

Ethics in the workplace.

It is important to sustain ethical practices in the workplace. Ethics are morals or rules of conduct that should be followed. When working in a law enforcement setting always conduct your business ethically. Most ethical practices are common sense but there may be specific codes of conduct put into place that you need to adhere to.

In any organisation there will values or codes of conduct that is expected of all employees. When you have been provided with a code of conduct you should understand them thoroughly. These guidelines should be written concisely so that they are short and to the point and easy to understand. The easier they are to interpret, the easier they are to put into practice. If you have any questions about any of the ethical information you are given you need to direct your questions to the appropriate personnel. The most important issue about having ethical guidelines in the workplace is applying them.

A few examples of ethical principles include:

- Autonomy (right to freedom and independence)
- Confidentiality (right to privacy)
- Rights (dignity, freedom, equality)
- Veracity (truthfulness)

Fundamental ethical principles:

Along with ethical principles you also need to be aware of the ethical principles that are fundamentally a part of the public sector. Those fundamental ethical principles include:

- Natural justice
- Procedural fairness
- Respect for persons
- Responsible care

Natural justice

Natural justice refers to fair treatment or behaviour. This includes impartial access to services and resources. It also relates to procedural fairness. Every person no matter their age, gender, race or economic background should have the same access to all services and resources available.

Procedural fairness

Procedural fairness pertains to the fair use and purpose of an organisation's policies and procedures. This ensures that all decisions made within the organisation are not prejudiced but sound and logical.

Respect for persons

When a person is respected, it means that you give due attention to their feelings, rights and choices. Everyone has the right to express their feelings and have their choices respected, even if they differ from others.

Responsible care

One of your responsibilities is to work within the context of your particular practice and the boundaries of your role in the workplace. This is also known as working within your scope. This is a legal, ethical and professional responsibility you carry. It is an important part of 'duty of care' for all working professionals, in particular those conducting investigations. Duty of care is an expected practice towards all people who may be affected by your exclusions, consultation, help or behaviour. When working with a client, duty of care may be required by you and/or your organisation. If you or your organisations fail to provide the expected service, it is called a breach of duty of care. This means that you or your organisation failed to do what another reasonable person or organisation would do in a similar situation.

You have a standard level of skills, knowledge, and experience in your field. This means that you should take care of your clients that is consistent with these standards. You should demonstrate your level of skills, knowledge and experience by performing at this standard within your work role at all times.

Equal employment opportunity, equity, and diversity principles

All territories and states in Australia have equal employment acts as well as anti-discrimination acts. You should know how those acts affect your role. The equal employment opportunity (EEO) legislation and equity and diversity principles prevent discrimination in the workplace. Discrimination is when unjust treatment has occurred; a person was treated with prejudice because of their age, gender, race, etc. This type of prejudicial treatment is illegal in Australia.

Equity and diversity principles inform that all people must be treated equally and fairly no matter any differences such as disability, ethnicity, etc. The EEO relates to equal opportunity for employment must be applied to all people regardless of diversity.

Accessing legislation and codes of ethics.

Codes of conduct explain the ethical principles that apply to your work role. This states what is expected of you ethically and how you can carry out these principles at work.

The organisation you work with may have its own code of conduct. If this is the case, you need to know where and how to access it so that you can apply it to your work role.

You must also be able to access legislation that is relevant to your workplace. This legislation is founded in ethical principles, and they will outline the ethical standards.

All legislation can be accessed online.

There are many sources where you can use to gain information regarding ethics code of conduct.

These sources include:

- Business ethics
- Medical ethics

- Workplace ethics
- Criminal justice ethics

It is important that you know how to apply the many different ethical principles to your work place. It is critical to develop a shared understanding with management and colleagues regarding ethical behaviour, so that everyone has the same level of expectancy and standards.

There are many ways you can discuss and confirm the application of ethical principles with management and colleagues. The following are some examples of ways this can happen to ensure shared understanding:

- Make the discussion a part of regular staff meetings
- Through casual conversations
- Through staff training activities
- Responding to ethical dilemmas that may arise in the workplace
- Debriefing activity after an issue or incident has occurred

There are many advantages to discussing ethical values with senior management and colleagues. A few of those advantages include:

- Preventing misconduct
- Reducing corruption
- Fulfilling duties democratically with accountability

Any time you can establish boundaries that will prevent unacceptable behaviour, it is important to do so. When everyone knows the standards, poor choices maybe mitigated or reduced. When people know they are working for an ethical company or organisation it can reduce their notion for corruption. If ethical principles are being reinforced and evaluated continually, it leaves very little room for someone to act in a corrupt manner.

