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Variations on the theme of professional integrity: character and conduct in social work

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Introduction

This paper explores professional integrity as a complex moral quality (in the sense of a capacity or disposition) of the professional practitioner, with particular reference to social work in the UK. It discusses the revival of interest in professional integrity in a climate of managerialism and marketization in public services, and examines various senses and components of professional integrity. The paper then explores versions of professional integrity in the context of interviews with social workers about their practice, and then in professional misconduct hearings held by the professional regulatory body. In analysing professional integrity I explore it along various axes, including 'weak' and 'strong', 'ordinary' and 'ideal', and 'conduct-focussed' and 'character-focussed'.

NOTE: This paper is at an early stage. It focuses less on professional misconduct hearings than advertised in the abstract, as I have yet to gain access to full transcripts of the hearings

The revival of professional integrity

In the late 1990s, Solomon commented: "Integrity" is a word like "honor" – its close kin – that sometimes seems all but archaic in the modern business world' (Solomon, 1997, p. 215). Insofar as many of the values and practices of the business world were increasingly prevalent in the public and voluntary sector at this time (Aldridge, 1996; Clarke, 1998; Clarke *et al.*, 2000), Solomon's reflections might equally have characterised the world of public services. If we take integrity in professional life to relate to consistently living up to a set of deeply-held values that partly constitute the identity of the professional, then many features of the organisational and societal climate of the 1990s seemed to make integrity impossible, and indeed undesirable. These trends, which still persist today, include:

- *Fragmentation* of roles and identities - job roles are increasingly specialised, with a focus on completing required tasks rather than paying attention to the overall picture and societal impact. (Parts rather than wholes)
- *Regulation* of professional work - the increasing use of pre-defined proformas, procedures and targets reduces the space for professional judgement and may encourage uncritical conformity with required standards. (Surface rather than depth)
- *Outcomes* – there is a focus more on the ends achieved and less on the means used to achieve them. (Ends rather than means)
- *Competitiveness* –there is a tendency to concentrate on people's own or their group's interests or projects, with a concern for efficiency, value for money or profit. (Individual/group rather than public good)

While these features of organisational and professional life are now increasingly questioned as undermining the fabric of social and economic life, they nevertheless persist. Arguably austerity measures introduced in the public sector in the UK following the financial crisis have intensified many aspects of managerialism (following procedures, reaching targets and measuring outcomes) and marketization (efficiency, profit and competition). However, at the same time, integrity in professional and public life is being called for and increasingly valued. In addition to major scandals in public services, such as fraudulent expense claims of UK Members of Parliament and uncovering of widespread sexual abuse in public institutions, the 2008 economic crisis fuelled major mistrust in the financial services field. 'Integrity' and 'professional integrity' are featuring more frequently in public discourse and in professional statements of values and codes of ethics. In the business world, for example, the website of the financial services firm Deloitte has a prominent section entitled 'ethics and integrity', which makes the following claim:

Integrity and ethical behavior are both core aspects of Deloitte culture. They guide our people in making business decisions, in the actions they take, and in the way they treat their clients and each other. (Deloitte, 2014)

This represents an attempt to reinvigorate (rhetorically at least) the holistic model of professionals as trustworthy, honest and reliable in the context of declining public trust, particularly in the wake of the financial crisis. Similar trends are apparent in the field of public services. For example, in the latest code of ethics of the British Association of Social Workers (2012), 'professional integrity' was added alongside human rights and social justice as one of three core values of the profession. The value is described as follows:

Social workers have a responsibility to respect and uphold the values and principles of the profession and act in a reliable, honest and trustworthy manner. (British Association of Social Workers, 2012, p. 10)

A re-emphasis on professional integrity, particularly by professional bodies, can also be regarded as part of a move to counter-balance the discourse of managerialism and marketisation, reasserting a discourse of moral agency, independent professional judgement and humane, caring practice. Yet in the current climate of welfare reform (cut-backs in welfare benefits and services) it can also be seen as a move to shift responsibility for fairness and respectfulness in delivery of inadequate services onto professional practitioners, and away from the state and welfare organisations (Banks, 2011). In a climate where professional integrity is harder to achieve, it is increasingly demanded. This might be expected to result in a weakening of the concept of professional integrity and/or increasing moral distress on the part of professionals.

