



Skills for Learning Professionals

Codes of Conduct
Research & Focus Group Report

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1. Introduction

The Ten Year Youth Strategy 'Aiming High for Young People: a ten-year strategy for positive activities' identifies a range of activities and ideas to transform facilities and support services for young people in England. It considers how the Government can help all young people, particularly those in deprived areas, to take part in enjoyable and purposeful activities in their free time, which will help them to develop new skills and raise their aspirations. It also outlines initiatives to support the workforce development needs of the workforce that supports and works with young people.

In December of 2007, LLUK was commissioned by the Department for Children, Schools and Families (DCSF) to work with the Children's Workforce Development Council and other stakeholders to undertake scoping work around a number of the proposals resulting from the Ten Year Youth Strategy. One of these proposals is to investigate the creation and introduction of a code of conduct across the youth work sector. To take this work forward LLUK is delivering early planning and scoping activities to consider how such a code of conduct scheme for youth work might be designed, developed and implemented.

This paper reports on the research undertaken and focus groups that were held to gather the sector view and use of codes of conduct. These will inform the development of an implementation plan to take the work forward in 08/09.

2. Code of practise or code of conduct?

It is necessary to first outline the meaning of the terms 'code of conduct' and 'code of practice', as there is confusion around the meaning of the terms.

Codes of conduct and codes of practice are interlinked, in that a code of conduct lays out a high-level moral structure for an organisation or group of organisations, and a code of practice defines how an individual institution actually delivers the structure in a practical, real manner.

The root of the lack of clarity between the two codes is that; codes of practice contain the morals of a code of conduct as well as the practicalities and specifics of a code of practice.

A code of conduct can be envisioned as the skeleton on which a code of practice can be built. The code of practice can then be tailored to suit the organisation's operational needs.

2.1 Code of practice

'Code of practice' is often used in an operational sense to describe the correct procedures used in situations.

A code of practice is a document that contains practical advice, guidance of best practice for the operations of the employer. This is often an internal document generated by employer, situation specific and contains detailed information of how each situation should be handled.

It should also complement existing professional procedures, protocols and guidance that relate to specific roles, responsibilities or professional practices.

Definition of code of practice;

- a systematic collection of rules, standards and other information relating to the practices and procedures followed in an area

or

- Rules established by regulatory bodies or trade associations, which are intended as a guide to acceptable behaviour. As such they do not have the force of law behind them¹

2.2 Purpose of code of practice

The purpose of codes of practice is to assist organisations and their employees in the discharge of their duties, their clients and the public at large by:

- providing clear advice on appropriate and safe behaviour
- by clarifying which behaviours constitute safe practice and which behaviours should be avoided
- support managers and employers in setting clear expectations of behaviour and/or codes of practice relevant to the services being provided
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;
- support safer recruitment practice

¹ <http://www.edp-uk.com/glossaries/terms.htm>

2.3 How are they used;

Organisations use codes of practice to develop and promote safer working practice. Individuals are expected to follow the guidance laid out in a code of practice in their day-to-day practice and when taking on new work, different duties or additional responsibilities.

Codes of practice are embedded into working practices through induction, supervision, performance management and training programmes

They lay out clear expectations of the behaviour expected which can be used in recruitment, selection and assessment of staff.

2.4 Code of conduct

A code of conduct is more of an indication of moral attitude and approach to be fostered in working in a larger field.

Codes of conduct have two main characteristics; they are voluntary, in the sense that they are not enforced by statute and as such are non-binding commitments made by organisations.²

Codes of conduct also can be used in different ways. The variations can be categorised in three types:

- those that set guidelines for employees
- guidelines for a supplier/business partner's conduct
- a statement of company's commitment towards the public

A code may cover more than one function and be available to more than one audience.

The International Federation of Accountants provided the following working definition of a code of conduct:

*Principles, values, standards, or rules of behaviour that guide the decisions, procedures and systems of an organization in a way that (a) contributes to the welfare of its key stakeholders, and (b) respects the rights of all constituents affected by its operations.*³

2.5 Purpose of code of conducts

The purpose of codes of conduct is to assist organisations and their employees in the discharge of their duties, their clients and the public at large by:

- Providing guidance on the standards of conduct expected while in discharging their duties and in so doing
- Providing the openness and accountability necessary to reinforce public confidence in the way in which the organisation and its employees perform those duties⁴.

