

**A STRONG FOUNDATION
REPORT OF THE TASK FORCE ON
PUBLIC SERVICE VALUES AND ETHICS**

A SUMMARY

FEBRUARY 1997

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A Strong Foundation is the report of the Task Force on Public Service Values and Ethics, one of nine Task Forces led by Deputy Ministers that were established by the Clerk of the Privy Council in 1995. This taskforce took the form of a Study Team established by the Canadian Centre for Management Development and led by John Tait, former Deputy Minister of Justice and then a Senior Fellow of CCMD. The membership of the Study Team is appended to this summary of its report. The full report (and those of the other Task Forces) is available on the CCMD website.

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The purpose of A **Strong Foundation** is to help the public service think about and, in some cases, rediscover and understand its basic values and recommit to and act on those values in all its work. We did not start with a predetermined values framework, nor was our goal to produce one. Instead, we began by asking about problems and issues on the minds of public servants today – concerns such as these:

- evolving conventions about the accountability of ministers and public servants
- tension between old values and new
- ethical challenges emerging from new service and management approaches
- leadership and people management in a time of change.

The result was a learning process that worked through contemporary problems, listening to voices and perspectives within the public service. The topic itself challenged us to demonstrate some of the key public service values that emerged from our discussions: honest dialogue, speaking truth to power, acknowledging conflict, aiming for balance, equity and synthesis.

Summarizing the results of this work risks oversimplifying issues that are neither simple to begin with nor amenable to simple solutions. Nor can a summary make room for full and balanced consideration of various perspectives on the issues. With these caveats in mind, this summary traces the report's five main chapters, highlighting the issues raised and the values emerging from discussion of them.

DEMOCRATIC VALUES AND ACCOUNTABILITY

The theory and practice of responsible government **occupied** a great deal of our time and attention. Almost every issue we examined led **back** to the principles of democratic life in a parliamentary system. We **looked** at three main issues: the conventions surrounding public service anonymity; the accountability issues arising from new ways of **organizing** and delivering government programs and services; and questions **about** congruence between political and public service values.

PUBLIC SERVICE ANONYMITY AND MINISTERIAL RESPONSIBILITY

Many of us take for granted that the role of public servants is based on an **implicit bargain** or “**deal**”: public servants give governments their professionalism, discretion and non-partisan loyalty in exchange for anonymity (public servants are not publicly accountable) and security of tenure (lifetime employment). These assumptions are a source of **much** uncertainty: when they were severely **challenged** by recent events many other public service values seemed to be put in doubt. As far as anonymity is concerned, the so-called “old deal” seemed to have been eroded by incidents **such** as the Al-Mashat case or certain high-profile appearances of public servants before parliamentary committees.

On the other **side** of the coin, ministers have sometimes **seen** public service anonymity as protecting public servants at ministers’ expense. Why should ministers **accept** the **consequences** for problems **caused** by someone else? Why should they explain or **defend** actions of which they were unaware or with which they disagree?

Our discussions helped us to realize that public service anonymity is not an absolute. In the British civil service, the deputy **minister** is directly accountable to Parliament for financial management of the department; in Canada, public servants in Crown corporations **and** arm’s-length regulatory and funding **agencies** make **decisions** and are directly accountable for them; and court **decisions** have qualified the principles of neutrality and anonymity by allowing public servants to engage in partisan **politics** (within certain limits).

Democratic Values and Accountability

Current issues:

- conventions of public service anonymity
- accountability in new organizational forms (agencies)
- congruence between political and public service values

Values discussed:

ministerial responsibility
public service anonymity
rule of law
non-partisanship
candour
accountability of public servants
loyalty

Officials can and do appear before parliamentary committees to **provide** information or explain their actions without injuring responsible government. Indeed, these functions are fundamental to responsible government. The only limit is that parliamentary bodies cannot **instruct officials** – instructions must come from ministers – nor should they attribute responsibility improperly or ask **officials** to comment on **policies**, actions or **advice** in ways that are incompatible with their accountability to a minister. Public service anonymity, even in mitigated form, continues to serve two great purposes: protecting the authority of ministers – and thus the democratic principle that government should be carried on by elected **representatives**, not unelected **officials**; and preserving the neutrality of the public service and its ability to give **candid** and frank **advice** to ministers. But anonymity is a more **elastic** principle than it first appears, and there is clearly room for Canada to qualify it further without undermining the values of parliamentary government. We believe there should be ongoing analysis and dialogue on the evolution of the concept, keeping in mind the **purpose** it must serve.

Dialogue on public service anonymity and accountability helped us become aware that there is confusion **about** the nature of the public service employment **bargain**. This has been compounded by confusion **about** the nature and meaning of terms sometimes used **interchangeably** with accountability (see box, this page).

