

Discussion Guide for  
*A Strong Foundation*  
**The Report of the Task Force on  
Public Service Values and Ethics**

**Introduction**

The Task Force on Public Service Values and Ethics recommended that a year-long discussion on public service values and ethics should take place both inside and outside the public service, following release of the Task Force's report in December 1996. Having undertaken their own journey of exploration and discovery, the members of the Task Force recommended that the public service as a whole should engage in the same kind of "honest dialogue" about the difficult issues of public service values and ethics.

This *Discussion Guide* is intended to assist organizations, leaders and individuals within the public service to undertake the ongoing dialogue about public service values recommended by the Task Force. It complements and supplements the materials already made available, including the full report of the Task Force, entitled *A Strong Foundation*, and the summary of the Task Force report, published in February 1997. Both of these documents can be obtained through the CCMD Website (<http://www.ccmd-ccg.gc.ca>) or from the Research Group of the Canadian Centre for Management Development.

**What You Will Find in This *Discussion Guide***

This *Discussion Guide* is organized in four parts:

- In Part I you will find some general guidelines or suggestions about how a broad discussion on public service values might be initiated or structured.
- In Part II you will find some more specific suggestions about activities, together with some questions that might be used to stimulate or facilitate discussion in your organization. These suggestions and questions are organized around the main issues identified in the Report of the Task Force on Public Service Values and Ethics.
- In Appendix I you will find a series of "cases" prepared by Professor Kenneth Kernaghan to illustrate some of the main issues or themes in the Task Force report. These cases can be used, where appropriate, to initiate or stimulate discussion in your organization. Each case is accompanied by a number of questions that underline key issues highlighted in the case.
- In Appendix II you will find a sample of cases prepared for use in Human Resources Development Canada and Citizenship and Immigration Canada. These may assist you in developing similar cases for your own organization.

## Part I: General Guidelines

### Setting the Focus

It is important to clarify at the beginning what dialogue on public service values in your organization is to be about. Is it about answers or certainties? Or is it about problems and questions? Or is it about both?

The Task Force itself did not set out to develop a comprehensive or definite statement of public service values. It did not attempt to develop a checklist or declaration of public service values that could be implemented in a straightforward manner as a simple test or code. Instead the Task Force chose to examine the current issues and problems, the questions that are commonly raised or felt about the condition and role of values in today's public service. The Task Force wanted to begin with what was on public servants' minds, what worried and concerned them, rather than by formulating what they ought to think or do. It wanted any eventual statement or summary of public service values to arise from an examination of the real issues and problems as they present themselves to public servants to&y.

Those who lead or participate in wider public service discussion on values and ethics may find it helpful to use a similar approach, for several reasons. One of the reasons the Task Force adopted this approach was its recognition of a high level of cynicism and scepticism in the public service about values in general, and about formal values exercises in particular. (This scepticism has several sources that are discussed in the Task Force's report - pp. 2-3.) One way to counter such scepticism is to start not from pat answers or solutions but rather with real problems and issues. If public servants see that their real concerns and dilemmas are taken seriously, that they can be put on the table and discussed openly, they are more likely to regard the discussion and its outcome as authentic, and worthy of respect. Any conclusions about values that emerge from such discussion are far more likely to be credible, to gain commitment, to be seen as genuinely rooted in the experience and practice of the public service.

Suggestion: Root your discussion of public service values in the real problems and issues of your organization, team or professional community. Let the values emerge from the discussion rather than imposing them on it.

## Setting the Tone

The Task Force on Public Service Values and Ethics described the way in which it wished its work to proceed as an “honest dialogue.” This image has two parts: dialogue and honesty.

Dialogue itself, as the Task Force pointed out, implies two things. First, exchange, discussion, debate, the acknowledgment that there is or can be more than one perspective on important issues, and that each of these may have something to contribute to a deeper or fuller understanding of reality. Hence the conversation must be sustained long enough for all important viewpoints to be heard and to educate each other, until that fuller understanding emerges. As this suggests, the second thing dialogue implies is that truth, or the whole truth, is not known at the outset. It only emerges from the dialogue itself. Thus dialogue requires openness, patience, an ability to listen and to absorb, a capacity to resist the rush to judgement, a willing suspension of belief.

An honest dialogue requires an ability to speak forthrightly about difficult issues. This presents a major challenge, because many of the issues are complex and sensitive. There are good reasons why organizations often shy away from them. They can be painful and awkward to confront and they can open up questions that may be difficult to handle.

Despite these problems, the Task Force recommended that public service discussion to follow publication of its report should also take the form of an “honest dialogue,” for several reasons. Obviously a discussion about values that starts from real problems and concrete concerns cannot get very far where dialogue or honesty are absent. If participants feel that certain things are not discussable, that there will be harmful consequences if they are, or that their point of view is unwelcome or will not be heard, then the process will lack credibility from the start, and its conclusions will not be embraced or owned by public servants.

More important, a discussion on values, to be credible, must not simply be about values: it must embody them also. In this sense, a discussion about values is like no other. It has to express the very thing to which the discussion itself is devoted. If honesty, integrity and truth-telling are important public service values, for example, then these must be not only subject to discussion — they must be expressed by the very manner of the discussion itself. Otherwise the discussion is hollow.

For these reasons, leaders and participants in discussion should give careful attention to how they frame it, the tone they set, the ground rules they establish, the expectations they create. The tone of communications, the processes that are chosen, the freedom and safety that are established will all be vital for the success of the dialogue. Leaders and participants should aim to create “safe” environments in which ideas and concerns can be expressed freely and taken seriously without concern for personal consequences.

Several techniques or approaches for creating such safe environments are discussed below.

*Suggestion:* Be careful to set a tone and ground rules for discussion in your organization that encourage honest dialogue, respect for the opinions of all contributors and a safe environment for free and candid debate.

### **Customizing the Discussion**

Because public service discussion on values will be most credible if it is rooted in concrete problems and the real concerns of public servants, discussion of public service values should be customized for each department, organization, team, or community where it takes place. Just as the Task Force started from what it perceived as the real problems and concerns of public servants, further discussion on public service values and ethics should start from real issues and needs in specific organizations and workplaces. Organizations and individuals should adopt the methodology of the Task Force and apply it to their own working situations, exploring its particular circumstances, challenges or requirements.

In other words, discussion should aim to reach conclusions indirectly: the place to start is with the problems and concerns themselves and, through them, it may then be possible to arrive at some reliable conclusions about the nature and dynamics of public service values. Similarly, the initial focus should be on specific public service organizations; through them, it may also be possible to reach some conclusions about the needs of the public service as a whole. The processes and phases you choose for the discussion should also reflect the culture and values of your own organization.

*Suggestion:* Customize the discussion. Make sure it starts from the real issues and needs in your organization, and is organized in a way that reflects the culture and values of your organization.

### **Mapping the Issues**

One of the first things you and your group will want to do is to survey the key values issues in your organization, and in the wider public service. The Task Force identified five main issues that, in its opinion, are fueling the current concern about values in the public service:

- the evolving practice of accountability in a parliamentary democracy;
- the relationship between employment and values;
- the dynamic tension and ongoing reconciliation between old values and new ones;
- the new ethical dilemmas associated with a service culture and empowerment;
- the challenge of leadership and people management in a time of change.

For each of these main issues, the Task Force identified a number of sub-issues, and it also identified a number of cross-cutting themes common to more than one of the five main issues. For example, it discovered that much of the current concern about values is related to assumptions about a supposed “old deal” in the public service that has allegedly been “broken” (especially by developments in such areas as accountability and employment) and that now must be replaced by a “new deal” that remains to be defined. Much of the Task Force’s report is devoted to exploring and clarifying these assumptions about old and new deals in the public service.

Each organization should begin by “mapping the issues” in the same way. It might want to verify whether the five main fields of concern identified by the Task Force are valid, or reflected in the organization. But it should go further. It should identify the key issues and concerns for the members of the specific organization, some of which may be distinctive or indigenous to the organization.

Organizations will no doubt encounter two benefits, if they proceed in this way. The dialogue on values will be more credible if it starts from real issues and concerns, and does not simply attempt to impose a prefabricated schema at the start. And the eventual definition of organizational or public service values that may occur will be more authentic and more readily embraced by members of the organization if it is seen to emerge from an honest dialogue grounded in organizational realities.

Suggestion: Begin the process of discussion on public service values by mapping the issues in your own organization, by establishing what is on the minds of public servants in your organization, what worries and concerns them about the condition and role of values in today’s public service. Test whether the five main issues identified by the Task Force are also reflected in your organization.

## Making It Real

One way to make the discussion on values and ethics real-to root it in your own milieu – is to develop brief “cases” based on actual or hypothetical situations in your organization. These cases can help to highlight values issues in a way that is easily recognized by people in your organization as authentic and relevant to them, because the language, references and situations are all familiar. In fact the opportunity for individuals in your organization to draft such cases will help to surface real concerns or issues in your organization for discussion and attention.

Drafting cases for discussion in your organization need not be difficult or time-consuming. Sometimes a few lines or paragraphs will serve very well to capture the essence of a situation or problem for discussion. Among the organizations that have already experimented with this approach are Human Resources Development Canada and Citizenship and Immigration Canada. Some samples of the cases developed by HRDC and CIC are included as Appendix II to this Discussion Guide. They can be used as models or examples for imitation by other organizations.

*Suggestion:* Develop a number of brief “cases” to illustrate concrete situations, concerns or issues in your organization, and use such cases to stimulate discussion in your organization.

### **Who Should Start?**

Who should take the initiative to begin discussion on values and ethics in your organization? The Task Force suggested that dialogue on values should start “at the top,” that in-depth discussion on values should be undertaken by deputy ministers, and that, within departments and agencies, each deputy head should structure an internal process of discussion (pp.78-9). But leadership does not come only from the top. In fact, the Task Force also observed that much of the leadership on values is coming from the middle and lower levels of the public service.

Therefore it is not necessary to wait for action at the top. Public servants everywhere are in a position to offer leadership on values, or to spark a process or initiative that will lead to discussion and action on values and ethics. Do not wait for others to act. If you do not already see a process in your own organization, take steps to start one. If you are a manager, you can initiate dialogue in your part of the organization, setting an example for others. If you are a member of an executive or management committee, you can bring this issue to the table and propose action. If you are not a manager, you can take initiative with your peers and colleagues. Whenever and wherever you are in the public service, you can be a leader on public service values.

*Suggestion:* You don’t have to wait for others to act. You can be a leader on public service values and ethics.

### **Getting Going**

In getting started on a sustained dialogue on public service values, one of the important choices will be whether to encourage a top-down, or bottom-up strategy, or both. The ideal development would no doubt be if a lively discussion on public service values and ethics simply bubbled up spontaneously from the bottom to the top of all public service organizations. In order

to encourage such spontaneous effervescence, leaders and managers are encouraged to make the Report of the Task Force and the Summary Report, together with this *Discussion Guide*, as widely available in their organizations as possible.