2 Transnational Corporations And Human Rights Olivier de Schutter Hart Publishing (11 Sep 2006)

3 2007 International Good Practice Guidance, Defining and Developing an Effective Code of Conduct for Organizations

4 Adapted from The Code of Conduct for Members of Parliament

2.6 How are they used

Codes of conduct can be utilised by organisations in two ways, firstly simply as guidance or as a reference point for employees for use during their day to day operations as the code outlines the principles, values and/or standards that guide the decisions, procedures and systems of the organisation.

Secondly they can be used a management tool to regulate the performance of the employees.

While a code of conduct is not normally enforced by statute, individual organisations or representative bodies, as part of their own employment or membership criteria, can use them as a framework and set of standards that employees should adhere to. Should employees do not adhere to the code of conduct it can be used as a basis for any disciplinary action. The adherence to any codes of conduct can be written into employment contracts effectively enforcing the use of a code of conduct within an organisations working practice.

Codes of conduct can be a valuable method of publicising the organisations professionalism and ethical standpoint to the wider public.

As an example in 2002 the GSCC launched their code of conduct to:

.. put in place a Code of Conduct so that people will be able to see very clearly what can be expected of social workers and what can not be expected, so that there are not so many unrealistic expectations of them. One of the things we want to do is create real clarity about what is expected of social workers. At the moment there aren't nationally agreed standards as to what is proper practice and good practice within these fields. setting those standards in consultation with professionals and the people who use the services and once we have those then people will know what is expected of them..... to give people real confidence in the value of having these standards

Lynne Berry, Chief Executive of the General Social Care Council⁵

3. What is the current position?

To establish the current position research was undertaken into the use of codes of conduct and practice within the youth workforce. This took two forms firstly to search for published codes in organisations who work with young people and secondly a focus group to gain the views of the sector of the creation of a workforce code of conduct.

Examples of existing codes were obtained by contacting sector skills councils, voluntary and faith organisations and by contacting Local Authorities in England directly to obtain currently used codes used by services in their areas. A search for codes over the internet was also undertaken.

A large number of codes of conduct and codes of practice were collected from a wide geographic and workforce areas. The majority of the responses were from local authorities.

Initial findings found that there are limited numbers of codes which are used England wide, these tend to be utilised by representative bodies such as General Teaching Council England; and for large voluntary large organisations such as YMCA, and the Scout Association.

⁵ <http://www.prnewswire.co.uk/cgi/news/release?id=78651>

The other codes returned were locally used codes utilised by local authorities in youth services. These varied in content from detailed dedicated codes of practice to a generic code for the whole of the local authority's staff.

Local Authorities codes were found to be more likely to only have a code of practice and no code of conduct.

Smaller local projects published codes of conduct, which were specific to their own circumstances such as rugby or netball clubs.

