

Abstract number: 4TL0003

**Joint World Conference on Social Work and Social Development
Hong Kong Convention and Exhibition Centre
10 to 14 June 2010**

**PROMOTING ETHICAL PRACTICE:
MORAL AGENCY IN A HOSTILE ENVIRONMENT**

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Conference convened by –
International Association of Schools of Social Work
International Council on Social Welfare
International Federation of Social Workers

NOTE: This paper was presented at the Joint World Conference on Social Work and Social Development in Hong Kong on Friday 11th June 2010. This paper, along with all proceedings of the Conference, has been published online on the Conference website on: <http://www.swsd2010>.

Abstract

A reflective journey in probation and social work is the subject of this paper, during which the profession's value base has been challenged by neo-liberal political and economic orthodoxy that has threatened to suppress social work's 'service ideal' of social justice, wellbeing and relationship. The Anglo-Saxon polities, including the UK, have been in the vanguard of these developments. Writing from the UK, the author promotes the exercise of moral agency – of praxis – associated with upholding the 'service ideal' in the face of these challenges.

A good practice framework is presented identifying features a practitioner can demand of practice settings if they are to provide congruity between the realities of daily practice and the 'service ideal'. This framework is the outcome of the author's own reflective journey encompassing practice, practitioner research, management, academic study, teaching and writing. A UK Advanced Award in Social Work and PhD were staging posts in its formulation. It models cross-fertilisation of teaching, learning and practice: an exemplar for the integration of social work education in the world of practice.

The framework has four domains for appraising practice settings: regulatory context, values of practice, support and development of staff, knowledge creation. It is illustrated by 'worked' examples from practice and research. The examples demonstrate tensions within the values, policy and practice dynamic, in which policy has become technocratic, instrumentalist and hostile to the 'service ideal'. The author uses the examples to show how standards of moral agency may be actively sought by the practitioner in adverse circumstances.

Our response to the modern environment challenges us to hone our understanding of what we mean by good practice and develop ethical practice because the global orthodoxy's spectacular collapse in 2008-9 creates a space in which ethical discourse can acquire renewed influence in professional, political and economic debate.

1. Shaking the Neo-liberal Orthodoxy

I promise to ‘serve the greater good --- act with the utmost integrity’ and guard against ‘decisions and behaviour that advance my own narrow ambitions, but harm the enterprise and the societies it serves’. So swore 400 MBA students graduating from the Harvard Business School in June 2009 (Economist, 2009, p.70). The calamitous nature of the banking crisis and economic collapse of 2008-9 has challenged the neo-liberal orthodoxy of the preceding 30 years and led to a rediscovery of an ethical discourse for business practices.

Adair Turner, Chair of the Financial Services Authority in London, has declared that ‘(t)here clearly are bits of the financial system --- which have grown beyond a socially reasonable size --- I think some of it is socially useless’ (Turner, 2009, p.36) but it is Barack Obama who has been most direct (Obama, 2009, p.3):

--- we will not go back to the days of reckless behaviour and unchecked excess at the heart of this crisis, where too many were motivated only by the appetite for quick kills and bloated bonuses. Those on Wall Street cannot resume taking risks without regard for consequences, and expect that next time, American taxpayers will be there to break their fall.

Restraint with social responsibility is a discourse that has long been buried in a global economy where ‘intellectual systems – market theory, Washington consensus, free market deregulation – can become like a religion’ (Turner, 2009, p.36).

An aspect of the neo-liberal consensus that has been thrown into relief by the crisis is the lack of a sense of responsibility other than to financial self-interest. Proposals regarding increased regulation are met by financiers with the response that business will move elsewhere to more business-friendly climes. Obama (2010, p.3) reflects a public outrage when he rails against the ‘army of industry lobbyists from Wall Street descending on Capitol Hill to try and block basic and common sense rules of the road’.

