From Professional Ethics to Ethics in Professional Life: Implications for Learning, Teaching and Study

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Abstract

This short piece offers some reflections on features of the traditional professional ethics literature, focusing on codes, conduct and rational decision-making in difficult cases. It is argued that this kind of approach offers a rather artificial, abstract and narrow conception of ethics. Consideration is then given to what might be the implications for learning and teaching of shifting emphasis towards a more embedded conception of ethics in professional life, with a focus on the commitment and character of professional practitioners and the specificities of the contexts in which they work.

Key words: professional ethics; social professions; conduct; character

Introduction

Literature in the field of professional ethics is rapidly growing. This is particularly noticeable in relation to the social professions (social work, social care, social pedagogy, youth and community work) as books and articles in this field been relatively sparse until recently (Banks, 2008). With a growing number of specialist textbooks and the introduction of two journals (the online *Journal of Social Work Values and Ethics* in 2005 and *Ethics and Social Welfare* in 2007), the first decade of the twenty-first century is heralding some new developments in the field of ethics for the social professions.

Professional ethics

'Professional ethics' as a discipline (an area of study) and as a practice (what professional practitioners say and do) is constructed through the academic and professional literature and the practices of organisations and workers. Learning and teaching in the field of professional ethics is heavily influenced by textbooks in the specialised subject areas (social work, nursing, medicine, for example) and documents published by professional bodies, particularly codes of ethics or conduct. In this literature, 'professional ethics' is often equated with codes, rule-following, analysis of difficult cases and the development and use of ethical decision-making models. I will briefly

summarise what I characterise as the traditional approach to professional ethics, outlining what I see as three main features.

1) **Codes of ethics** – There is a tendency to associate both the study and practice of 'professional ethics' with ethical codes. Codes of ethics are written or implicit sets of norms that usually identify the core purpose of the profession and outline ethical principles and rules or standards of professional practice. They are generally written and controlled by professional or regulatory bodies and play a role in demarcating the profession, promoting professional identity, guiding and regulating practitioners and protecting service users (Banks, 2003). These norms can be characterised as 'externally generated' in that they originate from outside the individual professional practitioner. They comprise general principles and rules that apply impartially to anyone in the profession in question (see, for example, British Association of Social Workers, 2002; National Association of Social Workers, 1999; National Youth Agency, 2001). In Britain, and perhaps other countries too, the proliferation of codes of ethics, conduct or practice, particularly exemplified by increasing concern with ethics in public life and ethics in the practice of research (the latter being monitored and enforced by research ethics committees/institutional review boards), has contributed to an image of 'ethics' as being about conformity to rules and standards.

2) **Conduct** – Professional ethics tends to focus on the conduct, that is, actions, of anyone in the role of professional practitioner. There is a concern with deciding what ought to be done and judging whether the actions taken were right or wrong with reference to impartial general ethical principles. Codes of ethics tend to encourage us to think in this kind of way, as do many of the textbooks, which often make substantial use of action-focused cases for illustration or discussion (for example, Banks, 2006; Beckett & Maynard, 2005; Congress, 1999; Reamer, 1990).

3) **Cases** - The cases that feature in professional ethics textbooks often take a particular form. They are abstracted from time and place and give little indication of the character, emotions, or specific circumstances of the actors involved (Chambers, 1997). This is particularly true of the typical short case used in teaching, where minimal contextual details are given of a situation or event and students are asked to discuss and decide what the protagonists in the situation should do, or what they, the students, would do in such a case (Banks & Williams, 1999). Often these cases may be framed and referred to as 'dilemmas' (choices between two equally unwelcome alternatives) and sometimes students are encouraged to use a decision-making model.

In this short article I will simply make come comments about 'professional ethics cases' and the decision-making models that are often recommended to assist students and practitioners in thinking through difficult cases.

Professional ethics cases: decision-making

I will take a case that was constructed by a colleague (Imam, 1999) and has been used in the European Social Ethics Project (with which I am involved) in research and teaching about ethics with students (Banks & Nøhr, 2003). The case, based on real experiences, was given the title of 'cultural conflict' when used in teaching with students.