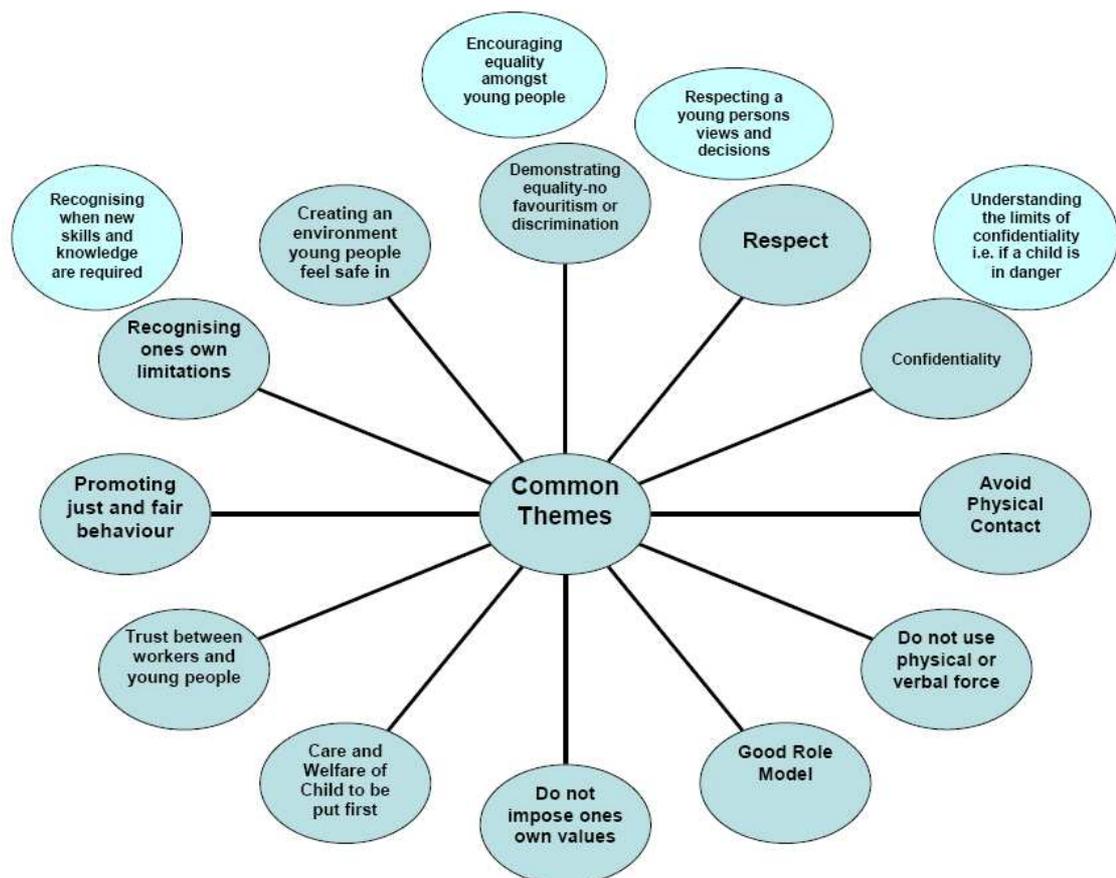
Upon reading, all of the codes of practice and codes of conduct a number of commonalities were noted mainly in the areas of child protection, respect human dignity, social justice, integrity and competence.

A breakdown of the codes returned is shown in appendix 1.

It should also be noted that the National Occupational Standards for the youth workforce contain the values for the workforce; these are in effect a moral structure that have been derived from the workforce and accepted by them.

3.1 Code Commonalities

Common themes that were apparent in the codes collected are shown in the diagram below



3.2 Suitability

Codes that are currently in use and successfully demonstrate the strengths and weaknesses of each type of code;

- If a sector is narrowly defined or if operations are performed within one organisation then a common code of practice to define working practices is practical e.g. teaching in secondary schools. The code of practice can be written as a detailed document to outline the specific working practices needed.

Attempting to apply working practices across a diverse field with many tasks done in many ways is impractical.

- If a sector or group of organisations have a common set of values but have different working practices or operations then a code of conduct is suitable. A code of conduct as a moral framework can be applied across a wider audience, and then allow the sector or organisations generate their code of practice to suit.

4. Focus group

Two focus groups were held to investigate attitudes to the creation of a code of conduct for the youth work sector. A group of attendees from differing areas took part in an appreciative inquiry workshop that was designed to discover what the benefits of having such a code of conduct were, if such a scheme would be welcomed, if so how it could be generated and to investigate methods of implementation.

Appreciative inquiry is a method of approaching problem solving, team-building and solution development. It is a strategy for intentional change that identifies the best of “what is” to pursue dreams and possibilities of “what could be”; a cooperative search for the strengths, passions and life-giving forces that are found within every system and that hold potential for inspired, positive change.

The groups were given a scenario that it is 4 years in the future and a code of conduct is in place and is accepted by the sector. The groups were then asked to reflect on a number of questions regarding the code and its affect on the sector. These were:

- What works well about the code?
- What is it like to be associated with the code?
- What do you do to support it?
- How was it built and implemented?

4.1 Focus group responses

The responses are detailed below;

4.1.1 What works well about the code?

- The code has been adopted by all areas and levels of the organisation.
- Encourages all to manage in the organisation, in that it enables different levels of the organisation to raise issues regarding the code for resolution.
- All staff own it.
- Built by the sector and is relevant to it.

- Grown from grass roots upwards.
- It's simple; a set of simple statements in plain language that is understood by all.
- It incorporates the ethics and values of Youth Work.
- It inspires and aspires good practice and behaviour.
- It isn't used as a management tool or as a disciplinary document.
- People are using it to:
 - Inform induction
 - Inform training
 - Quality assurance
 - As means to raise complaints/concerns about service
- People know about it through information/promotions about the sector.
- Young people and families are aware of it.

