

Ethical Frameworks:

Codes of ethics and conduct

There are thousands of Australian non-government organisations all with their own boards of management. They differ in terms of size, responsibility, purpose, funding and culture, however they all have one thing in common, the requirement that they operate ethically.

The basic question of ethics can be traced back to the Greek philosopher Socrates who asked: "What ought one to do?" Ethics inform the fundamental ground rules by which we live our lives and are directly related to the values (eg respect, honesty, fairness, responsibility, etc) which guide how we believe we ought to behave.

Managing ethics in the workplace involves identifying and prioritising values to guide behaviours in the organisation. This can be achieved through the development of codes of ethics and conduct and associated policies and procedures.

Purpose of a Code

Codes of ethics and codes of conduct set out the relevant principles or standards to guide performance. They help ensure the organisation is effective, open and accountable.

A code of ethics defines the fundamental principles (eg respect, honesty, compassion, accountability, etc) and provides general guidance in terms of ethical and moral responsibility. Importantly, these principles can be used to guide responses where there is uncertainty or no specific rule in place.

A code of conduct clearly outlines expected standards of behaviour. It is a clear set of unambiguous expectations. The code of conduct specifies actions in the workplace, whereas a code of ethics is a general guide to decisions about those actions.

A well drafted code of conduct will be consistent with the primary code of ethics.

In practice, when comparing the two, a **Code of Ethics** is more likely to:

- Be more general
- Contain fewer principles
- Be expressed in terms of 'ought' (and not 'must')
- Be directed to all people affected (not just to 'employees')
- Provide general guidance in those cases where a Code of Conduct is silent, ambiguous or unclear.¹

A code of ethics may include provisions such as:

¹ The Ethics Centre (ed) *Codes of Ethics: Code of conduct or code of ethics*

- We have respect for the rights and dignity of people and peoples
- We act with integrity in all our dealings
- We provide a challenging and safe workplace in which people can flourish
- We value a socially, economically and ecologically sustainable environment promoting human rights and social justice.

A **Code of Conduct** is more specific, providing clear instructions under discreet headings. For example:

Standards of work

- Accountability
 - Work within the goals and objectives of the organisation
 - Follow the rules, policies and procedures of the organisation
 - Act within the law
 - Undertake all duties in a diligent manner
 - Not act in a way that brings them or the organisation into disrespect.
- Personal behaviours
 - Work cooperatively as a member of the team
 - Support colleagues and treat everyone with respect and courtesy
 - Discuss ethical concerns with colleagues and managers
 - Project a positive image of the organisation
 - Not be absent from duties without an appropriate reason
 - Maintain confidentiality.

Some organisations combine the two documents where the expected behaviours (ie code of conduct) are nested within the principles statement (ie code of ethics).

On the surface, a code of conduct appears to be the more useful document because it provides unambiguous, specific guidance. The strength of the code of ethics however lies in its apparent fuzziness. An ethics code requires people to understand and make a judgement on basic principles that reflect the underlying values of the organisation. A code of ethics that rings true to the individual can be internalised much more easily than a document detailing specific responses to specific situations.

It takes more than a document

Research has shown that having a code of conduct or code of ethics is not sufficient to influence people's behaviour and there is no correlation between the fact that an organisation has these codes in place and evidence of a high level of responsible behaviours.²

The St James Ethics Centre argues that it is the process used to develop or apply these codes that influences how effective they will be.³ Codes that are "off the shelf", that is, not specifically designed for

² Anti-Corruption Resource Centre (2009) *Developing a code of conduct for NGOs* p 4

³ The Ethics Centre (nd) *Developing codes of ethics: Some thoughts on how to make codes of ethics work*

the needs of that particular organisation and/or are imposed on staff and volunteers without consultation are less likely to influence behaviour or the culture of the organisation. Equally, if the codes represent significant change in the way things are done and their introduction is not well managed (for example inadequate explanation or communication regarding the changes, lack of training, etc) they are unlikely to affect behavioural change. To be effective codes need to be created with the people who are most affected by them ie “everyone who’s going to have to live with the statement should get a chance to put his or her two cents in.”⁴

To remain valid, codes need to be regularly revisited, ideally annual. They are not one-off projects. Indeed, many ethicists believe that it is the processes of developing and continuing dialogue around a code's values that are most important as they can profoundly impact on the organisation’s ethos, reinforcing its values. The process continually exposes employees to ethical considerations and minimises the chances of unethical behaviour occurring.

