

Ethics case study

Principle 2: Accountability

1. Identify the problem

You are a career development practitioner who has, until recent years, been employed by the local careers service as it went through its many changes from local authority, to privatised service to Connexions. During that time you worked for several years in a large local community high school. While you were part of the careers service provided free of charge to the school, you had very little contact with the Head Teacher; interview schedules were organised by the CEIAG lead in the school and although service level agreements had been in place, they were negotiated between managers in your organisations and a member of SLT in school so you never felt that that was your responsibility.

You were made redundant by the careers service and have now decided to go it alone as a self-employed Career Adviser. The school have chosen to employ you as they know and trust you.

One day you were in the middle of interviewing a year 11 pupil when the door of the room opened and the Head Teacher walked in. She announced that she was going to sit in on the rest of the morning's interviews "to see what the school is getting for its money".

You had already completed your contract with the client in which you had emphasised confidentiality and client-centeredness and had obtained the permission of the client to proceed under those conditions.

You had one further interview scheduled for the morning so you allowed this to happen.

You felt very uncomfortable with this but, without the infrastructure of an organisation around you, you did not know how to respond; when you were employed you would have taken the issue to your line manager who would have taken the responsibility of discussing and challenging this with the school.

What kind of problem is it?

- a) It is organisational: there is a conflict between your expectations of what the school expects from you and your own expectations of how you will operate in the school as a self-employed practitioner.
- b) It is professional: there is a conflict between your professional ethics particularly in relation to client confidentiality and trust as agreed with the client during contracting of the interview.

You are used to working under a set of mores that you had assumed would continue under the new arrangements.

2. Apply the code of ethics

Principle 2 of the CDI Code of Ethics (Accountability) states that:

Members are accountable for their career development activities and services and must submit themselves to whatever scrutiny is appropriate to their role, including the CDI Discipline and Complaints Procedure.

Members must act in the interest of society and at all times exercise integrity, honesty and diligence. Members must in all circumstances endeavour to enhance the standing and good name of the career development profession and the Career Development Institute.

Principle 5 (Confidentiality) states that:

Members must respect the privacy of individuals, disclosing confidential information only with informed consent, except where there is clear evidence of serious risk to the client or welfare of others.

Members must inform clients of the limits of confidentiality and data sharing at the outset.

The principles of Duty of Care and Trustworthiness could also apply to this example. For the purposes of this case study we have concentrated on Accountability and Confidentiality. Ethical situations often involve more than one principle. This overlap demonstrates the complexity of the work in which you are involved.

3. Review the relevant professional literature

Academic articles show that the meaning of 'accountability' is often ambiguous. It is described by some as a retrospective explanation of actions, particularly as a way of apportioning or accepting blame. It also can imply a readiness to take the consequences of action. In addition, accountability may be used as a way of describing certain relationships, such as those between practitioners and clients, or between employers and employees - upward accountability to employers and managers and downward accountability to clients.

In a more positive way accountability is often teamed with 'open', for example, as in the phrase 'open and accountable', suggesting that accountability is associated with visibility or transparency and is derived from a relationship of implicit trust between client and practitioner. This definition of accountability stresses values and principles identified with ethical approaches.

4. Consult with experienced professional colleagues and/or supervisors and/or relevant professional bodies

As you are now self-employed you will not be able to take advantage of the support and supervision options that were available to you with your previous employer. You had always found that supervision was particularly helpful in guiding you to make the best decision possible in a difficult situation.

There are, however, options where you could still share ideas and get perspective from others; these are mainly online forums. There are several helpful and supportive LinkedIn and Facebook groups, for example. CDI has regional support groups in some areas.

Are you still in touch with ex-colleagues including those who have also chosen a similar self-employed status? They may have experience of dealing with a similar issue. They may have another perspective on the issue. They may have practical ideas to help you to resolve this.

No matter how long you've been in the profession, if you have doubts, questions, or just need a sounding board, seek supervision (if possible) or the next best thing if not. Everyone needs a second opinion once in a while.

You may also find it appropriate to discuss the situation with trusted colleagues from within the school; they chose to commission you because they trusted you to provide the best service for students and are likely to wish to keep that positive working relationship. They will also have the perspective from the school's point of view which will give you a clearer idea of an appropriate negotiation strategy. They may also be able to provide some advice about how the Head Teacher likes to resolve issues.