Desirable as a spontaneous bubble-up approach would be, it may not occur without some structure and encouragement. For this reason, organizational leaders and managers everywhere may wish to follow a mixture of a cascade-down and/or “cascade-up” strategy.

In a cascade-down strategy, executive or management committees or work teams would undertake a discussion or series of discussions on values and ethics issues in their organizations. Subsequently, members of the committee would hold similar discussions with their own management teams and so on down the line throughout the organization. To date a discussion of the Task Force report has taken place in the executive committees of many departments and agencies, but it is not clear whether similar discussion is yet taking place farther down in organizations.

An alternative approach would be a “cascade-up” strategy. In this approach, discussion would be encouraged to begin at the base of organizations, with insights, issues or conclusions being reported upward for discussion at progressively higher levels. In this scenario, the most senior levels would not embark on an extended discussion on values and ethics issues in the organization until fully informed by discussion and insight from all other levels of the organization.

A third approach might be some combination of the two, with exploratory discussion rippling down through the organization followed by discussion on conclusions, recommendations and action that rippled up again to the highest level.

Whatever combination of these approaches – or another one altogether – is adopted, organizational leaders, at all levels, may wish to ensure an active organizational dialogue on values by naming a coordinator or facilitator. The role of this person would be to provide support to leaders and individuals at all levels, to be a champion and cheerleader for dialogue on values in the organization, to assemble and provide resources or assistance where appropriate, to maintain momentum, and to keep an eye on the condition and stage of the overall discussion.

A coordinator of this kind might be supported by, identify, or have access to a team of facilitators who could be available to facilitate discussion on values and ethics wherever or whenever required. Some public service organizations have trained a large number of managers or officers in facilitation skills and so already have a critical mass of trained facilitators. In other organizations it may be worthwhile to invest in facilitation training for interested individuals both to assist the current discussion on dialogue and to provide an ongoing resource for other processes and organizational development needs. For some organizations it may be more practical to seek outside facilitation assistance from other departments, from organizations such as CCMD or the Public Service Commission, or from private providers, as required.

- Suggestions:**
- Consider the advantages of bubble-up and cascade down approaches to dialogue on values;
  - consider whether a coordinator would assist in supporting and guiding organizational dialogue;
  - consider how to support the coordinator, including with a team of trained discussion facilitators.

## Some Techniques and Approaches

To facilitate organizational dialogue on learning, leaders and individuals may want to make use of some of the techniques available to support organizational learning. A few are mentioned here. More information on most of them can be found in CCMD's Report on *Continuous Learning* (available from the Research Group of CCMD):

- **Parallel Learning Structure:** Organizations may want to establish a structure that spans the various parts and levels of the organization but is outside the normal chain of hierarchy. A parallel learning structure might be a useful focus of discussion and action on values, bringing together the views and perspectives of all parts of the organization. A co-ordinator might use a parallel learning structure as a main vehicle to advance the thinking and consensus in the organization.
- **Work-Out:** A work-out is essentially a one- or two-day workshop with working groups feeding conclusions into the plenary group. The distinctive feature of work-out is the presentation of action recommendations to the relevant decision-maker during the concluding session, with a commitment for immediate or early decision.
- **Dialogue:** "Dialogue" methodology has been developed by followers of Peter Senge, based on the theories of physicist David Bohm. A radically unstructured technique, with the most limited facilitation, "dialogue" can surface important underlying issues where there is significant organizational blockage, denial, conflict or absence of communication.
- **"Brown Bags":** A regular "brown bag" discussion series on values and ethics issues would give members of your organization the opportunity to get together informally over lunch to explore issues of importance to the organization and the public service.
- **Retreats:** Specially scheduled retreats or off-site meetings could be devoted to the theme of values and ethics. Retreats could be organized for intact teams, management committees, professional communities or any other appropriate grouping. If combined with a "work-out" methodology such retreats or workshops could lead to action decisions. Facilitators and key resource persons may be helpful for such events.



- ***Management Committees or Staff Meetings:*** Values and ethics issues could become a regular agenda item for discussion at normal management committee or staff meetings for a period of months.
- ***Facilitated Discussion of Cases:*** A facilitator could assist discussion of brief cases developed within the organization, those available in this *Discussion Guide*, or from another source. Such facilitated discussion could take place at lunchtime “brown-bag” sessions, at normal work team or management committee meetings, at special retreats or offsite meetings, and so on.

***Suggestion:*** Explore and utilize a variety of techniques and approaches to stimulate and encourage dialogue on values in your organization.

### **Using the Task Force Report**

The Report of the Task Force on Public Service Values and Ethics is a resource on which you can draw to assist or to illuminate discussion in your organization. It should not inhibit a free and open discussion in your organization. But it can help. The members of the Task Force spent over a year wrestling with very complex and delicate issues, some of which are capable of generating much confusion, and have in fact done so in recent years. The Task Force was able to address some of this confusion, clarifying assumptions, exploring the roots of current concepts, and helping to reframe issues for further discussion in the public service. For example, some of the difficult issues on which the Task Force helped to shed light include the following:

- the character of the so-called “old” and “new deal” in the public service (pp. 8-9, 11-14, 25-26, 34)
- the relationship between such concepts as responsibility, accountability, answerability and blame and the problems that arise when they are confused (pp. 9-10, 20)
- the changing conventions concerning the anonymity of public servants (pp. 8-14)
- new organizational forms in the public service (such as new service or program delivery agencies) and their relationship to public service values (pp. 14-17, 30-31)
- the concept of “employability” and its potential implications for public service values (pp. 26-28)
- the idea of a professional public service (pp. 28-29)
- the important distinction between citizens and “customers” (pp. 38-40)

- the “new public management” and its relevance or value for good government (pp. 35-38. 46-48)
- the tension between the traditional public service culture, with its emphasis on prudence and probity, on due process, on the primacy of law and regulation, and the new “entrepreneurial” outlook with its emphasis on innovation, risk-taking and results (pp. 51-54)
- the existence of a “fault line” or divide between senior and lower levels in the public service, especially where values are concerned (pp. 57-58)
- the principle of “speaking truth to power” and the climate for honest discussion and dialogue within the public service (pp. 18, 60-62)
- the importance of leadership, and accountability for leadership, in the public service (pp. 62-66)
- four “families” of core values for the public service (pp. 67-75)
- the relationship between values and pride, self-confidence and public legitimacy for the public service (pp. 76, 80-82).

These and other discussions of important issues for the public service are available to you in the full Task Force report. The Task Force members had the privilege to work their way carefully through these and other issues in discussions and explorations that lasted over a year. As a result you and your team do not have to start from zero. While the Task Force report is not the last word on any of these topics, it can give your organization a head start by clarifying issues and concepts, and offering perspectives or tentative conclusions that can provide an informed starting point for further debate in your group.

Therefore, once you have completed a scan or mapping of the key values issues in your organization, you may wish to cross-reference them to the Task Force report, to determine whether any of its analyses are relevant to the issues of highest importance to your organization. If so, you may also wish to make key passages of the Task Force report available to members of your organization (in addition to the summary of the full report), prior to discussion of specific topics or issues. In this way you will give yourself a head start, even if you come to different conclusions.

*Suggestion:* You can use the Task Force report to give yourself a head start on the discussion of values and ethics issues in your organization: scan it as a checklist of key values issues, and mine it for analysis and clarification of key issues for your organization in advance of your own discussion.

## Concluding the Process

When you have had an opportunity to identify and explore the key issues for values and ethics in your organization or groups, you will want to reach some conclusions both about the issues themselves (sometimes these conclusions, like those of the Task Force itself, will be conceptual or clarifying) and about the actions that should be taken to strengthen public service values and ethics in your organization or in the public service as a whole.

As far as your own organization is concerned, it will be important to ensure that the conclusions and recommendations of your group (or of all those groups that report to you, as the case may be) are brought together with those of other groups, to form an action agenda, if appropriate. This can be accomplished through a regular executive management committee agenda, or through special action-oriented processes, such as “work-out.” The action agenda can be assembled through the normal vertical channels in departments and organizations; or through ad hoc vehicles outside the normal process, such as task forces, committees, networks, or “parallel learning structures.”

As far as the public service as a whole is concerned, the Committee of Senior Officials (COSO) has established a sub-committee on values and ethics, chaired by John Tait. Recommendations or action items for the public service as a whole can be forwarded to him, or to the Research Group of CCMD, which serves as secretariat to the COSO sub-committee. In this way the recommendations and perspectives from your group or organization can be incorporated into plans and recommendations for the public service as a whole, and included in the sub-committee’s report to COSO.

## Part II - Key Issues and Themes: Suggestions and Questions

### 1. Getting Started

#### *Some Things to Do*

1. Arrange an initial or introductory discussion on values and ethics in the public service to consider the process and rationale for an organizational dialogue on values.
2. Consider why values and ethics are important issues in today's public service.
3. Develop an agenda of the most important values issues in your organization, or establish a process for doing so.
4. Consider the conditions that will be needed if those issues are to be successfully resolved or addressed. Consider the steps that are needed to create those conditions.

#### *Some Questions for Discussion*

1. What has been your experience with previous "values" exercises in the public service? Have they helped or hindered? Increased or decreased cynicism? Why? What can be learned from them that can help our approach now, and in the future?
2. How important do you think the capacity to maintain an "honest dialogue" is to the strengthening of public service values and ethics? Are there pressures working against "honesty" in such a public service dialogue? What are the necessary conditions for constructive dialogue? What can you or your team do about them?
3. What do you think is the connection between values and ethics? How do the first support the second? Is it important to strengthen the *ethos* as well as the *ethics* of public service?
4. What is the relationship between public service values and the wider values of Canadian society, or of the Canadian Constitution? Are public service values shaped or influenced by these? Should they uphold them? If so why, and how?

## 2. The Democratic Context and the Challenge of Accountability

### *Some Things to Do*

1. Arrange a discussion, or series of discussions, in which your team can explore the various dimensions and distinctions of accountability, including the distinctions between accountability, responsibility, answerability and blame. Invite a knowledgeable resource person.
2. Together with your team consider how those distinctions have been applied in recent times within your area of work or observation, and how they should be applied in future.
3. Consider how public servants view the involvement of ministers in your program or policy area: whether they view it as an intrusion that is inimical to the public interest, or as the expression of democracy.
4. Consider how you and your team could help ministers to shoulder their accountabilities more effectively. both prior to policy discussions and during implementation.

