

A Code of Ethics for Community Learning and Development

Report on Consultation

Introduction

The CLD Standards Council for Scotland has decided that agreement to a Code of Ethics should be a future prerequisite of any level of registration with the Council. In pursuit of this it commissioned Professor Howard Sercombe and Peter Taylor to produce, consult upon and revise a draft Code.

Drawing on Professor Sercombe's extensive knowledge and experience of ethical codes and especially of youth work ethics¹, and on existing examples from Australia and elsewhere, a draft that attempted to reflect the Scottish situation and the common requirements of the varying strands of Community Learning and Development was prepared. Professor Sercombe also produced a discussion paper outlining issues about the purpose and value of a Code of Ethics, which was circulated to all participants in the consultation.

The draft Code was presented to a meeting of the Standards Council Registration Committee on 21 January 2010. Following comment and amendment, a plenary joint meeting of all members of the Standards Council's Committees considered the Code on 1 March 2010. Again, comments were gathered and subsequent amendments were made to the draft.

The resulting version formed the basis for the wider consultation process reported upon here. For reference it is appended to this report, labelled 'Previous Draft' (pp21-22). Before it in the report, we also append, labelled 'Draft', the version that we now recommend to the Standards Council for adoption, based upon the consultations (pp19-20).

In this report we describe briefly the consultation process, and outline the general views that were expressed about a Code of Ethics and how it might be used, noting issues that the Standards Council may wish to consider. We then describe the points on the contents and wording of the Code that were raised. Inevitably, not all the comments that were made can be recorded here, but we have tried to note all those that were widely shared, and others that we felt raised distinctive or significant points. We explain how these comments are reflected in the changes made in the draft presented here, or in some cases why they are not.

¹ See Sercombe H *Youth Work Ethics*, Sage 2010

Consultation Process

We aimed to carry out a consultation process with the CLD field which would ensure that the paper was seen widely across the entirety of the field and by associated partners. We therefore organised a series of five three-hour-long consultation events open to all in venues around Scotland:

24 March	The Tolbooth, Stirling
26 March	Dundee Contemporary Arts
7 April	Urquhart House, Inverness
12 April	Atlantic Quay, Glasgow
16 April	Thistle House, Edinburgh.

In addition we organised three similar events which, whilst equally open, were promoted as being aimed at people with a particular interest in one of the strands of CLD, including people who did not necessarily define themselves as CLD workers.

Youth Work:	31 March	Thistle House, Edinburgh
Adult Learning:	9 April	Thistle House, Edinburgh.
Community development:	14 April	Atlantic Quay, Glasgow.

Invitations were circulated as widely as possible within the field, including to the Youthlink Scotland, Learning Link Scotland, Community Learning and Development Managers Scotland and Community Development Alliance Scotland networks.

A total of 85 people took part (not counting ourselves and Standards Council staff). A wide range of fields of employment, practice specialisms and levels of seniority were represented. The participants are listed and their contribution is acknowledged in Appendix 1.

A series of very lively and thoughtful discussions resulted. Everyone had a chance to discuss the purpose and principles of the code and the basic definitions of CLD practice that it contains. Participants then split into two groups and looked at the proposed Code clause by clause. With one minor exception, every clause was discussed at every session by at least one group and sometimes by both. Notes of points raised were taken.

A number of other informal discussions have been held in teams or at conferences.

In addition, the Standards Council created an online space for debate on the draft code. By 26 April this had attracted 43 comments from 20 individuals (not including Professor Sercombe's own contributions). These have been taken into account in this report where possible. The site remains open for contributions.

Purposes and Uses of Code

At every consultation session, participants were first asked to state what they expected a Code of Ethics to do and how it might affect their work. They volunteered a range of overwhelmingly positive ideas, centring especially on the role of a Code in defining and communicating what CLD work is, rather than any specific behavioural changes that it might contribute to. These expectations included:

- Expressing the distinctiveness or identity of CLD
- Expressing our professional identity; comparability with other professions
- Codifying existing understandings; bringing clarity and consistency; being clear about our role and remit
- Articulating the shared value base that we assume we have
- Providing 'a stable core' for practice; basing our practice on values; legitimating our practices; providing 'a foundation stone'; expressing our primary duties
- Bringing us back to the reasons we do it
- Allowing us to challenge and examine our practice; aiding reflective practice; combating destructive practices
- Promoting professional dialogue and understanding
- Showing we take ourselves seriously; giving us confidence
- Providing accountability
- Offering reassurance and protection: for workers and for clients
- Setting principles for working with vulnerable people
- Showing the relationship between the CLD strands, that there is a unique approach underpinning a multi-disciplinary field
- Helping understanding of our role by others; communicating to other services; influencing colleagues and managers outwith the profession; correcting misunderstandings
- Combating the idea that 'anyone can do it'

- Getting greater respect from other professions
- Dealing with tensions with other partners; defining our limits in partnership work
- Influencing employers and commissioners; helping to resist pressures on the sector
- A learning tool for new entrants and students – the topic is seen as absent from current education.

