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Policy Brief

*Workplace and Policy Ethics:
A Call to End the Solitudes*

*Policy Brief No.24
– October 2005*

by

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Introduction

Judging from a perusal of the media, there appear to be two clusters of ethical issues before Canadian society. On the one hand are the stories of workplace corruption, fraud, influence peddling, cronyism, and so on. On the other hand are the stories on vexing ethical questions relating to policies on human rights, animal welfare, genetic engineering, relations with developing nations, just war, etc. The workplace integrity issues would seem to be clearly distinct from ethical issues in social, environmental or economic policy, but is the ethics applied to each type of issue really unique? Many people will feel uneasy about the idea that ethics is used one way here, and another way elsewhere. This brief examines the level of present divergence, the arguments for greater convergence, and the governance options to achieve increased convergence.

Our examination will focus on the example of the Government of Canada, but much will also be applicable to other governments, the voluntary and private sectors. We will refer from time to time to the role of political actors, but we do not address here the special problems of political ethics such as "dirty hands", party financing, and political patronage.[i]

Evidence of Divergence

Policy and workplace ethics can be distinguished by reference to their *structures* (who is involved), their *processes* (how they operate), their *standards* (the norms applied). Furthermore, they can be distinguished by their underlying *justifications*, the *stage of their development*, and the *academic and professional environment* they operate in.

On the whole, it is clear that workplace ethics is currently more explicitly formalized and visible in the Government of Canada than policy ethics.

The *structures* of workplace ethics include departmental ethics officers responsible for ethics programs and working together with experts on training, confidential advice (ombudspersons), program management, assessment and such. Ethics officers may also have duties in several additional areas such as fraud awareness, legal compliance, disclosure of wrongdoing and whistleblower protection, or they work together with those who carry out these additional duties. There are ethics "champions" who provide high-level leadership and visibility on workplace ethics initiatives. There is also central agency support for these ethics programs (see for example www.hrma-agrh.gc.ca/veo-bve).

The structures of policy ethics are considerably less formal – only a small number of departments have an ethics office that assists in work on policy files. Departments do however have concrete structures for decision making and communications on policy issues, which on occasion deal explicitly with the ethics dimension of policy files. Departments may also have policy shops, public consultation bodies, bodies that support the ethics of scientific research, and so forth.

The *processes* of workplace ethics include ethics training for new and existing staff, broad-based dialogue on ethics, mechanisms for confidential disclosure, accountability regimes, and sharing of best practices with other institutions. There are top-down processes (leadership) and bottom-up processes (grassroots consultation).

The processes of policy ethics include inclusive, pluralistic approaches to policy making and outreach mechanisms, as well as assessment and reporting of results. It must be noted that ultimate policy decisions come from higher levels in the organization's hierarchy, rather than the grassroots.

Standards include concepts and definitions as well as norms. The standards of workplace ethics include codes of ethics or conduct, and statements of values or guiding principles. Standards also include guidelines relating to harassment or discrimination, as well as conflict of interest and post-employment. It is to be noted that these standards become more onerous at higher levels of the public service hierarchy.

The standards of policy ethics include such elements as a results-based management accountability framework, a risk management framework, and clear mission statements, as well as environmental, international development and other standards.

In terms of *justification*, workplace ethics is based on the finding that ethical management has major benefits for public sector reputation, employee quality and efficiency, and risk reduction. The focus on core values and sound ethics, the hallmark of ethical management, is also being recognized as an important way to ensure the long-term effectiveness of governance structures and procedures, and avoid the need for whistle- blowing.

Policy ethics, on the other hand, is based on the perception that policy advisors and decision makers need to see ethical dimensions much more clearly and thereby improve the process of integrating ethics into advice and decisions. The goal is to assure stakeholders, especially the public, that ethical issues have been properly taken into account in policy.