> The worker in an Asian women's project was approached by a member whose daughter, Asha, attended the young women's group. The mother was concerned about her daughter's behaviour as she had been seen in the community with her white boyfriend. This had provoked great censure within the community as she was seen to be too 'westernised and moving out of her culture'. As a widowed single parent the mother was quite distressed about her daughter's behaviour and the implications this would have for her own honour and respect, as well as that of her other daughters, within the community. She asked the worker to use her influence to dissuade the young woman from seeing her white boyfriend. Asha had also discussed the issue with the worker and clearly stated that she felt she should have the right to make her own decision about her future partner and did not really care what her community thought of her. What should the worker do?

The case is framed as a choice for the worker – whether to support the mother or daughter. It does not include much detail about any of the characters involved. The worker may be an Asian woman, but we are not sure. We do not know in what country the action takes place, what is meant by 'Asian', how well the worker knows the family, how old Asha is or what her boyfriend is like, apart from being 'white'. All these questions are usually raised by students in discussion and a common way forward is often identified as involving the worker taking a mediating role between the mother and daughter. Cases like this are very useful in teaching.

However, the focus in professional ethics textbooks on difficult cases makes it seem as if 'ethical' issues only arise when a problematic case or difficult dilemma is experienced. This is a point make by Rossiter et al (2000) based on their research with Canadian social workers. They reported that practitioners regarded the more contextual and policy related issues in their work (which were not framed as 'cases') as to do with 'politics' and therefore not part of their area of decision-making influence. This focus on cases also leads to ignoring ethical dimensions of other aspects of practice, which are not about action and decision-making – for example, motives, qualities of character, or moral perception as a precursor to invoking principles or making decisions. Since typical textbook ethics cases are often rather de-contextualised (no time, place, country) accounts of actions, leading to a need to make a decision, inevitably analysis is drawn towards consideration of ethical decision-making using principle-based approaches to ethics.

To help students to analyse cases like this, textbooks often offer ethical decision-making models. Loewenberg and Dolgoff (1996), for example, offer a hierarchy of ethical principles to aid decision-making in social work. When there is a conflict of principles, then priority is given to the principle that is highest in the list as follows:

1) Protection of life.
2) Equality and inequality.
3) Autonomy and freedom.
4) Least harm.
5) Quality of life.
6) Privacy and confidentiality.
7) Truthfulness and full disclosure.

In the case of Asha and her mother, we might conclude, on the basis of this hierarchy, that respecting Asha's autonomy should come before considerations about her mother's reputational harm or quality of life. Interestingly, in reviewing the hierarchy of principles, Harrington and Dolgoff (2008) report they have found that social workers vary in how they rank the principles, suggesting that the idea of a fixed hierarchy does not operate in practice. Other approaches to ethical decision-making include linear stepwise models that serve to guide the student or practitioner in systematically analysing and assessing the issues involved in a case and the possibilities for action. For example, Goovaerts (2003) offers a seven-stage plan as follows:

1) What are the facts?
2) Whose interests are at stake?
3) What is the dilemma about?
4) What are the alternatives?
5) What is the conclusion?
6) How to carry out the decision?
7) Evaluation and reflection.

There are numerous other models, including Gallagher's ETHICS framework outlined in this journal: Enquire about facts, Think through options, Hear views, Identify principles, Clarify meaning, Select action (Gallagher & Sykes, 2008).

Rossiter et al (2000) reported that they did not find social workers using ethical decision-making models in their practice. I think most of us would be very surprised if they had. This is not just because in many cases there is no time for the professional to consult a step-by-step model, but because (despite the rhetoric) these models are not designed to be used on a daily basis. They are mainly a way of encouraging students (often in a classroom or supervision setting) to reason and reflect systematically on ethical issues in practice, some aspects of which may then become intuitive or 'second nature' as they practise social work. Nevertheless, while useful in this sense, these decision-making models are somewhat problematic in that they can imply that 'ethical' issues can be separated out from other aspects of practice (technical, political, legal and so on), and some of the models suggest the use of a rather

simplistic rational-deductive model of reasoning involving applying general ethical principles (perhaps from a code of ethics) to an ethical dilemma or problem, in order to resolve it.

