in 2013/14, and the frequency of plagiarism has also been significantly reduced;
- ▶ the dissertations of all candidates of science and Doctor of Science degrees are subject to scrutiny by anti-plagiarism checks. All theses should be published on the websites of HEIs or research centres before submission for hearings.

### Combating the spread of fake credentials

The following measures have been taken to combat the spread of fake credentials:

- ▶ launch of the Federal Register of issued credentials (FRDO): this work began in 2012 (under the remit of departments responsible for the technical preparation and issuance of qualifications at universities) and currently, data are presented for all HE qualifications (including transcripts for periods of education) since 2011:
  - work on the qualifications of HE for the period from 1991 is due to be completed in 2016;
  - the aim is to cover the period since 1991;
- ▶ combating the spread of fake credentials, particularly sale to unscrupulous users via the Internet. This is a function, primarily, of the Ministry of the Interior. However, implementation has been difficult, and the Ministry of the Interior itself has found in recent years several hundred holders of fake qualifications in its ranks. There are hundreds of sites that offer a variety of fake qualifications. In cases of legislative persecution of owners they change the sites' registration and the black market continues.

### Preventing cheating in school and in exams

Prevention of cheating in school and in exams has been tackled by:

- ▶ the introduction of modern technology in the process of conducting the Unified State Exams (now also after the ninth grade);
- ▶ the training of schoolteachers to work against cheating, through the introduction of techniques and methods to prevent cheating.

### The fight against corruption in (higher) education

HE corruption has been combated through:

- ▶ legislation: the new federal law "On combating corruption" of 2008, as well as the edition of 2014 includes measures to prevent corruption at the top level (management) of economic relations in universities;

- ▶ the implementation of public and professional assessment and certification (accreditation) of educational programmes. Up to 2018 all educational programmes need to undergo such a procedure;
- ▶ an increase in the salaries of faculties with a simultaneous increase in controls and penalties for unethical behaviour;
- ▶ adoption of the code of conduct of teachers in HEIs, which is used while assessing the professional qualities (certification) of teachers. Teachers are expected to help prevent cases of favouritism, nepotism and corruption;
- ▶ provision in HEIs of the new discipline of “fighting corruption”;
- ▶ websites run by university students, where they publish information about the quality of teachers, including violations of ethics.

These measures are still not effective enough, and should be strengthened with the application of international experience.



## Slovenia

# Recognition of qualification (authenticity)

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### Introduction

In case of reasonable doubt credential evaluators check documents in all the available sources. Firstly, the quality of a qualification is verified by checking numerous international online databases for information. We always contact a competent authority in the country of origin (e.g. ENIC/NARIC centre, the competent ministry, the quality assurance agency or the educational institution). We also use the ENIC/NARIC listserv to send a query for the assistance of colleagues from other ENIC/NARIC centres, as they may have already dealt with the same qualification.

If we detect a few fraudulent documents from a specific region or a particular fraudulent practice occurs more often, we make the process of verifying authenticity stricter for such critical areas. We intend to establish an interactive internal database of samples of fraudulent documents to use as reference material for future applications.

Two examples from the countries of the former Yugoslavia are described below.

### Kosovo\*

Due to the lack of information about Kosovo's\* educational system and numerous previously identified forged documents that have been received, legitimacy of a certificate is checked through diplomatic channels. First, we send a request for information to the Slovenian Ministry of Foreign Affairs, which contacts the Embassy of the Republic of Slovenia in Kosovo\*. The Slovenian Embassy forwards the mail to the Ministry of Education of Kosovo\*, which then forwards the request for information to the Inspector for Education, who checks and collects this information. The information is then sent back to us through the same diplomatic route.

## Bosnia and Herzegovina

If a high school certificate from Bosnia and Herzegovina is received into the assessment process and there is some doubt as to its authenticity, we check the *Official Gazette* of Bosnia and Herzegovina for this information. The data can usually be verified by comparing the number of the *Official Gazette* and the number on the certificate, which have to match. With such cases we also use our examples of internally collected certificates and diplomas, mostly from the states of the former Yugoslavia. In February 2015, for example, we received a fake Doctor of Medicine certificate from Bosnia and Herzegovina. Currently we check authenticity for all medical professions for the purpose of employment in our assessment procedure.