It should be noted that working to a code of ethics is not new for everyone in the field. A few community workers have been registered with the Scottish Social Services Council. Some practitioners are covered by codes such as that of the Institute of Careers Guidance in particular aspects of their work. And some have a teaching background.

A minority at two of the sessions, and individuals at some of the others, came with concerns about the value and purpose of a Code. They still made very constructive contributions to the debates on what the Code should say. One or two online commentators denounced the whole exercise as pointless.

A few, though perhaps in the context of older debates a surprisingly small number, feel that professionalisation is not appropriate for CLD and could limit or distort practice. One suggested that monitoring of a code might become a 'tick-box exercise', another that it 'could be used as a stick to beat us'. Some are sceptical about any code having any positive influence on practice or behaviour. We shall not debate these general points at length here. The great majority of consultees clearly did not find such concerns sufficiently compelling to put the exercise in question.

We had many discussions about how if at all a Code might be enforceable, and the implications of a 'voluntary' system of registration, albeit one which might be required by employers for certain posts. These clearly reinforce the need for the Standards Council to do some serious thinking about the processes for monitoring, clarifying the implications of and, in some situations enforcing, the Code.

The relationship between employees and employers in CLD and how the Code relates to these was much discussed, both in general and with reference to particular clauses of the draft. There are two main areas of discussion:

- Whether people attempting to abide by a code might find themselves in conflict with employers who did not accept or behave in accordance with its provisions. We have amended some specific clauses in the light of discussions of this nature. However in general it was accepted that such conflicts already arise and would continue to arise, but that a code might help to avoid them by making clear what CLD practice involves, or might protect workers where conflicts do occur.

- Whether the provisions of the Code should be worded to apply only to individual workers or to their employers also. These issues arose particularly over the questions of professional development (Clause 10) and preserving health (Clause 13), but also apply elsewhere. Several people felt that an explicit obligation on employers should be mentioned. Others argued that it would be confusing to include this in particular clauses. On balance, we have not recommended the inclusion of such specific statements about employers. We believe that any employer who, for example, expects CLD membership for certain posts, should by implication be seen as also accepting responsibilities. However, we recommend that the Standards Council should give serious consideration to how it might spell out the responsibilities for employers.

Both of these issues suggest the need for the Standards Council to give active consideration to how it explains and promotes the Code to the employers of CLD workers.

One issue that we had anticipated might be raised, but was in practice scarcely raised at all, is the possibility that the different strands of CLD might work to different principles. A number of people raised issues about the terminology involved in describing CLD as a single professional field. But nothing we discussed suggested any systematic differences between strands about the principles embodied in the Code (one possible partial exception is discussed below under 'boundaries').

Many participants emphasised their desire that the Code should be an inclusive one, applying to a wide range of staff, sessional workers and volunteers. Whilst no-one would suggest that literally every volunteer should be expected to sign up to adherence to the code, it was felt that explaining its principles would be useful in, for example, the induction of new volunteers. Some felt that a summary version, perhaps even on a single card, would be helpful in this and other situations.

There was general approval of the objective of keeping the Code itself brief and succinct. However people found some of the commentary that has already been drafted helpful in clarifying its meaning, and it was widely agreed that an approved document on the meaning and interpretation of the Code should be available. The importance of introducing people to the Code and the issues it raises in initial training and Continuing Professional Development were noted. This would presumably create a need for additional learning materials.

Recommendations:

The Standards Council should proceed with the adoption of a Code of Ethics, both as an element in registration, and as a tool for communicating the nature of Community Learning and Development and the commitments involved to a wider audience.

The Standards Council, and in particular the Registration Committee, must give future consideration to:

- *the processes for monitoring, clarifying the implications of and enforcing the Code*
- *the provision of an authorised commentary and guidance on the Code, of a summary version or versions for uses such as public display, and of training materials*
- *the need to promote the code to employers and explain its implications to them; and the possible need for a document specifying the obligations of employers to workers that the Code implies.*

The Draft Code

General Points

There was a strong desire for the English in which the Code is written to be as plain as possible. Particularly among the on-line commentators there were suggestions that its language was a little too 'academic'. We have responded to this in two main ways:

- Both through accepting points made in the consultations and through further editing, we have tried to clarify and simplify the wording of the Code, in many ways which are not all discussed below. Throughout, the tendency of the comments made and accepted has been to shorten and simplify the Code not, as might have been feared, to add additional qualifications to it.
- We have tried throughout to avoid currently fashionable jargon terms. At several points in the draft, terms were deliberately used which were unfamiliar in this context but which might have the potential to express a point powerfully and to become familiar through usage of the Code over the long term. Several of these terms caused extensive debate and elicited mixed views, both for and against. Some we have changed as a result, others are recommended for retention.