### *Some Questions for Discussion*

1. Do you think that the principles of democratic life in a parliamentary system are the foundation of public service values?
2. Do the distinctions between responsibility, accountability, answerability and blame apply to, and within, the public service itself? If so, how important are they? What are the consequences if public service leaders ignore or abuse them?
3. Do you believe that public service was based in the past on an implicit bargain, understanding or “deal”? If so, what were the elements of the “old deal”? If you believe there was an “old deal,” do you believe it has somehow been broken, or needs to be fixed? If so, what are the signs of breakdown? What is needed to establish a “new deal”?
4. What great purposes are served by the traditional practice of public service anonymity? Do you think there is room for some evolution in this practice by means of which these purposes could be safeguarded or even strengthened? What are the limits or conditions, especially where public service values are concerned? Would an evolution of practice be more easily accomplished, from this point of view, in some areas (e.g. service delivery) than in others (e.g. policy development)?

5. Do you think new service delivery agencies outside the framework of traditional unified ministerial departments could help to strengthen political and public set-vice accountability? If so, under what conditions? If not, why not?
6. Do you perceive any conflict between political and public service values? Should a professional public service be able and ready to provide effective and loyal service to each succeeding government, to carry out its wishes and directions faithfully? Can there be such a thing as too much zeal in this regard? Do senior public service leaders effectively communicate to lower ranks the purpose and plans of ministers? Do they effectively communicate to ministers the risks or drawbacks of certain policy options, or the concerns of those on the front lines of service delivery? What improvements are needed in both directions?
7. Do you think there is a need to develop a clear, concise statement of the requirements of ministerial responsibility that is easily comprehensible to ministers, public servants and the public, including the ground rules for appearances of public servants before parliamentary committees?

### **3. Employment and Values**

#### *Some Things to Do*

1. Arrange a discussion, or series of discussions, on the way in which the employment regime in the public service and/or in your organization has an impact, or could have an impact, on public service values and ethics.
2. Consider the impact of downsizing-both the way it was done and the fact that it was done at all – on public service values and the implications for the future.
3. Consider whether, in the wake of downsizing, the concept of a professional public service remains an important concept for your organization and its values, and, if so, what employment or other conditions are required to sustain it.
4. Consider the relationship between the culture and values of your own organization and those of the wider public service. Discuss whether and how the two sets of values support each other, and what conditions or links are needed in the broader public service to sustain and nourish sound values in your own organization.

### *Some Questions for Discussion*

1. Did downsizing call into question assumptions about security of tenure under the so-called “old deal”? If so, were those assumptions well-founded? Should security of tenure be equated with a guarantee of life-time employment, or rather with protection from partisan dismissal?
2. Are public service values enhanced by critical mass, and by the sense that they are shared and rooted in a common public service community? If so, what measures and conditions of employment would be required to preserve or promote a common public service community with shared public service values? How important for maintaining a community of values are such things as mobility, networking and common training experiences? From this point of view, what relationship should prevail between most new service delivery agencies and home departments?
3. How important is the non-partisan character of the public service? How is it linked to other important values? Do you perceive the value attached to non-partisanship or neutrality to be increasing or declining? Does it matter? Does the situation, as you perceive it, require any action, either to protect or diminish this principle? If so, what kind of action or institutional arrangements may be required?
4. Do you see evidence of an increase in or potential for bureaucratic patronage or favouritism? Do you think that any safeguards are required? If so, what kind?
5. Can a public organization enjoy the “flexibility” of private sector organizations? If not, why not? Are there special requirements, if public confidence in public institutions is to be maintained?
6. Is loyalty to the public interest an important value for the public service? How does it link to other public service values, such as integrity? Is loyalty a two-way street? For such loyalty to flourish, does the employer need to display some comparable form of loyalty in reverse? What are the implications for such things as the employment regime?

### **4. Values Old and New**

#### *Some Things to Do*

1. Arrange a discussion or series of discussions on the relationship between new and older values in the public service and in your own organization.
2. Consider whether the so-called “new” values are really new and whether they are in tension with, or could displace, older values.

3. If there is a tension between new and older values in your organization, consider whether this tension is positive or destructive and how it should be handled.
4. Examine the forces that work for and against “horizontality” in your organization and in the wider public service. Consider what actions could be taken to remove barriers or strengthen support for horizontality and cooperation across organizational boundaries. Consider how public servants can help ministers to shoulder both their individual and collective accountabilities more effectively.
5. Consider the importance of such concepts as the “public interest,” “public good,” and “public trust” for your organization and for the wider public service. Discuss how they link to or support other public service values, both old and new.

### *Some Questions for Discussion*

1. Do you think it is important to be clear about the differences between “customers” (or clients) and “citizens”? If so, how would you express the distinctions? What happens if you don’t make such a distinction? What happens if you do?
2. Do you think that values can conflict with each other? Why? What happens when they do?
3. Do you think there is a tension between “customer” accountability and political accountability? If so, do you think it is a creative tension? How should it be handled or resolved?
4. What role do such concepts as equity and balance play in public service values? Are they important?
5. Do you think that some new values or concepts (such as “customer” or “client”) help to reform or reinvigorate older values or concepts (such as “service”)? If so, why? How do they do so?
6. How important is a “whole of government” approach for the future? How would such an approach require public servants to work?
7. Do you think it is important to balance the traditional public service virtues of “managing up” (serving ministers and the political process in a timely fashion) with new skills of “managing down” (giving greater attention to the quality of organizational life and performances)? How can new public service values help to get this balance right?



## 5. Ethical Challenges

### *Some Things to Do*

1. Arrange a discussion or series of discussions on the new ethical challenges that may be emerging in your organization and in the public service as a result of new ways of working, empowerment, devolution, new approaches to service delivery or any other trends or changes.
2. To facilitate ongoing discussion, develop a series of mini-cases or brief narratives that illustrate some of the concrete ethical dilemmas encountered in your organization.
3. Examine the current ethical guidelines available in your organization and consider how they should be augmented or supplemented, either by additional guidelines or by other elements of a more comprehensive ethics regime, such as a recourse mechanism, ombudsman or counsellor.

### *Some Questions for Discussion*

1. Can the new imperative of customer service put pressure on traditional principles of equity or introduce the potential for subtle forms of conflict of interest? Do you perceive a need for better guidance?
2. Do you or your colleagues find yourselves called on to exercise individual discretion in program decisions or decisions on individual cases? If so, do you feel you have an adequate framework of values, ethics and accountability to make such decisions? Or do you sometimes feel vulnerable and exposed?
3. In a time of decentralization and delegation of authorities, have you observed any increased potential for abuses in staffing, in contracts, or in partnerships? Have you observed any increase in bureaucratic patronage or favouritism? What can or should be done to guard against these problems?
4. Are you familiar with the nine principles of the existing *Conflict of Interest and Post-Employment Code* for the public service? If so, do you think they provide an adequate framework for addressing some of the ethical dilemmas referred to in questions 1-3 above? If not, what is needed?
5. Are there measures or initiatives needed to make the existing *Conflict of Interest and Post-Employment Code* better known and understood, or more effectively applied, such as better training and information, or a more developed central agency capacity for guidance and counselling about its application and other measures?

6. in your daily work. do you experience any tension between the traditional, prudential, rules-based approach to public administration and the results-oriented approach based on empowerment within a framework of values? If so, in what ways? Do you sometimes find yourself tempted or required to ignore or to get around some rule in order to achieve timely outcomes or deliver quality service? If so, does this matter? Does it concern you? What is the likely long-term outcome for public administration or good government?
7. Do you perceive any tendency in recent years to neglect the role of law as a foundation for public administration? If so, should this be a matter for concern? Is there anything about the nature of public service that requires public servants to have strong convictions about the primacy and importance of law?

## 6. Leadership in a Time of Change

### *Some Things to Do*

1. Arrange a discussion or series of discussions on the role of leadership in the transmission and cultivation of values in the public service and in your organization.
2. Consider the comparative importance of role models and rules for maintaining and strengthening the values of your organization and of the wider public service.
3. Consider the range of role models available in your organization and examine what needs to be done, if anything, to ensure appropriate role models and leadership at all levels of your organization and of the public service.
4. Examine the climate for open dialogue and the constructive expression of honest views in your organization, and consider what can be done to improve or strengthen it.
5. Examine how or whether such instruments as upward feedback, 360° feedback and organizational climate surveys are used in your organization. Consider whether such measures of leadership and people skills should be included in future accountability regimes.

### *Some Questions for Discussion*

1. As far as public service values are concerned, do you perceive a “fault line” in the public service, or in your own organization, between senior managers and other levels? If so, what are the sources of this perception? At what level does this “fault line” occur? What effects does it have? What could or should be done to overcome it?

2. Is the quality of people leadership in the public service important for other public service values? If so, why? What is the connection between people values and other values? Do they support each other? If so, how?
3. Are there special circumstances in the public service that shape or constrain leadership. or that make it a difficult and challenging role? If so, what are they, and how do they influence leadership roles in the public service?
4. Is “speaking truth to power” an important dimension of public service values? If so, why is it important? What conditions are needed for it to flourish? Is it a value that should be cultivated not just at the top of the public service, but throughout? What happens when public servants hesitate to put forth honest views or to engage in critical debate?
5. Do people in your organization “walk the talk”? If so, how? If not, why not? What are the consequences?
6. How should the quality of people leadership be measured and evaluated? Are public service managers accountable for the quality of their leadership of people? Should they be? How?

## 7. Principles of Public Service

### *Some Things to Do*

1. After your organization has had an opportunity to explore the kind of problems or issues highlighted above, or others that may be identified in your organization, arrange a discussion or series of discussions to consider what important values or principles have been identified, clarified, or confirmed as a result of your organizational dialogue.
2. Consider the four “families” of public service values identified by the Task Force (democratic, professional, ethical, and people values), how they apply to your organization, and which values within these clusters are most important for you.
3. Examine the U.K. Civil Service Code included in the Task Force Report and consider whether a similar statement of public service principles would be helpful in Canada, as recommended by the Task Force.
4. Consider whether and how a stronger sense of public service can contribute to pride, self-confidence and public legitimacy for the public service.

*Some Questions for Discussion*

1. Are there core values for the public service, over and above those specific to any individual public service organization? Are common public service values compatible with a growing variety of public service sub-cultures? If so, what are the key categories or families of core public service values (e.g., democratic, professional, ethical, people values)? Should every public service organization respect them and be accountable for them?
2. Do you feel that public service values are under pressure? If so, what are the sources of the pressure? What can be done about them?
3. Do you believe there is a need for a new moral contract between the public service and the Government and Parliament of Canada, a contract that could serve as a foundation for public service values? What form might such a contract take? Could a statement of principles for public service (or a public service code) adopted by the Government and Parliament of Canada help to establish such a contract?