The nature of professional integrity

The term 'professional integrity' is used in many different ways. Clearly it builds on the concept of 'integrity', which literally means wholeness. While there are many types of integrity (moral, psychological, aesthetic, intellectual), when applied to people the term is very often used to refer to moral integrity. In this sense it is associated with holding, and acting consistently with, a set of moral values. It is moral integrity on which I wish to focus here, and which I think lies at the core of professional integrity. This gives the concept substantive content (as opposed to merely focusing on the form) and grounds it in the social domain (as opposed to inner psychological states).

Moral integrity is sometimes used in what I call a 'weak' (thin) general sense simply to refer to someone who exhibits overall 'morally good' conduct. Many dictionary definitions associate integrity with honesty and reliability. It also has a 'stronger' (thicker) more specific sense, in which moral integrity entails upholding deeply-held, identity-conferring moral commitments. In the stronger sense, the moral agent is foregrounded as a person with commitments and motivations. People may have to work hard to hold onto their commitments in challenging situations, which requires other moral qualities (such as wisdom and courage). Yet, as Cox et al (2003, 2005) point out, if integrity is to be regarded as a virtue (excellence of character), there is more to it than simply upholding a set of commitments. It is important to have a critical relationship with our commitments, to be able to prioritise conflicting commitments and re-evaluate them in the light of changing circumstances. A person of integrity is not someone who stubbornly, inflexibly or unjustifiably holds onto a principle just for the sake of it. Cox et al characterise 'integrity' as a 'complex and thick virtue term'. It is not reducible to the workings of a single moral capacity (in the way courage is, for example) or the wholehearted pursuit of a clear moral end (like benevolence). They use the Aristotelian characterisation of virtue as a mean between two excesses (although Aristotle himself does not discuss integrity as a virtue in this way). They suggest that it stands between the qualities associated with inflexibility such as arrogance, rigidity, dogmatism, sanctimoniousness and those associated with superficiality and artificiality, such as capriciousness, weakness of will, self-deception and hypocrisy. The person of integrity, they suggest, 'lives in a fragile balance between every one of these all-too-human traits' (Cox *et al.*, 2003, p. 41). They argue for an account of integrity as 'a capacity to respond to change in one's values or circumstances, a kind of continual remaking of the self, as well as a capacity to balance responsibility for one's work and thought.' (Cox *et al.*, 2003, p. 41). This is a dynamic account of integrity, which does not require a concept of an unchanging self or rigid identity, which some versions of integrity assume (Williams, 1973, 1981; Frankfurt, 1987). The analysis of Cox et al is influenced by, but critiques and goes beyond, accounts of several philosophers who associate integrity with identity-conferring commitments (Williams, 1973, 1981) or 'standing for something' (Calhoun, 1995).

Just as there are weak and strong senses of integrity, there are also weak and strong senses of professional integrity. As indicated above, I take professional integrity to be moral integrity in professional life. Moral integrity in professional life entails upholding a particular set of professional standards/values/ideals that are attached to a professional role or profession. These build on the everyday standards/values of morality, but are not the same. For example, professionals operate to very specific standards of confidentiality and may advocate for particular service users in ways that would not be expected in personal life. 'Professional integrity' is sometimes used in a weak generic sense to refer to a morally good professional; and sometimes in a stronger sense to refer to a professional who works hard critically to uphold and re-evaluate their professional values.

In their brief treatment of professional integrity, Cox et al (2003, p. 103) distinguish it from professionalism. They characterise professionalism as 'pursuing the extant demands of a profession come what may'. Professional integrity, on the other hand, involves 'pursuing a semi-independent ideal of what the profession should be at its best'. This is a useful distinction. However, given the term 'professional integrity' is increasingly used to refer to what Cox et al describe as 'professionalism', I would prefer to characterise this as 'ordinary professional integrity'. Ordinary professional integrity would entail, for example, behaving in accordance with the current values and standards as outlined in professional codes of conduct, but not necessarily questioning these or

considering what the overall purpose of the profession is or should be and whether the extant standards are adequate. What I call ‘ideal professional integrity’ entails holding a vision of what professionals might achieve in ideal circumstances. This can sometimes be found in the statements of purpose and/or values and principles that often feature at the beginning of professional codes of ethics. For example, the code of the British Association of Social Workers (BASW, 2012, p. 6) starts with an international definition of social work:

