

**Ethically challenging situations in UK based independent human resource
consultancies:**

**a study into professional practice by a practitioner researcher identifying what
challenges are faced, how they are dealt with and including recommendations for
improving practice**

**A thesis submitted in partial fulfilment of the requirements of London Metropolitan Business
School for the Professional Doctorate in Personnel and Development**

**LONDON METROPOLITAN BUSINESS SCHOOL
KAREN MANBY
08001929
FEBRUARY 2012**

ABSTRACT

This study examines ethically challenging situations in independent human resource consultancy practice in the UK. The study identifies the issues consultants face and how they are resolving them. The analysis of consultant responses in the context of the literature on ethics leads to a series of recommendations for future professional practice.

Despite the experience of the practitioner researcher and the common narratives of many other consultants, no previous studies in this area were found. Whilst there is a vast amount of writing on business ethics generally, there exists a gap, recognised in the literature, between ethical theory and practice. This research builds upon previous conceptual and empirical studies which are starting to address this and makes a contribution to new knowledge.

As a qualitative study, the research focuses on semi-structured interviews with twenty human resource consultants and the critical reflections of the practitioner researcher. There is a detailed analysis of the data leading to the identification of themes in the range of responses given.

The key contribution to knowledge includes a categorisation of situations and resolutions using a three-fold framework highlighting problems arising from the specific nature of the work. Common examples of problems and best practice solutions in current literature are examined, with this study extending to examine what happens in practice when these are inadequate.

The study finds that dilemmas and decision making can centre on the balance between “human” and “resources”, the ambiguous nature of the consultancy relationship, managing at times when trust has yet to be established or when there is confusion related to personal and professional identity. Finally, independent consultants acknowledge the part that the need to earn income plays and how they manage decision making in their role outside of a corporate organisation.

Philosophical theories are helpful in drawing attention to the agentic character of consultants who use practical wisdom based on common sense reasoning when facing dilemmas. Theories are potentially unhelpful when there is too narrow a focus on either deontological or teleological perspectives. Consultants look at decision making from both perspectives; frequently referring to rules to guide practice before determining action based on an assessment as to the overall “good”.

Recommendations for future practice are made specific to the nature of the role and include highlighting industry codes, the need for personal codes of ethics, the need for critical reflection and the formalisation of support from trusted relationships.

ACKNOWLEDGEMENTS

Wise advice and invaluable guidance has been given by Professor John Walton and Dr John Clark as I ventured from the world of practice and into the world of research and thesis writing. On this journey, my fellow doctoral travelling companions Hilary Cooke and Helen Davis helped enormously. I will always take pleasure in remembering the moments of fun, surprise and illumination in our supervision group discussions.

Outside the university, a huge amount of support has been given by my husband Peter Manby and Nicola Almond, my best friend from undergraduate days. I hope that I have never taken this for granted and that they know the important roles they have played in this project.

My close friends and whole family have helped at different stages of the study, in particular, my father David Pirie and sister Zoe Pirie who gave thoughtful insights, practical advice and the confidence that I would and could undertake and complete the work.

Throughout, I have relied on the patience and understanding of my "*wise beyond her years*" daughter Louisa, who has kept me and herself going when the study went beyond what she and I could have expected when we talked about me starting further study four years ago.

I also wish to thank the consultants who generously participated in the study in the first place and whose feedback along the way has been so encouraging.

Finally, I am indebted to Irene Boston as my main proof reader and friends Nick Colvin and James Cooke who helped improve the presentation of the final work when I needed help and calm.

LIST OF TABLES

Summary of ethical theories based on Spence (2000, p.50) (table 1)	30
Ethical challenges highlighted in the literature review prepared by the author (table 2)	45 - 46
Guidelines for dealing with challenges highlighted in the literature review and prepared by the author (table 3)	46 - 48
Popular consulting critiques and implied values based on O' Mahoney (2010, p.294) (table 4)	57
Ethical tests for judging behaviour based on Zimmerer and Scarborough (1992, p.60) (table 5)	59
A comparative analysis of the methods of three studies into ethical dilemmas in professional practice prepared by the author (table 6)	63 - 64
A comparative summary of the findings of three studies into ethical dilemmas in professional practice prepared by the author (table 7)	65 - 67
Table illustrating how the literature review was used and the nature of the review prepared by the author (table 8)	69
Summary of key ideas taken from the literature review and explored in the study prepared by the author (table 9)	70 - 73
Review of methods at the end of stage one with proposals for stage two prepared by the author (table 10)	96 - 98
Summary of common dilemmas described by participants prepared by the author (table 11)	106
Summary of critical incidents described by participants prepared by the author (table 12)	107
Ethical issues around HR practice prepared by the author (table 13)	109
Participant quotes on the importance of the HR role prepared by the author (table 14)	110
Ethical issues around being a consultant prepared by the author (table 15).....	110 - 111
Participant quotes on ethics and managing a business prepared by the author (table 16).....	111 - 112
Ethical issues around managing a business prepared by the author (table 17)	112
Participant quotes on the impact of legislation prepared by the author (table 18).....	117
Participant quotes on not accepting assignments prepared by the author (table 19).....	118
Participant quotes on influencing clients prepared by the author (table 20).....	119
Participant quotes on networking prepared by the author (table 21)	122
Participant quotes relating to the meaning of ethics prepared by the author (table 22)	124
Summary of possible philosophical traits in participants' descriptions prepared by the author (table 23)	125 - 126

Participant quotes on the treatment of others prepared by the author (table 24)	127
Participant quotes on common sense prepared by the author (table 25)	128
Participant quotes on work and non work self prepared by the author (table 26)	129 - 130
Participant quotes on describing themselves as having an internal ethical stance prepared by the author (table 27)	130
Participant quotes on describing themselves as having external ethical influences prepared by the author (table 28)	131
Participant quotes on congruence prepared by the author (table 29)	131
Table highlighting potential non ethical reasoning behind behaviours prepared by the author (table 30)	135
Map of field texts from the advanced practitioner skills portfolio (table 31)	207 - 209
Timeline of writing skills portfolio and research thesis (table 32)	210 - 211

LIST OF FIGURES

Map of the research process prepared by the author (figure 1)	15
Map of the research process prepared by the author (figure 2)	16
Map detailing scope of in depth literature review prepared by the author (figure 3)	24
Model of the emerging research question prepared by the author (figure 4)	74
Framework for research design based on Robson (2002, p82) (figure 5)	75
Flow chart illustrating how data was collated into themes stage one prepared by the author (figure 6)	85
Flow chart illustrating how data was collated into themes stage two prepared by the author (figure 7)	85
Bar chart illustrating time ranges of different interviews prepared by the author (figure 8)	94
Years of consultant experience of participants prepared by the author (figure 9)	102
Nature of work of participants prepared by the author (figure 10)	103
Model showing categorisation of responses prepared by the author (figure 11)	108
Chart illustrating general responses to how participants dealt with ethically challenging situations prepared by the author (figure 12)	115
Chart showing the number of times specific attributes or behaviours were referred to by participants prepared by the author (figure 13)	126
Diagram illustrating influences on personal ethics prepared by the author (figure 14)	134

CONTENTS

CHAPTER 1: INTRODUCTION	11
1.1 PERSONAL CONTEXT.....	11
1.2 RESEARCH CONTRIBUTION	12
1.3 SCOPE OF THE RESEARCH	13
1.4 THESIS STYLE	14
1.5 MAP OF THE RESEARCH PROCESS	14
1.6 CHAPTER GUIDE.....	17
 CHAPTER 2: LITERATURE REVIEW	 18
2.1 SCOPE.....	18
2.2 BACKGROUND	19
2.3 THE GAP BETWEEN BUSINESS ETHICISTS AND PRACTITIONERS	23
2.4 STRUCTURE OF IN DEPTH REVIEW	24
2.5 ETHICAL CHALLENGES IN HUMAN RESOURCE PRACTICE	25
2.5.1 Background	25
2.5.2 How HR is defined in sources considering ethical issues.....	26
2.5.3 How ethics is defined in HR sources	27
2.5.4 HR and ethics in context.....	28
2.5.5 Summary of ethical theories	29
2.5.6 HR practice as a profession.....	31
2.5.7 Codes of ethics.....	32
2.5.8 Ethics and employment legislation.....	35
2.5.9 A study involving HR practitioners in the hospitality sector	36
2.5.10 A study involving HRD Consultants in the not for profit sector	37
2.6 ETHICALLY CHALLENGING SITUATIONS IN CONSULTANCY PRACTICE	38
2.6.1 Agency	38
2.6.2 The client.....	40
2.6.3 The nature of the consultancy role	42
2.6.4 Ethical challenges within the expert paradigm.....	44
2.6.5 Defining ethics	44
2.6.6 Specific challenges	45
2.6.7 Guidelines for dealing with specific challenges.....	46
2.6.8 Ethical challenges within the process paradigm	49

2.6.9	Ambiguity	51
2.6.10	Trust.....	52
2.6.11	Reflection.....	52
2.6.12	Identity	53
2.6.13	Self-awareness and congruence	55
2.6.14	Attitudes to consultancy	56
2.7	ETHICAL CHALLENGES IN INDEPENDENT PRACTICE	58
2.7.1	Background.....	58
2.7.2	The link between the values of the business and of the owner	59
2.7.3	Shadow consultation	61
2.8	STUDIES EXPLORING ETHICALLY CHALLENGING SITUATIONS IN PROFESSIONAL PRACTICE	62
2.8.1	Background.....	62
2.8.2	A comparison of three studies carried out regarding ethical dilemmas in professional practice	62
2.8.3	A note on one other study of professional practice	67
2.9	HOW THE LITERATURE REVIEW HAS BEEN USED	68
2.10	SUMMARY OF IDEAS FROM THE LITERATURE REVIEW.....	70
2.11	SUMMARY OF WHERE THIS STUDY FITS WITHIN THE LITERATURE.....	73
 CHAPTER THREE: METHODOLOGY.....		75
3.1	INTRODUCTION	75
3.2	CLASSIFICATION OF RESEARCH	76
3.3	METHODOLOGICAL APPROACH	77
3.4	RESEARCH STRATEGY	79
3.5	RESEARCH METHODS.....	80
3.5.1	Study design	80
3.5.2	Data collection	80
3.5.3	Data analysis	84
3.5.4	Data presentation.....	86
3.6	ETHICS	87
3.7	CONSIDERATIONS FOR STAGES ONE AND TWO.....	90
3.7.1	Constraints considered at stage one planning.....	91
3.7.2	How unanticipated problems were dealt with in stage one	93

3.7.3	Unanticipated positive outcomes of choosing the semi-structured interview methodology	95
3.7.4	Review of methods completed at the end of stage one with proposals for stage two	96
3.7.5	Themes in stage one and stage two	98
3.8	HOW THE PRACTITIONER RESEARCHER REFLECTIONS FIT WITH THE METHODOLOGY	99
CHAPTER FOUR : DATA FINDINGS	101	
4.1	CHARACTERISTICS OF THE PARTICIPANT GROUP	101
4.1.1	Gender.....	101
4.1.2	Business Background	102
4.1.3	Experience	102
4.1.4	Response Rate	103
4.2	WHAT KINDS OF ETHICALLY CHALLENGING SITUATIONS FACE PARTICIPATING UK HR CONSULTANTS?	105
4.2.1	Common dilemmas and critical incidents	105
4.2.2	Categorisation of challenges	107
4.2.3	Issues around HR practice	108
4.2.4	Issues around being a consultant.....	110
4.2.5	Issues around independent practice.....	111
4.3	HOW ARE PARTICIPANTS RESOLVING ETHICALLY CHALLENGING SITUATIONS?.....	113
4.3.1	General response observations.....	113
4.3.2	Dealing with issues in HR practice	115
4.3.3	Dealing with issues around being a consultant.....	117
4.3.4	Dealing with issues around independent practice.....	120
4.3.5	Resources used	120
4.4	EXPLANATIONS AROUND ETHICAL THEMES IN THE EMPIRICAL DATA	123
4.4.1	Espoused personal positions	123
4.4.2	The meaning of ethics.....	125
4.4.3	Treatment of others.....	127
4.4.4	Common sense.....	128
4.4.5	Range of responses gauged by language used	128
4.4.6	Identity	129
4.4.7	Internal and external orientation	130