## **Appendix I**

**Discussion Guide for**  
*A Strong Foundation*  
**The Report of the Task Force on**  
**Public Service Values and Ethics**

### **Cases on Public Service** **Values and Ethics**

**Kenneth Kernaghan**  
**Department of Politics**  
**Brock University**



## CASES ON PUBLIC SERVICE VALUES AND ETHICS

1. Answerability and Blame
2. The Minister's Decision
3. Clarifying the Requirements
4. The High-Profile Public Servant
5. Speaking Truth to Political Power
6. Speaking Truth to Bureaucratic Power
7. The Values of Service Agencies
8. The Citizen Is Not Always Right
9. The Horizontal Way
10. Who Cares?
11. A Career Public Service?
12. The Real Merit System
13. Loyalty and Neutrality
14. No Comment
15. Empowerment and Accountability
16. Doing It by the Book
17. Public Interest or Private Gain?
18. All in the Family
19. By the Light of the Moon
20. Conscience and the Public Interest
21. The Too-Silent Partner
22. Let's Root Out the Cheaters
23. The Minister Wants to Know
24. Promoting Values and Ethics

**CASE #1****ANSWERABILITY AND BLAME**

The following conversation takes place between two managers in the Department of Health

**CHRISTINE:** That partnership we negotiated with Superior Sports Equipment should bring them substantial financial benefits — and I think that our Department will get a good payoff from our investment.

**GÉRALD:** Haven't you heard the bad news? A journalist has discovered that our new partner is a subsidiary of Thompson Tobacco — the company that's been in the news because its advertisements seem to be targeted at young teens. George (the deputy) has already informed the minister. We'd better keep our heads low!

(One week later)

**CHRISTINE:** I hear that the minister is furious. Why did this have to happen to a new minister at a time when he was in the midst of a campaign against tobacco advertising? How could we be expected to know about Superior's affiliation with Thompson?

**GÉRALD:** Did you hear that the minister told George that he would simply name us in the House of Commons and promise that our heads would roll?

**CHRISTINE:** Good grief! Doesn't the minister understand the doctrine of ministerial responsibility?

**GÉRALD:** He does now. George explained that ministers accept public responsibility for departmental errors in the sense that they explain to the House that an error has been made, that disciplinary action, if warranted, will be taken and that measures will be instituted to ensure that such an error never happens again. George emphasized that the minister, by accepting public responsibility for an error by departmental subordinates, was not accepting blame for the error. The minister was reportedly relieved by this explanation and simply asked George to prepare an appropriate statement for the House.

**CHRISTINE:** Well, George saved us from a public beheading, but we may still be in big trouble with him. I'm not sure that I like that part of the explanation about disciplinary action.



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Among possible discussion questions are these:

1. What public service values are involved in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is George correct in his explanation of ministerial responsibility? Can ministers actually be answerable, but not blameable?
3. If the partnership decision had been made during the tenure of the minister's predecessor, what advice should George have given the minister?
4. What should the minister do about Christine and Gerald?
5. What are the current pressures on the doctrine of ministerial responsibility? How is it likely to evolve in future?

**CASE #2**

**THE MINISTER'S DECISION**

The following discussion takes place between the Minister of Industry and Michel, her deputy.

**THE MINISTER:** Thanks for your advice on the contract for the bridge construction. Despite your concerns and advice, I'm inclined to award the contract to Innotech. Certainly their bid is competitive in terms of total costs with the bids of the larger firms we've dealt with over the years. We need to give some of these newer firms a boost.

**MICHEL:** Their bid certainly is competitive. As you know from my memo on this matter, there is concern in the Department that Innotech might not have the experience, technical expertise and financial security to handle a project of this magnitude. Would you like me to do some further research on Innotech before you make a final decision?

**THE MINISTER:** No need. I'm satisfied that we should go with Innotech.

**MICHEL:** I'll prepare the documents for your signature.

(Two years after the bridge was completed)

**MICHEL:** Minister, I don't have good news today. The commission of inquiry has just released its report. They focused their attention on the fact that a large section of the Innotech bridge collapsed 18 months after construction. But they also dwelt at some length on the several automobiles that were crushed and the two serious injuries. They concluded that the main causes of the collapse were poor engineering and shoddy workmanship. I should alert you, Minister, that the media are planning to return today to their earlier claims that the co-owner of Innotech has long been one of your strongest political supporters, despite your vigorous and consistent statements on this matter. The Opposition is likely to sing the same refrain. All of this is aggravated by rumours that the Department recommended against Innotech.

**THE MINISTER:** 'Well, we'd better get busy preparing my statement and answers for the House. In keeping with my responsibility as minister, I shall emphasize the Department's deep regret about the injuries and the traffic disruption, and I shall explain that appropriate disciplinary action will be taken and measures instituted to ensure that contracts are more carefully awarded in the future.

MICHEL: (shifting uncomfortably in his chair and allowing several seconds of silence to pass). Minister, perhaps you would like to have another look at the correspondence on the Innotech contract.

THE MINISTER: (after reading). Are you suggesting that I may not understand my responsibilities in this matter? What's your advice?

MICHEL: This will take some time, Minister. I need to be very careful in explaining my understanding of what is expected of ministers when they have personally directed that something be done which turns out to have unfortunate consequences. In respect of disciplinary action, it appears that no public servant can be held accountable for the decision. After I have explained the principles and practices bearing on ministerial responsibility, I will have to leave some time for you to decide how you should respond this afternoon to the Opposition's concerns.

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Among possible discussion questions are these:

1. What public service values are involved in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is Michel correct in his understanding of the requirements of ministerial responsibility?
3. Did the deputy act correctly, both prior to the contract and when difficulties arose?

CASE #3

CLARIFYING THE REQUIREMENTS

This case begins in the House of Commons and is followed by a discussion between the minister and his deputy in the Department of Transport.

**MEMBER OF THE OPPOSITION:** Mr. Speaker, I ask the Minister of Transport once more whether he is prepared to resign before somebody gets killed and while the National Railway Company still has some trains left. Can the minister not understand his responsibility to resign in the face of three serious NRC accidents in the past six months?

**MINISTER OF TRANSPORT:** Mr. Speaker, I ask the honourable member once more when he is going to take a train to a course on elementary civics. He apparently doesn't know — or doesn't want to know — about the principles of ministerial responsibility and accountability which underpin our cabinet-parliamentary system of government.

**SOME HONOURABLE MEMBERS:** Resign! Resign!

**MINISTER:** Mr. Speaker, just in case the members opposite have confused any fair-minded citizens, let me explain once again, hopefully for the last time, the requirements of my responsibility in relation to the NRC.

The passenger trains involved in these recent incidents are owned by the NRC, which is a Crown corporation, not an operating department; it is certainly not an administrative unit of the Department of Transport for which I am responsible as minister. A minister's responsibility for a Crown corporation is different from that for a department. I must account — and I am happy to account — to this House for such matters as the policy directions given to the corporation by the government and the quality of the government's senior appointments to the corporation. However, it is the Chief Executive Officer of the corporation who is legally responsible for exercising control and direction over its day-to-day management.

With a view to helping to enlighten members opposite, I am announcing today the creation of a commission of inquiry into the recent incidents involving the NRC.

(Six months later)

LOUISE: (the deputy minister of Transport). Minister, the NRC inquiry has just reported its findings. After the testimony of Andy Revlon (the corporation’s CEO) and other senior officials, you predicted correctly the commission’s likely conclusions. The report severely chastised the corporation for not taking seriously enough pre-accident reports of safety violations and not reacting quickly enough to ensure that accidents did not continue to occur. The report concluded that there was too little respect for safety regulations in the organizational culture of the NRC. While the inquiry noted the vigorous efforts of senior management over the past few years to change this culture, it concluded that senior management must ultimately be held accountable for the accidents.

MINISTER: Thanks for the good news. I assume that Andy has also received a copy of the report-or anticipated its findings. Just before you came in, I received his letter of resignation.

On a related matter — I’m pretty clear now on the importance and complexities of the doctrine of ministerial responsibility, but I sometimes wonder if we are unrealistic in expecting others to understand it. Maybe we should have a clear, concise statement of the doctrine’s requirements that is easily comprehensible to ministers, public servants and the public.

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Among possible discussion questions are these:

1. What public service values are involved in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is there a need for a clear, concise statement on ministerial responsibility?
3. What are the differences in ministerial accountability for the actions of a department, an agency, or a Crown corporation?

**CASE #4****THE HIGH-PROFILE PUBLIC SERVANT**

The following discussion takes place between Joyce Kim and Carole Zubak, two middle-level public servants in the Department of the Environment.

JOYCE: Have you noticed how publicly visible our boss has become? I seem to hear and see the name Sandra Springer everywhere. She'll soon be better known than the local Member of Parliament. Isn't she the one who used to stress the importance of public service anonymity?

CAROLE: Sandra seems to think that times have changed. She's all caught up in the quality-service-to-clients approach. In fact, she's now urging all of us to follow her lead. Her argument is that we can't provide high-quality service unless we are in close contact with the Department's clients so that we can respond efficiently and effectively to their needs. That argument is pretty persuasive when it comes to environmental concerns.

JOYCE: I wonder if we're becoming too visible. I'm concerned that our esteemed leader is enjoying the visibility a little too much. But my real concern is that the continuing decline in anonymity will have an adverse effect on ministerial responsibility and political neutrality.

CAROLE: Certainly ministers don't want public servants who have a policy role running around in public defending or speculating about government policy. That undermines at least the perception of political neutrality because public servants appear to be too close to the governing party. But I think that's less of a problem for public servants like us who are primarily involved in program delivery.

JOYCE: I admit that my concern extends beyond our boss's behaviour to my impression that respect for anonymity across the public service is declining. We already have more and more public servants appearing before parliamentary committees and getting more and more attention from the media. Somebody should be thinking about the big picture here. We have to protect the authority of ministers.

CAROLE: I guess I don't share your concern, but I recognize that there are conflicting values here — service versus neutrality and so on. Maybe the important question is not whether public servants are anonymous, but whether they act with proper respect for central public service values when they are in the public eye — and I haven't noticed any great problems so far.

JOYCE: It's only a matter of time.

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Among possible discussion questions are these:

1. What public service values are involved in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Does a decline in public service anonymity have adverse consequences for ministerial responsibility and the political neutrality of public servants?
3. What other public service values are affected by a high-profile public service?
4. What principles, practices or safeguards may be needed to protect ministerial responsibility as public servants become more visible, less anonymous?

## Case #5

**SPEAKING TRUTH TO POLITICAL POWER**

A deputy minister is speaking confidentially to another deputy.

PAUL: I've just about had it. Between you and me, Lynn, I'm thinking of throwing in the towel and moving to the private sector. If I do stay in government, it will have to be with a different minister.

LYNN: Don't do anything drastic. The system can handle such personality conflicts.

PAUL: It's not really a personality conflict. The problem is that the minister doesn't seem to have any confidence in me — or my recommendations. Every time he presents me with a new idea or proposal, I do my duty by pointing out the pitfalls and potential problems. The minister always listens politely and patiently to my concerns, but he often proceeds with his proposals regardless — and of course he asks me to carry them out. I see myself as speaking the truth to the minister, but I think he sees me as an obstacle. I guess I should start telling him what he wants to hear. Perhaps I have the wrong understanding of what loyal service requires.