It was also suggested in discussion that "it is not easy to be a CLD worker, and [the Code] must be complex," and that it must contain aspects that provoke and challenge people to examine and change their practice.

The consultative draft introduced many clauses with the phrase "CLD workers" We have largely replaced this, as many consultees agreed that we should, with "We...." This simplifies the language, reinforces the element of personal affirmation in the Code and

also helps a minority who feel that, though the Code accurately describes their aspirations for their practice, the term “CLD worker” does not express their professional identity.

There has been a certain amount of debate about the correct verbs to use. Different people appear to detect different nuances of meaning between the modal verbs expressing obligation: ‘should’, ‘will’, ‘must’ etc. In the recommended draft, for the first four clauses which express the basic constitutive principles of our approach, we use the present tense: “Our work is...” etc. After that, when dealing with our approach to various ethical issues, we use words expressing obligation, mainly ‘We will/will not ...’

The consultation gave people the chance to draw attention to any possible omissions from the draft Code. One suggestion that aroused some discussion was that CLD workers have obligations to conduct their personal lives outwith work in appropriate ways. Whilst no-one suggested that a detailed code could be drawn up for this, it was suggested that a general clause requiring people not to behave in such a way as to bring the profession into disrepute might be required. We have not recommended this. It would not provide a clear guide to conduct and could perhaps be abused to the detriment of individual workers.

Other suggestions raised by individuals for aspects that might require more attention were:

- Our role as an ‘agent of change’ within our institutions, changing their practices.
- The need for collective action to protect and promote the interests of the profession
- More emphasis on activism and struggle.

Prologue

The first two paragraphs (we are no longer suggesting labelling them as a ‘Prologue’) attempt to make some points about the basic nature of CLD and the commitments it involves. Generally speaking, there was a strong welcome both for doing so and for the approach taken.

We report below, under ‘Clause 1’, on the extensive debate about the correct terminology for the people with whom a CLD worker has a professional relationship. The idea that giving primacy to the interests of the people in that relationship is fundamental and distinctive to CLD was widely endorsed.

The emphasis given to informal education as a constitutive principle was generally accepted, though some had preferences for alternative or additional terminology:

'learning', 'formal and informal', 'non-formal', 'lifelong', 'experiential', 'critical', plus possibly mentions of 'power', 'access' and other terms.

Much of the second paragraph is about how the aim to widen participation in the fullest sense is a basic principle of CLD. Many welcomed the fact that participation in 'effective democracy' and the 'common wealth' are highlighted, rather than for example a narrower focus on the economy. The term 'common wealth' was unfamiliar to some (though it has a long pedigree in Scottish thought) and was both liked and disliked. We continue to prefer it to possible alternatives ('common good', 'society', 'common weal').

There is however an important debate about how far a positive focus on overcoming disadvantage is a fundamental feature of all CLD work, or whether in some circumstances CLD can be a form of universal service provision. Whilst all would want disadvantage to be addressed, and very many strongly believe that this is a necessary and integral part of all CLD practice, there are concerns about appearing to stipulate the distribution of CLD resources as part of a Code of Ethics (the issue could also arise in connection with Clause 3). Also, it is generally acknowledged that it is legitimate to work with whole communities in ways that enhance their inclusiveness, and perhaps to recognise that an entire section of society such as young people may face a deficit in participation. We have tried to recognise and balance these concerns by introducing one small word: "...to extend the reach of effective democracy, **particularly** by actively engaging those who are excluded from participation ..."

One possible fundamental principle of CLD that, some argued, is missing from the draft code is that the engagement of the 'client' involved must be voluntary. We feel that it is difficult to state this in categorical terms. We aren't always in control of how people come to us, though we must be in control of how we then deal with them – the fundamental obligations to the 'primary client' express this.

Some felt that our description of CLD commitments sometimes leans far towards relationships with individuals rather than communities and collective groups (though Clause 2 makes it clear that working with people in their social context is a fundamental principle). We have amended the last sentence of the first paragraph to recognise the importance of transforming communities.

Clause 1: Primary Client

The code needs a form of words in which both to express the fundamental point that the interests of the people in the professional relationship have primacy, and to be used subsequently when spelling out the implications of that relationship. The term 'client' is widely used by other professions. To some people it undoubtedly carries overtones of subservience. Professor Sercombe argues in his book that these are entirely inappropriate, and many consultees agree. But some still have difficulties with the word.