Fulfilling duties democratically with accountability

Fulfilling your duties democratically means that you are doing your job in a way that promotes equality for everyone you work with and for. When you are working with accountability you are required to explain your decisions and choices. This can assist to ensure you are working within the parameters of the ethical values and principles of your workplace.

Everyone is entitled to their own personal beliefs and values. When working with others, you sometimes, must put aside your personal beliefs, so that you can fulfil your job requirements. No organisation or business should ask you to change what you believe however this should not interfere with your ability to perform or complete a work-related task.

You need to know the nature of public sector ethics and ethical values and the difference between them and your own personal beliefs and value systems.

The Institute for Business Ethics and Social Responsibility stated the following:

“At first glance, we might think that personal (which is to say private, or pertaining to one’s life outside of work) and professional (which is to say public, or pertaining to one’s work life) are two separate categories, but this distinction is false. Rather, they are two aspects of the same realm: namely, part of being human and functioning in the world. Thus, personal ethics is probably more general and is simply “practicing becoming an excellent human being” with respect to people and situations in everyday life (our family, our friends, our community). Professional ethics is probably more specific and is “practicing becoming an excellent human being” with respect people and situations in work life (co-workers, customers, suppliers, the company).

The basic underlying ethical values and commitments remain the same, but how they are enacted may differ. For example, honesty is a virtue which is vital in both personal

and professional settings. However, the amount and type of information which a person discloses to their spouse is much different than the amount and type of information which a person would disclose to their boss, customer, or competitor, etc. Further, the way in which these disclosures are undertaken differs. “

When comprehending policies and procedures of your workplace, it is a good idea to discuss hypothetical work practices with your peers. During these discussions role play how to avoid breaching policies and procedures. It is important for you to be able to identify hypothetical situations that deal with ethical principles in the workplace. The following is a quote from the Government of Western Australia dealing with unethical situations in the public sector:

“Through the people it employs, government undertakes vital activities and creates opportunities for the community and is charged with the proper stewardship of public resources. Therefore, government employees are expected to uphold the highest levels of ethical conduct in the performance of their work duties.

While it may not be of an illegal nature, unethical behaviour can have serious consequences if not addressed, such as decreased productivity and damage to brand and reputation. Where public authorities manage operations across multiple sites, including regional areas, the oversight, monitoring and management of behaviour presents unique challenges. Where unethical conduct does occur, it primarily relates to infrequent episodes of unprofessional behaviour rather than systemic maladministration.”

It is important to note that in the above quote most unethical conduct in the public sector is due to unprofessional behaviour. It is rare for an organisation’s system to be the root cause of unethical conduct. That means that it is a person’s decision to act outside of the policies and procedures set in place that causes misconduct not the policies and procedures themselves.

The following are some examples of unethical conduct in the workplace:

- Inappropriate behaviour during work hours

- Falsification of information or records
- Improper use of public resources
- Fraudulent or corrupt behaviour
- Inappropriate access of confidential information
- Inappropriate behaviour of employees outside working hours
- Unauthorised disclosure of information
- Misuse of drugs or alcohol
- Failure to manage conflicts of interest
- Improper use of internet or email
- Bullying
- Workplace theft
- Inappropriate acceptance of gifts or benefits
- Failure to follow proper processes / policy
- Neglect of duty

These are just a few examples of any number of work-related practices that may fall under unethical conduct.

Participate in ethical decision-making.