4.4.8	Congruence	131
4.4.9	The impact of word of mouth and referral	132
4.4.10	Ambiguity	133
4.4.11	Trust.....	133
4.4.12	Responsibility for setting ethical guidelines	133
4.4.13	Ethics in relation to completing tenders	134
4.4.14	Reasons given as to why issues may be resolved in a particular way.....	135
4.4.15	The importance of age and experience	135
4.4.16	Possible future pressures.....	136
4.5	THE INTERACTION BETWEEN PRACTICE AND RESEARCH FOR THE PRACTITIONER RESEARCHER.....	137
4.5.1	Clarity of role.....	138
4.5.2	The influence of my practice on the research	139
4.5.3	The influence of the research on my practice	142
4.6	SUMMARY OF FINDINGS AS A CONTRIBUTION TO KNOWLEDGE.....	146
CHAPTER FIVE : DISCUSSION.....		149
5.1	ETHICALLY CHALLENGING SITUATIONS FACING INDEPENDENT UK HR CONSULTANTS	150
5.1.1	Examples of challenges arising due to the nature of HR practice	151
5.1.2	Examples of challenges arising from the nature of consultancy practice	152
5.1.3	Examples of challenges arising from the nature of independent practice	154
5.2	HOW UK CONSULTANTS ARE RESOLVING ETHICALLY CHALLENGING SITUATIONS	156
5.2.1	Resolving challenges relating to the nature of HR practice.....	156
5.2.2	Resolving the challenges relating to the nature of consultancy practice	157
5.2.3	Resolving the challenges relating to the nature of independent practice	159
5.2.4	General resources and strategies for resolving challenges	160
5.3	WHAT EXPLANATIONS AROUND ETHICAL THEMES ARE IDENTIFIED IN THE STUDY?	168
5.3.1	Ambiguity and trust	168
5.3.2	The meaning of ethics.....	170
5.3.3	Philosophical theories	172

5.3.4	Describing themselves as ethical	175
5.3.5	Personal responsibility	176
5.3.6	Influences on ethical positions	177
5.3.7	Identity and congruence	177
5.3.8	The language of ethically challenging situations.....	180
5.4	HOW COULD INDEPENDENT HR CONSULTANTS RESOLVING ETHICALLY CHALLENGING SITUATIONS BE HELPED?	181
5.4.1	Positioning of the recommendations	181
5.4.2	Codes	182
5.4.3	Personal codes of ethics	183
5.4.4	Critical reflection	184
5.4.5	Formalising a need for support relationships	185
5.5	CONSIDERATIONS FOR IMPLEMENTATION OF RECOMMENDATIONS	186
5.6	PRACTITIONER RESEARCH METHODOLOGY FOR EXPLORING INDEPENDENT HR CONSULTANCY PRACTICE	187
5.7	LIMITATIONS OF THE STUDY AND RECOMMENDATIONS FOR FURTHER RESEARCH.....	188
5.7.1	Sample size and selection.....	188
5.7.2	Espoused views	188
5.7.3	Data analysis	189
CHAPTER SIX: CONCLUSIONS		189
6.1	CONCLUSIONS RELATING TO PROFESSIONAL PRACTICE	190
6.2	PERSONAL CONCLUSIONS	192
6.3	RESEARCH CONTRIBUTION	195
REFERENCES		197
APPENDICES		197
Appendix 1: Pre interview briefing.....		203
Appendix 2: Interview questionnaire		204
Appendix 3: Post interview follow up		206
Appendix 4: Map of field texts from the advanced practitioner skills portfolio		207
Appendix 5: Timeline of writing skills portfolio and research thesis.....		210

CHAPTER 1: INTRODUCTION

This chapter introduces the thesis; setting out the personal context to the study and describing the research contribution, the scope and style of the thesis. Within the chapter, there is a map of the research process overall and it finishes with a chapter guide for the thesis as a whole. The first person is used in describing the personal background and for the rest of the chapter, the third person is used.

1.1 PERSONAL CONTEXT

The primary questions addressed in this thesis, namely “what ethical challenges face independent HR consultants and how are they dealing with them?” emerged from my experiences in professional practice.

After more than ten years of independent HR consultancy practice, with 15 years of senior and international corporate work prior to that, and with experience and skills assessed at fellow member level by my professional body, I was surprised by how troubling some recent consultancy assignments had been. I found myself expending a large amount of energy on questions such as “was I doing the ‘*right*’ thing?”, “was I a ‘*good*’ consultant?” and trying to work out how I was judging “*right*” and “*good*” and what I meant by these terms in any event.

Taking as a starting point one definition of ethics as “*a system of moral principles and the methods of applying them*” (Anderson & Dunkelberg, 1992, p.89), it became clear that these questions fell within an ethical arena. For me, I experienced these as challenges in that the “*right*” or “*best*” course of action was not immediately apparent given that there were competing alternatives, or as expressed by Harrison in writing about consultancy “*we face dilemmas for which there are no perfect resolutions*” (Harrison, 1995, p.17).

In order to address these questions, I decided that I needed to move beyond my thinking at the level of the person “*on the street*” to become at least a “*citizen who aims at being well-informed*” and at best an “*expert*”, with judgements that are based on more than “*guesswork or loose suppositions*” (Schutz, 1964, p.122). I determined therefore to use my learning as I undertook my Masters and my Professional Doctorate to define and evaluate my own practice, to research peer practice and to explore ideas in the relevant literature. Partly, I was curious; surely I could not be alone in these struggles and why I was experiencing them now; and partly, I also hoped that I would find answers which would help me through studying the practice of peers and the literature. The study shows that personal experience, peer experience and academic analysis are all necessary in reaching an understanding of

the issues and in drawing conclusions as to changes for my own practice and recommendations for the practice of others.

Throughout the duration of the study, I have continued my practice as an independent HR consultant, engaged in projects for new and existing clients in both the public and private sector. I describe myself therefore throughout this study as a practitioner researcher in that I am one of a number of "*practitioners who undertakes research in the workplace*" (Jarvis, 1998, p. xi).

As required by the university, my submissions for the final stage of the Professional Doctorate comprise this thesis and a separate portfolio demonstrating my advanced practitioner skills. I determined that the skills demonstrated in the portfolio are primarily those of critical reflection and reasoning. As these relate to the subject of ethically challenging situations, these inform, and have been incorporated into, the thesis.

To distinguish between the two submissions, the thesis, in focusing on meaningful outcomes from my research, includes an exploration of my experience as a practitioner researcher "*and*" the research, whilst the portfolio explores the practitioner researcher "*being*" researched (Doloriert and Sambrook, 2009, pp. 29-30).

This study was undertaken over a three year period from February 2009 until January 2012 and has been entirely self-funded.

1.2 RESEARCH CONTRIBUTION

This study contributes to a new understanding of ethically challenging situations in independent HR consultancy practice and offers proposals for improved professional practice. It specifically addresses the following;

- i. What kinds of ethically challenging situations face independent HR consultants?
- ii. How are consultants resolving these situations?
- iii. What explanations around ethical themes are identified in the study?
- iv. How could independent HR consultants resolving ethically challenging situations be helped?

At the time of writing, there have been no similar studies published. Research in ethical dilemmas has been undertaken in different areas of professional practice and this study draws upon these accounts, together with an analysis of the literature on ethics and consultancy, literature on ethics in HR and literature on ethics in independent practice.

This study provides original research on the experiences of ethically challenging situations within a small group of practitioners, using qualitative methods within a sample of peers and with practitioner research data.

The study builds upon previous conceptual and empirical studies and makes a contribution to new knowledge about practice and it also makes a contribution to improving practice.

1.3 SCOPE OF THE RESEARCH

The research is concerned with ethics in independent HR consultancy practice and whilst all of these terms are explored in detail within the thesis, it is worth highlighting that "*consultancy*" refers to the status of the engagement of practitioners, that "*independent*" is defined as those operating as sole traders or those working with a small numbers of associates, that "*HR*" is used inclusively to refer to all activities relating to the management of employees, whether in personnel or development practice and that "*challenge*" encompasses dilemmas, problems, issues and similar where testing decisions are made.

1.4 STRUCTURE OF THE RESEARCH

Following the guidelines of the professional doctorate, the thesis was conceived as a two stage study. Stage one involved a preliminary study consisting of a sample of 11 practitioners to establish whether there were challenges being faced, how they were being handled and indeed, the level of professional interest in this area. A literature review informed the approach and findings, with the outcome being a dissertation of circa 15,000 words. Having ascertained that the challenges experienced by the practitioner researcher were not unique and also that others were interested in these concerns, the study progressed to the second and final stage.

Stage two builds on preliminary work, extending the sample to 20 practitioners and covering a broader range of HR practice. A further detailed literature review informs stage two. The portfolio of advanced practitioner skills was also compiled during this stage and this also informs stage two.

The synthesising of reflections on personal experience, the analysis of peer practice and the extension of the literature review in stage two, accordingly results in a re-examination of initial themes identified in stage one and leads to a significant expansion of the preliminary findings.