Responsibility is a positive concept. It works every day in a quiet, positive way, and at all levels of an **organization**, within the public service as well as for ministers. It involves day-to-day direction to departments and the correction of problems that may arise. It **does not mean** being aware of everything that happens every day, or that **one** is to blame for everything that **goes** wrong. It **does mean** that when problems emerge the **person** in charge is responsible for dealing with the situation.

Four Concepts: Related but Distinct

Responsibility: identifies the field within which a public office holder (whether elected or unelected) can act; defined by the specific authority given to the office holder (by law or by delegation)

Accountability: the means of enforcing or explaining responsibility; it involves

- rendering an account of how responsibilities have been carried out and problems corrected
- accepting **personal** consequences for problems the office holder caused or problems that could have been avoided or corrected if the office holder had acted appropriately

Answerability: a duty to inform and explain

- it is part of accountability but does not include the **personal** consequences associated with it
- public servants are answerable before parliamentary bodies but not accountable to them
- ministers are answerable to Parliament for Crown corporations and independent tribunals but are not accountable for their actions/decisions

Blame: office holders are

- responsible for everything that occurs under their authority
- but whether they should be subject to **personal** consequences such as discipline or blame depends on the circumstances in any particular case
- the key consideration is whether an office holder caused a problem, or ought to have taken steps to avoid it.

Accountability **can** be thought of as enforcing or explaining responsibility. Accountability involves rendering an **account** to someone, **such** as Parliament or a superior, on how and how well one's responsibilities are being met, on actions taken to correct problems and to **ensure** they do not reoccur. It involves accepting personal consequences, **such** as discipline, for problems that could have been avoided had the individual **acted** appropriately.

"Answerability" describes a key aspect of accountability, the **duty** to inform and explain. Answerability **does not include** the personal consequences that are a part of accountability. For example, public servants are answerable before parliamentary committees, not accountable to them.

Public office holders are responsible for all that occurs within their authority but are not always subject to "blame" for problems that occur. The issue and degree of blame **depend**, among other things, on whether office holders were personally involved in activities, or should have been; that is, on a fair assessment of whether they could have avoided the problem, or ought to have taken steps to correct it.

Clarifying the meaning of these terms and using them appropriately **may** help to avoid the **undue** emphasis on blame and resignation that often characterizes public debate, and clarify the purpose and limits of public service anonymity, while helping to dispel the sense that ground **rules** have **changed** or **bargains** have been broken.

Parliamentary government is an inherently evolutionary form of government. It **can** accommodate new practices in the visibility and answerability of **officials** while preserving the essential features and **benefits** of responsible government and related public service values such as neutrality, discretion, professionalism and loyalty to the government of the day. In fact, **such** evolution **may** actually **enhance** public service values while strengthening the democratic accountability they are intended to serve.

For us, what is important in the conventions of ministerial responsibility and public service anonymity is the democratic **principle** that lies behind them. Above **all**, they **maintain** ministerial authority **over officials**. While it is often assumed that ministerial responsibility protects public servants by enabling them to avoid public accountability for their actions, the truth is the opposite: the doctrine protects the authority of ministers.

ACCOUNTABILITY AND NEW ORGANUATIONAL FORMS

One example of the new environment for public service values is the **advent** of alternative organizational models for delivering programs and services, **such** as distinct service or program delivery **agencies**. We wanted to understand the potential **effects** of **such** models on public service values, and the design features that could support or **enhance** important public service values.

As we proceeded, we came to appreciate that separate service delivery agencies **need** not involve **any** fundamental change in ministerial responsibility. Ministers **can** delegate some of their authorities – formally **and** publicly – to agency CEOs. A CEO would still be accountable to a minister, and the **minister** would still be accountable to Parliament. But now the CEO's delegated authority and the minister's expectations with regard to agency performance and results would be set out formally, precisely **and** publicly.

Unlike Crown corporations and regulatory agencies, service delivery agencies need not be at arm's length from government, particularly where their activities are clearly governmental in nature or where ministers want to remain closely **connected** to specific functions. Recognizing the importance of assuring accountability in these circumstances, it **may** be more helpful to think of them as a new kind of department – **operational** departments with wider, more **explicit**, and more public delegations of authority **and** performance targets.

Experience elsewhere suggested to us that careful attention **will** need to be given to clear, **precise** agreements spelling out what authority is delegated and what is retained, and what service standards **and** results are expected. If these and other features of operational departments (particularly the **human resource** regime) are carefully designed **and** implemented, and if attention is paid in organizational design to supporting and strengthening public service culture in the new agencies, our discussion concluded that there is no necessary **conflict** between these new organizational forms and traditional public service values. **In fact**, some research suggests accountability **can** be significantly strengthened by such arrangements.

