

Ethics and the professional

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Ethical conduct clearly has to be accepted as a quality of practitioners in any occupation wanting to be seen as professional. This doesn't eliminate the difficulties that arise in trying to act ethically in climates where the competitive pressure of business is high, and perhaps some peers operate at a lower standard of ethical conduct. What are the ethical values that are relevant for learning and development professionals, and can ethical values or related behavioural standards be viewed as competencies?

No one will disagree that trainers, or learning and development (L&D) practitioners, should be ethical. For that matter, everyone working in business – leaders, workers and independent contractors alike – should act ethically. Much of the literature on leadership, for example, extols the idea that leaders should be ethical – they should be honest, have integrity, and be fair, just, respectful and compassionate towards their followers.

However, the business world conspires to limit the scope of ethics. The words of Milton Friedman, first uttered in 1962, are still recited today as if they are authoritative: "there is one and only one social responsibility of business – to use its resources and engage in activities designed to increase its profits". The only qualification that Friedman placed on this maxim was that companies should operate within the law.

There is a certain irony in this when large corporations lobby to change the law to their advantage, and when they have significant budgets to employ corporate lawyers to fight legal actions against them. So we would be right to question the innocence of Friedman's maxim, and of those who use it as a defence for ruthless and morally questionable conduct. Peter Drucker was a lot closer to the truth when he said, in an even earlier book (1955), that profit is not the primary purpose of business. He defined the purpose of business as the creation of a customer who sees value in what the business offers. The function of profit is to validate the activities of the enterprise and enable it to continue.

Unless we weigh Drucker's view against Friedman's, we will find little justification for talking about the ethics of L&D practitioners. If Drucker expresses a world that we would prefer to have, then it makes sense for people in business to operate ethically. Note that I am already taking a position on one thing – the question for us is what kind of world we want to have. I do not think the question is whether the world is "really" the way Friedman described it. We have to choose how we are going to live in the world, and what influence we are going to have on it. Better that we choose to live with the sense of human purpose that Drucker describes.

Ethical issues that L&D practitioners may face

L&D practitioners can face a variety of situations where they experience ethical discomfort or observe unethical conduct. Some examples:

1. A person employed as a trainer at Company A is paid to attend a training program. When she returns to work, her boss asks her to take all the course materials and re-badge them so that Company A can present the program as its own.
2. A trainer is conducting a course with a group of 15 participants. There is one person who seems to have trouble understanding the material. The trainer becomes impatient with the person, says he needs to finish on time, and ignores that person's questions for the remainder of the session.
3. A training organisation is asked by Company B to provide business management training to a group of its staff. Company B receives government funding as a result. However, Company B then puts pressure on the training organisation to shorten the training and assess the participants as having acquired all the competencies.
4. A training company is applying for a government tender to provide training services in coaching skills. The requirements include having previous experience with public sector clients. The manager of the training company gets a friend to agree to fabricate an assignment that can be used as a reference.

These situations raise different ethical issues, but we would all recognise that each does raise an ethical issue of some kind. For all the differences that people express about ethics, there is generally a great deal of agreement about whether or not ethical issues are involved. We might recall how quickly society agreed that it was the unethical conduct of Enron executives that was the primary factor in its collapse.

What kinds of ethical values are indicated in these examples? Some ethical issues fall closer to the law than others. In these cases it is easier to conclude whether the community would generally agree that the given conduct is unethical. Other conduct may be not so much a legal infraction but what we might call "legal but ethically undesirable".

In Example 1 above, the issue is honesty. The training company is intending to take someone else's training materials and pass them off as its own. In legal terms, this is a breach of copyright law.

In Example 2, the issue is not about conduct that is illegal. It is about conduct that we would probably agree is ethically undesirable. We might note, however, that if the trainer's attitude towards the ignored person is based on race, gender or some other ground that is defined under anti-discrimination law, then it becomes a legal issue.

In Example 3, the issue is about how a company's legitimate concern to contain costs has gone too far, and is now corrupting the training process. How unethical we consider this conduct to be depends on how premeditated the company's conduct was – did it ever intend to provide training legitimately?

In Example 4, similarly, there is another spectrum of behaviour to consider. At one end, a company is entitled to put the "best face" on its previous experience. But when the representation of your experience is purely fictional, this has stepped well over the boundaries of honesty. In this case the conduct is made worse because someone else has been asked to collude in the dishonesty.

How should we deal with ethical issues?

One of the most common questions that people in business raise about unethical conduct is, what do you do when you have to compete against peers who act unethically? For example, you may be a training organisation who has to compete against companies who steal your training materials, and it is too difficult to take legal action against them. This is the argument used most often to justify business conduct that we would consider to be less than desirable.