1.4 THESIS STYLE

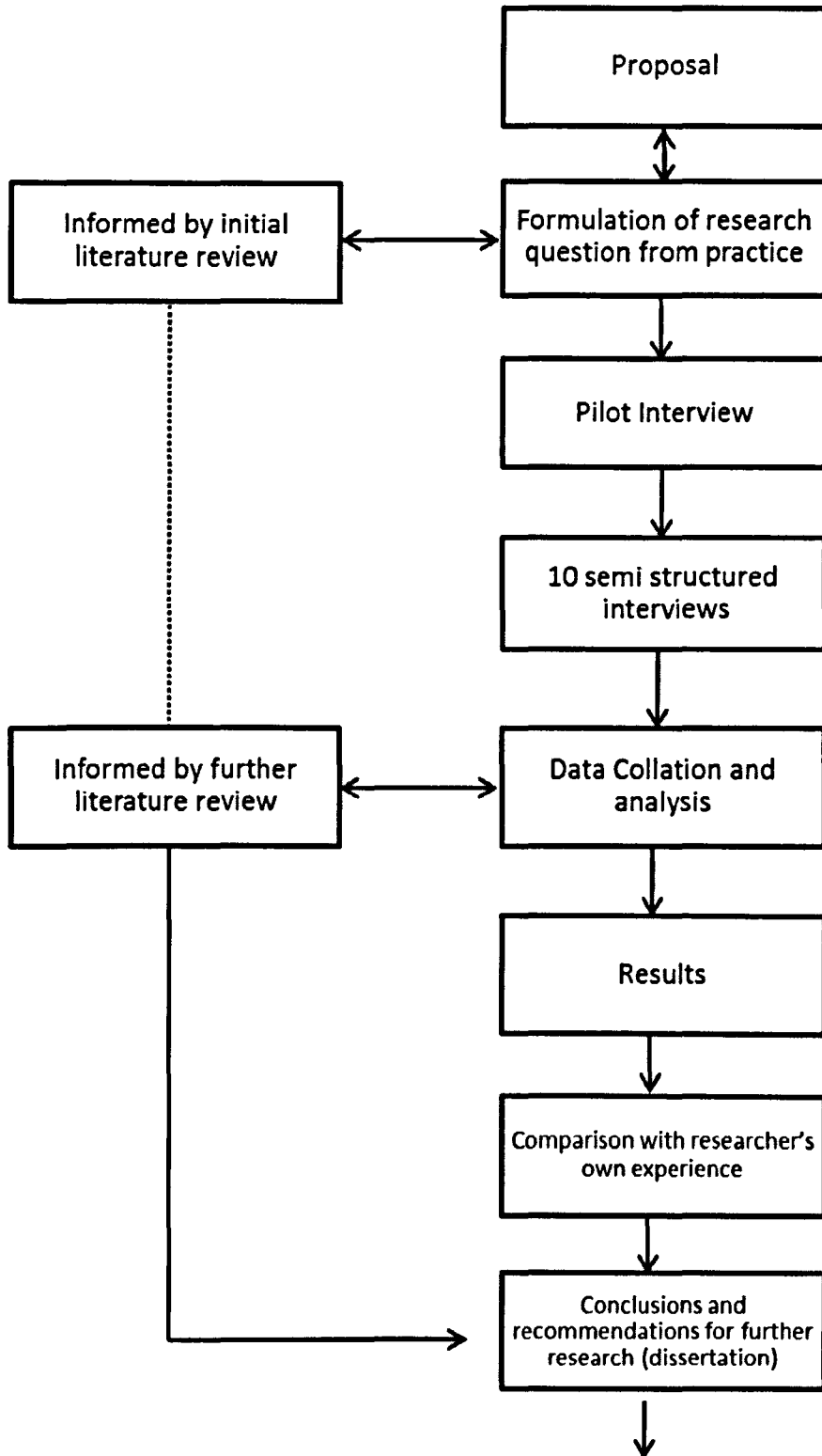
This thesis conforms generally to the conventional, impersonal style of academic research writing, although it is also written from a perspective which acknowledges the involvement of the practitioner researcher as contributing to the research. Since it describes practitioner research, the first person is used when presenting personal background and reflections and the first person is used in the personal context set out in the introduction, in the part of chapter four detailing findings with regard practice and research and in the part of chapter six where personal conclusions are set out.

Quotations are indicated by quote marks and italics if less than 30 words in length, or in tables and by indenting text if longer. Where quotes are taken from practitioner researcher material, these are referenced "PR" and where quotes are taken from any participating consultants, these are referenced "PC".

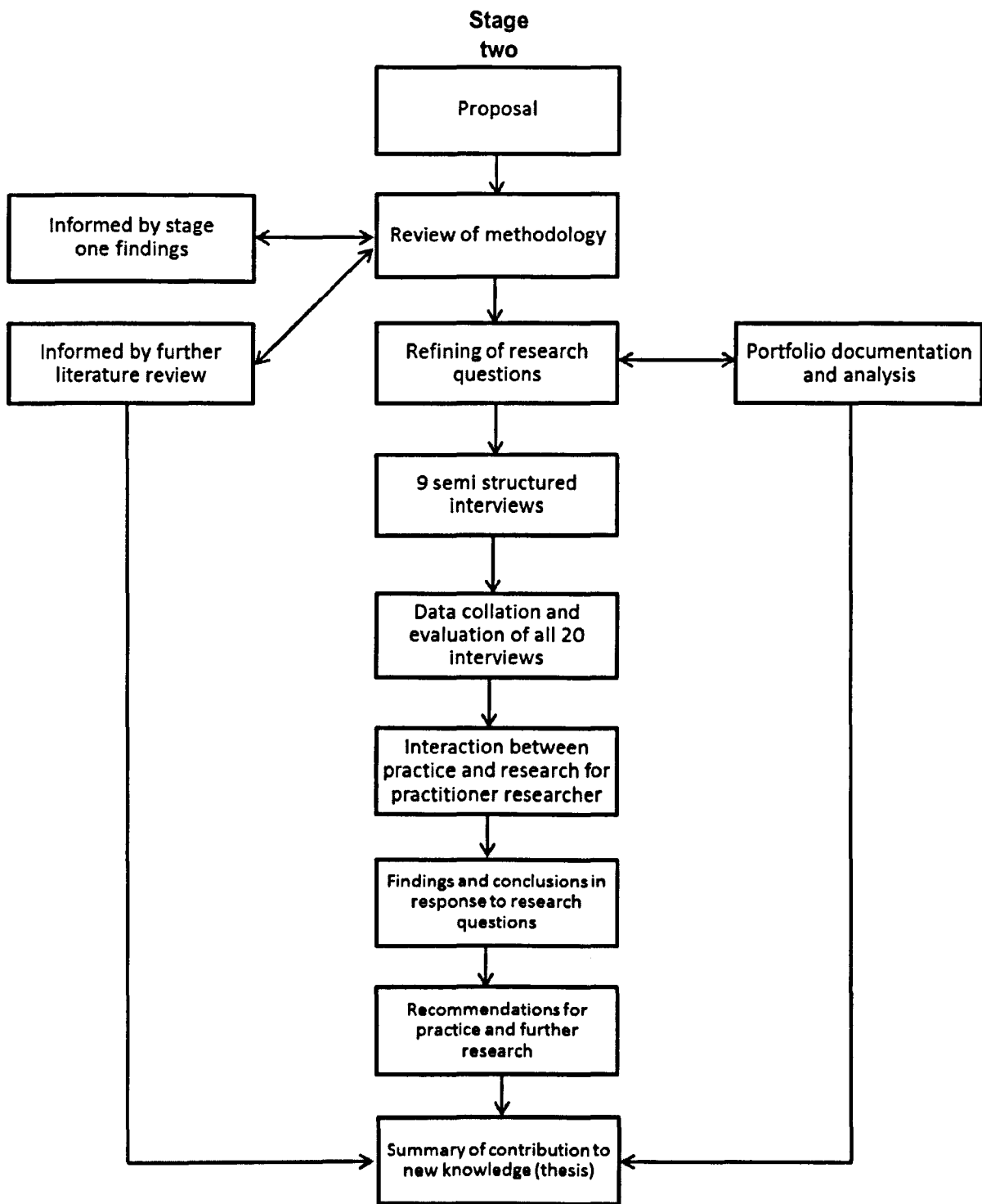
1.5 MAP OF THE RESEARCH PROCESS

The following map sets out in diagrammatic format the stages of the study and the influences on the different stages from the literature and the writing of the portfolio:

Stage 1



Map of the research process prepared by the author (figure 1)



Map of the research process prepared by the author (figure 2)

1.6 CHAPTER GUIDE

Chapter one sets out the introduction to the thesis, summarising the background of the practitioner researcher, describing the research need, the scope and style of the research and includes a map of the research process.

Chapter two presents a detailed literature review on the subject of ethics in human resource practice, ethics in consultancy practice, and ethics in independent practice. It also examines empirical studies on the subject in other areas of professional practice. The chapter concludes by with a summary of how the review has been used, how key ideas and notions inform the study and an evaluation of this study in terms of where it fits within the literature.

Chapter three describes the methodology of the study by detailing the design and describing how the method is consistent with the research need. The chapter concludes by setting out how practitioner researcher reflections fit within the methodology.

Chapter four presents the data findings. The chapter sets out the characteristics of the participant group, ethically difficult situations concerning participating HR consultants, how the participants are resolving these difficult situations and what further themes around ethics are identified in the data. It also sets out a description of the interaction between practice and research for the practitioner researcher, highlighting the findings of the practitioner researcher in relation to ethical challenges. There is also a summary with regard to the contribution to knowledge at the end of the chapter.

Chapter five discusses the data findings in relation to the existing literature and practitioner researcher experience and reasoning and sets out recommendations for consultancy practice. The limitations of the current study and recommendations for further research are also considered.

The final chapter, chapter six, assesses the extent to which the study has answered the research questions, and concludes with summary of the contribution of the study to new knowledge.

The references and appendices are set out at the end of the thesis.

CHAPTER 2: LITERATURE REVIEW

This chapter sets out the scope of the literature reviewed. The background to the review is also set out, introducing general definitions of ethics and conventional approaches to the subject of business ethics. The gap between business ethics and practice and business ethics and HR literature is also established.

No literature has been discovered which specifically addresses ethical challenges in independent HR consultancy practice and so in order to address the research questions as set out in the introduction, the separate components of literature relating to ethics in "*independent*" and "*human resource*" and "*consultancy practice*" are explored in the review.

The review therefore considers the treatment of ethical challenges in human resource practice, ethical challenges in consultancy practice and ethical challenges in independent practice. The review also presents an analysis of relevant studies into ethical dilemmas in other areas of professional practice.

The chapter concludes by discussing how the literature has been used in this study, assessing the authenticity and originality of the study in relation to the literature review and summarising the ideas from the literature that are explored further in the study and which inform the study.

2.1 SCOPE

The literature review was carried out by searching for a range of key terms through a variety of internet search engines. The initial review was to determine what material was available to practitioners generally and then the review became increasingly more in-depth moving throughout from person "*on the street*" to "*well informed*" through to "*expert*" (Schutz, 1964). Terms included "*ethics*", "*ethical dilemmas*", "*ethical problems*", "*ethical challenges*", "*ethical issues*", "*human resource*", "*personnel*", "*consultancy*", "*business*", "*management*", "*small business*", "*sole trader*" and "*independent practice*". Search engines included "yahoo" and "google.scholar" and London Metropolitan University EBSCO library search facilities. Additionally, members of the supervision group also carried out independent searches and generated some new material, providing a different approach as a check for further information.

Visits to library facilities at London Metropolitan University, Manchester Metropolitan University and the Chartered Institute for Professional Development (CIPD) were also made. Finally, with regard to the search, a fellow alumna of Durham University who had undertaken research detailed in later in this chapter was contacted to provide additional information on the semi-structured interviews.

Despite the range of search methods used and with a motivation to find and explore conceptual and empirical studies, as already indicated, there was no material sourced which deals specifically with ethics in independent human resources consultancy practice. The literature review did find conceptual and empirical material in differing breadths and depths addressing ethically challenging situations in:

- i. business ethics
- ii. human resources (HR) practice
- iii. consultancy practice
- iv. independent practice
- v. other professions

The next section highlights material on business ethics generally which sets the background, and which would be available to practitioners before an in-depth review of specialist areas is set out.

2.2 BACKGROUND

There is a vast amount of published literature relating to ethics in business. Snell (1997, p.183) identifies "*100 business ethic textbooks and at least four established journals*". Since then, the literature with target audiences of managers has continued to proliferate.

Berumen (2003, p.5) observes that ethics books written for a general audience "*consist mostly of assertions or conclusions rather than philosophical analysis*", whereas more serious works on ethics are written for other philosophers and "*most books on ethics are long on abstract theory*".

This reflects the two main approaches in writing about ethics:

- i. Writers in the first group assume that there is a general understanding about what being “ethical” means and where it is defined, the definitions are often limited to practical descriptions of behaviour or statements of principles.