All of these criticisms can be countered, and indeed have been. Professional ethics textbooks are becoming more sophisticated and complex as the years go by, with second, third and fourth editions adding in greater coverage of virtue ethics, the ethics of care, postmodern and discourse approaches. Similarly, new and improved ethical decision-making models are being developed. For example, in an article for *Ethics and Social Welfare,* McAuliffe and Chenoweth (2007) outline their 'Inclusive Model of Ethical Decision-Making', which is circular in form and takes into account many of the criticisms of the existing simplistic, sequential models. Their model rests on four key platforms (accountability, consultation, cultural sensitivity and critical reflection), which are constructed from 'important foundational values and principles', and 'underlie the dynamic five-step process that uses a reflective yet pragmatic approach to identify and analyse all relevant aspects of an ethical dilemma'. This model adopts a more sophisticated and flexible approach to ethical decision-making and encompasses aspects of sensitivity and critical reflection within it. In this sense it acknowledges the embedded and contextualised nature of practice. However, it is still located within the traditional model of professional ethics as concerned with resolving ethical difficulties logically and rationally through analysing all aspects of a situation in a relatively impartial fashion.

Ethics in professional life

In order to free ourselves of some of these associations, it might be helpful to make a conscious effort to shift from the concept of 'professional ethics' as an area of study to thinking instead about 'ethics in professional life'. The use of the phrase 'in professional life' draws attention to the idea of 'professional life' as a whole: it is lived by people; it has a past and a future; it may have a texture and a particular context. The suggestion is that 'ethics' as an area of study can be found embedded *in* the life, and ethics as values and norms are lived in and through the life. This does not mean abandoning professional ethics, but it means broadening the scope of focus from codes, conduct and cases to include commitment, character and context. It means including more relevant approaches from moral philosophy that stress the situated nature of ethics, such as virtue ethics, care ethics and moral phenomenology (including moral perception, imagination, empathy). Such approaches are beginning to be advocated for in the literature on ethics in social work, but often at a philosophical and theoretical level, rather than in terms of how this might influence teaching and learning. We can also draw on empirical studies by social work academics and practitioners, which offer accounts from practitioners and service users about what they say, think, feel and do in practice. These empirical studies are often not linked to the literature on professional ethics, but can be very useful in offering narrative accounts and analyses of moral discourse and practice. Three elements of ethics in professional life are identified below.

1) ***Commitment*** –This involves paying attention to the internally generated value commitments of those who take on the roles of professional practitioners, that is, seeing them as having commitments to a range of values, including personal and political, as well as professional and societal. It entails taking account of people's motivations for doing the work, including the role of passion and 'vocation' in people's professional lives.
2) ***Character*** – Considering the importance of character or people's moral qualities leads to a focus on the person rather than on their actions or conduct. Important questions for consideration include: 'How should I live?' 'What kind of person should I be?' 'How can I be caring, courageous or just as a professional practitioner?'
3) ***Context*** – This involves acknowledging that practitioners work in particular contexts where politics, policy, the profession and employing agency define what is relevant. It entails an holistic approach, situating the practitioner in webs of relationships and responsibilities, taking into account the importance of moral orientation, perception, imagination and emotion work.

Ethics in Context: Narratives of Professional Life

As a contrast to the constructed ethics case, I will now offer an extract from an interview conducted with a female British social worker based in a hospice. She was talking to the interviewer about the importance of appreciating service users' points of view.[1]

> As I said to the Macmillan nurse [specialist nurse for cancer care based at the hospice] one day as she and I were walking up a man's path, I said: 'That man's looking through his window and he must think: "My life has come to this, here I am and there's a social worker and a nurse coming up my path"'. You can't get much worse than that in life really because what it says, it says something about that man's life. It says on every level he's having to resort to this support and it's a long way from a man who once thought he was independent, a person who was in control of his own life. One of them says: 'You're dying' and the other one says: 'You're not coping socially'. And you know, if you look at it in terms of how he felt about that, that must have been such a deeply depressing thing for him to see coming up his path, this bevy of people who were saying: 'You need lots of help here on every level'; and for somebody who's not used to that, extraordinarily undermining. And I have to know that my presence is not always welcomed. I may think that I'm supporting people but what they see when a social worker turns up is something quite different [they think]: 'I've failed'.