What people say is, "I'd like to be ethical, but it's just not possible in this business environment." Given the turbulence that has characterised the business environment this year, and looks set to continue, that argument is likely to be heard more often than ever. In tough times, do you have to be ruthless in order to survive, even to the extent of resorting to dishonesty and attacking your competitors?

Let's begin to address this question by looking at the idea of the "professional". What does it mean to be a professional and to represent yourself as a professional in the market place? Note that to discuss this, we don't need to engage in an inconclusive debate about whether L&D is a profession or not. We can still subscribe to the idea of acting "professionally".

What is a professional?

A professional is a person who combines the following:

- mastery of a body of knowledge and skills,
- along with the mental framework
- to make sense of it and apply it in a variety of circumstances.

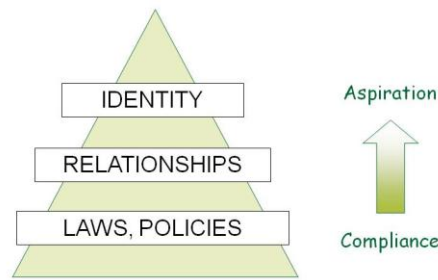
The professional has acquired the situational knowledge to be an expert, and their expertise is more than what can be replicated by following a manual. The term derives from the Latin "to swear an oath". The oath indicates adherence to ethical standards, which include practitioner/client confidentiality, truthfulness, and the striving to be an expert in one's calling. The professional works for the benefit of the client, and also upholds the good name of the profession. Furthermore, the profession itself serves the good of society.

It is quite clear, then, that if you wish to be an L&D professional, you will subscribe to this description of your work, and of yourself as a person. Ethics are not "nice to have", they are not optional, and they cannot be put on hold when times are tough.

A view of ethics

Ethics can be viewed as a hierarchy of values, a pyramid with three levels. The movement is from a base level where the person complies with the law to the higher levels where the person adopts an aspirational attitude towards ethics, they positively want to live out higher human values. This is shown in the figure below.

Moving from compliance to aspiration



1. Compliance with the law. At the bottom of the pyramid is legal compliance. The standard for ethical behaviour is to not act unlawfully.

2. Relationships. The next level of ethics is about relationships. This is a higher standard, because it goes further than what the law requires. It means that you treat other people decently, fairly, and with respect and dignity. At this level of ethics, you build good relationships with other people; you create a respectful and compassionate community.

3. Identity. The top level of ethics is about more than having respectful relationships with other people. It is about establishing a sense of yourself as an ethical person in the world. You see ethics and integrity as a core part of your identity, of who you are, how you want to be, and how you want to be seen.

When we face ethical dilemmas, it is helpful to look at them from the perspective of the ethics pyramid: If I choose this, what level am I operating at? Am I comfortable with this decision? What does it mean in terms of the law? in terms of relationships? in terms of who I want to be?

Ethics and success

Generally, unethical conduct is about one of two things – fear or greed, or some variety of these two things. Fear is the thing that is expressed most often, though, because few people will admit to greed. The concern is expressed as something like, “If I don’t play rough, like other people do, I won’t survive”.

In this climate, it is worth looking at what reasons there are to act ethically. I propose that there are five types of reasons. Before we look at them, we should note that people’s reasons are seldom simple. They are generally a combination of several factors, which hold varying levels of importance to them. So in talking about different types of reasons, we should not think we are on a search for “purity” of motivation. People are not built like that.

Just to comment on this, I think motives sort themselves out over time. A person may perform a particular action many times, and this may occur in a number of different situations. It may not be until the action happens in a particular circumstance that it becomes obvious what the person’s primary motive is. That’s looking at it from an observer’s perspective.

From our own perspective, because internally we are very conscious of all the motives that jostle for our attention, our dominant motives are established by constancy over time. We may often have mixed motives for our actions, but if we constantly give weight to our ethical motives, over time they will come to characterise our behaviour.

Reasons to act ethically

(1) Ethics is good for business

There are many occasions when the link between ethical action and business success is quite direct, and conversely, the link between unethical action and business harm is quite direct. This is to say that there is a basic need for integrity in business transactions if the parties are to fulfil their needs through the transaction and establish the ground for future transactions.

If a trainer provides training that is poorly designed and badly executed, clients will be dissatisfied and will not use those services again. Conversely, where a trainer provides a high-quality service with integrity, it will generally perform profitably and generate ongoing work.

However, if acting ethically were *always* good for business, and acting unethically were *always* bad for business, then there would be little need for anyone to try to persuade us to be ethical. What makes life interesting is that it seems that being ethical doesn't always lead to success, and being unethical doesn't always lead to failure, at least in the short term.

But there are other reasons for acting ethically.