POLITICAL AND PUBLIC SERVICE VALUES

In the course of our work, we heard two **concerns**. First, we heard doubts, particularly from outside the public service, **about** whether the senior public service is able to give **loyal** support to **each** succeeding government; these doubts give **rise** to **calls** for a U.S.-style public service, with **each** government appointing its own senior officials. The second view, heard mainly at middle and lower levels of the public service – **and** diametrically opposed to the first – is that the senior public service is all too eager to serve the government of the day, failing at times to make clear the risks or drawbacks of **policy** options or to **communicate** fully the **concerns** of those on the front lines of service delivery.

With regard to the **first** concern, we were not persuaded. It is entirely appropriate to safeguard against a public service having its own agenda, or being **inward-looking** and unresponsive to democratic **will**. But the proposed remedy is wrong: the **evidence** we examined suggests that not only is a professional public service **equipped** and able to support the program of every duly elected government operating within the law and the Constitution, it is the best **means** available to do so. Indeed, a professional public service is an important national institution in the service of democracy. Nevertheless, this first concern highlights the

great importance of public service values **such** as loyalty and responsiveness to the democratic process .

Several insights and challenges emerge from the second concern. **One** is the importance of speaking **truth to power** – making ministers and senior **officials** fully aware of the options for action and the **potential consequences**, even if this **means** providing information they find unwelcome. This is **one** of the **chief** duties of a public service dedicated to support of the democratic process, and it is **one** that should be observed not just at the top, but at **all** levels in the public service, wherever there are employees and **supervisors**.

At the **same** time, after professional **advice** has been tendered and democratic deliberation completed, faithful **execution** of the decisions of elected **officials** is what a public service is for. Once public servants have **done** their best to **advise**, they must **accept** the legitimate decisions of ministers.

Finally, to reinforce democratic values, there appears to us to be a twofold challenge of communication: senior public servants **need** to **reflect** on whether and how well they are explaining political **decisions** to their subordinates and demonstrating that public servants' views and **analysis** are being conveyed to ministers.

EMPLOYMENT AND VALUES

Who should be employed in the public service, how that employment should be arranged, and the conditions under which it should continue – in short, the employment regime – is at the **heart** of public administration, and the issues raised by the **choice** of an employment regime are closely **connected** to values.

The **concerns** we heard fell into three **groups**: the distress and uncertainty arising from downsizing; the employment issues raised by organizational experiments discussed in the previous section; and the issues of non-partisanship and **merit** in the public service of the future.

Employment and Values

Current issues:

- downsizing – how it was **done**; implications for employment **contract**
- employment regime for new public service
- future of non-partisanship, **merit principle**

Values discussed:

concern for **people**
merit, professionalism
knowledge, skills, standards
neutrality, loyalty
fairness, **equity**

Downsizing: How IT Was Done

For many public servants, downsizing appeared not only to contradict values statements such as “people are our most important **resource**” but also to undermine the employment security **bargain**. Public servants found their faith in public service values shaken by both the **fact** of downsizing **and** the way they saw it being **carried out**: some processes were **seen** as punitive, secretive and capricious; ruthlessness appeared at times to be permitted **and** even rewarded; a **focus** on short-term results sometimes seemed to crowd **out concern** for public policy **purposes** and values.

These perceptions are important for their impact on public service values, even though in some departments senior managers were more considerate, respectful and **caring** in their approach to downsizing: **open**, honest **and fair** in announcements and processes, involving those **affected** by **decisions**, and remaining focused on serving the public interest.

Falling short of a **stated** ideal **does** not seem to us to invalidate the goal; instead it demands renewed efforts to close the gap, to do better in future. To live up to assertions about the value of people, we believe public service leaders **and** managers should be held accountable not only for results but for the way they are achieved. They should be evaluated not just for organizational performance but for whether their organizations are good places to work, whether they nourish sound public service values and a spirit of dedication to the public good. This **will** also **require** review and alignment of **all people** management systems to support public service values **and** reward behaviour that **promotes** them.

Downsizing and the Employment Comm

The **closer** we looked at the impact of downsizing on public service values, the more we were persuaded that the belief that downsizing broke an old **bargain** – security of tenure in a **career** public service – is based on a mistaken assumption about what security of tenure **means** in the **Canadian** public service. We concluded that it **does** mean protection from partisan dismissal, but it **does not mean** a **guarantee** of permanent or lifetime employment. It cannot, for the size of the public service and the amount of public **resources** devoted to it are matters of public policy, to be determined by **democratically** elected governments and implemented by the public service.

Although the public service employment regime **cannot** be based on a guarantee of lifetime employment, it should nevertheless foster a **professional** public service. A professional public service **may** not be **equated** with a guarantee of permanence, but neither is it consistent with the notion of employment as short-term or contingent. Some length of time is normally required to gain the knowledge, skills, sensitivities **and** outlook the profession **requires**. A professional public service should therefore be built on long-term rather than

short-term employment, a sufficiently long apprenticeship to acquire the skills and culture of professionalism.

