Values and Ethics :
Public Institutions and Citizens

Canadian Blood Services Seminar

Ethics and Integrity in the Public Sector

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Canadian Policy Research Networks

- Mission: create knowledge and lead public dialogue and debate on social and economic issues of importance to Canadians
  - Research is founded on public values as articulated by representative groups of citizens
- 4 Networks: Family, Work, Health and Public Involvement. PIN agenda:
  - Undertake citizen dialogues on issues of strategic importance
  - Research to strengthen the theory and practice of PI
  - Build capacity for PI within government and community

Outline

- Public context
- Values and ethics initiatives (1995- 2005)
- Code of values and ethics
- Citizens' perspectives
- CBS- task force on public participation
- Operational challenges
- Discussion

Landmark Reports

"the public must have access to information about policy, management, and operations of the blood supply system and be represented in the decision-making" (Justice Horace Krever, Commission of Inquiry on the Blood System in Canada 1997)

"the most important defining factor for the role and values of the public service of Canada is its democratic mission and public trust: helping ministers, under law and the Constitution, to serve the common good." (Tait Report, Task Force on Public Sector Values and Ethics, 1996)

Public Context

- Parliamentary dysfunction: civility challenged!

- Gomery Commission

- AG Reports

- Former Privacy Commissioner Radwanski

- Gun Registry, HRDC

- ENRON, Conrad Black

- Krever Inquiry to Blood Services

Trust is the currency that is being devalued- essential for relationships

Values and Ethics Initiatives 1995- 2005

- AG Report, Chapter 1: Ethics and Fraud Awareness in Government, 1995

- John Tait Task Force: *A Strong Foundation: Report of the Task Force on Public Service Values and Ethics*, 1996

- Ethics Counsellor establishes Lobbyists' Code of Conduct, 1997

- Treasury Board establishes Office of Values and Ethics, 1999

- TB Report, Results for Canadians: A Management Framework, emphasizes the importance of public service values, 2000
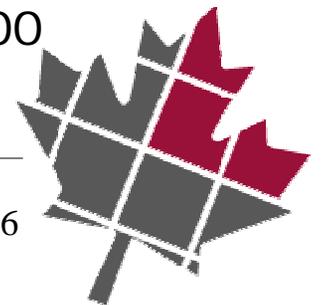
Values and Ethics Initiatives 1995- 2005 (cont'd 2)

- Clerk of Privy Council Report to the Prime Minister, emphasizes the role of public service values, (2000)

- Code of Values and Ethics for the Public Service, Treasury Board Secretariat (2003)

- Office of Public Service Integrity (2003)

- Whistle Blower Legislation (2004)

- Results based Management Accountability Framework

  – Reporting to Canadians (2003-)

- TBS Report on Ministerial Responsibility (internal report 2004)

Report of the Task Force on Public Service Values and Ethics (Tait Report, 1996)

Important benchmark in thinking about values and ethics

- Foundation for the 2003 Code of Values and Ethics

- Values 'enduring beliefs that influence attitudes, actions, and the choices that we make'

- Defined 4 sets of values: democratic, professional, ethical and people. Tait assigned highest priority to democratic values:

  "Most important defining factor for the role and values of the public service of Canada is

  its democratic mission and public trust: helping ministers, under law and the

 Constitution, to serve the common good."

Values and Ethics Code for the Public Service (TBS 2003)

- **Public Servants**

    "shall be guided in their work and their professional conduct by a balanced framework of public service values: democratic, professional, ethical and people"

- **Democratic values**

    – Give honest and impartial advice and make all info relevant to a decision available to Ministers

    – Loyally implement ministerial decisions, lawfully taken

    – Support both individual and collective ministerial accountability and provide Parliament and Canadians with info on the results of their work
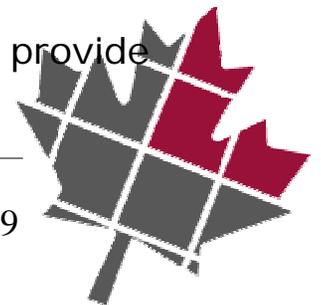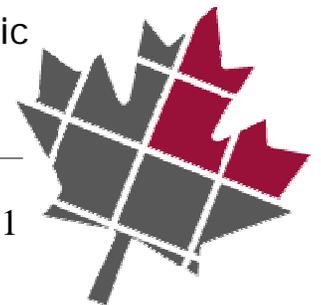
Code (cont'd 2)

- **Professional**

    – Work within the laws of Canada and maintain the tradition of political neutrality of the Public Service

    – Endeavour to ensure the proper, effective and efficient use of public money

    – In the Public Service, how ends are met is as important as the achievements themselves

    – Constantly renew their commitment to serve Canadians by improving quality of service

    – Ensure that the values of transparency in government is upheld while respecting their duties of confidentiality

Code (cont'd 3)

- **Ethical Values**

  – Perform their duties and arrange their private affairs so that public confidence and trust in the integrity, objectivity and impartiality of the government are conserved and enhanced

  – Act at all times in a manner that will bear the closest public scrutiny: an obligation that is not fully discharged by simply acting within the law

  – In fulfilling their duties and responsibilities, shall make decisions in the pubic interest

  – If a conflict arises between the private interest and the official duties of a public servant, the conflict should be resolved in favour of the public interest

Code (cont'd 4)

- **People Values**

  – Respect for human dignity should inspire the exercise of authority and responsibility