With respect to *stage of development*, the implementation of workplace ethics programs is well underway in countless organizations of all sorts (in the federal public sector, see the reports of the Auditor General of 2003, 2000 and 1995 for summary information and critique). Policy ethics programs, however, are not yet well-

accepted or developed except in some areas of bio-medical and environmental policy making.

The *academic and professional environments* are also divergent. Workplace ethics is a topic for management training of all sorts, as well as MBA programs or business school. Policy-relevant ethics may be learned at philosophy, theology and sociology departments; in political science, international studies, and human rights courses; in law schools; and so forth. As a result, practitioners and consultants of these two different types of ethics come from diverging areas of expertise and manifest diverging academic cultures.

Table 1: Evidence of Divergence

Workplace Ethics …	**Policy Ethics …**
… deals in values and ethics initiatives, and such matters as confidential disclosure and public declaration	… deals with the hot topics of the day: cloning, privacy of data, just war, risk communication, human rights, ...
… is closely related to such departmental functions as human resources, audit and evaluation, and sometimes legal services	… is part of strategic management, and sometimes included in departmental communications
… is a branch of business and organizational ethics	… is based in biomedical ethics, environmental ethics, human rights, or other such specialties
… is often learned on management training and in business school	… is generally learned in philosophy departments, law schools, human rights and some other specialist programs
… is served by external consultants with management consulting experience	… is served by external consultants who often come from academia

Arguments for Convergence

Having emphasized the differences between workplace and policy ethics to this point, we will now explore the reason for ending "the solitudes".

First, we can observe some commonalities. Both types of ethics make use of the same core values. Both types of ethics can profit from the use of tools such as case studies and honest dialogue. Both types of ethics are about increasing all stakeholders' trust in decision making.

Second, and more important, the ethics of policy decisions clearly has a major effect on the workplace. Initiatives with strong ethical bases such as cost recovery, risk management, and environmental stewardship come from the policy making sphere to change the workplace in profound ways – in particular when public service perceive a new policy as a sign for a fundamental ideological change. As well, the *absence* of clear ethics in policy decisions can have a strong negative impact on the motivation of public service employees.

In the other direction, workplace ethics has a major influence on policy development. Workplace values such as trust, fairness and leadership play an important role in policy making as well. The creation of a strong ethical culture in an organization will have a strong positive effect on all aspects of the policy making process.

Table 2: Two Solitudes?

Ethical Policies	➜	Enhance the Quality of the Workplace
An Ethical Workplace	➜	Enhances the Quality of Policy Development

The consequences of ignoring these connections could be significant. If there is very little linkage among workplace and policy ethics then the following could occur:

- Consistency in standards and ethical language are at risk, with the result that confusion can arise and credibility and the trust of the public and employees are diminished.
- If policy ethics and workplace ethics are guided by separate formal offices, then "turf wars" between officials could easily emerge. These can damage both the credibility and effectiveness of ethics programs and stand in the way of building a strong ethical leadership in an organization.
- Evaluating the ethics performance of the Government of Canada is difficult if accountabilities are spread out to differing ethics offices with differing standards.
- The goal of building a strong ethical culture that pervades an organization cannot be reached if that ethical culture suffers from fragmentation of structures and standards.
- Ultimately, ethics programs are at risk of becoming perceived as misguided management fads – especially if they accomplish the exact opposite of their mandate to build credibility, trust, and an effective work environment.

There is little doubt that we will want to manage these risks or avoid these pitfalls altogether. It must be noted that the tolerance for failures in the ethics contexts is traditionally low – mistakes on ethics are less often forgiven than mistakes in a purely technical domain.

The key question then is, *how much linkage or convergence is required and how can it be best accomplished?*

Governance Options

How to deal with ending these "solitudes" is a governance issue. A great number of players are involved not only because ethics is a "horizontal file" (a file that is of interested to many different departments and agencies) but also because "policy ethics" describes a multitude of different topics. This complexity, in combination with the sensitivity of the file, makes it advisable to select a humble start and a diverse and flexible organisational process and structure. We will consider four options with increasing levels of convergence between policy and workplace ethics:

1. *Central information exchange*: Start the dialogue, share insights and align language use while keeping fully separate offices.
2. *Central coordination*: Share strategic thinking and operational plans, and coordinate activities while keeping separate office structures.
3. *Partnering*: Share resources and cooperate on implementation and assessment while keeping some separate office functions.
4. *Merger*: Integrate policy and workplace ethics with each other and into corporate culture.