The problem with the alternative vision of the public service as a **much** more porous institution is that the values of loyalty are at the heart of what it **means** to be a public servant. In a public service where employment is more contingent and short-term, public servants would necessarily be **encouraged** to use their **current** role to advantage themselves and position themselves for future employment. The public service employment regime should be designed instead to support **and** nourish the values of loyalty to the public good and to the public trust.

Loyalty to the public **interest** – as expressed in law **and** the Constitution and as represented and interpreted by democratically elected governments – is among the fundamental values of public service. But loyalty is a two-way street. The government, as employer, must demonstrate the loyalty of the institution to its employees through **humane** leadership and management and by building a professional public service based on long-term rather than short-term relationships with employees, even if it **cannot** (and should not) guarantee lifetime employment.

CULTURE AND CRITICAL MASS

A professional public service **does** not need to be, and should not be, a **closed** shop. New public servants bring with them new skills, perspective and energy. But in order to become themselves professionals, new **arrivals** need to enter into a well-developed public service culture. This implies two things. First, that the instincts, competencies, values and standards of public service be well developed **and** continually nourished. And, second, that these values be embodied in a critical mass of persons. For us, the notion that the public service of the future **could** be a set of **principles** rather than a group of persons **and** the systems that regulate them is implausible. Values cannot be disembodied. We do not think the values of public service are likely to endure in a vigorous spirit unless there is a sufficient proportion of public servants (certainly the majority) who have spent **significant** time acquiring the skills, knowledge, **reflexes** and standards of public service — who are, in short, professionals.

We think that public service values **can** be **enhanced** by critical mass, and by the sense that values are rooted **and** shared in a **common** public service community. The employment regime should therefore **also** facilitate a reasonable ease of movement within **and** between public service **organizations**, including between departments and service **agencies**. **Policies** or systems that would **lead** to excessive fragmentation, or to a **series** of employment ghettos, would not, in our view, support strong public service values and a broad public service culture.

Diversity of organizational form **and** culture are essential features of the public service and vital to the performance of particular programs and services. But **over** and above the

values of individual organizations, there are overarching values that belong to all public servants and are sustained by systems or **policies** that support **unity** and **mobility** within the public service. This **will** be particularly important as new organizational forms are explored. Common values for agencies and departments **can** be promoted through shared experiences made possible by internal mobility, networks and common training experiences.

NON-PARTISANSHIP AND THE MERIT PRINCIPLE

Our conversations and research convinced us that there is a need to reassert neutrality and **non-partisanship** and **merit** as fundamental values of the public service and to give close attention to the practices, institutions and conditions that **enhance** or **undermine** them. As **much** for new service agencies as for traditional departments, Parliament needs an independent body that **can** assure it **about** the non-partisan character of appointments – especially initial appointments – so that patronage appointments do not threaten the integrity or professionalism of the public service. **Bureaucratic** patronage is no more acceptable than partisan appointments, and staffing based on **merit** was designed to preclude both the appearance and the reality of favouritism, whether internal or partisan.

Recent public service reforms have **aimed** to reduce **complexity** and rigidity in contracting, procurement and appointment processes. **Yet** it seems to us that public organizations must **maintain** a careful balance: they should protect **merit**, equity and neutrality, even as they **pursue** **efficiency**, responsiveness and organizational performance. A public organization **does** not and cannot enjoy the “flexibilities” of **private** sector organizations. It **will** always have to **meet** higher standards of **transparency** and due process in order to **allay** **any** fears of favouritism, whether internal or external. For this reason, neutrality and **merit** remain values fundamental to maintaining confidence in the public service as a great Canadian institution serving the common good.

VALUES, OLD AND NEW

In our conversations with public servants, we discovered that some of the **current** unease with public service values arises from the **emergence** of new values that have not **yet** been adequately reconciled with the old. The new and the old rub shoulders awkwardly, and sometimes uncomfortably, awaiting an **adequate** synthesis or **reconciliation**. Do new ways of doing things **conflict** with existing values? Are the so-called “new” values merely old values in contemporary dress?

Much of the discussion we heard **takes** the form of a debate **about** two **approaches** to the public sector: the “new” public management approach and the “old” public administration approach (see box, next page). These perspectives do not always **coexist** easily:

- From a public administration perspective, public management pays too little attention to the democratic, parliamentary, political and public **context**, treats public goods as if they were **private**, ignores the complexities and trade-offs that characterize the public sphere, and downplays the importance of due process, vertical accountability, and the ultimate importance of the public **interest** or the common good.
- From a public management perspective, public administration neglects the real life of organizations, pays too **much** attention to due process while ignoring results, gives short shrift to the real users of public services and the quality of their interactions with government, and has little or nothing to **say about** the **concrete** tasks needed to transform public organizations.