(2) Avoiding legal troubles

We also act ethically because much unethical behaviour is also illegal or subject to some kind of legal threat, such as being sued or having a complaint made about our conduct. One of the reasons we don't kill or physically beat up our competitors is because there is a fair likelihood that we will be caught and put in gaol. We don't fabricate referees in our tender submission to that government department because if we get found out, apart from losing the chance of any more government contract work, we may be charged with supplying fraudulent information.

Another kind of legal constraint is the risk of liability if we provide poor-quality services. Suppose we provide safety training, and our program to train a group of employees about handling explosives is badly designed. Suppose that an employee blows himself up the following week, and the safety authority concludes that this happened because of our inadequate training program.

(3) Public image and reputation

Another reason why acting ethically is good for business is because it enhances our reputation. A company's reputation is a significant factor in its success. Acting ethically builds the trust of our clients and they will recommend us to others. This extends beyond their opinion of our services – a client may even think our services are acceptable but still not want to deal with us because they don't like some aspect of our ethics.

It is important to be aware of the power of your reputation, because the only control you have over it is in how you act. You can't control how other people think, and you can't control what they see of you. You can do things to enhance perceptions of your ethics and your sense of social responsibility. For example, a company that sells training products gives a percentage of its revenue to the Save the Children Fund. This may not prove that the company does business ethically, but at the least it suggests that the company has an awareness of and commitment to social service.

(4) It's the right thing to do

All of the above reasons to be ethical are pragmatic reasons. Even if you are not interested in being ethical, it can pay to be ethical. Acting ethically because "it's the right thing to do" is really the only ethical reason. It comes down to what the essence of ethics is. Albert Schwietzer defined it in this way:

In a general sense, ethics is the name we give to our concern for good behaviour. We feel an obligation to consider not only our own personal well-being, but also that of others, society as a whole and the natural world.

From the perspective of the L&D professional, we act ethically because this is an integral part what a professional is – a person who has a particular kind of expertise and who uses it in the service of society.

We all have to make our way in the world, so the various kinds of pragmatic reasons for acting ethically are all legitimate. But we should take care not to fall into the trap of thinking that we can always account for ethics by managing situations pragmatically. Ethics sometimes demands that we make decisions that seem costly.

For example, in 1997 Arnotts, the biscuit maker, was told that its biscuits had been poisoned. There was no proof that this was true, and a recall would be costly (about \$5 million). But the risk was that some customers would be poisoned. They acted immediately to recall all their biscuits, and kept them off the shelves until they were sure the situation was safe again. In the long run, their business did not suffer, because they proved to customers that they could be trusted. But it would not have looked that way to executives when they had to make that decision – and make it quickly.

Doug Lennick and Fred Kiel, in their book, *Moral intelligence*, make the point that the executives who come through ethical crises like the Arnotts one are the executives who have previously made an explicit commitment to act ethically in their business life. The ones who haven't made this commitment are the ones who find themselves embroiled in shady dealings, for example, like the many executives at Enron who went along for the ride.

(5) Making ethical values a hallmark of your business

This thought leads us to identify a fifth reason for acting ethically. It is the idea that we make our commitment to ethics in business explicit. We declare it in our mission statement, we say it publicly. For example, Annita Roddick launched The Body Shop on a declaration that it would not develop cosmetics by mistreating animals, and it would foster local development in third world countries.

This is a bold position to take, because there will always be people who are ready to find fault with you, and even falsely accuse you. For example, The Body Shop endured serious allegations in the 1990s, allegations that proved to be unfounded. But aside from that, if you make a public commitment to ethics, people will hold you to it, even when they don't understand all the reasons you have for making particular decisions.

Nevertheless, there are many examples of companies that have managed to be successful over many years by winning the loyalty of customers, not just to their products, but to the way they do business.

The benefits of making an explicit commitment to doing business ethically are many:

- ethical values guide your decision-making – you adhere to your principles instead of being swayed by other people or temporary circumstances
- they steer the direction of your energies
- they keep you in integrity, with congruence between your words and your actions, and there is peace in that, even when times are tough
- they provide a foundation on which you can develop skills and confidence and become a seasoned professional.

Summing up

Summing up, the experienced professional is someone who lives at the “identity” level of the ethics pyramid. They are clear about their values, they have consolidated their commitment to those values and refined their understanding of them through many experiences. They have also learned from mistakes and they have internalised their values. Moreover, they have built upon their values by developing interpersonal competencies so that they can establish strong, caring relationships with others.

Having said all this, it is worth saying, in closing, that an experienced professional can still throw it all away in a moment through a foolish decision. In these difficult financial times, there may still be the temptation to make a quick win by a dishonest act, persuading ourselves that the tough times call for it. The professional is, like the ninja warrior, always alert to their own shortcomings.

References

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