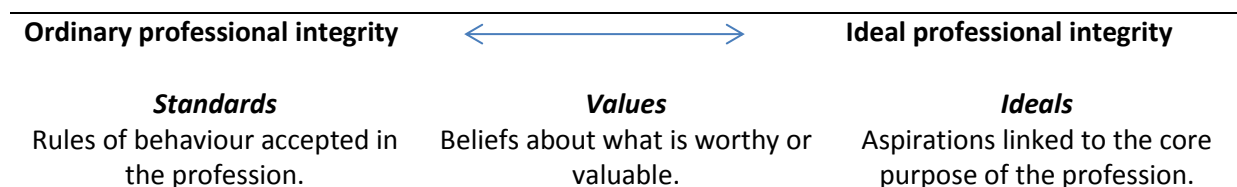
The social work profession promotes social change, problem solving in human relationships and the empowerment and liberation of people to enhance well-being.

This bold, generic statement, with its reference to empowerment and liberation, is clearly aspirational and can be regarded as a service ideal for practitioners to work towards.

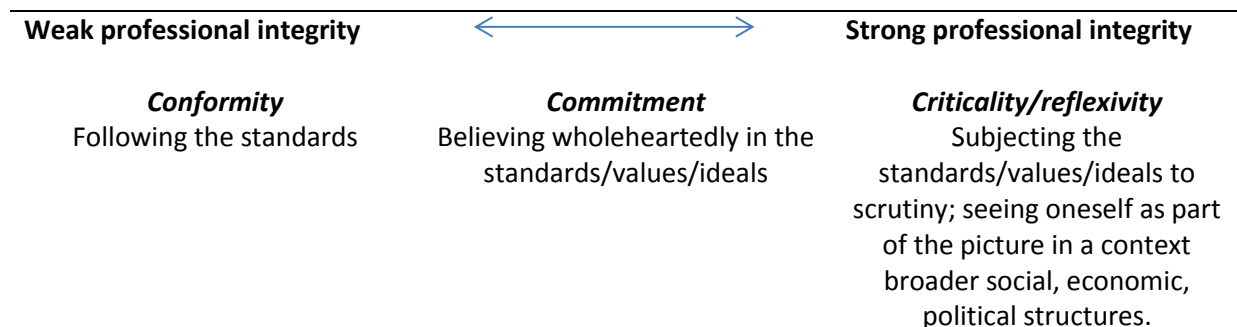
Professional integrity in practice

As already noted, as conditions for professional integrity get less favourable, it is called for more frequently. In a context of fragmented services and ever-tighter regulation, we need professionals who take a holistic view, are honest and focus on the public good. Yet what type of professional integrity can we expect in such conditions? How can we measure professional integrity in these contexts?

The discussion so far suggests there are several strands within the concept of professional integrity. I just distinguished ordinary and ideal professional integrity, defined according to whether the focus is principally on extant professional standards or on ideals of what a profession might be at its best. There is no hard and fast dividing line, and the summary below represents a continuum from standards to ideals, with values in the middle.



I also distinguished weak and strong professional integrity, according to degrees of conformity and criticality. Here ‘commitment’ comes in the middle.



Professional practitioners' accounts in interviews

Over several decades I have interviewed professionals working in the field of social work about their practice, with a particular focus on the ethical difficulties they face (Banks, 2004a, 2007). Whilst I have not specifically asked questions about professional integrity *per se*, and indeed, few interviewees use the term, some accounts of ethical challenges inevitably relate to situations in which the professionals were working at upholding the values of the profession. In interviews the professionals give performances for the interviewer, and are often reflective and reflexive about their roles, actions, beliefs and conduct. Such accounts are useful in that they inform us about the ideals, concepts of self, good practice and right conduct of these professionals. They are examples of sense-making processes in action – albeit in retrospect and constructed for the interviewer. It was in analysing interviews that I became increasingly interested in the concept of professional integrity (Banks, 2004b, 2010; Banks and Gallagher, 2009). Several professionals gave critical accounts of themselves and their roles in their organisations, presenting themselves as people with ideals about what social work should be and as able to engage in critical reflection on their practice in an organisational and social context. There were many stories of disappointment and distress at not merely being unable to live up to professional ideals, but also finding it hard to work to extant professional standards. As an illustration, I will offer one example from an emergency duty social worker employed by an English local authority. I have summarised from the interview, including some direct quotes where relevant. This short case example depicts the social worker, Jim, reflecting on his role and making sense of it in relation to an ideal of what good social work should be.