Public Administration and Public Management

- *The public administration perspective tends to see government from the top down, emphasizing decision-making processes and institutions, the senior public service and its interaction with ministers and Parliament, law and regulation, accountability, government organization, public policy.*
- *The public management perspective tends to see government from the bottom up, focusing more on the quality of life and work in public organizations and seeking to understand and improve features of organizational life such as leadership, strategic management, organizational climate, service quality, innovation, performance, client satisfaction.*

Acknowledging the tension between these two perspectives seems to us the necessary first step in laying the groundwork for a new synthesis between the direction embodied in the public management approach, with its emphasis on users, customers and clients, and the more holistic direction represented by the public administration perspective. There is tension between them, but this **can** be a dynamic and **creative** tension, with both risks and benefits, as illustrated by a key point of debate in today's public service – the distinction between clients (or customers) and citizens.

Citizens are bearers of rights and duties in a framework of community; citizens work in concert with others to achieve the common good, so citizenship is not something isolated or purely individual. Customers, as customers, do not share common pur-poses with a wider community but seek to maximize their individual advantage. Dissatisfied customers are **free** to seek goods and services elsewhere; citizens are expected instead to work with others, through democratic **means**, to alter the unsatisfactory state of affairs.

Clearly, using either term to the exclusion of the other has **significant consequences**. Citizens in a democracy are equal bearers of rights and duties, bringing **principles** of equity **and** balance to the forefront and pushing the public service in the direction of consistency, standardization and due process and away from favouritism, preferential treatment and corruption.

At the **same** time, an emphasis on serving customers or clients has reinvigorated the **idea** of service. Service has always been a public service ideal, but **one** too often **obscured** by the **complexity** of government objectives and processes. The great contribution that the vocabulary of customers and clients imported from the **private** sector has made to public administration has been to refresh and reinvigorate the idea of service in the public sector. It has served to remind public servants that the people they serve are not some abstraction but real flesh and blood people, with real needs and wants, citizens for whom the quality of their daily interactions with government **can** either **enhance** or diminish their sense of citizenship. Adopting the vocabulary of client and customer has helped revitalize public service by encouraging managers to

- **find out** what **recipients** of services really want or need
- measure outputs and their value to clients
- Streamline and orient processes in ways that support service delivery
- see that they have internal clients as well, in their own organization or elsewhere in the public service.

At the service-wide level, this approach has helped the public service **become** more responsive to clients and make **policies** more responsive to citizens. The public service has become more service-oriented, adaptable, flexible and **open**, less insular and hierarchical.

Emphasizing outputs and services has also **encouraged** horizontality and a “whole of government” approach. It helps to overcome the vertical stovepipes that divide government somewhat **artificially** into separate **domains** either of service delivery or of **policy**, and to knit them up **again** in a holistic fashion that **reflects** the real life of real people and the connectedness of the real world. The challenges of **horizontality**, both in service delivery and in **policy** development, are rooted in values — both old and new — and **will** not be met without a strengthening of public service-wide values. A “whole of government” approach requires public servants to look outward to the public interest, to view **formal** mandates as **means** to achieve larger ends, **and** to keep the **focus** on these larger ends. And perhaps most of all, it requires a commitment to partnership and teamwork.

Finally, the public management approach has highlighted the importance of “managing **down**” — paying as **much** attention to the quality of organizational life and performance, including the quality of people management, as to the traditional public service skills of managing up, or assisting superiors to serve ministers and the political process.

Each of these benefits of the new client-centred management **approaches** has its own set of tensions, however, and demands its own efforts to get the balance right. Managing down should not **lead** to neglect of the **need** to serve ministers and the political process. Horizontality should not be achieved at the expense of individual accountability. Service to the public and serving the public **interest** are not always synonymous, and government is **much** more than service to individual customers. The vocabulary of customer service should not obscure the

fact that clients are also citizens, with all the rights, duties and shared purposes that implies. The true role of public servants is not just to serve “customers” but also to balance the interests and **preserve** the rights of “citizens.” It is the sum and balance of these interests, democratically determined, that **may** add up to something that could be called the public interest. If we were to allow the metaphor of customers to supplant or obscure the reality of citizens, we should diminish the whole concept of democratic government, and the public service values that support it.

In summary, renewal of the public service **does not mean** choosing between the “traditional” and “new” values. Rather, serving the public interest, in some instances, **means finding** the appropriate balance between them. This synthesis of old and new values is both possible and necessary, and together they **will help create** an even stronger culture of public service – not necessarily a new culture but **one** that has rediscovered itself and gained thereby new life and strength.

NEW ETHICAL CHALLENGES

Our discussions with public servants revealed new ethical challenges arising from some of the emerging values and new circumstances of the public service. Public servants told us they need guidance about how service-oriented, market-driven public services **can** treat all clients equitably and how the **paramountcy** of the public interest **can** be maintained. These questions apply whether public servants are working in economic and industry-related departments or in social programs.