4.1.2 What is it like to be associated with the code?

- I don't have to explain myself repeatedly as it is written down.
- It is responsive to change e.g. legal changes, societal changes.
- It is empowering; enables users to question and to change practice to suit the code.
- It is part of everything I do. It is embedded in our methodology.
- Clear and understood by all.
- Feel pride in my profession.
- Confidence in your role.
- Professional identity.

4.1.3 What do you do to support it?

- It is embedded into all practice.
- Participated in the building of the code.
- We recognise it as the cornerstone of our work.
- Build it into commission contracts.
- Build it into induction/training courses.
- Developing CPD for youth workers based on the code of contract.
- Making sure the code is well promoted and communicated.
- Build it into membership criteria for umbrella organisations.

4.1.4 How was it built and implemented?

- Total stakeholder involvement.
- All stakeholders believe in the concept and buy in.

4.2 Issues

A number of issues were highlighted during the workshop session which were based mainly around what a code of conduct would be used for.

The issues raised were;

- Concern that a code of conduct would be used as a code of practice and that it may result in over-regulation within the public sector provision.
- Concern that creative or faith based organisations may not adopt the code of conduct if it was proscriptive about ethical matters e.g. faith based organisations may have objections to supporting young people accessing a full range of sexual health advice.
- The introduction of the licence to practice and whether a code of conduct would be used as a disciplinary measure and a question of if it is the best way to drive up quality.
- Concern around the tensions between welfare/protection, risk and challenge. And that it may restrict the 'offer' to young people.

4.3 Analysis

The focus groups were supportive of the concept of a code of conduct, and positive that it could be implemented in to their own organisations. This was based on the fact that most youth work organisations already have in place either a code of conduct and/or a code of practice.

It was noted that currently used codes of conduct all are based on the principals of youth work and as such do have common themes running through them. Any new code of conduct could be based on those that are already in use and available within the sector. A mapping exercise would prove useful to tease out the commonalties that could be used as a basis for a common code.

Use of a mapping exercise would also validate the common code to the sector as it can be shown that it reflects the good practice already in existence

It was felt that the sector should be invited to contribute to the creation of the code at all levels, so that the code can be designed for use at all levels. It was also noted that the code should be written in simple language, easily accessed and publicised widely both within the sector and to the wider public

The group commented that a code if created would help with improving the professional image of youth work and to unite them as a sector. It was also noted that a code of conduct should not be a 'dead' document and that it should be responsive to changes in law and in society in general.

The focus group were adamant that they as a sector should be integral in the production of a code, as one that is imposed from outside of the sector would not be as widely accepted as one that was generated by the sector.

4.4 Future planning

The groups were asked what, in their option, should happen next in the production of a code of conduct.

They were very clear that the business case for the implementation of a code of conduct should be generated and made available to the sector. It was agreed that this should highlight what and where the need for a code of conduct actually is, what the value would be to the sector as a whole and what benefits it would provide.

Concern was raised regarding the introduction of a licence to practice and of the intention of the code within such a scheme. It was stated that a clear statement that reflects the situation would be welcomed as it may affect the sector's attitude to the production and introduction of the code.

The group were supportive of the idea that currently used codes of conduct and other research should be used in the production of the code and that the identification of the key bodies should reflect the sector as a whole .i.e. voluntary and community organisations should be included as well as that statutory bodies

They were also very clear that they would be supportive of a wide-ranging consultation on the production of the codes of conduct at all stages of development.

To summarize, the focus groups were generally supportive of the idea of a code of conduct and felt that it would be of benefit to the sector as a document in its own right as a publicity driver and as a unifying tool. They had concerns around the links with the licence to practice and would welcome further information. Other concerns were around the possibility that a code of conduct would be imposed on the sector or if the sector would be integral in the development of the code.

5. Summary

It would seem from the research that a code of conduct for the youth workforce, depending on continuing stakeholder support, is an achievable goal. The commonalities of the codes of conduct and the values already embedded in the national occupational standards are a firm foundation for the generation of the code of conduct.

There are benefits to be gained from having a code of conduct that is suitable for all. These are;

- A common moral framework for all to adhere to; built from current good practice
- Sharing good practice
- As a unifying tool, should both statutory and voluntary bodies sign up
- Transferability, should a worker move to another youth workforce organisation the code of conduct is the same
- A public relations exercise. To raise the profile of the youth workforce
- New organisations can adopt it rather than spend time and effort in generation of a new code
- Standard publication would enable central distribution, advice, training and guidance to be generated for the code of conduct.