LYNN: Well, the tell-them-what-they-want-to-hear approach is practised by a few of our colleagues — but not the most admirable ones. I urge you again not to do anything drastic. I'll nose around and see if I can cast any light on the problem.

(Two weeks later)

LYNN: Paul, you've got it all wrong about your relationship with the minister.

PAUL: I don't think so. Nothing has changed in the past few weeks.

LYNN: Will you just listen for a moment? An academic friend of mine interviewed your minister recently on relationships between politicians and public servants. Your minister is reported to have said: Let me tell you about my excellent deputy. Every time I have a proposal, I can count on him and the Department to give me a thorough review and to point out all the problems that could arise if I decide to go ahead. They give me everything I need to think clearly about the way ahead. But when I have made my decision, they carry it out like professionals, as if it were their own decision. I couldn't be more fortunate in the quality of my senior officials.

PAUL: What great news! How could I have misunderstood? As you know, I love public service. But I hate it when the minister understands the system better than I do.



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Among possible discussion questions are these:

1. What public service values are involved in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Does the minister understand the system correctly?
3. To what extent do public servants have a duty to speak truth to power?

## CASE #6

**SPEAKING TRUTH TO BUREAUCRATIC POWER'**

Wilf Gretton, the Director of Human Resources for a large government department, meets with Roy Liang, a young engineer who has just submitted his resignation.

WILF: Thanks for coming in, Roy. As you probably know, I make it a practice to chat with any employee who resigns so that I can learn if there are improvements that can be made to the working environment around here.

ROY: I guess you want to know why I'm leaving. Well, about ten days ago, I prepared a report for Stan Rivers, the Chief Engineer, and I included in the report certain information revealing some errors in judgement in the Engineering Section. Stan suggested that I might want to "delete this embarrassing information" and "smooth over" that portion of the report. I felt very strongly that complying with this "suggestion" would violate both my professional ethics and my personal ethics.

WILF: Were there other incidents of this kind?

ROY: The important thing is that I can't live with this kind of thing. When I consulted my professional colleagues elsewhere in the government and in the private sector, the characteristic advice I received was "Don't stick your neck out" and "It's not your funeral." But it is my funeral. If people who really know this field read my report, they would conclude that I don't know my job.

Not even my parents were helpful. I tried to explain to them that I didn't want to be disloyal to the organization but I didn't want to be dishonest either. My Dad said that jobs are hard to find and I should simply obey my superior. My mother cried and said that none of my relatives had ever lost a job.

WILF: What makes you so sure you're going to lose your job because you are honest?

ROY: Stan thinks he has all the answers. And he seems to do just about anything he wants to. You just can't buck a guy like that. Believe me, I know!

WILF: You know this to be a fact?

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<sup>1</sup> Based on "The Resigning Engineer," in Kenneth Kernaghan, Canadian Cases in Public Administration (Toronto: Methuen, 1977), pp. 126-7.

ROY: You'll remember that Paul Moyer lost his job a few months ago after openly disagreeing with Stan.

WILF: But Paul left because he was offered more money by a business firm.

ROY: Well, that may be, but the truth is that Stan probably made it so hot for him that he quit just to get out of the mess. Look, you're right that I don't know it for a fact, but I do know Stan. He's inflexible. He's always right. Nobody can tell him anything. Arrogant is his middle name. I know that he'd make life miserable for me if I tried to buck him. I've made up my mind. The only thing an honourable person can do is sever all connections. Some dirty messes are not worth trying to clean up.

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Among possible discussion questions are these:

1. What public service values are at stake here? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Should Wilf do anything to try to remedy the situation?
3. What formal mechanisms should departments have to handle such situations?

**CASE #7****THE VALUES OF SERVICE AGENCIES**

The following discussion takes place between Jeanne, a minister and Edward, her deputy

**JEANNE:** There seems to be considerable enthusiasm in the public service for the creation of these new-fangled service agencies. I'm not sure that I understand the implications for politics and public service.

**EDWARD:** You are certainly not alone in your uncertainty, Minister. There are several variations on the general theme of service agencies, but the general idea is that these agencies will carry out some of the service functions now performed by operating departments. The expectation is that these agencies will enjoy more autonomy than departments and so will be able to operate in a more business-like fashion. Indeed, they will be headed by chief executive officers, some of whom might even be brought in from the private sector.

**JEANNE:** I'd like to hear about that, but first let me tell you what concerns me as minister. I hear assertions that the agency model will promote efficient and effective service and facilitate the creation of a small number of policy-oriented departments focusing on the core functions of government. What I want to know is whether I will have to answer for the screw-ups of employees so far removed from my direct control. If we don't hold them accountable, who will? Will these CEO's answer directly to parliamentary committees?

**EDWARD:** That's one option, Minister, but another approach is to have them answer directly to you on the basis of a contractual arrangement. Your senior officials will, of course, assist you in monitoring performance under the contract. This approach protects your authority and control as minister. At the same time, it may well promote high-quality performance by the agencies and accountability for the outputs specified in the contract. I should note, however, some concern about the possibility of public conflict between the minister and the CEO about who should do what. This would bring the CEO into the political arena and thereby reduce public service anonymity.

**JEANNE:** I might be able to live with that so long as I'm not going to be blamed for mistakes. What are the public servants' concerns?

**EDWARD:** Some share your concerns about accountability. Others fear that agencies focusing on service in a so-called "business-like" fashion and headed by CEO's may not cherish such other public service values as neutrality, fairness, equity and, some say, integrity. Their concerns are exacerbated by predictions that service agencies are more likely than operating departments to attract high performers from the private sector and that we are entering a period where there will be rapid mobility of employees between the public and private sectors.

JEANNE: So the issue is whether the new milieu will be conducive to the diffusion of *core* public service values. Well, combined with my own concerns, this suggests that we'd better establish a sound values framework for any new agencies.

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Among possible discussion questions are these:

1. What public service values are at stake here? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Are public service values really different from private sector ones?
3. Is there any potential conflict between new service delivery organizations and traditional public service values?
4. How important is it that these new organizations be permeated by a strong public service culture?

## CASE #8

## THE CITIZEN IS NOT ALWAYS RIGHT

This discussion takes place between two managers in a regional office of a social services department.

**BRENDA:** Have you seen our region's latest rating in the customer service survey? We are up to 55 percent in the very satisfied and 35 percent in the satisfied category for a total of 90 percent! The other regions are going to be envious.

**BRIAN:** What's the secret of our success?

**BRENDA:** I think that most of us have begun to view service from the perspective of our customers — and the predictable result is better service. We're not as hung up as we used to be on how we do things; the important message is to get things done, to get results. For example, I've stopped enforcing the time limit guidelines.

**BRIAN:** Good grief, Brenda! They aren't guidelines; they're rules. We can't ignore them just to improve our service rating. Moreover, now I know why we're spending more money. If we don't enforce the time limits, we are faced with more legitimate claims.

**BRENDA:** Well, nobody has complained and we are now saving the time we used to spend hearing complaints about the time limits. So our current practices are not only more effective and responsive but more efficient as well.

**BRIAN:** I didn't hear you say more accountable or more fair and equitable. By the way, I don't mind your referring to the citizens we serve as customers or clients because this language does reinvigorate the value of service in government. But do you think that the Auditor General will be amused by our new approach to serving our customers? What about the principles of the rule of law and democratic accountability? And what about clients in the other regions who are not receiving as generous treatment as those in our region? Is that fair? Remember that our customers and clients are also citizens with both rights and responsibilities; they are not simply customers in the private sector sense.

**BRENDA:** The government can't have it both ways. It can't expect us to be more service-oriented while forbidding us to be a little innovative as to how to go about it.

BRIAN: Well, you've certainly been innovative, but I think that you've neglected the concept of balance. We need to be responsibly innovative. There's no reason why we can't provide better service to our "customers" while preserving core public service values.

BRENDA: I think you're putting the emphasis on the wrong values.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Do you agree with Brian or with Brenda?
3. Can such so-called "new" values as service and innovation be reconciled with traditional public service values? Why bother to make the effort?

**CASE # 9****THE HORIZONTAL WAY**

The following conversation takes place between two senior public servants.

KEVIN: They've done it! They've actually found a word that's more irritating than customers, stakeholders, teamwork and empowerment. I won't keep you in suspense — the clear winner is "horizontal"!

SCOTT: Very funny! I know these words are overused and misused. But that's largely the fault of people who don't take the time to understand their meaning and use them properly. Besides, some people are equally turned off by constant references to ministerial responsibility and the public interest. The truth of the matter is that all of these words capture concepts that are extremely important for successful public service.

KEVIN: O.K., you win, Mr. Serious. I have to admit that promoting horizontal relationships between and among departments — and between governments — is now much more important, and for a whole lot of reasons.

SCOTT: Just consider the values that are involved here — both old and new ones! And there are significant implications for your good friends — the customers and stakeholders — but also for citizens, taxpayers, Parliament and ministers.

KEVIN: Yeah, yeah, but the obstacles to horizontal relations, at least in the form of real collaboration and partnership, are formidable. When I try to take a "whole of government" approach, I often run head first into departmental boundaries made of kryptonite.

SCOTT: I think we're beginning to make some progress as people understand the nature of the obstacles and what needs to be done to overcome them. Maybe the fundamental consideration is the accountability one. Ministers and senior officials are accountable for short-term action and results within their areas of individual responsibility. But the concept of collective ministerial responsibility calls for coherent, coordinated government action to serve a public interest that can't be neatly divided into the separate compartments of individual portfolios.

KEVIN: Wow, you keep this up and you'll soon be a deputy minister. In anticipation of my future role as Clerk, let me just say that the trick is to find the balance between departmentalism and horizontality. Everyone needs to realize that policy development doesn't start with a department, but with the public interest. We can't coordinate program delivery successfully if we don't coordinate policy in the first place.



SCOTT: A promising sign is the current effort to have all the relevant ministers involved from the beginning in the development of new policy proposals. This is one area where horizontality seems to be working well.

KEVIN: Perhaps, but neither ministers nor officials want to risk diffusing their accountability across departmental boundaries and, equally important, nobody wants to share credit for successful programs that they can pursue on their own.

SCOTT: Partnership involves a sharing of risk and blame as well as credit. It sounds like a good way to blend my self-interest with the public interest!

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Among possible discussion questions are these:

1. What public service values are at stake here? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. What are the major barriers to horizontality between and among departments and governments?
3. What are the possible approaches to reducing or removing these barriers?

**CASE #10****WHO CARES?**

Tom Winters, an Assistant Deputy Minister in Human Resources Development is chatting with Judy Kond, one of his Directors General.