A different point is a feeling, which some have, that the term emphasises an individual relationship that is inappropriate in a CLD context. However, unless they are opposed to the idea of professional standards in this field, we feel that they must be prepared to define the key relationship. This relationship can be with groups and communities as a whole, as the draft Code says – the precise implications must be spelt out by those involved in each particular field of practice. (We have reordered the sentence to bring the community aspect to the fore).

Following this initial definition the draft code uses the term ‘constituent’. This avoids reinforcing any negative implications that people may still draw from ‘client’ and has the great advantage of emphasising that it is the communities, young people and communities involved that justify and ‘constitute’ our practice. However it is a relatively unfamiliar term in this context and aroused considerable debate. Some felt that it could be misinterpreted by elected representatives. But we interpret the general feeling as being that, if the core meaning of the proposed terminology is appropriate, it should be used, provided that the Code is not just baldly presented to people but is backed by guidance and training.

Also, we do not believe that better alternatives are available. Some favour ‘the people we work with’ or ‘participant’, but these fail to define a core professional relationship and could include various colleagues, volunteers, partners etc. Terms such as ‘service user’ are unduly restrictive and managerial. It was argued that the terms ‘members of the community’ or indeed simply ‘communities’ could be used, but we feel that this would not reflect the full range of possible practice approaches.

2. Social Context

Debate over this clause was largely not about principle but wording. It was originally titled ‘ecology’. Whilst this is a term which is used for analytical purposes to refer to the full range of contexts in which individuals live and develop, that usage was clearly unfamiliar to many. It was widely perceived as having mainly biological implications and perhaps as conjuring up a purely ‘green agenda’, though some thought that it did have a powerful force. The terms ‘environment’ (though this can be interpreted in the same way) or simply ‘context’ were suggested as headings. We feel that ‘social context’ provides a clearer title, and have deleted, by universal agreement, the word ‘natural’ before environment in the text. But the resulting clause is not intended to imply the view that all the forces that affect peoples’ lives are socially constructed.

3. Equity

This is far from being a simple or conventional ‘equal opportunities’ clause. It recognises equality of outcome as an objective of CLD work (see discussion under ‘Prologue above’). We feel that the wording we now propose is succinct but reasonably powerful. It

omits the clauses in the previous draft that, in effect, attempted to say a little more about the justification for acts of positive discrimination. The phrases about 'past discrimination' and 'claims for redress' proved difficult for people to interpret and apply. Equitable and inclusive practice should in any case take account of such factors.

Various other words were proposed for the title or text – 'access and inclusion', 'social justice'. We feel that the proposed wording is appropriate whilst avoiding any risk of conforming too closely to 'official' discourse.

4. Empowerment

There was general agreement that this clause describes one of the key principles of CLD, perhaps the most important. Various issues of wording have been addressed:

- The phrase "**supporting** constituents in holding those with power accountable" has been amended to make it clear that it is not the CLD worker who is being personally required to do the 'holding accountable'. This will no doubt still be seen as a challenging statement in some employment situations, but we believe that people want to see it stated.
- We have reordered the bullet points to convey a more logical progression from 'enabling them to clarify and pursue their chosen priorities' to the more 'political' aspects of empowerment. In several discussions people felt that something more should be said about the more 'personal' aspects: amongst the suggestions were forming an engagement, developing relationships, building trust and confidence, building critical understanding, problem solving abilities or self-awareness, helping people to articulate their needs, building confidence, personal responsibility and regard for self and others. Whilst we are reluctant to add additional phrases, we hope that the reordering shifts the emphasis in this direction.
- The phrase 'facilitating disengagement from the professional relationship' was sometimes simply not understood at a first reading, but the idea was always understood and supported after explanation. One consultee felt that a statement about fostering independence might be more positive.
- In the final sentence, after some debates about the implications of the wording "*We presume that constituents are competent in assessing and acting on their interests*" we have adopted two suggestions from consultees to make it read "*Our starting point is that constituents are capable of assessing and acting on their interests*". There was a suggestion that the possibility of challenging these assessments should be stated, but we feel that it is implied.

5. Duty of Care

There was a considerable amount of debate about when it is legitimate to expose constituents to risk, and to what degree. However this did not identify a clear demand for amendment (except for the universally agreed deletion of 'further' from 'further harm'). The clause is not intended to encourage a risk averse attitude (it talks of avoiding only '*the likelihood* of harm or injury'), or to deny that risk and challenge are valid tools of CLD work. Its main purpose is to set a limit to the applicability of other principles, such as the one that we have just discussed about constituents' assessment of their own interests.

6. Corruption

There was general acceptance of the necessity for this clause. The only significant amendment, following several comments, is to insert 'seek to' before 'advance ourselves', to make it clear that even unsuccessful attempts to do so are not permissible. The previous second sentence on 'conflict of interest' has been moved to Clause 7, following suggestions that it belongs more appropriately there.