Examples in this group include Snell (1997) and Jones (1995). Snell (1997, p.182) states that some commentators regard ethics and morals as synonymous terms, stemming from the same word taken from Greek “ethos” and Latin “mores” meaning custom. He defines business ethics as a “*critical and norm-creating subject*” and looks at issues related to the learning of business ethics, explicitly omitting substantive debates around philosophical positions. He states (1997, p.182) that he is biased “*towards deontology, universalism and development*” but does not expand upon these points.

Jones, (1995, p.404) writing on ethics in contracting and stakeholder theory also refers to “*moral*” and “*ethical*” without distinction and describes, as many others in this style do, ethical principles, which in his case are “*trust, trustworthiness and cooperativeness*”.

- ii. With the second group, there are those writers who engage in debates as to what ethics means, the difference between morality and ethics and the different frameworks and philosophical positions any person may operate from.

Berumen (2003, p.11), for example, sets out a distinction with the caveat that the difference is of little importance in that ethics could be argued as “*the study of the most basic and general principles that inform morality, and that morality is society's code of conduct.*”

The confusion between the two terms is also observed in later in this study when dealing with the interchangeable ways codes of ethics and conduct are used. What Berumen concludes though is that (2003, p.11) “*we are referring to our judgements about what people ought to do, the principles that inform them, or the means by which we express them*”.

Whilst these distinctions are useful in that this study is concerned with “*judgements*”, “*principles*” and the “*expression*” of them, they fail to emphasise that with ethics, there is a concern with setting out or codifying these principles in a professional context, and this is further explored later in the review when looking at professional ethics with regard to HR practice.

Also with regards to this second approach in handling the subject of ethics, there is a common tendency to introduce philosophical theory and analysis. This philosophical analysis is often as described by Winstanley and Woodall (2000) in that:

most conventional approaches to business ethics begin by juxtaposing the deontological theories (deon meaning duty in Greek) that start from the position that ethical justification rests with the basic rights of individuals with teleological theories (to do with telos meaning final purpose or issue or goal in Greek) that justify ethical positions in terms of consequences of action (Winstanley and Woodall, 2000, p.11).

Using this framework, it is possible to see how, as examined in more detail in the study, positions are given labels of “deontological” or “teleological” and that there is an either/or implication. Either one works from the premise that duties, expressed as predetermined rules take precedence when forming judgements as with a deontological position, or one works from the teleological position where what is important is that the ends can justify the means to the extent that what is important is the “*greatest good*”.

This research accepts the notion explored by Brady (1985) that deontological / teleological propositions presented as opposing constructs need not be seen as such (although he uses the term formalism to embrace the deontological). His view is that there are simultaneous influences in ethical decision making as one may look to the rules and principles to guide, but that this needs to be balanced by a consideration as to what is “*best*”. Whilst this study looks at traces of theory in the participants' expressions, it accepts throughout that these may be notions to help understand a position, but that that there is no neat categorisation of any individual view. Interestingly, this is not made explicit in Snell's (1997) summary of his position, although he does refer to a “*bias*” rather than a definitive positioning.

This study sets out different descriptions of ethical positions within the detail of the review and introduces other critical notions such as the role of character as follows, but throughout, the analysis is based on the premise that an either/or acceptance of any position is too simplistic.

Even where there is “*philosophical analysis*”, as Brady (1985, p.568) refers, “*in most cases, the early theoretical framework is all but forgotten in the later pages*”. He also notes (1985, p.568) that “*even when the authors make a genuine effort to explore the contribution of ethical issues to various businesses and society issues, the results seem artificial or meagre*”.

Within this study, there is throughout an emphasis on practice and what practitioners choose to describe. Whilst parts of the analysis may be helped by including reference to deontological / teleological philosophical theories, the theories are used to better examine and understand practice.

Given the importance of practice, it is perhaps not surprising that the role of character is significant. Throughout the study, there is a position adopted that practitioners need to operate with "*practical wisdom*" (Melé, 2009) which can be used to judge situations using both deontological and teleological perspectives. Melé observes that the notion of "*practical wisdom*" (2009b, p. 228) stems from virtue theory originating with Aristotle (practical wisdom being a translation of Aristotle's "*phronesis*" (Melé, 2009a, p.6), with the emphasis being on whether an action is right if it is what a "*virtuous agent*" would do (Melé, 2009b, p.228). The argument for "*practical wisdom*" is that it is character that counts *before* the rationalisation of actions and construction of rules (Melé, 2009b, p.228).

These ideas (including agency) are explored in more detail in the main body of the review.

Before concluding the background to the literature review, there are a few final observations. With regard to the style and tone of much of both genres of writing on ethics, there is often the use of the inclusive 'we' and 'our' pronouns. Bowie and Werhane (2004, p.3), for example, describe certain actions as in direct conflict with "*our basic ethical principle*" (the principle being to "*normally put the interests of the client [the principal] ahead of your own interests*"). Whilst this principle is referred to again in the evaluation of data, at this point it is interesting to note the inclusive "*our*", which assumes that the readers' viewpoint is essentially that of the authors'.

The danger of this is that it implies a number of assumptions about the audience reading the works. Snell (1997, p.194) flags that "*the West dominates discussions of global business ethics*" and the majority of the literature reviewed supports this, implying that the audience is a homogeneous group operating from a similar standpoint with regards to values, principles and an understanding of ethics.

This can lead to an over simplification and a highly prescriptive approach. Bowie and Werhane (2004, p.4) for example, identify a number of areas of "*self- serving behaviour*" which are "*clearly wrong*" and Berumen (2003) entitles his book, "*Do No Evil*".

There is also a taken for granted assumption with the above that prescribing and raising awareness by writing about ethics are themselves sufficient to bring about change. Furthermore, there is a strong emphasis on reasoning rather than emotions, with narrative argument as to how a person should behave. These assumptions and over simplifications are questioned in the review, but the practitioner researcher is constrained by practising and operating from a western mind set (Snell, 1997).

2.3 THE GAP BETWEEN BUSINESS ETHICISTS AND PRACTITIONERS

Not only can the connection between theoretical frameworks and issues appear “*artificial or meagre*” as Brady (1985, p. 568) observes, but as Stark (1993, p.83) notes, business ethicists operate from “*a rarefied moral high ground, removed from the real concerns and real world problems of the vast majority of managers*”.

This view is repeated by Wicks and Freeman (1998, p.123) who call for a “*new pragmatism*” in organisation studies to “*provide room for ethics and to increase the relevance of the research*”. They highlight (1998, p.131) that “*the focus of discussions should be on the concerns of managers, communities, and other stakeholders, rather than the abstract and often obtuse discourse of philosophers*”.

One of the few exceptions found to this is Nash (1981). Writing as a moral philosopher, she observes:

like some Triassic reptile, the theoretical view of ethics lumbers along in the far past of Sunday School and Philosophy I, while the reality of practical business concerns is constantly measuring a wide range of competing claims on time and resources against the unrelenting and objective market place (Nash, 1981, p.79).

Her response to this is to take a more pragmatic approach to the “*ethical content and human fallout of everyday decisions in business*” (1981, p.79) and she sets out a 12 point schema of questions for examining ethical concerns. These questions draw upon (1981, p.80) “*traditional philosophical frameworks but avoid level of abstraction normally associated with formal moral reasoning*”.

Nash refers to the benefits of using the framework for discussion with managers and similar, whilst also limiting the enquiry as her questions focus on:

what inquiry might result from a decision and what good is intended, but they do not ask the meaning of ‘good’ or whether the result is ‘just’ (Nash, 1981, p.88).

In her view, there is also a distinction between personal philosophy and “*participation as a corporate member*” (1981, p.88). She sets out three definitions of goodness, the first being the highest level of corporation of knowing goodness and resolving to achieve it and the third being the “*amoral*” goodness of accrual of profit with no regard to social implications through which profit is achieved. The middle ground is her “*good puppy*” level, whereby “*goodness consists primarily of the fulfilment of a social contract that centres on avoiding social injury*”

(1981, p.89). Nash is explicit that business ethics for her most appropriately sits at this “*good puppy*” level.

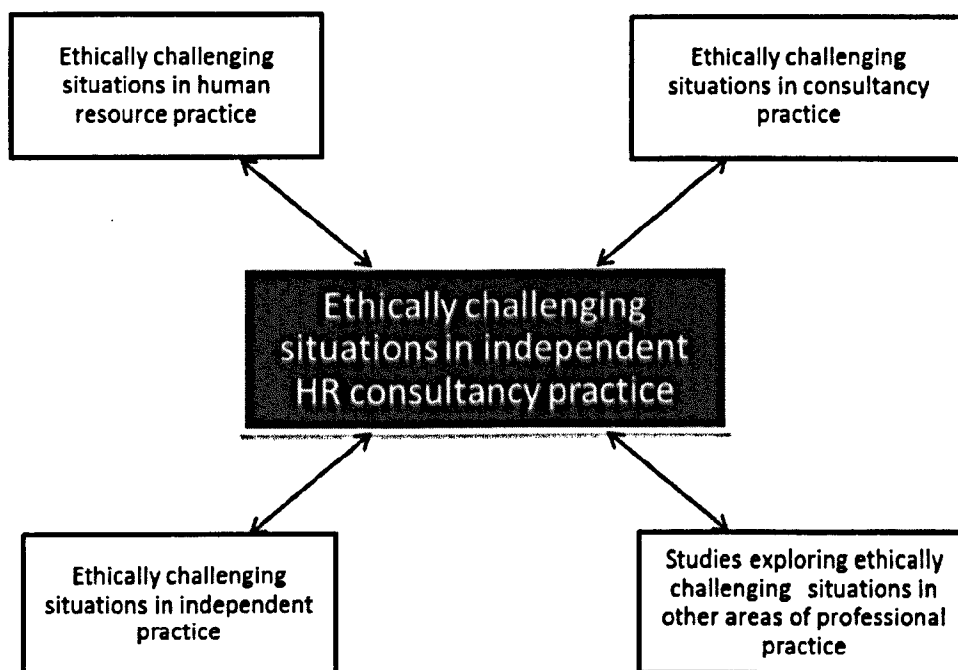
This study directly engages with this hierarchy of goodness and examines this with regard to independent HR consultancy practice where a practitioner is also potentially a “*corporation*” as above.

Nash and her pragmatic simplification of the abstract complications is unusual however and assertions made by Stark and others in that there is a gap between business ethicists and practice remain valid.

2.4 STRUCTURE OF IN DEPTH REVIEW

Given that there have been no other studies in this field of this nature, the research is informed by a review of different sources of information.

The in-depth review focuses on each of the four areas as set out below:



Map detailing scope of in depth literature review prepared by the author (figure 3)

Each of these areas is now addressed in turn before a summary of key notions which inform the study and which is drawn from all of the areas is presented.

2.5 ETHICAL CHALLENGES IN HUMAN RESOURCE PRACTICE

2.5.1 Background

This section specifically addresses ethical challenges within HR literature, noting first that this field is not widely covered. This section establishes the background to the literature, sets out a definition of HR, and looks at how ethics are defined within this literature. The context of HR and ethics is then addressed, together with a summary of ethical theories, an examination of HR as a profession and an assessment of issues relating to codes of ethics. As with all of the literature, key ideas are incorporated into a summary at the end of the chapter.

As there is a gap in the literature between business ethics and practice, so there is also a gap between business ethics and ethics in HR. Winstanley and Woodall (2000, p.3) observe that whilst the field of business ethics is developing (as noted at the start of this chapter), *“very little of the debate in this area seemed to have percolated into the field of human resource management (HRM)”*.

This is despite the need for the debate with challenges arising when *“different situations require ethical insight and flexibility to enable us to encapsulate the grounds on which competing claims are made”* (Winstanley and Woodall, 2000, p.8).