  – Reinforce the wider range of Public Service values. Those who are treated with fairness and civility will be motivated to display these values in their own conduct

  – Public Service organizations should be led through participation, openness and communication and with respect for diversity and for the official languages of Canada

  – Play a key role in recruitment, evaluation and promotion

Chumir Foundation Workshop on Ethics, Integrity and Trust in the Public Sector

- 100 participants (Edmonton, Calgary) discussed:
  - Stakeholder views of the public sector
  - Citizen engagement
  - Leadership
  - Private and public sector comparison
  - Attracting and retaining staff
- Panellists
  - Pierre Martel, PS Integrity Office, Hon. Ted Hughes, Conflict of Interest Officer, NWT, Mary Pat MacKinnon, CPRN

Key Ideas from Chumir Workshop

1. Building trust and confidence needs principled, public leadership from the top that is explicit in word and evident in deed

2. Success depends on leadership, commitment, and efforts of individuals working at all levels who must be supported in their endeavours through:

   – Trusted systems and processes that reinforce core values of the public service and

   – Meet the expectations of Canadians with respect to accountability, transparency and responsibility

Key Ideas (cont'd 2)

3. Process must encourage and provide opportunity for constructive and principled engagement with and by external stakeholders in order to:

   – Create the dialogue

   – Share responsibility

   – Build mutual understanding

→ All of which is needed to build and sustain trust

Citizens' Perspectives and Values:
CRPN Dialogues

- Values as a moral compass to guide behaviour
  - Equity, fairness, respect for diversity, inclusiveness, mutual responsibility, accountability and transparency, stewardship, adaptability, efficiency, balance, shared community and engaged democracy

- Citizen values and public sector values are aligned
  - And public servants and the public face tough choices on which values should take precedence depending on the circumstances
  - Challenge of competing public goods (e.g. privacy and efficiency) not unfamiliar to the public

Citizens' Views on Accountability and Trust

1. Role of government as key guardian of public interest reaffirmed on these conditions

   – Citizens have an active role in informing decisions

   – Accountability is improved

2. Accountability not an ends but a means to rebuild citizen trust in government

   – Three conditions demanded: Transparency, trust and citizen engagement

3. Transparency is embedded

   – Accessible and credible info to support citizens efforts to hold public officials to account

Citizens' Views on
Accountability and Trust (cont'd 2)

4. Reporting on how public funds are spent

    –   Needed to reasonably assess what society is getting in return (e.g. Are we making progress? Where are we failing?)

5. Call for third party, independent oversight bodies to protect public interest

    –   Loops back to trust and transparency challenges: inclination to be more trusting of third party experts and citizens

6. Representative government framework

    –   Not direct democracy, but seek greater input to balance contributions of stakeholders and experts

In Their Own Words

"the one thing I really want is accountability...the stakes are so high...that I think there should be real accountability and real infrastructure put into it do that people will have a say in what's going on and we can solve the problem." (Toronto Dialogue Participant)

"Accountability...it should be understandable to the general public and it should be an ongoing thing. It should be generally accountable as well, so we must meet safety standards, we must have ongoing testing and there must be public disclosure regarding what is found." (Toronto Dialogue Participant)

CBS Task Force on Public Participation: Principles and Practice (2000)

- Trust: the most important asset

  - Fragile and difficult to rebuild

  - Prevails when certain values prevalent

  - Function of both particular and general relationships

- Citizen participation

  - Better decisions, Greater legitimacy, Greater trust

- No one best way

  - Depends on purpose

  - Who needs to be involved

  - Clarity of objectives etc.

Embedding Values and Ethics: Operational Challenges

- Critics argue multiplicity of values in Code is confusing

  – Mixes apples and oranges

  – Too many core values- opportunity to 'value' shop

  – Segregation of values into 4 clusters not helpful

- Disconnect between theory and practice

  – Careerism and incentives not aligned

Embedding Values and Ethics:
Operational Challenges (cont'd 2)

- Blurring of lines of accountability

  - Accountability and trust: relationship between elected officials and public service

- Accountability gone awry

  - Procedural excesses: innovation chill

  - Litigation threat

Embedding Values and Ethics:
Operational Challenges (cont'd 3)

- Role of the Media
    - Entertainment, 'gottcha' style, lack of perspective
    - Yet critical to informing and engaging public

- Democratic deficit
    - Decline in civic engagement and voting
    - Sense of civic 'duty'

- The Human Condition
    - Perfection not attainable!

In Summary...

"Serious discussion of values must inevitably address the gap between aspiration and reality. The easy answer when confronted with the gap is to say that we've set our expectations too high, to turn away from our values. The tougher approach is to ask how we can continue to close this gap, "to walk the talk", to renew our values. It is our values that pull us forward, that command us to improve, and a richer, fuller understanding of these values can only help us to build on the finest traditions and aspirations of our public service."

John Tait, Forward, Report on Public Service Values and Ethics

Questions

- Thinking about CBS, how are values and ethics understood within the organizational culture?

- What about internal processes and culture vis-à-vis values and ethics

    - What's working well?

    - Is there an equivalent to the Public Service Integrity Office?

    - What needs improving?

Questions (cont'd)

- What about public participation?

  – What successes has CBS had in rebuilding trust with the public and key stakeholders

  – What challenges remain?

  – What opportunities are there to strengthen public trust in the CBS?

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