**TOM:** Here's the issue. The Minister wants a revision of Part II of the Employment Insurance legislation following completion of the Labour Market Agreements. This is very high priority for him and he wants it done before Parliament rises for the summer — and it's already mid-March. I need to staff a Director General who will be charged with delivering the product to me and implementing the changes over the years to come. After interviewing the six candidates, I have reduced the list to two possibilities — Josephine Small and Caroline Begg. I sure could use your advice. How well do you know these people?

**JUDY:** I know them both pretty well. They're a real study in contrasts. You'll have to decide which one you want to work with and, of course, what kind of person should be promoted in today's public service.

Josephine is known for doing an excellent job and always delivering on time. She is well respected by her superiors because of her superb analytical skills. Caroline's work is very good, but she doesn't always meet deadlines. It's generally agreed by people who know both of them that Caroline's work is not quite as high quality as that of Josephine.

**TOM:** What kind of people are they?

**JUDY:** Josephine has a reputation for being somewhat ruthless and not always treating her staff with respect. She is known to be less than congenial with her colleagues if they don't agree with her positions and she likes to work alone. Employees under stress have a tendency to exaggerate, of course, but her involvement in the recent downsizing exercise earned her such descriptions as "brutal" and "uncaring."

Caroline, on the other hand, is highly regarded by her staff and colleagues as someone who is fair, principled and a team player. She was also involved in the recent downsizing exercise, but in a different department from Josephine. The only comment I heard was that she went out of her way to ease the pain for employees — with the result that things dragged on a bit.

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Among possible discussion questions are these:

1. What public service values are at stake here? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Which candidate should be chosen? Why?

**CASE #11****A CAREER PUBLIC SERVICE?**

The following discussion takes place between two Directors in the Department of Agriculture.

ANDRE: Hey, Marie, did you get a chance to say good-bye to Bill Mugabo? Another director bites the dust!

MARIE: Say it isn't so. You and Bill are my favourite people to work with.

ANDRE: It is so. Maybe you and I should say good-bye now in case one of us isn't here at the end of the day.

MARIE: Don't joke about such things! I must say that I've been confused and disappointed by the casual — and sometimes brutal — manner in which the concept of career public service has been jettisoned. I have always operated on the principle that I had at the very least an implicit contract with the government. They give me security of tenure and I give them non-partisan professional loyalty and a lot of hard work. These cutbacks are powerful demotivating factors. I have to admit that my morale and motivation are pretty low these days. Some of the big cats upstairs seem to have forgotten that loyalty is a two-way street.

ANDRE: I empathize with you, but there doesn't appear to be any legal obligation to provide security of tenure. It does seem reasonable to argue that there is a moral obligation to downsize in the most humane manner possible. The most recent thinking in this area seems to be that there never has been an implicit deal and that the government has the democratic right to carry out its downsizing plans.

MARIE: I was reading the other day that the important thing is not whether we have a career public service but whether we have a "professional" public service. The argument is that the concept of a professional public service doesn't involve a guarantee of lifetime employment.

ANDRE: I think we should be careful not to equate the word career with life-long. Clearly, we need a public service committed to such values as non-partisanship and loyalty. These values are important to the concepts of both professionalism and democracy. And we need a critical mass of public servants who are imbued with these values and can diffuse them throughout the service.

MARIE: I guess the trick is to ensure that people work long enough in the public service to acquire the intellectual and moral capital needed to perform at a high level of professional competence but not to promise them, even implicitly, security of tenure.

ANDRE: I wonder if we'll be here to witness the results of this shift of emphasis.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Do you think public service employment was based on an “old deal” that has somehow been broken or needs repair? If so, how?
3. Do you think “security of tenure” should be equated with a guarantee of lifetime employment or with protection from partisan dismissal?
4. Is the concept of a professional public service an important one for the future? What does it mean to you?

## CASE # 12

## THE REAL MERIT SYSTEM

The following discussion takes place between two middle managers.

CHRISTIANE I was feeling really good about myself until I started to hear some negative things about my upcoming move to the finance section.

LISA: People are just envious of your promotion.

CHRISTIANE: Well, it wasn't exactly a promotion; there aren't many of those these days. It was really a redeployment. I was asked if I would accept a lateral transfer to the job for at least a year.

LISA: So the complainers are just envious of your redeployment. This is a sensible way of ensuring that we get the right people for the job as quickly as possible. It sure promotes the right values — efficiency, effectiveness, etc. And it's a good way to give people some development experience when there aren't any promotions happening.

CHRISTIANE: I appreciate your rosy view of things, but I hear that some people think that the values being pursued here don't include merit. It's not only the union types who are saying that I am simply the beneficiary of a system of bureaucratic patronage. Boy, that really hurts.

LISA: Part of the problem is that lots of people think that the merit system is not operating very well and the new deployment authority is just an extension and formalization of a long-term trend towards greater managerial discretion. This shouldn't be a big problem so long as there are adequate safeguards against the fact, or the appearance, of bureaucratic patronage.

CHRISTIANE: I like to think of myself as a professional, non-partisan, impartial public servant. Not everybody perceives me that way anymore. I really don't know what can be done to assure people that I was redeployed on the basis of my qualifications and achievements.

LISA: When I get a chance, I'll remind her of the need for higher standards of transparency and due process in public organizations.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Are public service leaders “practising their preaching” in respect of merit in the sense of best qualified?
3. What can be done to ensure greater confidence in the fairness of the merit system?
4. Is respect for the merit system within government important to public confidence in public institutions?
5. Do greater “flexibilities” in human resource systems raise issues about public service values? If so, which ones? How should an appropriate trade-off be made between flexibility and other public service values?

**CASE #13****LOYALTY AND NEUTRALITY**

The following conversation takes place between two senior public servants.

**KARIM:** I noticed that you were chatting with the Minister's executive assistant again this morning. He seems to be spending more and more time around here. Doesn't he have anything to do in the Minister's office?

**MICHÈLE:** I've been talking to him about a new program I dreamed up. I think the Minister will be pleased. The program will not only improve her popularity but it may even enhance the popularity of the government as a whole. I have to admit that it's not the most efficient program in the world, but it responds to a real need in the community.

**KARIM:** You should hear yourself! Are you sure that you're not on the wrong side of the line between political sensitivity and political partisanship? It seems to me that you're carrying loyalty to the government too far.

**MICHÈLE:** Cool down, Karim. I'm not really doing that at all. We senior public servants have a responsibility not only to keep the Minister informed of the political consequences of various courses of action but also to devise programs to achieve the department's objectives. That's all I'm doing.

**KARIM:** Well, I realize that loyalty doesn't mean that public servants have to be neutral as between the government and the opposition, but they do have to be non-partisan. What would members of the opposition parties think if they knew you were promoting the political fortunes of the governing party?

**MICHÈLE:** I'd act exactly the same way if another party was in power. So where's the problem?

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is there a problem? Which side of the argument do you find more persuasive?
3. Can you think of other problems of this nature that arise in the public service?
4. Where should the line be drawn between political partisanship and political sensitivity?



## CASE #14

### NO COMMENT<sup>2</sup>

The following heated exchange takes place between Paul and Erica, his supervisor, in a federal government department.

ERICA: First you send a letter to the editor; next you appear as featured speaker at an anti-metric rally; and now television! Do you have anything to say for yourself before I begin an action to suspend you, Paul?

PAUL: Yes, I certainly have. As a Canadian citizen, I have a fundamental right to free speech which is guaranteed by the Charter of Rights and Freedoms. If I don't agree with government policy, I have a right to say so, just like everyone else.

ERICA: As a public servant your responsibility is to act with professionalism and impartiality.

PAUL: Which I have done. My criticism of the government's metric policy is completely unrelated to my work in this department. I am convinced that I have in no way jeopardized my ability to perform my duties.

ERICA: On the contrary, your conduct is going to make it difficult for the minister to have confidence in our department; it is likely to undermine public confidence in our government. I must warn you, Paul, that unless you stop your public criticisms of government policy you risk losing your job.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
  2. Whose position would you defend in the above exchange? Why?
  3. Would you argue that a public servant should give up some freedom of speech as a part of his or her job?
  4. What are the appropriate boundaries of public comment?
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<sup>2</sup> Adapted from Kenneth Kernaghan and John Langford, The Responsible Public Servant (Toronto: Institute of Public Administration of Canada and Halifax: Institute for Research on Public Policy, 1990), p. 69.

## CASE #15

## EMPOWERMENT AND ACCOUNTABILITY

This discussion takes place between two senior managers in a department of public works.

PATRICIA: We've gotta talk! Some of our people don't seem to understand how empowerment is supposed to work.

JEAN: What a coincidence! I wanted to talk about the same thing. I'm thinking that we haven't provided enough training in this area. What prompted your concern?

PATRICIA: Listen to this — and try not to cry. Tanya Marchak was talking to Jerry Thompson, her budget manager, about the fact that her budget was underspent for the current fiscal year because one of her major contractors wasn't able to get as much work done as they had planned. She was lamenting the fact that the funds for the work were about to lapse.

As you know, Jerry is a really energetic and goal-oriented fellow who, like the rest of us, has been influenced by the Department's emphasis on empowerment and the associated idea of improved service through innovation and risk-taking. He is reported to have told Tanya — and I quote: "It would be a shame to have to reduce our programs because of an arbitrary cut-off date. We have a duty to use our discretion to manage in the most efficient and effective way possible. We've known this contractor for a long time so why don't you just ask him to bill us for the work now. We might not get the money back next year."

JEAN: Those are real tears in my eyes — not just because of Tanya and Jerry but because I realize that we are in part to blame. We haven't made it clear that empowering people doesn't mean giving them a licence to do whatever they please in order to save some money and improve service. Empowerment requires careful attention to such central public service values as integrity and fairness and, above all, perhaps, accountability and the rule of law.

PATRICIA: I guess we've all been a little careless in not ensuring that everyone understands what is expected. Certainly Tanya and Jerry know that they would be breaking the law on lapsing funds, but their enthusiasm has got the better of them. Other departments have enjoyed great success with empowerment, but they've spent a lot of time and effort making sure that employees understand the framework of parliamentary controls, regulations and fundamental values within which they are empowered to make decisions.

JEAN: Another complaint I've heard is that employees are uncertain as to what they are empowered to do when exercising their discretion and as to whether we are likely to back them up if they should make a mistake while engaging in "responsible" risk-taking.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is it possible to enable employees to exercise more discretion and to be creative in achieving results without sacrificing important public service values?

**CASE #16****DOING IT BY THE BOOK<sup>3</sup>**

Mark is a purchasing agent and Mary is a middle manager in a large government department.

MARK: I've been receiving a number of purchase orders from your Division, Mary. You've been buying a lot of office equipment lately — one piece at a time.

MARY: I know it looks strange on paper. Look, I'll be straight with you Mark. We're outfitting one of our offices.

MARK: That's what I thought. But why are you sending in your purchase orders one at a time?

MARY: Originally, I went through Public Works and Government Services. They told me a complete system would cost \$50,000. That's absolutely ridiculous. I know for a fact that if I buy those components separately through a wholesaler I can get the whole system for \$40,000.