7. Transparency

This clause caused considerable debate around the feasibility of appearing to require workers to be in conflict with their employers if they are requiring to withhold e.g. information about a planned policy change that might be detrimental to a community. The second sentence in the consultation draft "The interests of other stakeholders will not be withheld from them" in particular was seen both as raising this issue but as being rather opaque in its meaning and possible interpretation. We recommend deleting that sentence, believing that a clear affirmation of the basic principles of openness and truthfulness should be enough to give guidance to workers on the dilemmas that inevitably arise in practice.

8. Confidentiality

This clause also aroused considerable debate, with some apparently feeling that it could not be included because it could be read as indicating that workers might be under an obligation to breach statutory duties to disclose information relating for example to the protection of children and vulnerable adults. However further discussion revealed that there was little or no disagreement that:

- A necessary part of building a professional relationship should be providing a general understanding of the possible limits to confidentiality

- It is good practice both to make these limits clear individually to anyone who wants to give a worker sensitive information, and if at all possible to seek their consent to disclosure.

The difficulties that people had appear to have stemmed from the impression that the consultative draft gave clients an absolute veto over the disclosure of sensitive information, and/or that it ignored the possible occasional need to take urgent action without the opportunity for discussion.

The wording that we now propose for the second half of this Clause:

“Constituents should be made aware of the limits to confidentiality. Until this happens, the presumption of confidentiality should apply. Wherever possible they should be consulted before disclosure.”

was tested at the last two consultation sessions and met with general approval.

It was also suggested that the remaining first sentence of the clause (“Information provided ...”) was redundant. However we feel that it is important because it:

- States confidentiality as a positive principle, whilst the rest of the Clause refers to its limits
- Reminds us that confidentiality is not just an issue in extreme situations, but in everyday ones, covering for example protecting the personal confidences of clients from each other.

Other points raised:

- It was suggested that even providing a general understanding is difficult in informal and unstructured groups. But are these situations where confidentiality issues are likely to arise?
- It was suggested that some principles underlying what limits to confidentiality may be acceptable should be spelt out. We feel that these vary too much in different practice contexts for this to be feasible.
- Perhaps confidences given by volunteers etc should also be protected.

9. Co-operation

The inclusion of this as an ethical principle was welcomed, as was the term used, rather than a more anodyne word such as ‘partnership’. However one group felt that ‘collaboration’ would be a ‘stronger and more contemporary’ word. One commentator felt that the emphasis should instead be on “supporting constituents to co-operate with

others in order to secure the best possible outcomes for themselves". We regard that as an aspect of 'empowerment, covered above.

The word 'actively' (seek) has been included in response to comments.

10. Professional Development

The relevance of this as an ethical principle was also acknowledged. A variety of comments suggested that, in effect, the proposed wording was a little too focused on access to external learning sources and not sufficiently on the individual worker's own agency in identifying what is available and reflecting on their own practice. We now propose amendments that take this into account.

We have also deleted the phrase 'up to date' as not being ethically relevant and because, as an on-line commentator said "Our commitment should be to continuing to develop our "expertise" to new and higher levels, in order to increase our effectiveness."

The implications of this for volunteers were discussed: might it perhaps exclude them? However it was noted that the principle relates to the knowledge (etc) needed to meet obligations to constituents. Volunteers have lower obligations, but if knowledge is needed to meet their obligations, it needs to be acquired.

Other points raised:

- There should be some comment about an obligation to work within one's capacity and skill range.
- Obligations to colleagues as well as constituents should be mentioned.

11. Self-awareness

Debate here centred on one word: 'humility', which had a Marmite-like effect on people. It has a long history in religious and philosophical thinking, being used in effect to assert that attitudes that might in the past have been associated with servility are in fact morally superior to pride and arrogance. As a result it can carry a powerful moral force, which many liked, particularly after discussion. But it also carries many very negative associations, as a glance at the thesaurus confirms, and many other consultees found it unacceptable. It did not appear to convey to people, as it was intended to, that approaching people's differences with the right attitude need not exclude the possibility of challenging aspects of their behaviour that are unacceptable.

Many of the suggested alternatives: 'respect', 'understanding', 'empathy', have a disadvantage. They do not place the focus on the strength of the willingness to respect, understand etc (as 'humility' might) but rather on those states of mind actually being

achieved. But it may be that ultimately we do not actually empathise with, respect etc, for example, violent sexual practices in a subcultural group.

We are recommending deleting 'humility'. Our recommended alternative phrases are intended to convey the willingness to try to respect and understand, whilst specifically mentioning the possibility of challenge.

12. Boundaries

There was little dispute with the principle that setting boundaries to behaviour with constituents is important, and there was also an understanding that these boundaries are there to allow the professional relationship to develop in a way that does not exploit people's vulnerability and gives them the chance to develop and change as a result. There was a recognition that the boundaries might be harder to define in some settings, particularly for people working in their own communities and/or in rural areas, but the principle was generally felt to still apply.