Yet this self-serving monster is the natural outcome of a political and economic system that privileges individualism at the expense of collectivity and a global predatory structure that has locked into itself people with resources, mobility and skills, including the middling sort, and consequently has become deeply rooted in modern society. The orthodoxy has come to favour ‘projects of self by resourceful individuals’ who pursue ‘a trajectory of self-realization and self-improvement with the strategic accumulation of property assets and stakes in corporate wealth’ resulting in social polarisation and a loss of regard for communal wellbeing (Jordan, 2006, chapter 7, quotation p.134). A manifestation of this outlook in relation to social welfare on a global scale is dramatically seen in the political agenda that has driven the General Agreement on Trade in Services (GATS), with wealthy first world countries positioning themselves advantageously to ‘become the predators of GATS competition’ (*Ibid.*, chapter 5, quotation p.90).

This environment of ruthless competition creates a sense of insecurity and anxiety (Jordan, 1996; Sennett, 2006; Elliott, 2008, pp.270-8). Such emotions create fear of one’s own failure and of the perceived threats posed by others. Fear leads to authoritarianism and a punitive attitude towards those who do not fit (Cooper & Lousada, 2005). People who do not fit include outsiders, the marginalized and disadvantaged, all those who are reviled – offenders, mentally ill people who are deemed to pose a threat to others – and those who fail to take responsibility for themselves within this opportunity society.

For the public welfare sector, the above combines to create a managerialist and risk-focused policy and practice environment that features a peculiarly harsh instrumental utilitarian ethics. Utilitarianism, as an ethical discourse, is strong on accountability and equity

for achieving, in a transparent fashion, the greatest good for the greatest number. It will ration fairly within approved eligibility criteria. It sits comfortably with predefined procedure and targets, which are characteristic of managerialist organizations.

But these qualities can flip over into a harsh instrumentalism when, ultimately, the ends come to justify the means and the greatest good for the greatest number equates with sectional interests in a competitive world in which resources and power are grossly disproportionately distributed. For example, if, in penal policy, the end is to reduce reoffending for the security of the majority, then it is logical to achieve this by technically the most effective means regardless of the intrinsic ‘moral merit’ (Robinson & McNeill, 2004, pp.293-7) of the means chosen. Technical rationality favours measurable outputs – just like the private sector (Lymbery, 2004; Sennett, 2006) – which leads to interventions that are short term and project based. For the unfavoured and ‘undeserving’, this can degenerate into public services that are punishing and controlling.

2. Two Moral Voices

The public outrage arising from the financial collapse, the question mark placed over previously untouchable private sector practices and the opening up of ethical debate that has flowed from this provide an opportunity for the social welfare sector to provide ethical leadership. Pluralist ethical debate within this sector has, during these last three decades, remained vibrant and questioning of the dominant materialist paradigm, which makes it well placed to present alternative frameworks (Hugman, 2005; Jordan, 2007).

Banks (2004, pp.53-60, chapter 6) refers to two ‘moral voices’. On the one hand is the ‘predefined rule-following and targeting’ of instrumental utilitarianism and, on the other hand, is the more traditional ethics of the ‘service ideal’. The latter involves a commitment to the provision of a service, a public good, as an end in itself. It stems from Kantian respect for persons and from virtue ethics, namely vocational practice as an intrinsically moral statement and, as such, stands in strong contrast to the paradigmatic assumptions of recent decades.

This second moral voice features professional discretion, relationship, the importance of *process* and long term timeframes. It asserts that professional skill is most needed in unique and complex situations for which rules and procedures do not provide the answer. This is the world of ‘the swampy lowland [where] messy confusing problems defy technical solution’ (Schon, 1987, p.3) in which professional expertise requires the development of reflective practice. Together, these features capture what Jordan (2007, p.xii) calls the ‘defining feature of social work’, namely its particular capacity to enhance social wellbeing through engaging inclusively and collaboratively with the conflicts and reciprocity of relationships, community and power structures (Jordan, 2007, pp.126-40).