My questions for participants are:

- ▶ Does your country have any regulations on how to deal with people with forged documents after the recognition procedure? Are there any sanctions?
- ▶ What is your practice or how do you deal in your recognition procedure with fraudulent documents?
- ▶ What is your practice in the recognition process for refugees who arrive in the country without any documents?

## Ukraine

# Academic integrity and plagiarism in Ukrainian higher education (2014-2015)

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*Alina Chubko, Chief Specialist of the Department of Higher Education, Ministry of Education and Science of Ukraine*

Lack of integrity and plagiarism is a burdensome problem within the Ukrainian education system.

With the introduction of external independent testing that counts as an entrance examination to HEIs, the problem of corruption at the stage of admission to HEIs was partially overcome. But the process of admission remained unclear and subjective. In 2015, the Ministry of Education and Science introduced a completely new system of admission, which eliminated the human factor. Applicants set their priorities in each application (each speciality, each university) and then an automatic system allocated them in accordance with their priorities and rating. With this system 85% of the applicants were admitted in one round (previously there were four rounds, so-called “waves” of admission), which made the admission process much more transparent.

While in this sphere the ministry managed to achieve some success, there is still much work to be done to build an academic culture in Ukraine.

The first steps towards integrity in the Ukrainian HE system were made with a new law “On higher education”, in which for the first time the concept of plagiarism was introduced.

Article 6 of the new law states that the detection of plagiarism in a newly submitted doctoral thesis will prevent the issuing of a degree to the author. However, the detection of plagiarism in an already-defended doctoral thesis will also result in the annulment of the already-issued degree. Participants of the commissions that approved the thesis with plagiarism will be banned from such work for two years.

In 2014 alone in Ukraine, the decisions of specialised academic councils were reversed and seven people (three Doctors of Sciences and four Candidates of Sciences) were stripped of degrees because of the discovery of plagiarism in their theses. Seven more doctoral theses are under investigation for alleged plagiarism expertise in the Ministry of Education and Science at the moment.

In order to stop this practice at universities, the new law also stated that each HE institution is obliged to take measures (including introducing modern technologies) towards the detection and prevention of academic plagiarism in the works of scientific and pedagogical workers, as well as students.

Moreover, it states that the system of detection and prevention of academic plagiarism must be a part of the internal quality assurance system of HEIs.

To fulfil the requirements of the law, universities have developed and published their own regulations on academic plagiarism. At the moment, the ministry is working on a general regulation. Several universities have also introduced a practice of checking for plagiarism in student theses before the defence.

The main problem, however, is that all these regulations do not work without an understanding of the significance of the problem by actors in education, and their willingness to take responsibility for the products of intellectual work. Academic culture in Ukraine is still undeveloped. The practice of using someone else's text or even buying a ready-made work at Ukrainian universities is still very common.

According to the latest research conducted by the Institute of Social Research of V. N. Karazin Kharkiv National University and the East-Ukrainian Foundation for Social Research,<sup>44</sup> more than 90% of students in Ukraine commit plagiarism in some form, and 60% of students believe that plagiarism is a common practice while studying at a HEI.

The problem of plagiarism is complex. In Ukraine it also implicates organisational aspects, such as student and academic staff workload. For example, at some universities student class contact time is up to 30 hours per week. In addition, lots of students have to work in their free time. The lack of time for creative individual work partially explains why the problem of plagiarism in Ukraine is so common.

A member of the teaching staff experiences the same, with a workload that leaves no time for scientific research. The new law "On higher education" aimed to resolve this problem and reduced their workload to 600 hours a year (from 1 September 2015). But the effect of this will be noticeable only after some time.

From the above, it is clear that Ukraine needs co-operation in this sphere with other European countries. Proposals are:

- ▶ to develop a common document on academic integrity guidance (similar to the "Standards and guidelines for quality assurance in the European Higher Education Area", which formed the basis of the Ukrainian quality assurance system);
- ▶ a joint study of the mechanisms of detection and prevention of academic plagiarism;
- ▶ seminars and trainings for administrators of HEIs concerning the creation of an academic culture and the fight against plagiarism;
- ▶ strengthening of academic mobility of students and academic staff, which will help to share good practices.

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44. Available at <http://iro.org.ua/ua/main/research/22>, accessed 9 September 2016.

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