Spence (2000, p.43), writing in Winstanley and Woodall, also refers to Stark's (1993) *“vociferous and widely cited attack”* asserting that, *“business ethicists fail to offer concrete assistance to managers”*. Spence continues, maintaining that Stark's *“basic premise remains evident: there is still a gulf between academia and practice”*.

More recently, Pinnington, Macklin and Campbell (2007, p.2) highlight still that writing on ethics and HRM has not *“kept pace with developments in the broader field of business ethics”* although there has been *“a modest growth”*.

This research responds to some of the above with a concern about ethics in practice and in ethics in HR. The focus though is on a particular community of HR practice (Wenger, 2000); that of the practitioner researcher's peers in independent HR consultancy practice.

A number of writers in addressing management ethics introduce notions around ethics and employees without specifically referring to HR. Bowie and Werhane (2004, pp.39-59), for example, include a chapter on the *“ethical treatment of employees”* and note (2004, p.40)

that *"the unethical treatment of employees is a constant theme in the business literature"*. Whilst these issues relate to management generally, they also relate to HR to the extent that HR is about the treatment of employees. Bowie and Werhane set out various scenarios and whilst these are predominantly American in context and in legal terminology e.g. such as employment at will, challenges around *"what is dignity at work"*, *"what is respect"*, *"what is legal is not necessarily moral"* and *"what is meaningful work"* are ideas which are explored further in the HR literature on ethics.

Two books were sourced that relate specifically to ethics in HR Management (HRM):

- i. Winstanley and Woodall (2000, p.4) build on earlier conference themes and have edited *"Ethical Issues in Contemporary HRM"*. Their book is divided into three parts, the first drawing together ethical frameworks they consider to be relevant to HRM, the second to look at areas of HR practice where they consider *"ethical issues have the greatest significance"* and the third which looks at *"initiatives and processes in developing ethical practice"*. Their work considers the ethical debate at *"the two extremes: macro-level and micro-level"* (Greenwood and De Cieri, 2007, p.120).
- ii. Pinnington, Macklin and Campbell (2007, pp.16-17) edited *"Human Resource Management, Ethics and Employment"*, which deals with *"situating HRM"*, *"analysing HRM"* and *"progressing HRM"*. Their work has more emphasis on the macro level.

Whilst the authors are referred to at different points in the study, material specifically relevant to ethically challenging situations in HR is introduced below.

2.5.2 How HR is defined in sources considering ethical issues

This study explores practice amongst a sample group, of whom some describe themselves as generalist and others specialist. Some may describe themselves as working in Human Resource Management (HRM) and others in Human Resource Development (HRD), but for the purposes of this study, a general and inclusive understanding of HR is assumed.

This is supported by the professional body, as the CIPD (2011) describe *"today's HR profession encompasses a number of specialist disciplines, including diversity, reward (including compensation, benefits, pensions), resourcing, employee relations, organisation development and design, and learning and development"* (www.cipd.co.uk).

This is also supported within the literature, where terms such as HR and HRM are used interchangeably and also include training and development activities. Pinnington, Macklin

and Campbell (2007, p.4) for example “*determine... to assume a generic open-ended definition of HRM as denoting a bundle of functions relating to the management of employees*”. The edited chapters in their book relate to a wide variety of activities relating to the “*management of employees*” including leadership, performance and development which might be considered HRD activities.

2.5.3 How ethics is defined in HR sources

Already in this study, some definitions of ethics have been introduced. In the introduction. One definition of ethics is given as “*a system of moral principles and the methods of applying them*” (Anderson & Dunkelberg, 1992, p.89). The background to this chapter refers to a number of studies which set out definitions whilst others do not, and notes that some studies treat ethics and morals as synonymous whereas others look for distinctions.

Within the HR literature, a further dimension is added, introducing ethics as relevant in the context of a professional role as opposed to morality which is more personal and individual. Pinnington, Macklin and Campbell (2007):

ethics is more commonly deployed to refer to what we call 'role performance' which applies to the conduct of the persons fulfilling a particular social role, such as parent, or employer, while morality has a more general connotation, ranging from personal behaviour to the evaluation of laws and social organisations (Pinnington, Macklin and Campbell, 2007, p.4).

Whilst the notion of the role the practitioner is interesting, independent practitioners potentially have a blurring as to what is “*social*” and what is “*personal*,” as before with Nash (1981) where there is potential confusion over the distinction between the individual and the business.

This study explores the boundaries noted here in the descriptions of the practitioners.

Winstanley and Woodall (2000) also observe:

the reality of many people's experience of organisations is that there is a different standard for ethical behaviour at home from that at work, and also that the virtues or, in today's terms, the competences expected of us at work may be at odds with our true selves and maybe required to be taken on or shed as company policy changes (Winstanley and Woodall, 2000, p.17).

Ideas around identity and role and congruence are themes which are explored in this study. Winstanley and Woodall take these themes further in suggesting that the work self may be different to a “true” self, and again this is explored in the study.

2.5.4 HR and ethics in context

Winstanley and Woodall (2000) refer back to the origins of HR in earlier welfare roles and move forwards to suggest that more recently:

the literature on human resource management has overtly concentrated on the 'resources' aspect, to the detriment of the 'human', on objective rather than subjective relations and what individuals can do for the organisation, rather than what the organisation can do for them (Winstanley and Woodall, 2000, p.5).

Pinnington, Macklin and Campbell (2007, p.1) emphasise that the distancing is deliberate as “HRM practice continues to affirm its significance for corporate profitability and prefers to distance itself from its traditional welfare image”.

How far this has been deliberate or otherwise, the result is now as Guest articulates:

herein lies the by-now-familiar ethical dilemma of an approach that claims success by recognising that people are the most important asset and resource and then seeking to treat them almost like any other inanimate resource (Guest, 2007, p.55).

Winstanley and Woodall (2000) also highlight that one outcome of the distancing and change in emphasis has meant that

the language of management has illegitimised even the mention of words such as ethics and morality in the cult of business and we hope to get these words at least acknowledged as worthy of debate and inclusion in the management vocabulary (Winstanley and Woodall, 2000, p.19).

This study explores how HR consultants emphasise the human and the resources as part of their professional practice, testing the assertions made as above in terms of current practice amongst consultants.

2.5.5 Summary of ethical theories

Winstanley and Woodall (2000, p.8) write from a basis that “*there are no universally agreed ethical frameworks*”, but identify a number of issues and frameworks which can help the reader who has to “*utilise their own moral frames of reference to determine ‘right’ and ‘wrong’*”. This fits in with the notion already proposed in the study that treating frameworks or philosophies as either/or propositions may not be helpful. It also draws attention to the fact that the way philosophies are expressed and positioned is itself subject to debate. One person’s view of the meaning of deontology may be very different to another’s.

This study is constrained by the fact that it is not written by a moral philosopher, nor attempts to be a guide to moral philosophy. It does however recognise that some definitions and frameworks are necessary to explore the issues.

Winstanley and Woodall focus on micro-level practice and introduce a number of frameworks which are applicable as models for exploring ethical challenges in different aspects of HR. The framework introduced by Spence (2000) to explore recruitment is useful as an operating model within this study.

Theoretical Base	Type	Perspective	Brief Description
Kantian Theory	a) Universability and reversibility	<i>Rule based</i>	You must abide by the categorical imperative such that what is right for one person is right for everyone, and do to others as you would be done by
	b) Respect for persons	<i>Rule based</i>	Second formulation of the categorical imperative; people should be treated as ends in themselves, never as means to an end
Utilitarian Theory	a) Act utilitarianism	<i>Act based</i>	Assess the act that will be for the greater good (or utility) as being ethical- the ends of the act justify the means. Aim is to achieve the greatest good for the greatest number
	b) Rule utilitarianism	<i>Act/ Rule based</i>	Focus on the utility of a rule rather than the act: rules are fashioned on utility, conduct on rules. Assess tendency for an act to improve happiness or utility if acts of this type are generally done rather than not done
Social Contract Theory		<i>Contract based</i>	Societal or contractual agreement must be abided by to ensure justice and rights of individuals
Virtue Ethics		<i>Character based</i>	Assess a person's character such that a good, virtuous person exhibits virtues such as honesty, kindness and generosity
Discourse Ethics		<i>Communication based</i>	Assess the process by which decisions are arrived at. An ethical discourse is open, honest with suspension of power differentials and inclusion of all relevant viewpoints

Summary of ethical theories based on Spence (2000, p.50) (table 1)

One caveat is that, as inferred in previous descriptions of the juxtaposing of deontological and teleological theories or expressions of specific positions, there can often be an assumption that the categories are mutually exclusive. With the table above, it could be assumed that “*rule*” based perspectives are as opposed to “*act*” based perspectives.

This study assumes that this is not the case and is more concerned with using the framework as exploring rather than seeking definitive categorisation. The study looks at “*emphasis*” or “*connection*” (Banks, 2006, p.27) in the description of an act or position.

This is emphasised by Banks (2006) in that:

when writers on professional ethics talk of “Kantian” or “utilitarian” approaches, they are not necessarily taking on board the whole of the ethical theories of Kant or utilitarianism, but rather suggesting that their approaches to professional ethics have connections with some of the basic orientations to morality found in those theories (Banks, 2006, p. 27).

One further point to note in the framework above is that the terms are expressed without direct reference to deontology or teleology which are terms already introduced, although the table could be re-categorised to show Kant expressed as deontological and utilitarianism as teleological. Instead, the theoretical framework widens to cover rules, acts, character, contract and discourse. Again though, in this study, the objective is not to categorise or debate theory but to look at whether these are used in practice and to better understand what is happening in practice.

2.5.6 HR practice as a profession

An assumption in the study is that HR and consultancy practice are professions where ethical challenges arise and this assumption of professionalism is now examined.

O’ Mahoney (2010, p.268) explores the notion of professionalism and introduces the idea of *“a scale of professionalism, ranging from the strongly professionalised to the weakly professionalised occupations”*. He goes on to conclude that HR is a weak profession and that:

HR managers, for example, are not required to possess a licence to practise. However, in the UK, many of them choose to join their national professional institute, because it increases their employability and provides access to a codified body of knowledge and training (O’Mahoney, 2010, p.269).

It is not the purpose of this study to justify the case for HR or consultancy as professions (although worth noting that the CIPD clearly regard HR as such with route maps and competences for the HR profession, CIPD 2011).

There is acceptance throughout the study that both HR and consultancy have places on the professional scale, whether as “weak” professions as O’Mahoney concludes or otherwise.

Based on this assumption that HR consultancy practitioners are professionals, professional ethics is relevant in that they encompass:

how professionals should act in relation to service users and others (such as how much autonomy they should have or give, or how to distribute their resources of time and money) and what kinds of people professionals ought to be (honest, trustworthy, reliable compassionate) (Banks and Williams, 2005, p.1005).

For example, HR consultancy practitioners, like social workers, operate under a particular fiduciary duty with clients. Berumen (2003, p.334) defines fiduciary as “a person who holds a position of trust in relation to another person” and fiduciaries have to:

- a) *take into account the reasonable expectations and interests of those to whom they have duties*
- b) *to ensure that they are sufficiently competent and knowledgeable*
- c) *to disclose to relevant parties any conflicts of interest*
- d) *not to misuse information or to take advantage of the relationship in a manner that could be injurious or betray the confidences of those who are in positions of trust*
- e) *to comply with the law*
- f) *to comply with the moral imperatives, which, among other things, means that any fiduciary duty ought to be honoured unless an exception can be willed as a universal prescription (Berumen, 2003, pp.334–336).*

With the acceptance of some degree of professionalism, there is then a potential need for specific codes of ethics which is now addressed.