In public services, however, a balance between the two moral voices is required. Following the economic crisis, the utilitarian qualities of transparent accountability and equity will be in high demand as public welfare services face diminishing resources and the cuts that lie ahead but necessarily tempered by the fiduciary relationship of the ‘service ideal’.

3. Moral agency

Within England and Wales, the recent history of the probation service exemplifies the shift to a risk-focused authoritarianism as the service has moved from being an avowed social work agency to an agency that is firmly placed within the correctional services complex (Elliott, 2001, 2008). Working within the probation service, I have directly encountered and struggled with this radically changing professional culture. In my career I have moved between

practice, training, management, research and academia and, in the process, have undertaken two advanced in-service awards – a Diploma in Management and a portfolio-only Advanced Award in Social Work – that have allowed me to adopt different perspectives and to reflect upon my practice and values within this volatile penal environment.

I have explored the possibilities of maintaining professional *agency* – or *praxis* - by which I mean acting with autonomous moral agency but within the responsibilities and duties of the increasingly controlling culture of my practice setting. The end result has been a series of publications (recent practice-based examples are: Elliott, 1995, 2001, 2003; see also 2008) in which I have charted this dynamic between values, policy and practice and reflectively charted my own practice within it. The conclusion that I reached is that practitioners have choices over the practice settings they move to and they also have influence to shape their working environment. Charles and Butler (2004, p.64) similarly argue that it is possible for practitioners to ‘perceive themselves as initiators rather than victims’ and they go on to explore, in the detail of day-to-day practice, how such agency can be achieved by practitioners as opposed to becoming simply ‘accommodators’ with the managerialist practice realities that they find themselves in; an approach given eloquent testimony by front-line probation officers’ continuing espousal of ‘people work’ as the quintessence of probation practice in England and Wales (Annison *et al.*, 2008; also Forbes, 2010).

This process of reflection has led me to identify certain features – or a good practice framework – that one should expect of a practice setting. Today’s policy and practice world is fluid and changeable whereas the service ideal involves a value base that requires underpinning stability. The framework provides an interrogation about the nature of any social work institutional, policy and practice setting which serves as a mechanism for examining the congruence between the individual’s service ideal and the requirements of practice. This congruence is vital for a practitioner’s sense of personal integrity. Lacking it will result in stress and burn-out.

But the questions do not imply absolute standards. They address spectra of behaviours. Practitioners’ sense of service ideal will vary according to their theoretical stances (Howe, 1987, pp.15, 49-51; Elliott, 1995) and every practice setting is deficient to some extent but open to influence. The framework, therefore, poses questions that can apply to all settings but judgement is required in how the individual assesses a setting in the light of those questions.

4. The framework

The framework comprises four areas of practice that are of concern, the factors, namely the regulatory framework, values of practice, support and development of staff, and the knowledge framework. Against each factor are set certain good practice criteria. An agency’s performance may be appraised in relation to these criteria. The third column poses questions that provide a focus when making that appraisal (see **Table below**). The criteria are:

- *Negative freedom* (Berlin, 1969, pp.122-31), namely the exercise of constraints or coercion on the person. To what extent is practice bounded by regulation, with professional responses to problems and issues being predetermined? All safe public welfare work has boundaries and, as publicly accountable professions, practice takes place within a regime of law, policy and procedure. But the degree of regulation between settings can vary and extremes of regulation deny space to both practitioner and service user to act with moral agency (Maruna *et al.*, 2004, pp.227-9).