A code of practice for the workforce however is not an achievable goal at this time. To truly reflect all of the operations, the diversity of the variations of tasks and structures within organisations within the sector would need a document of encyclopaedic proportions. The changes that are taking place within local authorities to integrate the services are a period of change and the practices that are in place will be in a state of flux and it may be prudent to wait until good practice is evidenced.

6. Next steps

To summarise, research has been completed to give a reference point for understanding similar codes of conduct and areas of commonality.

The next steps for this scoping exercise are to compile a set of documentation, which describes the route that would need to be taken to progress the programme.

This set will include;

- an indicative high-level plan, that is; a proposed timetable of events, which outlines the tasks and processes that would lead to the creation of a code of conduct
- A draft product description; to indicate the content of a code of conduct
- A guide to the creation of a business case.

7. Appendix 1: Example code of conduct

Code of Conduct

YOUTH WORKERS WILL:

- Treat young people with respect
- Maintain confidentiality within the limits of child protection policies
- Listen to young people and respond to their needs
- Value young people and their opinions
- Respect young people's rights to make their own decisions and choices
- Challenge situations that may threaten the safety and welfare of others
- Promote and ensure the welfare and safety of young people
- Challenge discrimination and prejudice in young people, colleagues and others
- Promote community cohesion and cultural diversity
- Provide stimulating, positive and enjoyable programmes
- Be positive, enthusiastic and encouraging with young people
- Involve young people fully in planning, evaluation and funding opportunities
- Be accountable to young people, parents, employers and other stakeholders
- Dress and behave appropriately with young people
- Recognise the boundaries between personal and professional life
- Not bring personal "baggage" into work
- Use appropriate language with young people and colleagues
- Turn up on time and work the contracted / agreed hours
- Complete all required paperwork and submit on time
- Follow all recognised policies, procedures and health and safety systems
- Be a team player and make an equal contribution
- Be familiar with relevant service, team and area plans
- Be clear about the youth work curriculum and how it is implemented
- Develop and maintain the skills and competencies required to do the job



8. Appendix 2: Example code of practice

Herefordshire Council

Code of Professional Conduct

Introduction

This policy is not intended to replace the Herefordshire Council Code of Conduct but is to be used in conjunction with that policy. Youth workers like other professionals (e.g. Social Workers and Teachers), working with young people have particular duties and responsibilities. This policy will help to clarify the standards of service young people can expect from Youth Workers, and has been developed with the explicit intention of protecting young people from harm or malpractice and guiding practitioners in their work and help to protect them from misunderstandings or criticism.

Principles and Values

Youth workers work with and sometimes on behalf of or in the interests of young people to enable them to deal with personal, social, and health issues; and to support young people into the democratic processes. They do this via an informal education context.

Youth workers have a responsibility to ensure that they are able to see the ethical dimensions of problems, to reflect upon issues, to be able to take difficult decisions and to be able to justify those decisions.

The behaviour of all those involved in youth work and youth services, political and managerial leaders, managers, employees, volunteers and participants must be of a standard that makes it the basis of:

- The effective delivery of services,
- Modelling appropriate behaviour to young people,
- A belief in the capacity of youth work interventions to aid young people to learn to make moral decisions and to take effective action,
- Trust between workers and young people,
- Trust between organisations, services, parents and young people,
- A willingness of various parties to commit resources.

Youth workers are committed to;

- Human dignity
- Social justice
- Integrity
- Competence

All young people have intrinsic value, and youth workers have respect for the notion that young people are in the process of creating themselves.

Youth workers have a responsibility to respect basic human rights as expressed in The United Nations Universal Declaration of Human Rights and other international conventions derived from that declaration.

Youth workers show respect for young people and their beliefs, values, culture, goals, needs, preferences, relationships and affiliations.

Youth workers safeguard and promote young people's dignity, rights, responsibilities and individuality.

Youth workers work toward enabling young people to think critically and respect young people's right to make informed decisions.

Those who work with young people in the informal education context have a personal responsibility concerning themselves and the nature of their intervention. They should plan and reflect on all aspects of their intervention and organise their work in order to do so. They need to be aware at all times of their role in different contexts, the likely dilemmas in each situation, the purpose of their intervention the limitations of their role and power, and the most recent ideas concerning good practice issues.