Over time, duties and powers can be shifted along this continuum of options, as emerging needs become clearer with practice.

It must be noted that the four governance options apply both within individual government departments (such as Health Canada), and across the government as a whole (at the level of the Office of Public Service Values and Ethics).

Options 1, 2 and 3 are the logical starting place for any convergence, but they suffer from a real threat – chaotic accountabilities where everybody and nobody is responsible for the ethics performance of the organization. Option 4, Merger, solves this problem, and is the only option that truly takes into account how pervasive ethics is and how interwoven ethics is with organizational culture.

Option 4 also provides for a particularly rich set of contextual information from both the policy and the workplace spheres to be on hand for the resolution of ethical issues. On the downside, there is a threat that the convergence project expands to a very large and amorphous process that is difficult to manage and evaluate.

How Do We Get There?

To achieve convergence, four initiatives would seem particular worthwhile in addition to a well-designed governance approach: leadership, education, feedback, and audit.

Leadership: Ethics programs of all types benefit from a common leadership. Moreover, such leadership should come from the highest levels of the organization.

Education: Training for both new and existing employees should include the values underpinning workplace and policy ethics programs. Such training could include both discourse-based ethics as well as further ethical theory (used more in science-based policy development at present).

Feedback mechanisms: Key values and ethical norms used during the policy process should be communicated to employees involved in the implementation of decisions. This is a link to workplace ethics programs, and enhances the expansion of awareness, buy-in to the decision making process, and dialogue on values and case studies.

Audit: Ethics programs of all types should have audits in common. Such audits should involve two-way interactive activities, rather than one-way policing.

As well, the implementation of policy ethics itself deserves closer examination. What would the *policy process*[ii] look like in the approach we have set out? The key guiding principle would be to *make ethical norms explicit at every step of the policy process:*

- from the earliest strategizing and problem definition (asking what do we value?)
- when working with specialists in risk, finance, law, and such (asking what do we consider a problem or an opportunity?)
- when determining likely outcomes of options (asking how do we balance competing interests?)
- when consulting those affected, interest groups and others (asking who counts as a stakeholder?)
- when conducting assessments and reviews (asking what counts as a "result"?).

At the interface between the public service and the elected government, explicit values and ethics considerations on such matters as justice, care and fairness could perhaps be included in Memoranda to Cabinet to assist Ministers to make their policy decisions.

Finally, the ethics dimension could perhaps be routinely included in Parliamentary committee deliberations.

Conclusion

In ethics there is no panacea – to succeed, we must constantly strive to raise the ethical bar in the organizations we serve. Increasing convergence of policy and workplace ethics will certainly help raise the bar and enrich the concept of integrity in the public service context. Moreover, giving policy ethics a role alongside the more developed workplace ethics helps promote the healthy move from inward-looking management issues to outward looking "service for Canadians".

How far the convergence should be taken is a matter for additional research, debate and experience. We do not claim to know the optimal level of integration. We are convinced, however, that the discussion on the level of integration should start sooner than later.

Acknowledgements

Endnotes

[i] See for example *A Question of Ethics – Canadians Speak Out*, M. Mancuso, M. M. Atkinson, A. Blais, I. Greene & N. Nevitte, Oxford University Press, 1998, and *Honest Politics – Seeking Integrity in Canadian Public Life*, I. Greene & D. P. Sugarman, Lorimer, 1997.

[ii] See for example "Diagram of the Public Policy Process" in Appendix 2 of *A Code of Good Practice on Policy Dialogue*, Voluntary Sector Initiative, 2002.