Debates centred around the specific mention of sexual engagement. There were two main strands to these debates.

Firstly, there were suggestions that, although young people must be protected, the same principle could not be applied to every constituent in a community setting, or even, a few appeared to argue, to adult learners generally. We endorse the point made by the online commentator who said on this point that:

"If there's danger of any fuzziness whatsoever it's best to be explicit and clear - there can be an assumption within CLD that we all share the same understandings and we all somehow "know" what best practice is. Because of the diversity of the work we do, the places we work, and the people we work with, boundaries are sometimes far from self-explanatory, and sometimes not addressed at all."

The fundamental point is that successful professional relationships with individual constituents are based upon trust, and that this trust can all too easily be misinterpreted or abused for sexual purposes. Our suggested rewording should help to make the basis for the principle clearer. Relationships that have the potential to transform people's lives – which surely are a feature of community development as well as other approaches – can create a temporary emotional closeness or dependence. This 'safe space' must be protected. Clearly in a community setting, there will always be a need for self-awareness, guidance and supervision to help to determine where the borderline between people in such a protected relationship and uninvolved members of the wider community must be drawn.

Secondly, many people questioned the 'singling out' of sexual boundaries for mention. Some felt that it appeared to devalue the significance of other boundaries. We would continue to argue for a specific mention, for the reasons outlined in the previous paragraphs. Other boundary violations, without necessarily being less important, are less susceptible to a blanket prohibition (accepting small gifts, or casual socialising may not always be unacceptable) or clearly violate other principles (e.g. bullying). Sexual attraction has an insidious power and people need to be alert to it and its possible consequences.

Some consultees felt that the mention of this subject appeared abrupt and suggested to them an unhealthy focus. Suggestions were made for its inclusion as a separate clause, which we have considered but feel that on balance that this could be seen as appearing to place even more focus on the subject; or that it should be mentioned as an aspect of 'Corruption', which would, we feel, lose the important link to professional boundary setting and suggest that only abusive sexual relationships are problematic. Our proposed rewording should however help to mitigate any apparent abruptness.

13. Self-care

There were some useful discussions around this clause. Many felt that it is of growing importance. Many discussions were on the need to define the position of employers (see section on 'Purposes and Uses of Code'). Some were about affirming a broad definition of health, including mental health and wellbeing. We trust that CLD workers will wish to interpret 'health' in this way, and have recommended keeping the clause short and simple.

Other points made:

- We also need also to affirm the right of workers to withdraw from situations that present a risk.
- We need to look not only at CLD practice but at work/life balance.

Recommendation:

The Standards Council should consider and adopt the draft Code of Ethics proposed below (pp19-20)

Peter Taylor

Howard Sercombe

April 2010

Appendix 1 Participants in consultation events

(not including consultation team and Standards Council staff)

Thanks to all of the following, to those who have contributed comments to the on-line consultation, and to those who have participated in informal discussions.

* Standards Council member

Sandra	Blair	Youth for Christ	Youth Work Resources Co-ordinator
Ian	Boardman	Lothian Association of Youth Clubs	Director
Richard	Bryce	Clackmannanshire Council	Senior CLD Worker
Pat	Brechin*	Edinburgh Council	Senior CLD Worker
Graeme	Brooks	Youth for Christ	Scottish Director
Barry	Callieu	Shetland Youth Information	Project Manager
Gary	Cameron*	Scotland's Colleges	Manager
Derek	Catto	West Lothian Council	Senior CLD Worker
Nigel	Chippis	LGBT Youth Scotland	Youth and Community Development Officer
Martine	Clyne	Perth & Kinross Council	Senior Community Learning Worker
Angela	Conboy	Renfrewshire Council	Adult Services & Literacies Manager
Gavin	Crosby	Edinburgh Council	Youth Work Strategy Implementation Manager
Pam	Crosthwaite	North Ayrshire Council	Capacity Building Team Leader
Cath	Cunningham	Adam Smith College	Dept. Manager – Community Learning
Sharon	Dalgleish	Midlothian Council	
Ken	Davidson	LTS	Development Officer
Karen	Delaney	The Moray Council	Team Leader (Youth Work)
Rita	Docherty	Scottish Borders Council	CLD Worker
Roberta	Downes	GCVS	Community Learning and Literacies Co-ordinator
Fiona	Doyle	Midlothian Council / Moray House	Student
Deirdre	Elrick*	LWTT	Senior Researcher / Lecturer
Claudia	Esslinger	City of Edinburgh Council	CLD Worker – St. Bride's Community Centre
Val	Findlay	Dundee	Care and Protection Officer
Sarah	Flynn	Xplore, Dundee	Youth Worker
Marc	Forrester	YouthLink	YouthBank Development Officer
Pamela	Galbraith	Alba Heritage / Creative Frontline / Opportunity Kintyre	Community Development Practitioner
Des	Gallagher	ALVA CAP	