Code of Professional Conduct

In fulfilling their role with young people, youth workers have a duty

- To ensure that their private conduct does not compromise the fulfilment of professional responsibilities, and to avoid behaviour which contravenes professional principles, (see page one) and standards (as outlined below). An example might be that the youth worker does not work under the influences of mood altering substances that impair the quality of judgements and professional conduct.
- To ensure that their personal conduct does not adversely impact upon the health of young people in their care, and to ensure that they follow the Herefordshire Council policy around a tobacco smoke free environment. An example would be not to smoke tobacco in the vicinity where young people are engaged in youth work activities or congregating close by where youth work activities are taking place.
- To place young people's needs and interests before their own beliefs, aims, views and advantage, and not to use professional relationships to gain personal, material or financial advantage.
- To set and enforce explicit and appropriate professional boundaries to minimise the risk of conflict, exploitation or harm in all relationships with young people. For example, respect the physical and emotional privacy of young people; avoid emotional relationships with young people, and ensure that young people understand the boundaries between professional and personal relationships.
- Not to engage in any form of intimate or sexual conduct with young people.
- Develop and utilise skills, knowledge and experience as fully as possible; and undertake in service training and professional development in order to remain up to date on professional issues, relevant curricula and legal issues.
- Acknowledge personal limitations in knowledge and competency and to decline duties or responsibilities if unable to perform them in a safe and skilled manner. To seek advice as necessary.
- Behave and act reliably and consistently, and act in a way that encourages equality of opportunities, opposes discriminatory action or policy; and harassing, intimidating or bullying behaviour.
- To seek counsel from line managers and colleagues, and discuss issues. Do not work and act in isolation.
- Youth workers have a responsibility to their colleagues and to staff and volunteers. It would therefore be appropriate for youth workers to;
- Foster professional working relationships with practice issues in mind.
- Treat colleagues with respect, courtesy and fairness.
- Maintain professional relationships of trust and co-operation.

- Ensure that those who work with young people are appropriately managed and supported on a basis of clear expectations and boundaries.
- Act as a member of a team, sharing information, concerns and opportunities and ensuring effective communications prompt responses and mutual support.
- Observe confidentiality in respect of discussions with colleagues about their professional problems.
- Notify the admin team at Plough Lane Monday to Friday, between the hours of 9 am and 4.30 pm if there is a likelihood of not being able to attend a youth work session either because of sickness or other reason. Outside of these hours you must contact your line manager directly.
- Ensure all annual leave and time off in lieu is approved with line manager in advance of taking time.

9. Appendix 3: Codes Used

To generate a map of commonalities the following codes were used.

Local Authorities:

Brent Council (Code of Conduct)
Cambridgeshire County Council (Code of Conduct)
Ealing (Code of Conduct)
East Riding of Yorkshire Council (Code of Conduct)
Shetland (Code of Conduct)
South Gloucestershire-Festival of Sport (Code of Conduct)
Manchester Rathbone (Code of Conduct)
Rochdale Youth workers (Code of Conduct)
Sunderland Youth Service (Code of Conduct)
Surrey County Council (Code of Conduct)
Herefordshire Council (Code of Professional Conduct)
Hampshire County Youth Service (Code of Practice)
Northamptonshire County Council (Code of Practice)
Manchester (Guidance for Safer Working Practice for Adults who work with Children and Young People)
Devon County Council (Acceptable Behaviour Policy)
Castlepoint (Guidance for Young Persons at Work)
East Cambridgeshire District Council (Child and Vulnerable Adult Protection Policy)
Isle of Wight -Youth and Community Service (Guidelines and Information)
Nottinghamshire County Council (Procedures for Appropriate Behaviour with Young People)

National Organisations:

National Association of Clubs for Young People (Codes of Ethics and Good Practice)
The British Computer Society (Code of Conduct)
General Teaching Council for Scotland (Draft Code of Professionalism and Conduct)
LTA Tennis Nation (Code of Conduct)
Music Practitioners (Code of Practice)
Nursing and Midwifery Council (Code of Professional Conduct)
National Youth Agency (Statement of Principals/Ethical Conduct in Youth Work)
The Scout Association (Code of Behaviour)
The Police Authorities (Code of Conduct)