*Jim's case: 'It's not the right way to be doing it.'*¹

Jim qualified as a social worker 15 years ago and worked in a variety of settings before taking on the post of emergency duty social worker for a local authority three years ago. He works evenings and weekends and takes urgent cases covering the whole of a large rural county. He is on duty on his own and deals with a large variety of situations – from child protection to mental health. His job is to make people and situations safe until the specialist social workers come back on duty during the week days. So he may have to ensure children are in a place of safety if he judges them to be at risk or arrange for people to go to hospital if they need to be there: 'tidying things up as best you can until the next day'. He described the work as very short term and very stressful.

In talking about his work, Jim said: 'I'm trying to fight hard against being cynical'; 'It's not worthwhile any more'. This could be categorised as 'burn out' due to the focus on crisis in emergency social work. Indeed, Jim commented that quite often: 'I'm just there by myself and it's not very pleasant'. But he also described his discomfort in broader terms than simply 'stress':

So I'm beginning to think I really don't like it any more. Knocking on people's doors and saying I need to talk to you because a report's been made that you're not looking after your child. You know, it's not worthwhile any more. It's not the right way to be doing it. There's other ways. And I'm just there by myself and it's not very

¹ This case example is taken from Banks, S. (2010) 'Integrity in professional life: issues of conduct, commitment and capacity', *British Journal of Social Work*, **40**(7), pp. 2168-2184.

pleasant. So I'm beginning to think I'm doing it out of a very routine way. But I'm getting the sense back that it's not the right way and it's punishing people. And it's social work that's really cut down to the bone, about as stark as it gets. I don't really like it any more.

He felt this way of doing things was 'unhealthy for the profession of social work', which should pay more attention to 'how you regard people; how you treat people'. He indicated he was considering whether to stay in the job. In the meantime, he does what he can to mitigate the harmful effects of professional interventions on people's lives - such as recommending good solicitors and using his discretion to recommend extraordinary payments for people in crisis.

In the account given above, Jim does not describe in detail what he thinks good social work is, but it is clear that he thinks it should involve treating people with respect, and seeing them holistically in the context of their own lives and families. In the process of giving the interview, Jim is reflecting on his role and making sense of it in relation to an ideal of what good social work should be. He is giving an image of himself as someone who is 'beginning to think' and 'getting the sense back'. He is becoming aware that what he is engaged with is not 'good social work' according to the ideal standard that he holds. He presents himself as having a kind of generalised internal dialogue. At the start of the quotation he says that he's 'beginning to think I really don't like it any more'. At the end of the quotation he simply states: 'I don't like it any more'. So his dislike has become more definite, although he still talks of 'dislike' rather than using a stronger term like not believing in what he's doing or 'I can't be part of that any more'. He is thinking of leaving his job because it does not live up to his ideal - 'it's not the right way to be doing it'. He can do small actions to try to operate according to his own standards of good practice, but this is not enough.

Professional practitioners in the context of misconduct hearings

Another arena in which I am now beginning to explore professional integrity is professional misconduct hearings. Professional misconduct seems to involve at least a failure of ordinary professional integrity, insofar as it entails a failure to conform to one or more extant professional standards. Hearings are public events at which a panel hears the case against a professional about whom a complaint has been made. I will consider the process that is undertaken by the regulatory body that covers social work in England - the Health and Care Professions Council (HCPC). This is a statutory body, which maintains registers of qualified professionals and sets standards of professional conduct for 16 professions, including social work. The HCPC took over this role for social work in 2012 (previously social work has its own regulatory body, the General Social Care Council). The HCPC has a published set of *Standards of conduct, performance and ethics* (Health and Care Professions Council, 2012), which are relatively brief and apply to all professions under its remit (ranging from hearing aid dispensers to physiotherapists). Part of the role of HCPC is to ensure that all registered professionals are 'fit to practise' - that is, they have the 'skills, knowledge, character and health to practise their profession safely and effectively'. When serious concerns are raised about a professional, these are investigated and if it is judged there is a case to answer a hearing is called. There is a special committee for health-related cases. Other cases are heard by panels of the conduct and competence committee. The registrant (the person against whom allegations have been made) is invited to attend and witnesses may be called by both sides. The civil standard of

proof is used (balance of probabilities). I am particularly interested in cases of misconduct, which include instances of dishonesty, improper *relationships with service users*, *serious breaches of professional confidentiality and inappropriate behaviour in personal life* (bringing the profession into disrepute), for example.