2.5.7 Codes of ethics

There are a number of considerations with regards to codes which are set out as follows. Firstly, HR's role in managing codes is briefly acknowledged. Brief consideration is then given to the difference between codes of ethics and conduct before the relevance of any code for HR consultants is considered. Two potentially applicable codes are introduced before there is an assessment as to the possible limitations of codes.

In starting the search on ethics in HR literature, much of the material sourced deals with HR's role in introducing and managing codes of ethics and/or conduct within an organisation. As Bennington (2007, p.137) notes “*these codes are often developed and maintained in HR departments, and HR practitioners are often responsible for management-level ethics*

awareness programmes". An example of this is Garber's (1998) *"The Ethical Dilemma"* in the HR skills series.

Whilst this literature was not studied in-depth, as introducing or managing codes and the impact on own practice within an organisation is not the focus of this study, there had been an expectation that this may be raised by participants and that this may have an influence on the consultants' views of ethics in practice.

Within the literature, there is a degree of inter-changeability between the use of terms such as codes of ethics and conduct and practice. For any definition of the difference between these, such as ethics being to do with general principles and conduct being to do with specific situations, or ethics to do with business and conduct to do with employees, there are codes in use (see overleaf for CIPD and Institute of Business Consulting (IBC) as two potentially relevant codes) which do not fit these definitions.

Additionally, some industry codes of practice also contain principles of ethics and for the avoidance of doubt, where *"code of ethics"* is used in this study, it does not exclude codes of conduct and practice which deal with ethics. This allows for the inclusion of all sources named and used by participants to be introduced, together with an exploration as follows regarding whether some form of professional code is required in HR practice.

Millerson sets out a number of factors for determining this need, including situations where:

- a) there may be *"a professional working alone in a non-institutional practice"*
- b) these professionals operate under a *"fiduciary relationship between the professional and the service user"*
- c) *"complex"* technique may be used
- d) the *"service user cannot be expected to understand the professional's work"*
- e) contact may be *"direct and personal"* and
- f) there is a *"single service user"* (Millerson, 1964, cited in Banks, 2006 pp.79–80).

These factors apply to many situations HR consultants in independent practice operate in and codes were sourced as part of the study. These codes cover HR and consulting practice separately.

The main industry body for HR in the UK, the CIPD, does not have a specific code of ethics, but it does have a Code of Conduct. This states that:

CIPD members are required to exercise integrity, honesty, diligence and appropriate behaviour in all their business, professional and related personnel activities and that they "must act within the law" (CIPD, 2010).

There is currently (May 2011) a consultation exercise underway relating to the CIPD's proposed new code of conduct which would be more comprehensive. At the time of writing, this proposal has not yet been adopted and is therefore not quoted in detail.

Two other industry bodies for consultants were sourced during the review, these being the IBC and the Management Consultancies Association (MCA).

The IBC Code of Conduct (IBC, 2007) specifies:

Professionalism and Ethics

Operates with professionalism and integrity in all aspects of role including conduct, appearance, adherence to the code of practice and working in the best interests of the client.

Demonstrated Behaviours

- *Adheres to Institute of Business Consulting's Code of Professional Conduct*
- *Deals appropriately with ethical issues and adheres to the Institutes Ethical Guidelines*
- *Ensures professional advice given is technically sound and relevant to client needs*
- *Sets high personal standards*
- *Acts with integrity*
- *Values diversity in terms of culture, religion, race and gender*
- *Is courteous, reliable and responsive in dealing with others*
- *Respects confidentiality*
- *Engenders trust*
- *Is respected by professional colleagues*

The Code of Professional Conduct of the MCA was also reviewed but as members must employ at least ten consulting staff according to their website 2010, this sits outside the sample group for this study.

Lynch (2003, p.66) observes that many professions publish detailed ethical rules and regulations and others that are more principle based. The codes sourced as above for HR

and consultant practitioners are more principle based and character based (both in current and proposed format) and can only serve as “*ethical guidelines*” (Poulfelt, 1997, p.65 supporting Gallessich (1982). Poulfelt (1997, p.65) continues that “*the consequence of this is that the professional when practising is exposed to several more specific ethical issues for which there is no explicit or written solution*”.

Winstanley and Woodall (2000, p.283) refer to a further limitation of codes in that “*they too often do little more than introduce a mechanical compliance, are great at dealing with routine and predictable issues, but come unstuck with exceptional cases*”. Baker and Cooper (2000, p.72) go further and highlight that the motives behind codes of practice may be “*more about self- interest, mitigation and public relations than a concern for the ‘rights’ of stakeholders*”.

This study explores what codes are highlighted and what comments practitioners make about them. It does not analyse all codes referred to see whether they were more about ethics or conduct or more principle, character or rule based.

2.5.8 Ethics and employment legislation

Employment legislation and case law in the UK cannot be ignored in determining practice in relation to many aspects of the treatment of employees. With regards to the relationship with ethics, there is often a taken for granted assumption that “*the law can and should provide a framework that can encourage participants in the labour market to behave in an ethical manner*” (Creighton, 2007, p.81).

In terms of how legislation sets the standards, a starting position is set out by Bennington (2007):

the law generally sets minimum standards. It might be criticised as falling far short of ethical goals by some and, by others, as possibly not even ethical. Viewed on a continuum, Baytos suggests that it operates along the lines of ‘unfair ... unethical... illegal’ (cited in Grensing-Pophal 1998), but for the purposes of this chapter and, at least in the first instance, adherence to the law will be treated as the minimum requirement for ethical behaviour (Bennington, 2007, p.139).

Not only are specific rules laid out, but legislation often hinges upon “*reasonable*” behaviour, and consideration of ethical issues may be included in deciding what is reasonable and in determining consultants’ choice of action.

Whilst Bennington suggests that the law sets minimum standards, he also introduces the notion that some may not see the law as a definitive ethical framework. This, interestingly, echoes the idea already expressed that the starting position for many may be deontological, but that others will emphasise the need to look at the ends these rules produce and frame their actions accordingly.

This study explores therefore how consultants describe the impact of legislation in practice in resolving ethically challenging situations.

2.5.9 A study involving HR practitioners in the hospitality sector

(Stevens & Fleckenstein 1999)

Before concluding the section on the literature on ethical dilemmas in HR practice, details of two linked studies are now included, together with an indication as to how they are later used in the study.

In the first of these, Stevens and Fleckenstein researched ethical issues which HR practitioners may face and interviewed HR directors in US hospitality companies. Thirty HR directors of mid to large size hotels are asked to give details of any ethical incident that had occurred in their organisation in the last 12 months. From this data, the authors create a table of scenarios which then they ask students at a hotel school to rate as to whether the situation was *"ethical or unethical"* (Stevens and Fleckenstein, 1999, p.70).

The results lead the authors to draw a number of conclusions (Stevens and Fleckenstein, 1999, p.75):

- a) *"a number of factors that can cause discrepancies in people's perceptions of a situation... those factors include cultural differences and individuals' experience levels"*
- b) That there is a potential need for greater training and communication
- c) That managers need to *"understand and develop their own value structures"* in order to be able to train and communicate appropriately

Whilst this study involves HR practitioners and again asks for practitioner accounts, the scenarios described by the HR directors are less relevant as the incidents reported relate to staff and guest behaviour which they deem to be *"unethical"* (Stevens and Fleckenstein, 1999, p.70) (such as staff keeping cash and guests expressing racial preferences for example), rather than issues the directors they themselves had struggled with. There is also

less detail and rigour in explaining methods and so it is not clear why a more distanced series of experienced dilemmas was given.

The findings of this study do give useful comparison points for the findings of this study and are again used in chapter five.

2.5.10 A study involving HRD Consultants in the not for profit sector (Winstanley 2004)

Whilst not technically addressing ethical dilemmas, detail of this study on values is included as it informs the study. The aim of the Winstanley study was:

to identify issues around working with values in the NFP (not for profit) sector, to determine important themes for consultants working with values, and to identify ways in which values can be put into practice (Winstanley, 2004, p.85).

Semi structured interviews are carried out with nine consultants, asking them about their own values and ways of working, perceived values of the sector, addressing a particular scenario and rating values taken from codes of practice. This is supplemented by action research activity.

Whilst the methodology differs from the other studies above in size and scope of information gathering and (2004, p.88) *"unlike for other sectors, there is an assumption in the NFP sector that consultants will share the values of the client organisation,"* the findings of this study are considered very relevant as a point of comparison with this study. The consultants in Winstanley's study work within a particular area of HR practice and, interestingly, (2004, p.85), *"work largely alone or in very small groupings"*. They are potentially a more comparable group with HR practitioners in independent practice.

Some of the key findings of the study (paraphrased and listed here) include:

- a) Most consultants share the values of the client
- b) The consultants may turn down work if the values clashed
- c) Typical values are around respect, social justice and making a difference
- d) Most consultants work in highly informal ways with values (although a couple wrote them down)
- e) Others would highlight them at the start of the assignment
- f) Typical items from codes of practice would be highlighted (e.g. reliability, safety, honest and confidentiality)

- g) Others go further than the codes
- h) The research draws attention to the shortcomings of the codes (e.g. in dealing with “grey” areas or areas of conflict)
- i) The study highlights the importance of informal networks and there is evidence of the need for mentors or co-supervision
- j) There is evidence of many being “reflective practitioners” with a sense of “moral agency” and the need to value themselves

These findings, particularly in regard to issues of personal and work value congruence, codes of practice, informal networks, supervision, moral agency and reflection are themes that have already been identified for exploration in this study. This then concludes the examination of the HR literature and the study moves on to address the literature on consultancy.

2.6 ETHICALLY CHALLENGING SITUATIONS IN CONSULTANCY PRACTICE

Having looked at the significance of the challenges being HR related, the study moves on to the impact of the practice being consultancy, which is explored in detail before looking at the impact of being in independent practice and specific studies into ethical dilemmas.

This section sets out issues around concepts of agency, client and the nature of the role, before setting out two ways of looking at the literature around consultancy practice (“*expert*” and “*process*”, Christensen and Klyver, 2006). Ethical challenges within the “*expert*” paradigm are addressed first, focussing on how ethics are defined and challenges identified and resolved. Ethical challenges within the “*process*” paradigm are then addressed, focussing on themes of ambiguity, trust, reflection, identity, self-awareness, congruence and attitudes to consultancy practice.

As with all of the literature, key ideas are incorporated into a summary at the end of the chapter.

2.6.1 Agency

Throughout the broad literature studied, there is an assumption about the consultant in that they are actively taking responsibility for their actions, and this study also works on this assumption.

Jones (1995, p.404), writing on stakeholder theory, considers the role of “*ethics in efficient contracting*”. This builds on Eisenhardt’s agency theory (1989) which defines relationships

where *“one party (the principal) delegates work to another (the agent)”* (Jones, 1995, p.409). The consultant is therefore the agent, with the principal being the client.

Jones sets out his core theory that ethical principles used in *“efficient contracting”* with all relevant stakeholders can improve business performance. Whilst this study does not attempt to explore the relationship between ethical practice and business performance per se, Jones' descriptions of agency theory, transaction cost economics and team production theory are relevant to the nature of engagement between the consultant and client. Jones' (1995, p.407) use of the term contract is explicitly described as an *“appropriate metaphor for the relationships between the firm and the various stakeholder groups”*.