MARK: You know the rules, Mary. Any purchase order for amounts greater than \$5000 requires Treasury Board approval through the Public Works and Government Services.

MARY: But if I do it by the book it will cost \$10,000 more. Why should I waste all that money for no reason?

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Did Mary behave responsibly in breaking the rules to save her division money?
3. If so, is it appropriate to ignore any rule which seems to foster waste and inefficiency?
4. Should Mark overlook the fact that Mary has deviated from normal procedure in this case?

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<sup>3</sup> Drawn from Kenneth Kernaghan and John Langford, *The Responsible Public Servant* (Toronto: Institute of Public Administration of Canada and Halifax: Institute for Research on Public Policy, 1990), p. 122.

**CASE #17****PUBLIC INTEREST AND PRIVATE GAIN**

The following conversation takes place between two senior officials in a department concerned with economic development.

SUZANNE: I guess I was wrong about conflict of interest.

RICHARD: What do you mean?

SUZANNE: Well, I've always argued that conflict of interest is the easiest ethical issue to manage; you just lay down the rules and enforce them vigorously. I'm beginning to think that there are subtleties and complexities in this area that a lot of us haven't recognized. And the importance of values other than integrity complicates things even further.

RICHARD: Something must have triggered this revelation.

SUZANNE: It's Gerry — and maybe some of the other economic development officers. We've encouraged them to focus on quality service to our clients and we've given them the discretion authority to enable them to make decisions on individual cases. But I think Gerry in particular is getting too close to what he calls his customers. It's important to provide top-notch information and advice to our clients, but we need above all to keep in mind the public interest.

RICHARD: I'm not sure that I follow your argument.

SUZANNE: Maybe that's because I'm a little confused myself. My concern first arose when I heard a complaint from a businesswoman who is in competition with a firm that Gerry has been "advising." She thinks that Gerry has forgotten that he is a public servant. She even said: "Why doesn't he join the firm and get it over with?" And she asked why her tax money should be used to pay people who are giving an advantage to her competitors. She actually said: "Why should I provide the stick with which I am going to be beaten?"

RICHARD: Come to think of it, I heard a similar complaint about Dave Johnson. I'm not sure that Gerry and Dave understand the subtle transformation in their role that has occurred and how this impacts on considerations of equity and impartiality.

SUZANNE: My concern really bubbled over when I heard that Gerry was thinking about leaving the public service for the private sector. I hope that he is not joining one of his clients. I guess what bothers me most is the possibility that some of our people might give preferential treatment to clients in the hope that they might receive a job offer. I know that these issues are not new, but they seem to have been aggravated by the service-quality emphasis. I'm wondering also whether the current conflict of interest guidelines are sufficient to protect the public interest.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Do similar issues arise in other policy areas, e.g., for front-line workers in social service departments?
3. Is the public interest being adequately protected from considerations of private gain?
4. Are the current conflict of interest guidelines sufficient? If not, what more can be done?

**CASE #18****ALL IN THE FAMILY<sup>4</sup>**

The following conversation takes place between two middle managers in a provincial Department of Regional Industrial Expansion.

MICHEL: I understand that you've had a request for financial assistance from a computer manufacturer.

FRANCE: We've been flooded with requests lately, Michel. This has been a bad year for this province. But I think I know the company you mean. It's in Spruceville isn't it?

MICHEL: Yes, that's the one. They've been in touch with me, and apparently they're in a real crisis situation. Frankly, France, they're afraid that they'll have to shut down if they don't get some financial help soon.

FRANCE: That doesn't sound good. But I just received their application this week. With the pile of applications on my desk right now, it'll be another month or two at least before I get to it.

MICHEL: That'll be too late. The owner of the firm is married to my sister, so I told him I'd look into the situation. I think their financial situation is critical enough to justify putting their application near the top of the pile.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is Michel in a real, apparent, or potential conflict of interest situation here?

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<sup>4</sup> Drawn from Kenneth Kernaghan and John Langford, The Responsible Public Servant (Toronto: Institute of Public Administration of Canada and Halifax: Institute for Research on Public Policy, 1990), p. 143.

3. Is the firm's reported dire financial situation a sufficient justification for Michel to involve himself in the application vetting process?
4. How should France respond to Michel's request?
5. How would the proverbial man-in-the-street react to this situation?



**CASE #19****BY THE LIGHT OF THE MOON<sup>5</sup>**

This conversation takes place between two middle managers in the federal government.

MANJEET: A group of four of us have decided to start a consulting company on the side to run seminars telling businessmen how to deal with government, and, in particular, how to get contracts from government.

ARLENE: Who's involved?

MANJEET: Four public servants.

ARLENE: And what exactly are you going to offer?

MANJEET: We'll outline the various contract regulations, rules, policies, procedures, restraints, and constraints affecting the process. We're also going to offer advice for maximizing opportunities to sell goods and services to the government.

ARLENE: My goodness! Surely you know you're not allowed to use information acquired during the course of your public service employment in that way!

MANJEET: That's true only if the information we're providing is not generally available to the public. All the information we're planning to give out is readily available from the departments themselves if anyone bothers to ask for it.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Are Manjeet and his colleagues involved in a conflict of interest? If so, is it a real, apparent or potential conflict?
3. Is the integrity of the contracting-out process threatened by such an activity as this?
4. How do you think this situation would be viewed by the proverbial man-in-the-street?

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<sup>5</sup> Drawn from Kenneth Kernaghan and John Langford, *The Responsible Public Servant* (Toronto: Institute of Public Administration of Canada and Halifax: Institute for Research on Public Policy, 1990), p. 148.

## CASE #20

## CONSCIENCE AND THE PUBLIC INTEREST

The following conversation takes place between Pierre Grandlouis and Jane Brant, two employees in a department responsible for the administration of Aboriginal affairs.

PIERRE: What's the problem Jane? You look really upset.

JANE: I can't take it any more. I'm being pressured to provide misleading information to the public about some of our departmental spending. I don't want to lie to the public. Somebody needs to spill the beans. I'm going to tell my Member of Parliament; he'll know what to do.

PIERRE: Slow down here, have you taken your concern upstairs?

JANE: I've gone as high as the assistant deputy minister. While she was advising me to forget it, she was casting her eyes upward. At first, I thought she was looking to God for the answer, but I guess she was referring to the deputy or the minister. There's no point in taking this matter any higher.

PIERRE: But why go to your M.P.? He's in the opposition, isn't he? Why don't you just leak the correct information to the press?

JANE: I can't do that in good conscience. Leaking information is a sleazy thing for a professional public servant to do.

PIERRE: What about resigning and then going public?

JANE: Come off it, Pierre. I have a family — and a mortgage. Besides I don't think I'll be disciplined much for this. Most people will see that I'm acting in the public interest.

PIERRE: I fear for you Jane. I think that you're being naive about how your action will be perceived. I assume that you won't release any confidential information.

JANE: If I don't, how can I make my case?

(Three months later)

PIERRE: I sure miss Jane around here. I told her that the minister wouldn't be amused by her action.

MARK: Haven't you heard? The arbitrator reversed the dismissal decision on the grounds that there are certain circumstances in which public servants can justifiably blow the whistle.

PIERRE: Fantastic! When is she coming back?

MARK: She's supposed to serve a six-month suspension first, but I don't think we'll ever see her again. I hear that she has been offered a year's salary to resign. I have also heard remarks in high places about "disloyal squealers." It's a pity that we don't have some internal mechanism that public servants can turn to when they face ethical problems like this one.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Are there circumstances in which the release of confidential information to the public is in the public interest?
3. Does your department have an internal recourse mechanism for public servants who believe they are being asked to take actions that conflict with public service values and ethics? If not, should they? What kind of mechanism would be effective? Is such a mechanism needed for the public service as a whole?

## CASE #2 1

## THE TOO SILENT PARTNER

This conversation takes place between two senior public servants in a government department.

JOHN: I really like these partnerships with the private sector, especially this one with Data Corp. It enables the government to provide better service to the public with a much smaller investment of public money. Each partner has invested 40 million dollars to computerize our new client registration system. Data Corp seems really happy with the arrangement.

GISÈLE Well, we shouldn't forget about the unhappiness of the more than 50 other firms that wanted to be involved. In the end only Data Corp and Info Tech had the bucks to make the investment. By the way, Info Tech is steaming mad about the whole thing.

JOHN: What's their beef? Can't these business firms stand losing a fair fight?

GISÈLE: They claim that it wasn't a fair fight. They say that the government promised to make public the entire deal, including the owners of Data Corp. Now the opposition parties are demanding full accountability in the form of detailed information on the firm's ownership and on the terms of the partnership agreement — and the media have got hold of the story. To make things worse, Info Tech contends that confidential government information was leaked during the bidding process. There are even allegations that politicians and public servants acted illegally during the bidding process. The provincial police are investigating these charges.

In the meantime, Data Corp has refused to provide information on either the owners of the firm or the content of the partnership agreement. The government says that it wants to release the information, but Data Corp has prevented this by using the Privacy Act.

JOHN: Good grief! The opposition parties are just playing politics. How in Heaven's name do politicians and the media expect public servants to be more efficient and responsive through innovation if they insist on knowing every little detail, including information about the financial activities of a private sector firm?

GISÈLE: Maybe it's just not possible for public servants to engage in risk-taking innovations in our political system. The opposition parties have a justifiable interest in the expenditure of millions of dollars of taxpayers' money and the media have a responsibility to investigate alleged wrongdoing.

JOHN: Well, they can't have it both ways. They can't yap about the inefficiency and unresponsiveness of government and then refuse to let us exercise more discretion and take a few risks.

(Several months later)

GISÈLE: Did you notice that Data Corn is still unwilling to provide the information on the partnership agreement?

JOHN: I thought that they had released the information.

GISELE: Well, they finally agreed to identify the owners of Data Corp. They also agreed to release about eighty percent of the content of the partnership agreement. According to the Opposition parties, the remaining twenty percent is the crucial part of the agreement. I'm beginning to wonder if the government really wants to have the details released since one objective of the partnership is to market the technology worldwide and thereby to enrich the public purse with royalties.

JOHN: I don't see any problem with the government entering into partnership agreements that will increase its revenues while at the same time improving service to the public. Surely this is a genuine win-win situation.

GISELE: I disagree. The government should protect the taxpayers by insisting on full disclosure as a condition of any partnership. Moreover, I heard yesterday that the government is cutting back on computerizing the system because Data Corp, which has an exclusive agreement with the government to do the work, is short of cash. It's busy trying to raise 20 million dollars to meet its obligations.