Sources of Ethical Challenges

- **client-oriented services**
- **empowerment and discretion at front lines of services**
- **decentralization and delegation in staffing, contracting, partnerships**

With individual public servants being asked to **exercise** more judgement and discretion in program **decisions** and **decisions** on individual cases, and with greater decentralization and delegation of authority in staffing, contracting and partnerships, public servants are concerned that, in the absence of adequate ethical and accountability frameworks and proper safeguards, the **door** could be opened for accusations of **bureaucratic patronage, favouritism, and conflict of interest.**

In the grey **area** between behaviour that is clearly forbidden and behaviour that is clearly honest and ethical, codes of **conduct** and ethical **rules** are particularly **useful**, to reassure the public and to **protect** public office holders themselves.

We reviewed the **current conflict of interest** guidelines and post-employment code and found them basically sound but in need of supplementation in at least three ways:

- guidelines for **each** department and agency tailored to **meet** its particular challenges and circumstances
- a more developed central agency capability to counsel individual public servants and their leaders in matters of ethics and values
- better training and information **about** existing codes.

Ethical **decisions** in the new public service environment are often complicated by tensions of the sort discussed earlier and shifts in the balance between values, **rules** and results – for example, emphasis on results versus emphasis on **rules**, innovation and risk-taking versus probity and prudence. We found that further work is required to get this balance right, for example,

- by ensuring that **rules** are written to **focus** on their substantive **purpose** and are not overly **bureaucratic**
- by enriching the concept of empowering public servants by re-emphasizing that delegation **confers** specific and **concrete** authority to act and thereby implies accountability for specific and **concrete** results, as well as compliance with **rules** and **procedures**
- by reaffirming the primacy of law, the Constitution, regulation and due process as essential pillars of public administration and of the good society
- by developing a **comprehensive** ethics regime, including appropriate **recourse** mechanisms both within departments and for the public service as a whole.

Elements of an Ethics Regime

- a **public service code or statement of principles**
- **department- and agency-specific codes to adapt and supplement service-wide code**
- **counselling and recourse mechanisms for public servants facing a conflict of interest or ethical difficulties**

There must be **means**, consistent with public service values, for public servants to express **concern about** actions that are potentially **illegal**, unethical or inconsistent with public service values, and to have those **concerns acted** upon in a fair and impartial manner. From our own conversations with public servants, we know that unless some practical **recourse** mechanisms are created **many** of them **will** consider all the talk **about** values and ethics in the public service as **so much** hot air.

LEADERSHIP IN A TIME OF CHANGE

Throughout our discussions, the theme of leadership emerged with great force. Leadership in the public service – already challenging because of the **complexity** of issues, roles and

accountabilities **facing** senior managers – has become especially **difficult** in a time of downsizing, cutbacks and new directions. **Yet** it has **never** been more important, because it is through leadership, above all, that values are transmitted, nourished and reinforced.

Our dialogue with public servants revealed to us a certain divide between levels in the public service, perhaps **especially** where public service values are **concerned**. **Many** at the middle and lower levels of the public service do not feel well **connected** to the senior levels, and they are not sure whether they necessarily share the **same** values as those at senior levels. These feelings have a variety of sources (see box, this page). This “fault line” in the public service **can** occur at the highest levels. Even **ADMs** and **DGs**, whom others perceive as the departmental leaders, also sometimes express the conviction that they have no influence **over** the course of events, or do not have a full opportunity to **contribute**.

The existence of this fault line suggests to us that there is an important leadership challenge for the public service. As we studied the leadership challenge, it seemed to be defined by four interrelated themes: fostering a culture of leadership at all levels; speaking truth to power; accountability for **humane** people management; and the importance of role models and leadership by example.

Given the structure of political authority and accountability, public service management **will** probably always involve a **substantial** top-down element, but, if so, this makes sound people leadership even more crucial. Opportunities for leadership exist at all levels. Managers do not have to wait for a signal from the top to undertake the great tasks of leadership: exercising imagination, creativity and vigilance for the public good and **caring** for the people entrusted to their charge.

Similarly, speaking truth to power **does not mean** only conveying information and **advice** to ministers and senior **officials**. It also **means** creating and nourishing a **climate** that encourages dialogue and the constructive expression of honest views at all levels. The public service’s contribution to good government **depends as much** on the wealth and vigour of its **intellectual** and moral capital as on its powers of **execution**.

Third, because leadership is a principal **means** of transmitting, nourishing and reinforcing values, the quality of people leadership is an important touchstone of the general ethical tone and health of the institution. At the root of **humane** leadership is the conviction

A Fault Line in the Public Service

- perception that senior managers do not “walk the talk”
- tension between customer accountability and political accountability
- perception that responsibilities are delegated without **adequate** values framework or assurance of support/backing from superiors
- perceived **lack** of participation in **decision-making** processes
- fault line **can** occur at highest levels – perceptions sometimes shared by **ADMs** and **DGS**

that people are important: they are not **means** to an end but are valuable in and of themselves. But this conviction **carries** little weight if it **does** not permeate the culture and habits of public service management. This **means** aligning systems and practices to support **humane** people leadership, assessing its quality, exacting accountability for it, and recognizing its accomplishment through appointments, promotions and reward systems.