Vernon	Galloway	University of Edinburgh (Moray House)	Lecturer
Fiona	Garven	Scottish Community Development Centre	Director
Kevin	Gillespie	Stirling Council	Community Worker
Liz	Green	The Princes' Trust	Programme Executive
Elaine	Grogan	East Renfrewshire Council	CLD Worker
Alan	Gunn	Xplore, Dundee	Youth Worker
Deirdre	Henderson	Kintyre Cultural Forum	Chair
Fiona	Henderson	Leith Academy	Adult Educator
Stevie	Hughes	The SSC	Youth Worker
Carol	Humbert	Adam Smith College	Director of Community Development
Ally	Hunter	YMCA George Williams College	Tutor / Development Worker
Rosie	Ivins	Xplore, Dundee	Youth Worker
Graham	Jarvis	The Moray Council	CLD Manager
Douglas	Jeffrey	City of Edinburgh Council	Senior CLD Worker (Liberton/Gilmerton)
Joyce	Kettles	Xplore, Dundee	Youth Worker
Kirsty	Lamb	Lasswade High School Centre	CLD Worker
Jane	Logue	Culture and Sport Glasgow	CLD Officer (Adult Learning)
Dorothy	MacPhee	Renfrewshire Council	Equalities Development Officer
Edith	MacQuarrie	LTS	
Susan	Maxwell	Xplore, Dundee	Youth Worker
Fiona	McCall	TLC Borders	CIC
Ken	McCulloch	University of Edinburgh	Senior Lecturer – Higher and Community Education
Denise	McDaid	Renfrewshire CHP	Health Improvement Practitioner
Alistair	McDonald	Midlothian Council	CLD Worker
Martin	McKay	Dundee City Council	Communities Officer
Margaret	McKechnie	Stirling Council	Rural Development Worker
Stephen	McLaughlin	Volunteer Centre North Ayrshire	Manager
Tommy	McLean	City of Edinburgh Council	CLD Manager (South)
Graeme	McMeekin	International Christian College	Vice-Principal; Leader of BA (Hons) Youth Work with Applied Theology
Margaret	Mulholland	Highland Council	CLD Officer (Gaelic Language and Culture)
Anne	Nicol	Stirling Council	Volunteer, Adult Learning Team
Malcolm	Parnell	City of Edinburgh Council	Adult Education Worker
Mike	Payne	Fife Council	Community Education Worker
Mary	Rhind*	Highland Council	Co-ordinator of Adult Literacies
Mary	Robb	CLD Standards Council	CPD Committee Member
Parveen	Rodger	Perth & Kinross Council	Lifelong Learning Manager

Colin	Ross	LTS / Standards Council	
Norman	Ross	Highland Council	Prison Literacies Liaison Officer
Tricia	Ryan	Fife Council	Training and Development Officer
Catriona	Scott	Strathclyde University	Student
Kate	Sharkey	Action for Children	Project Manager
Julie	Simmons	Highland Council	Adult Learning Strategy Officer
Duncan	Simpson*	Fife Council	Service Manager
Kim	Smith	Scottish Government	CLD Policy
Nancy	Somerville	City of Edinburgh Council	CLD Worker
Dawn	Staff	City of Edinburgh Council	Adult Learning Tutor
Carolyn	Stenhouse	Avante Consulting	Director
Claire	Stewart	Borders Council	CLD Officer – Curriculum and Literacies
Jackie	Sutherland	Xplore, Dundee	Youth Worker
Cath	Tansey	Edinburgh Council	CLD Worker
Anne-Marie	Timoney	Stirling Council	Community Worker
Bob	Waddell	Freelance (currently LLUK)	Consultant
Jaffer	Waheed	YCSA	Development Officer
Coleen	Willoughby	Culture and Sport Glasgow	ALN Development Officer
George	Wilson	Edinburgh Napier University	Communities Officer
Gerald	Wilson	Scottish Government	
Jean	Wilson	North Ayrshire Council	Capacity Building Team Leader
Ken	Wilson	International Christian College	Senior Tutor / Lecturer in Youth Work with Applied Theology

A CODE OF ETHICS FOR COMMUNITY LEARNING AND DEVELOPMENT

Community Learning and Development (CLD) is a field of professional practice constituted by the adult education, community development and youth work professions. While their practices and the constituencies they serve may differ, they have in common a commitment to their constituents as their primary clients, and to the power of informal education to transform situations, structures, communities and individuals.

Education is a prerequisite for democracy and citizenship. CLD seeks to extend the reach of effective democracy, particularly by actively engaging those who are excluded from participation in key social processes that shape their lives, and to widen the scope of democracy to enable full participation in the common wealth. The following principles are informed by this core position.