JOHN: You make some good points. But everyone has to recognize that for public servants to be creative and innovative, some risks must be taken. Unforeseen problems will arise and mistakes will occasionally be made. But if partnerships are carefully planned and executed, they are one of the best ways by which governments can do better with less.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. In general, do you agree with John's position or Gisèle's? Why?
3. What are the various dimensions of the concept of accountability that are involved in this case?
4. When governments engage in partnerships, what ethical or public service values issues potentially arise? How should they be handled?
5. To what extent should public servants be encouraged to adopt an entrepreneurial approach to innovation and risk-taking? What ethical or public service value issues potentially arise when they do? How should such issues be handled?

## CASE # 22

LET'S ROOT OUT THE CHEATERS<sup>6</sup>

The following conversation takes place between Diane, a director, and Stuart, an assistant director, in a provincial finance ministry.

DIANE: The problem of welfare fraud is a serious one, Stuart. Have you come up with any suggestions on how to tackle it?

STUART: Yes, I think so. I propose a merger of several administrative data sets related to income maintenance programs. We could link them to government personnel records, vehicle ownership data, and the files of the marriage, birth, and land registries. If we could gain access to them, we could even bring in personal financial records.

DIANE: We've got to be careful here. You can't go using that information for reasons other than the ones it was collected for. This proposal involves violating the individual's right to privacy.

STUART: Diane, you told me yourself that welfare fraud is getting out of hand. We've got to do something to control it. If the program clients have told their case officers the truth, there won't be any problem. If they lied, don't we have a right to know?

DIANE: I'm not so sure. ..

STUART: I've already spoken to your boss about this, Diane. He thinks it's a good idea.

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Among possible discussion questions are these:

1. What public service values are at stake in this case? Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Would you subscribe to an action of this sort to cut down on welfare fraud. Why? Why not?

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<sup>6</sup> Drawn from Kenneth Kernaghan and John Langford, *The Responsible Public Servant* (Toronto: Institute of Public Administration of Canada and Halifax: Institute for Research on Public Policy, 1990), p. 105.

3. In a welfare state, should individuals expect to have their right to privacy restricted to some degree?
4. Is informed consent an issue here?
5. Was it appropriate for Stuart to go over Diane's head with his plan? What should Diane do now?



**CASE #23****THE MINISTER WANTS TO KNOW'**

This conversation takes place between two employees in a human resources office.

BIANCA: I want you to conduct an internal information search on three of our clients.

FRANÇOIS: What for? Are we checking for welfare fraud?

BIANCA: The minister's office has requested the information.

FRANÇOIS: What's this all about?

BIANCA: Apparently, these three people were involved in a demonstration for welfare rights last week. They've been harassing the minister about the new regulations on income assistance announced last week.

FRANÇOIS: Wait a minute ... internal information searches are usually reserved for child abuse or welfare fraud investigations. I can't just send out a memo requesting information on people because their organization has been pestering the minister. That's an invasion of privacy!

BIANCA: Look, I know it's a bit unusual, but the minister has specifically asked me to try to find out something about them. I can't just go back empty-handed. Besides, if these people have been harassing the minister, we owe him this much.

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Among possible discussion questions are these:

1. What public service values are at stake in this case.<sup>3</sup> Are they democratic, professional, ethical, or people values? Are some values more important than others?
2. Is Bianca's request reasonable?
3. Should François do as he is told? Or does he have a greater duty to protect the privacy of income assistance clients?
4. Does "harassment" of the minister justify an investigation of this type? If not, can you think of a situation which would warrant such an investigation?

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<sup>7</sup> Drawn from Kenneth Kernaghan and John Langford, The Responsible Public Servant (Toronto: Institute of Public Administration of Canada and Halifax: Institute for Research on Public Policy, 1990), p. 103.

## CASE #24

## PROMOTING VALUES AND ETHICS

The following discussion takes place among four public servants in the Human Resources Branch of the department.

YVES: I disagree. In my view, the best way to ensure that public servants act ethically is to provide them with a written code of ethics — the more detailed the better!

PATRICIA: Come on Yves, surely you don't believe that. All these codes of ethics, statements of values, and philosophies of management are airy-fairy lists of platitudes to which nobody pays any serious attention. The best approach is to integrate courses on ethics and values into all our training and development programs so that public servants, especially new ones, can learn what the rules are and what the accepted values are. Such programs can make public servants more sensitive to the ethical implications of their decisions and even change the attitudes of some of them as to what is ethical behaviour and what is not.

YVES: That approach might be of some use, but I still believe that people need to have the written rules in front of them and to be required each year to read the rules — or guidelines — and to sign a document saying that they have done so. We really need to beef up the Conflict of Interest and Post-Employment Code. We should also have an Ethics Counsellor who will, among other things, make sure that the content and application of the rules are as uniform as possible from one ministry to another. Why don't we send a clear message to everybody by dismissing a few people for unethical behaviour. And on occasion some people should be fined and in extreme cases even jailed.

BRIAN: Good grief! You'd use the Criminal Code provisions on bribery and corruption against a public servant who accepted a box of chocolates from a client? Let's be realistic. People have to be socialized into proper patterns of behaviour. You can have all the written rules and guidelines and all the ethics courses you want, but if you don't have the proper role model to follow, you might as well junk all the rest. If your administrative superiors set a high standard of personal integrity and insist on the same standard from subordinates, there won't be much unethical conduct in the ministry. Of course, it helps a lot if the minister and the Cabinet also set a good example.

RUALA: I think that each of you has a bit of the answer. What we need to do is assess each department's situation and decide what mechanisms for fostering and preserving ethical behaviour best suit its needs. But a valuable basis for doing this would be a service-wide statement of principles or values which would provide a strong foundation *on* which the ethics regime for individual departments could be built.

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Among possible discussion questions are these:

1. Which of the four arguments do you find most persuasive? Why?
2. Do most departments already have a reasonably comprehensive and coherent set of mechanisms for promoting ethical conduct?
3. If a service-wide Statement of Principles is developed, what should it include? Should it, for example, set out the principles that govern the relations between public servants and Parliament, especially parliamentary committees?
4. Should it be a statement of the great principles of public service or a more detailed code covering such matters as conflict of interest?



## Appendix II

**Discussion Guide for**  
*A Strong Foundation*  
**The Report of the Task Force on**  
**Public Service Values and Ethics**

### **Selected Cases** **on Public Service Values and Ethics**

*Developed for Discussion Purposes*  
*by*  
**Human Resources Development Canada**  
*and by*  
**Citizenship and Immigration Canada**

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## CASE 1 (HRDC)

You are the manager of a program group with responsibilities for the development of a large operational system. As part of the process to select a systems development company a request for information has been tendered. Three major companies have submitted proposals for consideration. It is intended that following announcement of the successful submission, negotiations toward a development contract will begin.

One of your team leaders announces during the evaluation process that he will be leaving the government to accept a position as a project manager with one of the bidding companies. This employee has been an integral part of the request for information process and provides key technical information supporting proposal evaluation. The employee has suggested a departure day three weeks from notifying you of his intentions.

Using a value centred approach discuss the values at issue and how you would make the final choice. What steps should he take prior to leaving? How should secrecy of information be handled? Would your decision be affected if the media were aware of the situation?

## CASE 2 (HRDC)

### ETHICAL POLICY DILEMMA

The unemployment insurance program has just undergone review. Recent decisions concerning the design of the new income replacement program for the unemployed are creating concern and discomfort among you and your staff. Specifically problematic are such ideas as the proposed cut of ten percent in annual benefits and the creation of a reserve fund to sustain the account during periods of high unemployment when revenues are down and demand is up.

Your staff find these ideas difficult to accept since they know that average benefits are well below poverty levels. They are also uncomfortable with the intention to shorten the benefit period and penalize frequent users since they believe such changes will cause real hardship for some people, particularly in areas of high unemployment where seasonal employment is the norm. Complicating this is the fact that staff know that the necessary research and modeling required to demonstrate the consequences of these decisions on people has not been conducted.

You have been asked to begin work immediately to turn these ideas into a coherent and marketable policy framework. However, your officers do not want to proceed to the policy development stage until impact studies have been conducted and the results assessed. They believe that until the consequences of these decisions are clear, no policy work should begin. How do you cope with the ethical dilemma which you and your staff find yourselves in? How can you serve the public good, your democratically elected government and mobilize your staff to meet their responsibilities?



### CASE 3 (HRDC)

A claimant has written to the department requesting that the decision to disentitle him from benefits be reviewed. The claimant quit his job due to personal reasons. He is divorced from his wife who had custody of their two children. The wife is an alcoholic and the children have now been placed in the care of the father. Not wanting to further disrupt the lives of his children, the father has relocated to the city of his children, has set up a new home and is actively seeking employment to support himself and his family.

The initial decision of the insurance officer was to disentitle the claimant for the full period allowable. The claimant has asked that this decision be reviewed in light of his personal circumstances. The claimant accepts that a disentitlement period will be applied but believes it should be less than the full period allowable.

The insurance officer does not agree, believing that this is a clear case of quitting without just cause. Advice from a quality assurance review suggests that the disentitlement period should be decreased. The officer refuses believing that she has full authority to make decisions and does not believe that this case warrants an amendment.

Using a value-centred approach discuss the values at issue and how you would make the final choice. What are the relevant facts that would help in determining the right thing to do? Would policy consistency play a role in your decision?

CASE 4 (CIC)

You are the manager of a Citizenship and Immigration division. One of your best officers has recently left the department to take ERI after 27 years of dedicated service. Your administration officer has just advised you that this employee refuses to return an old 386 computer which was provided to allow the employee to work from home on occasion. The computer is valued at approximately \$400 and is of no practical use to CIC. The Administration Officer has taken the necessary steps to ensure that the modem line to the office has been disconnected.

The former employee believes that after 27 years, the least the department can do is allow him to keep the computer.

How do you handle this situation?

### CASE 5 (CIC)

You are a senior officer in the department. You travel across Canada frequently to meet with provincial government officials on key department issues. A colleague who travels with you on most trips tells you that whenever an airline overbooks a flight he always takes the cash incentive to delay his flight. With this money, he plans to take an extended trip around the world flight in a year or so. He tells you that his neighbour, who works for another department, is doing the same thing.

What do you say? What do you do to rectify the situation?

**CASE 6 (CIC)**

You are the Immigration Program Manager of a large visa office abroad with a significant business immigration clientele. One of your staff is due to retire from the foreign service in six months. For the past two years, she has managed the business immigration program at the visa office and she was involved in developing the current program, which came into effect ten years ago. The business immigration program is under review and, because of her recognized experience and expertise, she has been asked to attend meetings at headquarters to provide input and comments on the options being considered. The target implementation date for any changes is 18 months away.

You have just heard from an outside source that she has been approached by a large immigration consulting firm to discuss the possibility of working with them after her retirement and that she is considering that possibility. Do you authorize her to go to headquarters to participate in the discussion of options for changes in the business immigration program which will give her access to privileged information? How do you deal immediately with the broader issue of your business immigration officer having full access to all case file information, while actively considering employment as an immigration consultant?