This study assumes that a consultant managing a business can be such a *“firm,”* in addition to the client being a *“firm”*, and key to its success is the management of relationships with clients, associates, networks and other contractors. It could be argued that the relationship issues are even more critical to the success of the business as they are constantly being renegotiated and reworked. Jones highlights some of the difficulties of contracting, partly caused by the principal and the agent having conflicting goals, partly caused by the principal having difficulty verifying the agent's activities and also that the parties have a different propensity to accept risk.

Central to Jones' argument is the:

problems of agents pursuing their own interests at the expense of principals, sellers of resources misrepresenting their value to consumers, consumers of resources 'holding up' their producers and team members 'free riding' (Jones, 1995, p.411).

All of these problems demonstrate opportunism and such opportunism increases costs. These costs are reduced through contracting and through voluntarily choosing ways of behaviour that minimise it (Jones, 1995). Whilst never explicitly defining ethics, he describes character traits of honesty and integrity, trust and trustworthiness and co-operation and negative behaviours of opportunism as already highlighted.

Whilst Jones' emphasis on the agent is important in this study, with the focus on the consultant, the role of the agent is further developed in more recent literature. Melé (2009b, p.227) argues that one of the main issues in some of the literature is that *“principle-based ethics ignores the role of the agent's character in ethical behaviour and moral judgements”*.

Hartman (2006, p.68) criticises principles as being “*usually vague, often in conflict, seldom unexceptionable, hence not reliably action guiding*”. Melé’s thesis, as already highlighted, is that personalism (which holds that the human person is central to all contexts) can be integrated in virtue based ethics (based on Aristotle with virtue providing inner strength for good behaviour and practical wisdom). Melé contends that:

practical wisdom can be gained not only from personal experience and reflecting on past actions, but also by learning from prudent people and from the practical wisdom accumulated over the history of mankind. (Melé, 2009b, p.228)

Melé’s definition is central to the perspective of this research and accepts the implication of the above, in that by working in business, the worker assumes a responsibility for their actions and decisions. Robinson (2009, pp.11–12) looks at this concept further by describing three dimensions of responsibility, basing the categories on Schweickert (1995):

- i. *Imputability: the notion that a person is responsible for their actions and the decisions that led to them*
- ii. *Accountability: the notion that the person is answerable to someone*
- iii. *Liability: the notion that the person is responsible for something or someone*

Robinson argues that professions should use the discourse around responsibility to articulate values and practice, and that this articulation is essential for reflection and learning. He believes that it will (amongst other things) enable the person or corporation to see just how values and practice relate. In his view, integrity is achieved by paying due attention to the notions above and it is not just an end in its own right, but is a reflective process. It is this awareness which leads to a sense of moral identity and a recognition of professional responsibilities. That this process is endless is summed up by Bauman (1993, p.80): “*the moral self is a self always haunted by the suspicion that it is not moral enough*”.

2.6.2 The client

Working on the taken for granted assumption that the consultant is actively responsible, the next question is, who are they responsible to?

Bowie and Werhane (2004, pp.1-2) writing specifically on management ethics, but whose writing is also applicable to consultants, observe that “*the key to management ethics is to determine whom the manager manages for. For whom is he or she an agent?*”

In their view, by taking a stockholder approach, the manager's job is to increase profits and in taking a stakeholder approach, the manager's job is to balance the needs of a number of different stakeholders, again echoing Jones as above.

They continue:

in thinking in a morally imaginative way... one should investigate what is not included in the system (its boundaries and boundary-creating activities) and what mindsets are predominant, asking who are the stakeholder... and what are the core values of each set of stakeholders (Bowie and Werhane, 2004, p.129).

An interesting point is made in that, whilst much of the writing works on the assumption that the client is usually one entity, there is also recognition by others that the consultant may be responsible to various stakeholders.

Schein (1997, p.202) also makes the point that, in most discussions around consultation, *"we refer to 'clients' as if they were always clearly identifiable"*. Not only can it be difficult working out who the client is, but as Schein continues, in some cases, *"one can find oneself working with several clients whose goals are in conflict with each other"*. In dealing with these issues, he proposes two simplifying models to help the consultant think through their responsibilities.

In the first, the consultant needs to work out who the basic types of client are classified as (Schein, 1997, p.202), *"Contact clients, Intermediate clients, Primary clients, Unwitting clients, Indirect Clients and Ultimate Clients"*.

In the second model, the consultant is advised to look at the problem based on the nature of the problem being addressed. Drawing on Rashford and Coghlan (1994), the levels are classified as (Schein, 1997, p.203) *"Individual, Inter-personal, Face to face group level, Inter-group level, Organisational level, Inter-organisational level and Larger system level"*.

From these bases, Schein then presents a number of prescriptive principles to inform consultant practice. One further point he makes (1997, p.213), and relating back to Bowie and Werhane's notion of the need to understand the value sets of the different stakeholders, is an assertion that *"anytime we help someone we are, in effect, allying ourselves with the goals and values they represent"*.

2.6.3 The nature of the consultancy role

Having set out the protagonists in the consultancy relationship, the nature of the role is now explored.

The IBC, (2007) define management consultancy as:

management consultancy is the provision to management of objective advice and assistance relating to the strategy, structure, management and operations of an organisation in pursuit of its long-term purposes and objectives. Such assistance may include the identification of option with recommendations; the provision of an additional resource and/or the implementation of solutions (IBC, 2007).

The example above adequately describes what management consultants may do, and this can be extended to human resources by accepting the above definition within the specialist area of HRM. This definition though does not cover the peculiarities of the consultant's role, in that the consultant may sit outside the organisation and works under a provision of services rather than a directly employed relationship.

This “*outside-in perspective*” (Wit & Meyer, 2004, pp.250–253), which is implicit in the role most external consultants are in, is important in understanding the relationship between the consultant and the client organisation, for as described in the literature, “*consulting is primarily a relationship business*” (Block, 2000, p.237) or “*personal relationships are central to the operation of consultancy*” (O'Mahoney, 2010, p.277).

Sturdy *et al.* (2010, p.13) take this boundary perspective further and make the point that the consultants are both “*insiders*” and “*outsiders*” when they work in client organisations.

In exploring the relationship further, Christensen and Klyver (2006, pp.304–305) in their research on management consultancy for small firms define two paradigms for management consultancy. These are defined as the “*expert*” and the “*process*” paradigms:

i. The expert paradigm

as an expert, the consultant is assumed to know what and also how to transfer knowledge to the firm. The consultant is also assumed to have the capability to tell what tasks will be involved in the process, as well as outcomes of the process, under

the assumption that the firm is actively engaged in the implementation (Christensen and Klyver 2006, pp.304).

Literature in this field tends to be *“often highly normative with a strong emphasis on best practice. Thus, quite some energy is put into the formulation of guidelines for how to solve different problems. Consultants are seen as concept suppliers”* (Christensen and Klyver 2006, pp.305).

ii. The process paradigm

in this view, the knowledge base of the advisor grows out of personal experience and flair, and the capability of the advisor to combine more-knowledge (explicit knowledge) with tacit knowledge of how to tailor advisory processes to the needs of the client. The advisor is in this view envisaged as a change agent, who listens to the needs, values and the variety of attitudes in order to judge the situation and feed new views and energy to those routines and rituals that dominate the management of the small firm (Christensen and Klyver 2006, pp.305).

Literature in this field tends to be *“inside the process paradigm, thus emphasise the contextual and situational aspects of performance, disregarding the emphasis on one best practice”* (Christensen and Klyver 2006, pp.305).

The treatment of ethical challenges in the current literature is explored in the context of these paradigms. It should be caveated that these paradigms are used to simplify the presentation of the discussion. Writers rarely sit neatly within tidy categories, and the categorisation is only able to describe an overall tendency in any approach. Furthermore, the expert/process distinction which is used throughout this thesis is not linked to Schein's ideas on *“process consultation”* or on the *“expert”* nature of some consultancy work (Schein 1987). Confusingly, Schein's emphasis on best practice and normative guidelines actually better fits the expert paradigm rather than the process paradigm as used in the thesis.

The literature from within both of these paradigms is used in the study to explore how participants describe the nature of their role help clarify and to better understand the nature of the role of the consultant. This in turn informs the findings and recommendations made in the study.

2.6.4 Ethical challenges within the expert paradigm

Sturdy *et al.* (2010, p.4) refer to an expansion of prescriptive guides which have been published and which “*are typically dismissed or ignored in academic research*”. This normative literature is included in summary here as it informs the background to the research, being also literature which is readily available to practitioners.

Whilst there are a number of published textbooks directly aimed at a target audience of consultants, no publications deal solely with ethics in consultancy. There are a number of publications which deal with management consultancy and include sections on ethics. Some of these deal with the issues without the signposting of “ethical”, as for example Stroh and Johnson (2006) in “*The Basic Principles of Effective Consulting*”. Their research involved asking 100 consultants to think back over their careers and asked them to highlight their “*general philosophy (or guidelines)*” (2006, p.162) which informed their practice. It is not proposed to review every book on consultancy and pick out such examples; rather, the focus will be on literature which highlights specifically that ethics are being addressed.

2.6.5 Defining ethics

It is interesting that in much of the writing on ethics in consultancy practice within this paradigm, even when addressed specifically as a topic, the term ethics is not clearly defined. Block (2000, p.307), for example, gives no precise definition in his chapter on “*ethics and the shadow side of consulting*”. He refers (1999, p.307) rather to “*a moral line in the consulting role that we have all stepped on or crossed*”. As with normative writing in the business management textbooks, there is an assumption that ethics or morals are something every consultant has to deal with and that the audience will know what is meant. Block writes as one consultant to another, describing his work “*more as a confession than a sermon*” and uses the plural pronouns “*our*” and “*we*” extensively.

Poulfelt (1997, p.70), writing in the Journal of Business Ethics, similarly does not define his terms, but states the term ethics becomes a “*professional informative label*”, a shorthand indicating certain qualities such as trustworthiness and credibility and that “*we will, during our work, stick to a code of professional conduct.*”

Some of those writing for consultants expand on this shorthand by referring directly to examples. Sadler (2001), in “*Management Consultancy, a Handbook for Best Practice*”, includes a chapter on professionalism and ethics. Whilst again there is no precise definition

of ethics, there are examples of dilemmas and codes in practice included where the writers work from an implied assumption that business ethics concerns professional conduct.

What a number of these writers appear to be doing is setting out for the reader what is important to them, and much of this clearly shows a focus on character and behaviour, rather than theoretical underpinning. These writers feel it is sufficient to use loosely defined concepts and the majority do not directly address philosophical concepts or put forward alternative perspectives. Their writing appears to be for the “*man on the street*” (Schutz, 1964).