- *Positive freedom* (Berlin, 1969, pp.131-4). This concerns the opportunities for practitioners to pursue their own projects and the extent to which such initiatives are encouraged. Reflection in practice entails questioning the routine, acceptance of clinical uncertainty and ‘experimentation, exploration and evaluation’ in one’s practice (Redmond, 2004a, p.144): the ‘double loop learning’ characteristic of the learning organization (Redmond, 2004b, pp134-5). Is there opportunity within the practice setting for such an approach?
- *Values criteria*. Professional ethical codes are critical in providing alternative reference points when considering the ethical standards of practice pertaining in a work setting. Within UK social work, the Care Councils’ *Codes of Practice* (General Social Care Council, 2002) set out principles of practice that over-ride the requirements of targets and agency procedure. The registered social worker is accountable to these codes, bringing social work in line with other regulated professions. It is important, however, that ethical discourses range beyond regulatory bodies that themselves have complex political and policy relationships with governments (Whittington and Whittington, 2007, pp.84-90, 94-5). The independent British Association of Social Workers (BASW) (2002) *Code of Ethics* contributes to plurality of debate, while the International Federation of Social Workers and International Association of Schools of Social Work, whose definition of social work underpins the BASW *Code*, ensure international benchmarks in ethical debate. The probation service in England and Wales lost these external reference points when the requirement that probation officers should be qualified social workers ended in 1995. Probation at that point ceased to have a readily defensible and principled identity beyond whatever the policy makers of the day deem to be proper for it.
- *Practice and staff development*. To what extent does the practice setting support tripartite – administrative, educative and supportive – supervision? This is the traditional model of social work supervision and, if properly provided by the agency, is the locus where anxiety generated by the work may be contained and the craftsmanship of reflective practice nurtured (Hughes & Pengelly, 1997). In England and Wales, the influential government commissioned Social Work Taskforce has endorsed this approach to supervision and powerfully asserted its place in effective and safe social work practice, without which social workers ‘begin to question their own effectiveness and experience “burn out” through a combination of heavy workloads and low support’ (Social Work Taskforce, 2009, pp.31-2). The Taskforce calls for a national *requirement* that employers ‘make a positive, unambiguous commitment to a strong supervision culture’ (*Ibid.*, p.35).
- *Knowledge criteria*. Does the field of practice contain a zone of academic freedom? Does knowledge creation and learning have independence from employer interests? This is especially required at the levels of professional qualification and research. Such independence and plurality can also be achieved – although not exclusively so – by practitioners as knowledge creators in their own right (Gould, 1999, pp.66-9; Elliott, 2001, 2003; Baldwin, 2004). The relationship between government, employers and academia is complex and can be contested, as the recent history of criminal justice research demonstrates (Smith, 2004), but what is essential is that there is space for tolerance of dissent and an independent research culture.

5. Some ‘worked’ examples

The typology above is drawn from my own experience of moving in and out of practice in the probation service, during which time I researched, reflected upon and wrote about policy developments within the probation service, how these impinge upon front-line practice and my own practice. There follow some ‘worked’ examples, about which I have written, of the typology given above:

- *Negative freedom:* I explore these boundaries within the probation service as penal policy and the revisions to national standards made practice increasingly punishment and enforcement oriented. The response proposed for the practitioner is to ensure practice is well rooted ethically and is explicit in terms of its methods, evidence base and evaluative approach. ‘Real life’ practice examples are given, including use of tools and procedures – available at the time within the agency – for developing a model for systematic evaluation of one’s own practice, which provided a basis for advocating a relational approach to one’s work (Elliott, 1995, pp.17-21; Elliott, 2001, pp.22-38).
- *Positive freedom:* An example of having space to develop such a project is given with the Offending and Relationships Group, which was a ‘process’ group set up at borough level within the probation service at a time when cognitive-behavioural practice was almost exclusively gaining approval for development at the expense of ‘process’ approaches. The passage cited describes the theory base and operation of the group; its particular value for probation in terms of relational and client-centred practice; and comments on evaluation (Elliott, 2001, pp.38-41).
- *Values criteria:* I develop a typology that is an exercise in benchmarking practice against a set of values criteria. The typology involves tests of imposition, oppression and coercion in relation to practice with service users in probation and other areas of social work practice not as a set of absolutes but as a spectrum of behaviours within which moral judgement may be exercised. There is urgency to the article because the authoritarian swing in probation was already clearly underway and the typology is designed to interrogate this trend and articulate an underpinning social work value base against which practice requirements may be measured (Elliott, 1995).
- *Practice and staff development:* The dilemmas of creating a trusted supervisory space within an organization that emphasizes managerialism, monitoring and inspection are explored in relation to an action research project I undertook in the probation service. Eight years on from the 1995 article referred to above, the authoritarian and managerialist structures were yet more dominant but there was still space for manoeuvre and a robust knowledge base of effective social work supervision to draw upon and develop. Above all, the importance of team culture, boundaries and clear contracting are highlighted (Elliott, 2003, pp.339-40).
- *Knowledge criteria:* The action research activity referred to above provides an example of practitioner research within ‘cycles of planning, acting, observing and reflecting’ (Kemmis, 1993, pp.177-80) to bring about change, improvement and a culture supportive of a learning organization (Baldwin, 2004). Being involved in learning within the workplace that is externally supervised and validated is seen as important because this provided a framework, focus and quality-controlled discipline to the research activities