This is a different kind of story from the cultural conflict case discussed earlier. It is a reflective account given in the words of the social worker. It does not involve a decision or even an actual difficulty. It is simply a story of how she

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[1] I am grateful to Cynthia Bisman for allowing me to use this interview transcript. More detailed discussion of this extract occurs in Banks and Gallagher (2008).

goes about her everyday work, in which ethical dimensions are embedded. This social worker seems to be giving the interviewer an account of herself as a good social worker. She describes herself imagining what the man she is going to visit might be thinking, and even speaks in his voice. She gives a story about herself as a person who is doing a lot of psychological work, preparing herself for her meeting with the man. She is morally orienting herself towards the encounter she will shortly have, drawing on her moral imagination, perception and sensitivity. This story would be equally as good as the cultural conflict case in providing opportunities for students to talk and think about ethics. Similar accounts given by students themselves of ordinary aspects of their working lives could also be used in learning and teaching.

Implications for learning, teaching and study

Quite a lot has been written at a theoretical or speculative level about the potential of situated approaches to ethics (ethics of care, virtue ethics, existential and relational ethics) to contribute to understanding ethics in the context of the work of social professionals (Clifford, 2002; Gray & Lovat, 2007; Hugman, 2005; Orme, 2002; Thompson, 2008). Less has been developed, however, to show how this would work in practice and how such approaches can be incorporated into teaching and learning about ethics. Some points are noted below and further elaboration from a virtue ethics point of view can be found in Banks and Gallagher (2008).

1) *Seeing ethics everywhere* – Rather than separating ethics as a discrete area of study and abstracting ethical issues from practice learning, we can see ethics as embedded in practice learning and across the curriculum.
2) *Working with contextualised living stories/accounts* – In addition to working with short cases framed as dilemmas or involving difficult decisions, students and practitioners can be encouraged to give longer, more personal narrative accounts of their everyday professional lives, including their feelings, imaginings, hopes and fears.
3) *Balancing logic (analysis) with passion (feelings, emotions, imagination)* – Whilst recognising the importance in professional work of being able to justify decisions, reason logically and argue coherently, it is equally important to develop the capacities of students and practitioners to be morally perceptive, sensitive and compassionate.
4) *Use of role plays, simulation, literature, poetry, drama* – In education and training for the social professions the use of role play and other creative methods is well-established, especially in teaching communication skills. These approaches are equally valuable in learning and teaching about ethics.
5) *Focusing on developing the capacities of practitioners to do 'ethics work'* – The idea of 'ethics work' is a development of Hochschild's (1983) concept of 'emotion work', which she introduced in relation to her study of flight attendants to encapsulate the work that goes into being caring, attentive and compassionate in situations where this would not be our natural response. We could characterize as 'ethics work' the hospice social worker's use of her imagination and moral sensitivity. Ethics work involves emotion work, but has added dimensions of:

- moral perception or attentiveness to the salient moral features of situations;
- recognition of the political context of practice and the practitioner's own professional power (reflexivity);
- the moral struggle to be a good practitioner– maintaining personal and professional integrity while carrying out the requirements of the agency role. This would include handling the moral distress that comes from seeing what ought to be done but not being able to do it. It involves developing the moral qualities of courage and professional wisdom.

These preliminary reflections on the concept of 'ethics in professional life' are part of a developing trend in philosophy to broaden the study of ethics from rational, principle-based action to include virtues, relationships and emotions. It is particularly important to develop such approaches to ethics for the social professions, as rational, managerialist trends push in the opposite direction.

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