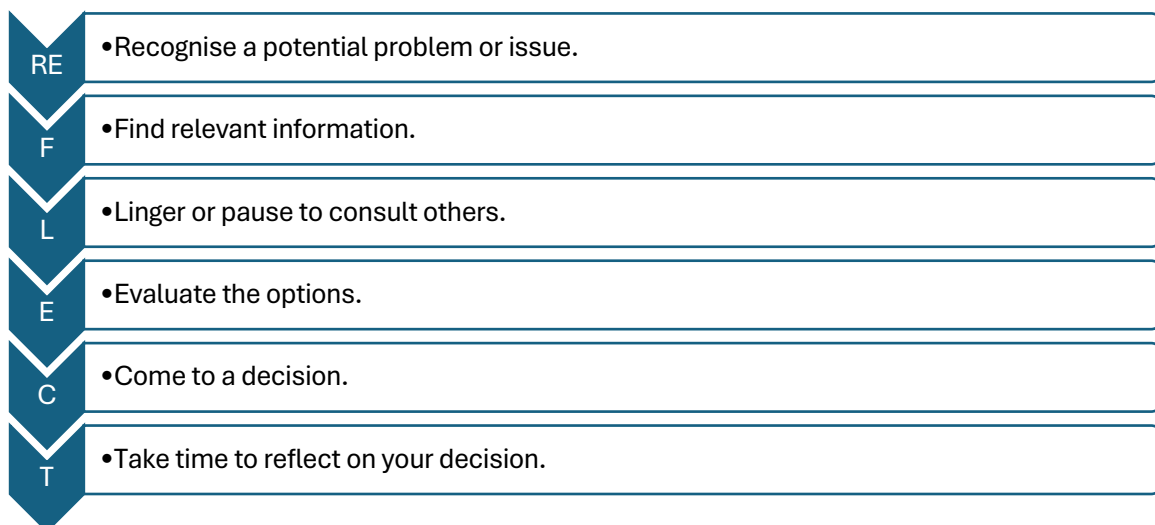
As you continue to work, you may find yourself in situations that require an ethical decision to be made. You will want to make sure that you are able make the best possible decisions in these situations. This will require you to identify real and potential ethical issues and know the decision-making processes needed to resolve the problems. You need to monitor and access information to ensure currency in ethical knowledge so that you can make ethical decisions. Through these processes you will develop judgment through involvement in workplace discussions or ongoing professional development related to ethical standards and practices. As always, you will continue to support staff members to contribute to ethical discussions and problem-solving. When you apply all the knowledge that you gain from these processes

you'll be able to use them for preventing and reporting unethical conduct and assist others in their application as well.

Applying objective and impartial evaluation of ethical problems

You will want to make sure that when you are evaluating ethical problems you do not add to the problem by solving them unethically. This can include coming to a decision that is unbiased or unfair. To prevent that from happening you will want to make sure that you access any information relevant to your problem and see what resolution was used in this case. If the same resolution can be used in your problem, then that could be your best choice to make sure that you are being fair and consistent with ethical standards.

The Australian Public Service Commission has developed a decision making model known as REFLECT:



This model can help you apply objective and impartial evaluation of ethical problems.

The following is about the REFLECT model of ethical decision-making:

What this tool is really asking you to do is:

1. Ask yourself
 - Do I have a gut feeling that something is not right or that this is a risky situation?
 - Is this a right vs right or a right vs wrong issue?
 - Recognise the situation as one that involves tensions between APS Values or the APS and your personal values
2. Find relevant information
 - What was the trigger and circumstances?
 - Identify the relevant legislation, guidance, policies (APS-wide and agency-specific)
 - Identify the rights and responsibilities of relevant stakeholders.
 - Identify any precedent decisions
3. Linger or pause to consult supervisors, managers, respected colleagues, peers or support services (retain privacy)
 - Talk it through, use intuition (emotional intelligence and rational processes), analysis, listen and reflect
4. Evaluate the options, identify consequences, look at processes to identify risks
 - Discard unrealistic options
 - Apply the accountability test—public scrutiny, independent review
 - Be able to explain your reasons/decision
5. Come to a decision, act on it and make a record if necessary
6. Take time to reflect and review
 - How did it turn out for all concerned?
 - Learn from your decision
 - If you had to do it all over again, would you do it differently?

Australian Public Service Commission, 2009.

Developing judgment

To develop good judgment in regard to responding to ethical issues you should consider engaging in professional development opportunities.

Appropriate opportunities include:

- Coaching, mentoring and / or supervision – either giving or receiving
- Reflecting on feedback by keeping a practice journal
- Formal and informal learning programs / courses, for example:
 - Personal studies (e.g. reading journals, textbooks, etc.)
 - In-service programs
 - Workshops
 - Conference / seminar attendance
 - Online (computer-based)
 - Journal clubs
 - Undergraduate / postgraduate courses
- Career planning and development activities
- Workplace skills assessment / learning needs analyses
- Participating on accreditation, audit or quality improvement committees
- Participating in the development of policies, protocols and guidelines
- Active membership of professional groups / committees
- Participating in research

Supporting staff to contribute to ethical discussions and problem-solving.

It is important to support your fellow staff members with whom you work closely so that they can contribute to an ethical workplace. You can support your colleagues in ethical discussions and problem-solving strategies. This can be done in a variety of ways:

- Regular staff meetings
- Casual conversations
- Staff training
- In response to an ethical dilemma
- Debriefing activity

The advantages of encouraging staff to contribute to ethical discussion and problem-solving include but are not limited to:

- Building a professional workplace environment
- Cultivate strong team work
- Enhance productivity
- Avoidance of criminal acts