engaged in that were independent of the political contingencies and pressures existing within the agency (Elliott, 2003).

6. Conclusion

Today's practice environment requires multiple skills, flexibility and continuing education and training. 'Portfolio careers' (Cooper & Dartington, 2004, pp.133-5) and the growing freelance sector in social work reflect the drivers that exist and how people respond to them. This world of networked services and enabling governance (Johansson & Hvinder, 2005) creates pressure and anxiety but also new spaces and opportunities within which to operate. Continuing professional development and one's portfolio of achievement can lead to honed skills and professional confidence, which in turn generate personal authority and empowerment through which moral agency may be exercised.

The framework set out above articulates a set of expectations that professionals can reasonably demand. An active culture of analysis, critique and demands by professionals for ethical standards within supportive practice contexts can act as a restraint on the drift to an amoral instrumentalism and can serve as a means for maintaining the balance between both the moral voices of practice – with the further possibility of achieving real influence at a time of flux and failure in old certainties when social welfare and the wider political and business constituencies are seeking alternative ethical paradigms.

Table 1

Factors	Criteria	Questions
Regulatory framework <i>Worked Example</i> – Probation national standards and enforcement <i>Worked Example</i> – Offending and Relationships Group	Negative freedom Positive freedom	What is the balance between negative and positive freedoms for the practitioner? Are both types of freedom present in an appropriate way that caters for individual autonomy?
Values of practice <i>Worked Example</i> – social work that does not impose, oppress, coerce	Opportunity for relational work and empowerment Plurality of codes of ethics	How does the choice of methods and delivery of services measure against the values benchmarks? Are the values of practice upheld through the ethical norms of daily conduct?
Support and development of staff <i>Worked Example</i> – Guidelines for creating a ‘trusted’ supervisory space in a managerialist organization	Tripartite supervision: administrative educative supportive	Does the management and practice environment enable a bounded, accountable and supportive culture of curiosity, learning, development and space for professional judgement and discretion?
Knowledge framework <i>Worked Example</i> – action research project to achieve change and improvement	Continuum of pre to post qualifying learning and accreditation Generation of new knowledge	Is there freedom of enquiry and a supported and open dialogue in knowledge creation between practitioners, management and academia?

Note

This paper is one of a sequence that is based upon, summarizes and develops the author’s Kingston University PhD (2006: by publication with commentary, covering publications from 1988 to 2003). Arising from this are an article (2008), which covers the themes of policy, practice and ethics in detail, and a conference paper (2008 and 2009). The present paper updates and completes this sequence.

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Key words

Social work ethics, service ideal, utilitarianism, managerialism, moral agency, practitioner research, reflective practice, financial regulation.

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Proceedings of the 2010 Hong Kong Joint World Conference, including full texts of papers, are available online at: <http://www.swsd2010>.

Promoting ethical practice: moral agency in a hostile environment was also presented in a poster format at: *Social work: what progress? What potential?*, Olive Stevenson Seminar Series. Kingston University, 5 November 2010.