Developing a Code of Ethics and/or a Code of Conduct

1. Involve everyone

“Everyone” in this situation refers to all staff and volunteers including board members. There are a number of reasons for this:

- People are more likely to apply rules they have been involved in developing
- Broad based involvement increases the likelihood that the documents will be relevant to the daily experience of those using them
- Most importantly, if “respect for staff and volunteers” is an integral part of the ethics framework, broad based involvement is clear evidence of that “respect”.

2. Establish a short development cycle

Timely reports on progress and a final document produced within an agreed timeframe helps protect against the process being seen as no more than a “management gesture”.

3. Review the documents at regular intervals

Regular review involving everyone is more likely to result in a relevant and living document. A review may not result in changes to the code. It may simply confirm that what has been documented is still appropriate.

4. Ensure authenticity

The final document needs to be an authentic expression of what people hold to be right and important.

5. Use plain English and inclusive language

Codes of Ethics

The first step is to complete a values audit. At its simplest this process includes:

- What are your organisation’s most important values?

⁴ The Ethics Centre (ed) *Developing codes of ethics: Why codes of ethics fail*, see note 1 above.

- What would be the ideal level of each of these values?
- What is the actual level at which the values are practised in the organisation?

This process helps to identify the most important values and any potential gaps between what is practiced and what is expected should be happening. It provides a baseline to assess progress. This is also an opportunity to consider current issues in the workplace and assess whether there is an ethical component that needs addressing. Some values may not be perceived as having an ethical base e.g. timeliness, but their inclusion may add more relevance to the code of ethics.

Examples of ethical values might include:

- Trustworthiness: honesty, integrity, promise-keeping, loyalty*
- Respect: autonomy, privacy, dignity, courtesy, tolerance, acceptance*
- Responsibility: accountability, pursuit of excellence*
- Caring: compassion, consideration, giving, sharing, kindness, loving*
- Justice and fairness: procedural fairness, impartiality, consistency, equity, equality, due process*
- Civic virtue and citizenship: law abiding, community service, protection of environment⁵*

Clarify the meaning of each value by providing examples of behaviours which reflect that value.

To be effective, the code of ethics should be a short document outlining fundamental principles and providing general guidance to assist people make ethical decisions. It is particularly important in situations where access to relevant documentation (e.g. Codes of conduct, policies and procedures, etc) is difficult or there is little guidance to cover a specific situation.

Codes of Conduct

Codes of conduct outline actions or behaviours in response to specific situation.

The first step is to identify key behaviours needed to adhere to the ethical values referred to in the code of ethics. This would include behaviours required to address the organisation's mission, vision statements, and business and strategic plans, those required to address key laws and regulations, as well as any issues that may have arisen in the workplace.

The second step is to develop clear unambiguous statements reflecting the required outcomes. As with codes of ethics, a code of conduct cannot cover every possible ethical dilemma that might arise. Topics typically addressed by codes of conduct include:

- Drug usage
- Standards of work
- Confidentiality and privacy
- Personal gifts and benefits

⁵"Six Pillars of Character" developed by The Josephson Institute of Ethics in *Complete Guide to Ethics Management: An Ethics Toolkit for Managers* "[Ethics Tool: Codes of Ethics](#)"

- Discrimination
- Conflict of interest
- Complying with laws and regulations
- Personal use of the organisation's resources
- Bullying and harassment
- Responding to illegal or questionable activity.

Conclusion

Much of the above could be described as common sense but as noted above, while the bottom line of an ethical framework is to remind staff and volunteers of required behaviours that reflect the organisation's values, it is the process of reflection and dialogue that can have the greatest impact on individuals and therefore the culture.

Resources

NCOSS Sector Support

- [Templates and Resources](#)
 - [A Guide to Ethical Decision Making](#)

The Ethics Centre

- [About Ethics](#)

Community Door

- [Ethics](#)

U4 Expert Answer (International body based in Norway)

- [Developing a Code of Conduct for NGOs](#)

Free Management Library

- [Complete Guide to Ethics Management: An Ethics Toolkit for Managers](#)

Independent Sector

- [Principles for Good Governance and Ethical Practice](#)

NB: The above websites were accessible on 17th August 2015. If the links do not work search on the title of the document or go directly to the organisation's website.