Finally, the leadership challenge lies in exemplifying the values we want to permeate public service culture. **People** learn to hold and to live values not by reading a **rule** book but by seeing how others behave and observing what kinds of behaviour are valued and rewarded. For this reason, nothing seems to us more important for the future of public service values than the quality of leadership in the public service. For us this **means** at least three things: first, leaders at all levels must be selected not just for effective performance but also for the degree to which they exemplify the highest public service values; second, the extent to which leaders demonstrate values and model them for others should have an important role in evaluations, rewards and promotions; third, the theme of public service values should be continually reinforced through all activities that influence and shape the culture of the public service.

CORE VALUES FOR THE PUBLIC SERVICE

Although we did not set **out** to draft a list of values, four overlapping families of **core** public service values emerged from our **consideration** of problems and issues on the minds of public servants today.

DEMOCRATIC VALUES

We rediscovered that the most important **factor defining** the role and values of the public service is its democratic mission and public trust: helping ministers, under law and the Constitution, to serve the **common** good.

What distinguishes the Canadian public service from other organizations is that all its actions are shaped by the requirements of Canada's particular brand of parliamentary democracy. The **principles** of responsible government and the relationship between elected officials and public servants form the foundation of public service values. For example,

- the relationship with ministers under responsible government establishes the public service values of being

Democratic Values

responsible government
rule of law
support for democracy
respect for the authority of elected office-holders
loyalty
neutrality/non-partisanship
accountability
due process
public interest/common good

†

- fearless in **advice**, loyal in implementation, and accountable to ministers
- loyalty to the public interest, as represented by the democratically elected government and expressed in law and the Constitution, is **one** of the most **fundamental** values of public service, and **many** other values (such as integrity, neutrality, equity, fairness, impartiality) are linked to it or draw their strength from it.

PROFESSIONAL VALUES

The family of “professional values” we encountered **includes** both traditional and “**new**” values. Some of the “**new**” values are in **fact** but a new way of expressing old values, or new **means** to achieve traditional ends. These ends have not **changed**: information must still be accurate, **advice** must still be objective and **candid**, service must still be even-handed. Innovation and creativity have not supplanted equity, impartiality, fairness and balance as values on which to base action.

Similarly, rather than aiming to replace or supersede “old” values, the “new” values actually **offer** ways to refresh and give new life to traditional values, **such** as “service,” that have always been part of the public service culture, **ethic** and motivation.

Finally, “new” values help to remind public servants that their **advice** and actions have real **effects** on real people and to challenge “old” behaviours – such as turf protection and **rule** nit-picking – that were **never** in keeping with traditional values and that hampered the **pursuit** of excellence when they were allowed to persist.

ETHICAL VALUES

Ethical values in public service – we could cite integrity, honesty, trustworthiness, and discretion among others – are in **many** ways no different from ethical values in other

‘Traditional’ Professional Values

neutrality/non-partisanship
merit
excellence
effectiveness
economy
frankness
objectivity and impartiality in advice
speaking truth to power
balancing complexity
fidelity to the public trust

“New” Professional Values

quality
innovation
initiative
creativity
resourcefulness
service to clients/citizens
horizontality
teamwork

Ethical Values

integrity
honesty
probity
prudence
impartiality
equity
disinterestedness
discretion
public trust

parts of society. What makes them distinctive is the intersection with the democratic and professional values of public service. Integrity, for example, is required in all professions. Its distinctiveness in the public service lies in the **capacity** to hold a public trust and to put the common good ahead of **any private interest** or advantage.

PEOPLE VALUES

People values seem to us an important key to promoting other public service values. Those who are treated with respect, **concern**, fairness, **civility** and integrity are more likely to display these values in their own **conduct**, **across** the whole range of public service functions, than those who are not. The quality of leadership and role modelling has a tremendous impact on organizational culture and individual behaviour, because it is only through leadership that the people values of the public service **can** be put into action, and trigger the wider range of public service values. To fulfil its functions effectively, the public service must **attract** and develop people who **can** work together, with shared values and toward common goals. Just as public servants must be **seen** to be fair and respectful in their dealings with those they serve, public servants themselves must be treated fairly and with respect. The public service should display the **same** values of courtesy, of **caring**, and of concern for its own employees that it aspires to **offer** to other citizens of Canada. A professional public service requires a critical mass of dedicated **career** public servants who share public service values, new **recruits** who bring fresh ideas and energy, a **human resources** regime that is fair, transparent and based on **merit**, that **promotes** continuous learning and improvement, and that holds people accountable, recognizes excellence, admits and learns from errors, and **celebrates** success.