5. Potential courses of action

- a) You could accept the Head Teacher's decision to monitor your work in this way. You are in a new world now where, in order to get business for yourself (and earn a living), it is necessary to provide what the commissioning organisation wants. If you are to accept this, then you must make this clear to your clients, particularly around confidentiality. You would also have to be prepared for this to potentially effect the relationship with clients.
- b) You could speak to the Head Teacher to explain about your Professional Code of Ethics with your bottom line that you would inform her that you cannot/will not work under her terms. This might be done face-to-face or in writing. The consequences of this is that you are at risk of losing the work.
- c) You could speak to the Head Teacher to explain about your Professional Code of Ethics but with a wish to negotiate a way forward that both you and the school will be satisfied with. This will necessitate some negotiation on your part and you will need to prepare for that. You may also want to consider researching negotiation strategies to give you some strategies to employ.
- d) You will be aiming to achieve the best possible outcome for your position in relation to your Code of Ethics. However, seeking mutual benefit and maintaining a relationship are also key to a successful outcome.

Your strategy might look something like this

- Preparation
- Discussion
- Clarification of goals
- Negotiate towards a Win-Win outcome
- Agreement
- Implementation of a course of action

Preparation will include arranging when and where a meeting will take place to discuss the problem and who will attend. You will also need to ensure that you have all the pertinent facts of the situation to hand including The CDI Code of Ethics. An additional resource from

the CDI – “Careers Guidance in Schools and Colleges: A Guide to Best Practice and Commissioning Careers Guidance Services” has been specifically designed to inform schools and you might consider sending that to the Head Teacher before the meeting. Discussion needs to clarify the disagreement and common ground identified (e.g. best interests of the students in the school). Suggestions of alternative strategies and compromises need to be considered which can often achieve the wishes of all concerned. For example, you agree that the school does expect accountability in relation to the service they are paying for but suggest some alternative ways of providing that.

6. Select the most appropriate course of action

A strategy of negotiation would seem to be the most appropriate course of action. It might be that the Head Teacher refuses to back down on their stance in which case you would then have to decide to accept that or to walk away.

7. Evaluate the selected course of action

The test of justice: you feel that this is a course of action you would be happy with for someone you cared about. You believe that this will allow you to apply the principles of confidentiality, trustworthiness and duty of care to your clients.

The test of accountability: you would be happy to publicise your actions as you feel you have maintained your professional integrity. Public trust and confidence in the profession is dependent on its practitioners being seen to exercise their accountability responsibly.

The test of universality: you feel that you would be happy if this course of action were reported to your professional colleagues. You feel that there would be some colleagues who would not be prepared to compromise but you are satisfied the most would see that you are adhering to the principles so long as you are clear to clients about their expectations.

8. Implement the course of action

- A meeting was held with the Head Teacher and the CEIAG lead in school agreed to attend also. This was very helpful as they have a foot in each camp and can understand the position of both.
- The Head Teacher had always had a distant relationship with the career development programme and activities in school whilst services were provided for “free”. As a result, she had no real idea of role, your profession and your code of practice and that it is considered to be the cornerstone of the practice of a career development professional.
- You were able to explain by using a Career Development Practitioner who is on the CDI Professional Register she you can be assured of the high quality of the independent career guidance provided but that being on the Register means that you are committed to adherence to the Code of Practice.
- You agreed that you would prepare and present a talk for governors about your role.
- You agreed that after each individual or group session, you would obtain feedback from the students to assess their interventions. You will work with the school CEIAG lead to create a standard feedback form. Copies will then be shared with the school.
- You agreed also that you would complete termly reports for the Head Teacher.

- She accepted that to sit on your interviews prevents you from adhering to your professional code of practice. She is still concerned about monitoring the quality of delivery and you have agreed that you will seek out the services of a suitably qualified assessor who will conduct a quality observation of your practice to include a development plan on at least an annual basis. You have agreed that the Head Teacher will receive a copy of these.

9. Monitor and evaluate outcome

What lessons emerged

- You have learned that you are now working in a different world where you are personally accountable in ways that you were not previously. You no longer have supervisors and managers who will “watch your back” or a set of underpinning systems and processes.
- Purchasers of services will expect value for money and you will have to provide evidence of that.
- However, many Head Teachers do not have an accurate view of the role, functions, skills or standards that career development practitioners need to work to in order to be carry out their jobs. They are unlikely to have any formal training in advice or guidance.
- Any agreement needs to be made perfectly clear so that both sides know what has been decided and clear boundaries are drawn.
- You must know how to acquire adaptability skills and learn how to negotiate needs in a new/unique context.
- Self-accountability is the cornerstone of ethics. You know that you have a well-developed sense of self-accountability, you are honest with yourself and you are answerable and responsible for what you say and do. You have the ability to look beyond the immediate moment to consider the consequences and know if you are willing to pay them.
- You have to manage all customers’ expectations not just the client sitting in front of you but also the client who is paying for the service.

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