1. Primary client.

Our primary client (our 'constituent') is the community, the young person, or the adult learner with whom we engage.

2. Social context

Our work is not limited to facilitating change within individuals, but extends to their social context and environment. It recognises the impact of ecological and structural forces on people.

3. Equity

Our work promotes equality of opportunity and outcome. Our practice is equitable and inclusive.

4. Empowerment

We seek to enhance constituents' capacity for positive action by:

- enabling them to clarify and pursue their chosen priorities
- building skills of decision-making, engagement and co-operation
- making power relations open and clear
- supporting constituents in holding those with power accountable
- facilitating disengagement from the professional relationship.

Our starting point is that constituents are capable of assessing and acting on their interests.

5. Duty of Care

We will avoid exposing our constituents to the likelihood of harm or injury.

6. Corruption

We will not seek to advance ourselves, our organisations or others, personally, politically or professionally, at the expense of our constituents.

7. Transparency

Engagement with the young person, adult learner or community, and the resulting relationship, will be open and truthful. Potential conflicts of interest will be openly declared.

8. Confidentiality

Information provided by constituents will not be used against them, nor will it be shared with others who may use it against them. Constituents should be made aware of the limits to confidentiality. Until this happens, the presumption of confidentiality should apply. Wherever possible they should be consulted before disclosure.

9. Cooperation

We will actively seek to cooperate with others in order to secure the best possible outcomes for our constituents.

10. Professional Development

We will work reflectively, identifying and using the information, resources, skills, knowledge and practices needed to improve our capacity to meet our obligations to constituents.

11. Self-awareness

We should be conscious of our own values and interests, and approach cultural and other difference respectfully. While the need to challenge may arise, we must try first to understand.

12. Boundaries

The CLD relationship is a professional relationship, intentionally limited to protect the constituent and the purpose of our work. These limits should be clarified, established and maintained. The relationship with an individual constituent is based on trust and is not available for sexual engagement.

13. Self-care

CLD practice should be consistent with preserving the health of CLD workers.

A CODE OF ETHICS FOR COMMUNITY LEARNING AND DEVELOPMENT (*Version discussed in consultations*)

Prologue

Community Learning and Development (CLD) is a field of professional practice constituted by the adult education, community development and youth work professions. While the constituencies they serve and their methods and contexts of practice may differ, they have in common a commitment to serving their constituents as their primary clients and to the power of informal education to transform situations, structures and individuals.

Education and learning have always been a prerequisite for democracy and citizenship. CLD seeks to extend the reach of effective democracy to those who have been excluded from participation in key social processes that shape their lives, and to widen its scope to enable their full participation in the common wealth. The following principles are informed by this core position.

1. Primary client.

The primary client (“the constituent”) of a CLD worker is the young person, adult learner, or community with whom they engage.

2. Ecology

CLD workers recognise the impact of structural and ecological forces on people. Our work is not limited to facilitating change within the individual, but extends to the social context and the natural environment in which they live.

3. Inclusion

CLD workers’ practice will be equitable, giving due regard to past discrimination and claims for redress, and promoting equality of opportunity and outcome.

4. Empowerment

CLD workers will seek to enhance constituents’ capacity for positive action by:

- making power relations open and clear
- holding those with power accountable
- building skills of decision-making and engagement
- enabling constituents’ to pursue their chosen priorities
- facilitating disengagement from the professional relationship.

We presume that constituents are competent in assessing and acting on their interests.

5. Duty of Care

CLD workers should avoid exposing their constituents to the likelihood of further harm or injury.

6. Corruption

CLD workers and CLD agencies will not advance themselves, personally, politically or professionally, at the expense of their constituents. Potential conflicts of interest will be openly declared.

7. Transparency

The engagement with the young person, adult learner or community, and the resulting relationship, will be open and truthful. The interests of other stakeholders will not be withheld from them.

8. Confidentiality

Information provided by constituents will not be used against them, nor will it be shared with others who may use it against them. Constituents should be made aware of the contextual limits to confidentiality, and their permission sought for disclosure. Until this happens, the presumption of confidentiality must apply.

9. Cooperation

CLD workers will seek to cooperate with others in order to secure the best possible outcomes for their constituents.

10. Professional Development

CLD workers have a responsibility to keep up to date with the information, resources, skills, knowledge and practices needed to meet their obligations to their constituents.

11. Self-awareness

CLD workers should be conscious of their own values and interests, be open to cultural and other difference and approach it with humility.

12. Boundaries

The CLD relationship is a professional relationship, intentionally limited to protect the constituent. We will maintain the integrity of these limits. We will not engage sexually with constituents.

13. Self-care

CLD practice should be consistent with preserving the health of CLD workers.