* * *

Together these **core** values form a solid foundation on which renewal **can** take place and a stronger public service **can** be built. Democratic, professional, ethical and people values should be a unifying force for the public service, even if the emphasis and balance among them and the way they are applied or expressed **vary** from one department or **agency** to another. Common public service values are **quite** compatible with a growing variety of public service sub-cultures, as new departmental or **agency** forms are created. Every public sector organization — traditional departments or new **agencies** — should respect those **core** values and be accountable for them. **Such** values **can** conflict, as values often do, and difficult **choices**

may sometimes have to be made to achieve the right balance between them. But, even in dynamic tension, they reinforce and support **each** other, and taken as a whole, they are essential to the public **service's** role in the wider democratic process. In fact, in a time of change, these **core** values, rooted in the democratic mission of government, are the bedrock, the solid foundation on which renewal **can** take place and on which a stronger public service **can** be built.

A STATEMENT OF PRINCIPLES

As the problems and issues public servants discussed with us make clear, these **core** values are under pressure from **many** directions. To **call** this a **crisis** would be incorrect: it would not do justice to the overwhelming majority of public servants who are living and representing sound public service values every day, often in **very** trying circumstances. We have deliberately refrained from doing so. However, in the eyes of the study team, we are at a turning point where action is needed to clarify and reaffirm public service values.

As emphasized throughout this report, **abstract** values statements are less powerful than living models and broadly shared practices. But **such** statements have their place and are even essential at times. At the end of our journey of discovery, we concluded that this is **one** of those times. We see a need for a new moral **contract** between the public service, the government and the Parliament of Canada.

The Study Team **recommends** a **year** of broad discussion inside and outside the public service (mirroring the honest dialogue of our study team process), following which the government and Parliament of Canada should adopt a statement of **principles** for public service. The statement should be succinct, **dignified** in tone and expression, and focused on the **principles** of responsible government, and should relate the duties of public servants to these first **principles**. The statement should *not* focus on **conflict of interest** or other ethical issues – **conflict of interest** and post-employment guidelines already exist (although they **could** be better known) .

Following this, a **series** of mutually supportive actions should be undertaken at the service-wide and departmental levels, initiatives that **include** an **interpretation** of the statement of **principles** for the culture and circumstances of **each** department and **agency**, and a **service-wide** office with responsibility for

- advising public service leaders and managers on matters related to values and ethics
- collecting information and coordinating administration of the **principles**
- providing a **confidential recourse** or appeal mechanism to support and counsel public servants who believe they are being asked to take actions that **conflict** with public service values and ethics, similar to what the Study Team has proposed for individual departments.

There is also a need for continuing research, particularly on the experience of other parliamentary countries, and for training and development at all levels, through service-wide and departmental programs, including initial orientation of new recruits and in-service training of employees.

COUNTERING SCEPTICISM THROUGH HONEST DIALOGUE

In the past, efforts to **define** or promulgate values through **formal** mission or values processes have led to scepticism and cynicism

- when values or principles and their implications have not been thought through or articulated adequately
- when gaps **became** apparent between the intentions declared in values statements and the reality of people's actions
- when discourse on values has not been sufficiently clear and honest **about** conflicts between values
- when the complexities, difficulties and tensions inherent in values issues have not been acknowledged or have been treated too lightly.

The process we followed, and that we now propose for the public service at large, **offers** a chance to avoid these traps by acknowledging and understanding how values **conflict** and interact in dynamic tension and engaging in honest dialogue **about** them. The cynicism and scepticism we encountered **does** not seem to **run deep** – more often it appeared to be a **crust** covering a strong vein of idealism waiting to be tapped and channelled into firm commitment by consistent leadership. If leadership and example from the top are forthcoming and sustained, they **will meet** a strong and welcoming response.

Professions based on high **ideals** – and public service is **one** – are bound to experience moments of discouragement or disillusionment: people are not perfect, **choices** are **difficult**, the way ahead is not always clear, **policy** making is often **messy** and sometimes raw, and pressures are great. But a strong public service community, well grounded in its values, **will** be able to surmount these moments of testing, **recover** its balance, and renew its calling.

This report is not the end of a process but **one** step in a long process of renewal in the Public Service of Canada. That renewal must come from within: from values held consciously and enacted daily, from values rooted deeply in our system of government, from values that help give the public service confidence **about** its **purpose** and character, from values that help

Training and Development

Should focus on

- **how to think about values and ethics**
- **how to discern values and ethical issues in the public sector**
- **how to deal with moral dilemmas and conflicts**
- **specific governmental context of values, relating values and ethics to public trust role and principles of responsible government**

us regain a **sense** of public service as a high calling. This is the solid foundation on which we **can** build the public service of the future, a great national institution dedicated, as in the past, to the service of Canadians and their form of democratic government.

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GROUPE D'ÉTUDE DU CCG SUR LES VALEURS ET L'ÉTHIQUE**

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