In order to begin to explore how aspects of professional integrity feature in these hearings I examined reports of 10 hearings involving social workers during September and November 2014. These are available on the website (www.hcpc-uk.org.uk/complaints/hearings/archive/) and summarise the allegations, the committee findings (including whether misconduct occurred, whether fitness to practise is impaired and the decision on a sanction) and the committee orders (what has to happen for the sanction to be implemented). Whilst these are summaries of the proceedings (rather than transcripts), they include details about how the evidence was viewed by the panel and the grounds for their decisions. They are typically about 5-10 pages long.

While the first stage of the proceedings focuses on what happened (whether misconduct occurred, what standards were breached), during the next stage the panel considers whether the registrant's fitness to practise is impaired as a result of the misconduct. It is here that issues of character begin to emerge. Fitness implies a capacity, and in conduct cases (as distinct from competence or health) the fitness is essentially a moral fitness. The panel considers whether the misconduct was an isolated incident, or recurring behaviour. They also consider motives, degrees of insight, remorse and the extent to which the misconduct has been/can be 'remediated'. These are considered both in deciding if fitness to practise is impaired, and in deciding what sanctions to impose. For example, if someone shows no or little insight or remorse, and they have made no attempts to remediate their behaviour (for example, by undertaking therapy, training, supervision) then it is unlikely that they will simply be given a caution.

Whilst the term 'character' does not feature much in these reports, it is a feature of the whole fitness to practise process, which starts with registration. In order to register with HCPC a qualified professional must complete a self-declaration of good character and submit a character reference. However, both these are, in effect, tick box requirements and amount to a thin version of character - character by proxy. The self-declaration requires the applicant to state whether they have any criminal convictions or have been subject to disciplinary hearings (if they have not, then they are of good character). The referee has to tick a box to confirm that the applicant is a person of honesty and integrity and suitable to be a professional. However, in the fitness to practise hearings, features that we would associate with thicker versions of character (motives, moral emotions, dispositions to behave in certain ways) begin to surface. When sanctions are imposed, especially conditions of practice orders (when the person remains on the register, but has to fulfil certain conditions), registrants are frequently required to undertake supervised practice and complete reflective accounts. This is part of what is meant by 'remediation', which could be regarded as character education for professional integrity.

I now give an example of a case from 22-29 September 2014 which resulted in a social worker being struck off the register. This is a very brief summary.

The case of Mr P: 'deliberate and long standing dishonesty'²

Mr P was a qualified social worker working for a local authority as a supervisory social worker for a Supported Lodging Scheme (provision of lodgings in people's own homes for young people leaving care). He and his wife were also directors of a company that provided supported accommodation services for young people leaving care. Mr P did not disclose his own or his wife's involvement with the company to his employer. Whilst working for the local authority, he completed a successful tender for his company to be included in the local authority service providers' framework. He used a false name as director of the company. When asked at a later stage about his involvement, he claimed he just did limited casual work for the company. Although he was given the local authority's code of conduct, which requires declaration of any pecuniary interests relating to contracts entered into by the council, he did not declare any conflicts of interest. He was later discovered to have been doing work for the company in his employer's time.

At the hearing Mr P admitted the allegations against him (failure to disclose directorships, minimising his work for the company, using a false name), including that his actions had been dishonest. The panel found the allegations proved. In relation to the allegation of dishonesty, the panel noted Mr P's evasive answers and considered that the dishonesty had not occurred negligently or innocently, but with the 'deliberate intention of deceiving'. The panel judged that the allegations amounted to misconduct and that they were serious enough grounds to question Mr P's fitness to practise. They quoted the relevant standards of the code in operation at the time of the allegations (General Social Care Council, 2002). They decided his fitness to practise was impaired at the time and then considered whether his fitness to practice remained impaired – asking the question: 'Is Mr P liable, now and in the future, to repeat misconduct of the kind proved?' They noted his contradictory and evasive answers, no demonstration of 'real understanding' of how he had let down his colleagues or of the damage his dishonesty would have on the reputation of the profession. The panel 'was not able to detect genuine remorse for his misconduct' and concluded he 'had developed only little insight into his failings'. Although he had undertaken a course of therapy, he had not 'remediated his dishonesty by enrolling on a course of therapy'. In short:

Having due regard to the issues of insight, remediation and Mr P's history, the Panel found that he remains liable to repeat misconduct of the kind found proved. There had been no material change in Mr P since the events in question which might allow it to conclude that his fitness to practise is no longer impaired.




