

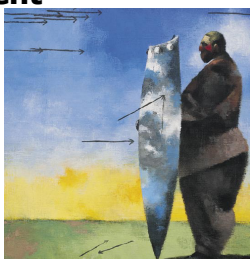
Ethics and Public Service

Session Objectives

- To encourage you to *think beyond legal restrictions* and provide tools for doing so
- To maximize the public's trust and confidence in you and your municipality.

Public Service Ethics is Different

- Laws play a bigger role.
- Perception is as important as reality.
- Key concept: decision-making in the public's interest.



The Importance of Public Perception

- Your actions may be absolutely right, but the public may still question your motives.
- Public service is about:
 - Doing the right thing; AND
 - The public's confidence that indeed the right thing has been done.
- But, not doing the right thing because the public's perception may be negative has its own pitfalls.

Ethics versus Ethics Laws

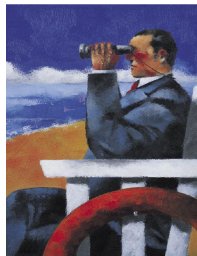
Ethics Laws

- Law = Minimum standards
- What we *must* do
- Ethics is what we *ought* to do

Thinking Beyond Ethics Laws

- Law is only a starting point for analysis.
- Just because it's legal, doesn't mean it is ethical (or public will perceive it to be so).

Thinking Beyond Ethics Laws



- Where do you want to set your sights as a public servant?

Beyond the Law: Public Service Ethics Principles

Ethics = Values

- Six universal ethical values:
 - Trustworthiness
 - Loyalty
 - Responsibility
 - Respect
 - Fairness
 - Compassion

Source: Institute for Global Ethics

Trustworthiness

- I remember that my role is first and foremost to serve the community.
- I am truthful with the public and others.
- I do not use my position for personal gain.
- I avoid actions that would cause the public to question whether my decisions are based on personal interests instead of the public's interests.
- I do not knowingly use false or inaccurate information to support my position.

Loyalty

- I safeguard confidential information.
- I put loyalty to the public's interests above personal loyalties.
- I don't oppose final decisions once they have been made by the decision makers except through internal lines of communication.

Responsibility

- I promote the efficient use of municipal resources.
- I do not use municipal resources for personal benefit.
- I take responsibility for my own actions, even when it is uncomfortable to do so.
- I do not use information that I acquire in my public capacity for personal advantage.
- I disclose suspected instances of impropriety to the appropriate authorities, but I never make false charges.

Respect

- I treat elected officials, other staff and the public with courtesy, even when we disagree.
- I gain value from diverse opinions and build consensus.
- I follow through on commitments, keep others informed and make timely responses.
- I come to meetings and I come to them prepared.

Fairness

- I honor the laws and the public's expectation that municipal policies will be applied consistently.
- I promote equality and treat all people equitably.
- I support the public's right to know and promote meaningful public involvement.
- I credit others' contributions in moving our community's interests forward.

Compassion

- I realize that some people are intimidated by the public process and try to make their interactions as stress-free as possible.
- I recognize my responsibility to society's less fortunate.
- I consider appropriate exceptions to policies when there are unintended consequences or undue burdens.
- I am attuned to, and care about, the needs and concerns of the public, officials and other staff members.

Types of Ethical Dilemmas

- Personal Cost Ethical Dilemmas.
 - Situations in which doing the right thing may or will come at a significant personal cost to you or the municipality.
 - Also known as "Moral Courage Dilemmas."
- Right-versus-Right Ethical Dilemmas.
 - Situations in which there are two competing sets of "right values."

Analyzing Ethical Dilemmas



Questions to Ask

- What ethical values are involved in this decision?
- Which ethical values are in conflict with “doing the right thing?”
- What is the personal cost of “doing the right thing?”
- What are the facts?

Questions to Ask

- What are the benefits to be achieved or the harm to be avoided by a particular decision?
- Is there a decision that does more good than harm?
- What are your personal opinions?
 - Is there a decision that is consistent with both or all sets of ethical values?

Questions to Ask

- Is there a course of action that is more consistent with a value that is particularly important to you?
- What decision best reflects your responsibility as a public servant?
- What course of action will best promote public confidence in the municipality and your role in serving the community?

What to do When You Suspect an Ethics Problem

- Step One: Stop. Analyze your motives first.
 - Organizational Loyalty?
 - Do your expectations exceed organizational realities?
 - Disillusionment?
 - Defensiveness?
 - Are you laying a foundation to claim whistleblower status?
 - Desire to Harm?
 - Is your aim to hurt or embarrass another?

What to do When You Suspect an Ethics Problem

- Step Two: Figure Out What the “Wrong” Might Be.
 - Law vs. ethics
 - Code of Ethics?
 - Is Ethics a part of the Organizational Structure?

What to do When You Suspect an Ethics Problem

- Step Three: What are the Consequences of Letting the Situation go Unaddressed?
 - Legal Consequences
 - Personal Consequences
 - Simply being accused of ethical transgressions can be devastating.

What to do When You Suspect an Ethics Problem

- Step Four: Speak with Others and See if They Share Your Concerns.
 - Talk with your supervisor
 - H.R. Department
 - Attorney
 - Trusted Friend or co-worker

Communication Tips

- Be prepared.
 - Have all the facts and be certain you are talking to the right person.
 - Be respectful. Be earnest but not self righteous. Do not raise your voice or make threats.
 - Be fair. Do not assume bad motives, be open to additional facts and explanations.
 - Be honest. Do not exaggerate or omit important facts.
 - Stick to the point; stay focussed.

What to do When You Suspect an Ethics Problem

- Step Five:
 - Discuss the Issue with the Individual (or have a trusted confidant do so.)
 - Try to figure out the motivation.
 - Identify gaps in analysis.
 - Appeal to Enlightened Self Interest
 - Assess the results of the Conversation

What to do When You Suspect an Ethics Problem

- Step Six: Determine Whether External Enforcement Authorities Should be Contacted.
 - How serious is the potential ethical violation?
 - Is the ethical violation criminal in nature?
- The Media
 - Not the best choice
 - Casts doubts upon your motives
 - Not an effective investigative agency
 - May hinder internal investigation

Final Questions to Ask

- What would you want to read about on the front page of the newspaper or the lead story on the evening news?
- Would you be able to explain your actions to your Mother?
- How do you want to be remembered?

Some Traps to Avoid

- Thinking the ends justify the means.
 - There are limits as to how goals are achieved.
- Rationalizing.
 - Public service is a commitment, but it does not entitle you to any special treatment or special benefit.
 - Everyone is doing or has done the same thing.
- Assuming no one will know.
- Situational ethics
 - Ethics that are “sculpted to fit the facts.”

Key Lessons

- It's your choice how high you want to set your sights above the minimum requirements of the law.
- Think about your standards and principles and what they mean in public service context.
- Think about how you would respond if someone wants you to compromise those principles.

Thanks to the California
Institute for Local Government

Questions?