In deciding on what sanctions to impose, the panel was 'particularly concerned that Mr P's misconduct was characterised by deliberate and long standing dishonesty which breached the trust placed in him as a social worker'. They decided that a striking off order was the only way to protect the public and retain confidence in the profession and the regulatory process.

² This case was taken from the HCPC hearings archive in September 2014. The real name of the registrant is publicly available, but I refer to him here as 'Mr P'. www.hcpc-uk.org.uk/complaints/hearings/archive/

From my initial readings of the report of this and other hearings (and from my attendance at several hearings of the General Social Care Council and Nursing and Midwifery Council), arguably whilst the panel can only demand (and measure) conformity to standards, they are in fact looking for commitment. While they do not go as far as reflexivity, the search for ‘insight’ is not far away from the beginnings of criticality. While they begin with a focus on conduct, they move onto aspects of motivation, emotion and educability that relate to character. Although they only use the generic professional standards as a benchmark for judging misconduct, some underlying values are reflected in these. However, because the standards are generic across professions, social work core values (human rights and social justice) and purpose (empowerment and liberation) do not feature (even in the case of Mr P, where the old GSCC standards were in force).

Anyone who conforms to the extant professional standards (that is, who exhibits ordinary, weak conduct-focused professional integrity) will probably not face a misconduct hearing. But if a failure of conduct occurs, then their character (thin) and commitment to professional values may come under scrutiny. Furthermore, thicker versions of character (albeit evidenced in a legalistic way) and capacity for reflection (if not reflexivity) are also at play in these hearings. The plan for the next stage of this research is to examine transcripts of the hearings, which will give fuller accounts of the proceedings.

Drawing on the examination of these hearings, I would now like to add a further tentative set of strands relevant to the investigation of professional integrity, based around the distinction between conduct-focused and character-focused professional integrity.

Ordinary professional integrity		Ideal professional integrity
Standards Rules of behaviour accepted in the profession.	Values Beliefs about what is worthy or valuable.	Ideals Aspirations linked to the core purpose of the profession.
Weak professional integrity		Strong professional integrity
Conformity Following the standards	Commitment Believing wholeheartedly in the standards/values/ideals	Criticality/reflexivity Subjecting the standards/values/ideals to scrutiny; seeing oneself as part of the picture in a context broader social, economic, political structures.
Conduct-focussed professional integrity		Character-focussed professional integrity
Conduct Professionals’ specific actions and behaviours.	Character (thin) Conduct over the long term. Proxy indicators (no convictions) and tick box references (no reason why ...)	Character (thick) Set of moral qualities or dispositions to act well based on good motives, etc.

Concluding comments

There is no doubt that the upsurge in references to professional integrity outlined at the start of the chapter is resulting in a stretching of the term, which sometimes seems to mean little more than a disposition to engage in conduct that conforms to extant standards (Cox et al's 'professionalism'). However, in a preliminary examination of professional misconduct hearings in social work it is clear that the issues at stake go beyond conduct conforming to extant professional standards. The next stage of this research will be to examine in more depth the interactions and concepts of character at play in these types of hearings. The accounts given by social workers in research interviews offer a different perspective on professional integrity, inevitably allowing thicker and more nuanced accounts of their practice from their own points of view. These provide a useful reference point for the misconduct hearings.

Further exploration of the topic of professional integrity may also have something to contribute in relation to the situationist critique of virtue ethics (Harman, 1999; Doris, 2002), which argues that the idea of stable, context-independent character traits is a myth. For example, whether people respond in a caring way to a person in need seems to depend on whether they are in a hurry or not. People are prepared to torture others if instructed by an authority figure. Arguably it is precisely because of these weaknesses that the concept of character (even if we regard it a 'folk concept') is important, particularly in professional life. Professionals are expected to behave well in all contexts. They are expected to have wisdom to judge what is right in each situation - to be able to weigh shortage of time against the need to care, for example, and to give an account of their actions and decisions. This is a core part of the professional role. Similarly, the very fact that people often base their moral judgements on 'intuitions' (Haidt, 2001) and that fast (intuitive) thinking sometimes leads to 'wrong' answers (Kahneman and Tversky, 1981; Kahneman, 2011) means that professionals need a high degree of critical awareness and reflexivity and a developed capacity for slow reasoning as well as emotional sensitivity. These qualities underpin professional integrity, and indeed good character in a professional context.

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