2.6.6 Specific challenges

As has already been observed, writers within this paradigm tend to detail situations which exemplify the potential challenges consultants face. A number of these, together with guidelines for dealing with the challenges, are tabulated below:

<p>Poultfelt, <i>“Ethics for Management Consultants”</i> (1997, pp. 67-69), Published in Journal of Business Ethics</p>	<p><i>Ethical dilemmas identified include:</i></p> <ol style="list-style-type: none"> include maximum income versus the best solution; the optimal approach versus the client's budget; professional effort versus the client's interest; client's needs versus organisational needs; confidentiality versus being impeded; proximity versus keeping a distance, and full knowledge versus incomplete knowledge.
<p>Lippitt and Lippitt, <i>“The Consulting Process in Action”</i> (1986, p.89).</p>	<p><i>The authors describe three specific factors in ethical dilemmas in consulting which are directly quoted below :</i></p> <ol style="list-style-type: none"> The client's expectations regarding the nature of help needed and how it should be acquired The intrusion of ethical standards acquired by the consultant in his or her other professional experiences Conflicts that arise between the ethics identified with the consultant's non professional life and the value judgements that are peculiar to a consultation process. <p>The authors set out a conversation between themselves in which they explore an example from their own experience. This relates to how a consultant should intervene in a two year goal setting exercise by the company's board when the consultant felt that the goals were too ambitious, and also showed incomplete regard to duplication services which could have resulted in “neglected clients and wasted funds”.</p>
<p>Schein, <i>“Process Consultation”</i> (1987, pp.181–205)</p>	<p>Schein describes specific examples from his experience of ethical issues he has dealt with. <i>These fall under the following headings:</i></p> <ol style="list-style-type: none"> Contracting and fees (including detail of what to include in fees, what rate to charge, billing for exploratory meetings and contracting) The consultant as organisational catalyst (being brought in to make things happen that otherwise would not happen, such as being asked to provide career counselling, but in fact informing staff they would be expected to leave) Opening up communications (the consultant being used to give feedback to a senior manager)

	<ul style="list-style-type: none"> iv. Multiple agendas of different primary clients in one company v. The hiring and firing of a chief of staff (the consultant being used as an intermediary during an internal recruitment process)
Block, <i>"Flawless Consulting",</i> (2000, pp. 309-326)	<p>Block identifies a number of dilemmas arising from "the fundamental tension... between delivering service and the economics of the consulting unit". He describes how "consultants take advantage of what is in vogue and how we pursue covert purposes". Using as a reference fields of work such as in reengineering, performance management, leadership development and change management interventions, he gives a number of specific examples, drawn from his own experience and observations, <i>which can be paraphrased as:</i></p> <ul style="list-style-type: none"> i. Consultants making "unsustainable promises" ii. Not challenging clients as to what they need iii. "Double dealing" by packaging job elimination as reengineering iv. Offering a "false customization" of a product v. Carrying out a program without real evidence of results vi. Conferring "legitimacy to a manager's efforts to sell an idea internally" vii. Playing "bad cop" <p>He also draws attention to the ethical snare when "consulting is no longer educational, advisory or capacity building," but rather that consultants are brought in house as "surrogate managers who are willing to take a difficult stand... in a way that the permanent, resident management is unwilling to do."</p>
Lynch, <i>"The International Guide to Management Consultancy"</i> (Curnow & Reuvid 2003, p.65)	<p>Lynch also draws on Kubr (1996) to describe three sorts of dilemmas that management consultants may face under the general heading of conflicts of interest. The most pertinent example for those in small consultancy practice is that of a consultant carrying out an assignment strictly according to plan, but knowing that it is almost certain that nothing will come of the assignment and the temptation noted is the one not to put too much work into it.</p>
Margerison, <i>"Managerial Consulting Skills: A Practical Guide"</i> (2001, p.93)	<p>Highlights "the ethics of accepting or rejecting assignments" and details "particular incidents" he has experienced <i>which include:</i></p> <ul style="list-style-type: none"> i. Being asked for solutions without the opportunity to meet others to fully understand the problem ii. Being asked to work in a business manufacturing cigarettes iii. When there was role overlap and he could not see how he could add value iv. When he couldn't fully commit the time required because of role overload

Ethical challenges highlighted in the literature review prepared by the author (table 2)

The accounts given by practitioners are explored in relation to examples given by the authors as above. The comparison seeks similarities and differences between the accounts to check on validity and comprehensiveness.

The style of presenting the accounts within this paradigm leads to specific guidelines for best practice which are now set out below.

2.6.7 Guidelines for dealing with specific challenges

Lippitt and Lippitt, 1986 (pp.89-96)	<p>The authors look to sources of ethical guidelines and refer to specific codes, including the Code of the Academy of Management. They highlight that "<i>simply establishing a code does not guarantee a change in the ways in which members of a profession function</i>". They note that "<i>the most important aspect of formulating a code is the acceptance of a basic norm of morality that will properly sustain the code....effectiveness in application of course</i>"</p>
--------------------------------------	---

	<p><i>depends on the competence of the consultant".</i></p> <p>In terms of their own competence, they refer to Benne's (1959) seven value guides to consulting interventions:</p> <ol style="list-style-type: none"> <i>Objective confrontation of tasks and situations</i> <i>Experimentation (aimed at developing more adequate ways of thinking about values)</i> <i>Two way interaction and influence</i> <i>Emphasis on client learning</i> <i>Use of all available resources</i> <i>Voluntary assumption of responsibility</i> <i>Self evaluation, self correction and self renewal.</i> <p>What was surprising was that the authors concluded with an implicit instruction: <i>"the big challenge is not to create bigger and better lists of ethical norms, but rather to put these values to work in a practical sense"</i>. What is not apparent is how a consultant can internalise the framework given or work out their own ethical model or framework. Indeed, it is rather suggested that they do not, but follow what works for the authors.</p> <p>One other theme that is articulated by others is best expressed by Lippitt and Lippitt's reference to Benne (1959), that <i>" the consultant may reduce personal dilemmas, anxieties, and uneasiness by giving careful thought to the formulation and articulation of his or her civic, religious, and personal philosophies and moralities- a precondition for adequately recognizing and handling ethical issues" .</i></p>
Schein, (1987, p.205)	<p>In terms of guidelines, Schein makes a number of specific assertions, paraphrased below and including:</p> <ol style="list-style-type: none"> Know what role you are in at all times Decide whether you have the right <i>"skills and temperament"</i> to help <i>The process consultant is the least vulnerable as the initiative remains with the client</i> Be clear about who the client is and their role (whether <i>"contact, intermediate, primary or ultimate client and pay special attention to the needs of the primary and ultimate client"</i>).
Schein, (1998, pp.1–3)	<p>He provides an expanded list of <i>"principles, guidelines, practical tips, call them what you like"</i> and relating to the building of a <i>"helping relationship"</i>:</p> <ol style="list-style-type: none"> <i>Always try to be careful</i> <i>Always stay in touch with current reality</i> <i>Access your ignorance</i> <i>Everything you do is an intervention</i> <i>It is the client who owns the problem and the solution</i> <i>Go with the flow</i> <i>Timing is crucial</i> <i>Be constructively opportunistic with confrontive interventions</i> <i>Everything is a source of data; errors are inevitable- learn from them</i> <i>When in doubt share the problem</i>
<p>Ozley and Armenakis" 'Ethical Consulting' Does Not Have to Be an Oxymoron"</p> <p>Published in Organisational Dynamics</p> <p>(2000, p.41)</p>	<p>Ask specifically: <i>"What is the ethical thing to do?"</i> with the response, <i>"when all else fails, tell the truth!"</i></p> <p>Their summary, <i>"A Checklist for Ethical Consulting"</i> is typical of the textbook responses. Whilst they do acknowledge the need for <i>"reasoned thought and careful study"</i> and state that their purpose in writing their article is to stimulate dialogue, their response is to offer a model for thought, based on <i>"building blocks to ethical consulting"</i> :</p> <p><i>Ethical Consulting</i> <i>Termination(Disengagement)</i> <i>Effectiveness (Client commitment, Outcomes)</i> <i>Actions Taken(Client learning, Self-discovery &ownership)</i> <i>The Relationship (Dependent, Counter-dependent, Interdependent)</i></p>

Block (2000, pp.323-325)	<p>Block makes a number of specific exhortations:</p> <ol style="list-style-type: none"> "say no as often as you say yes" "stay true to your worth" "grow on your own terms" "show how everybody counts" "leave it all behind" (by developing a client's self sufficiency) "to forgive" (ourselves and others with regard to some of the choices made) <p>He also refers to returning frequently to "<i>a few ideas that ground me</i>", expressed by him as a form of care. He achieves this by asking himself a series of how questions in what he does, including "<i>what is the real value of our product and service?</i>" and "<i>what are we leaving for the next generation</i>". He recognises the tension between being the action orientated consultant and calling for reflection and advises "<i>in the end it is our authenticity, the way we manage ourselves, and our connection to our clients, that is our methodology, our marketing strategy, and the fruits of our labour</i>".</p>
Stroh and Johnson, The Basic Principles of Effective Consulting (2006, pp.162–167)	<p>Stroh and Johnson emphasise five success principles:</p> <ol style="list-style-type: none"> <i>Remember the basics (clarifying expectations, writing a strong initial proposal, preparing thoroughly for every meeting, diagnosing the problem comprehensively and committing to client action)</i> <i>Establish solid relationships (building trust)</i> <i>Focus on helping the client (putting client's interests first, "there must be no question that you are 100% in the client's corner)</i> <i>Always play it straight (do not get drawn into anything unethical, which they appear to take as meaning illegal in this context, if necessary, deciding to leave a project)</i> <i>Enjoy the work</i>

Guidelines for dealing with challenges highlighted in the literature review and prepared by the author (table 3)

The above instructions and guidelines all stem from a position of authority, and a perspective that there is one "*correct*" approach. The style is often, as Schein (1998, p.4) describes himself, rather "*preaching*". Block (2000, p.315), for example, directly explains that his work is not to be a "*sermon*" but his writing uses religious imagery and the tone instructional. He introduces Christian references to confessions and the Garden of Eden for example and, when discussing ethics, refers to the consultant cast in the "*role of the serpent*" (Block, 2000, p.315).

Whilst normative instruction may appeal to the reader and it is difficult to argue with many of the points raised, the authors do not always help the reader understand any personal frameworks for reaching decisions, or understand alternative approaches. Throughout, there is an assumption that the reader will relate to specific exhortations without detailed expansion.

What is seen in some of the writing and examples quoted above are calls to "*reflect*" (Block, 2000; Ozley and Armenakis, 2000) and to work out one's own value system and/or ethical framework (Block, 2000; Lippitt and Lippitt, 1986). Margerison (2001, p.93) similarly asks the

reader to think about how they would have acted after detailing his particular experiences and refers to the importance of having values to “*guide one’s decisions in advance*”.

Whilst some suggestions are given as to how these processes can be carried out, these notions are expanded further in literature which is less normative, recognising that there may not be “*one best practice*” (Christensen and Klyver, 2006, p.305) as much normative literature assumes.

2.6.8 Ethical challenges within the process paradigm

Moving onto looking at literature within the process paradigm, issues around ethical challenges and the consultancy relationship are now explored further.

At one level, the types of challenge remain in that consultant behaviour can be called into question:

1. *Consulting advice isn’t value for money and doesn’t work.*
2. *Consulting solutions are either fads or “boiler-plated templates”.*
3. *Consultants can’t be trusted.*
4. *Consultants prey on the insecurities and ignorance of client managers*
(O’Mahoney, 2010, p. 315-320).

With regard to challenges from the consultants perspectives, Kallman and Grillo (1996, p.3), provide a pragmatic definition of ethics, “*ethics has to do with making a principle- based choice between competing alternatives. In the simplest ethical dilemmas, this choice is between right and wrong*”.

This approach, similar to many of those operating within an expert paradigm, assumes that that doing the right thing should be obvious or straightforward. It can ignore the complexities of certain situations when the choice is not simply between right and wrong.

Whilst some of the complexities around agent responsibility and client identification have already been introduced, this is taken further within the process paradigm. Within the process paradigm, there is the notion that dilemmas are often “*contextual and situational*” (Christensen and Klyver, 2006, p.305).

Harrison (1995, p.172) explains that he has concerns about Peter Block’s (1981) title, “*Flawless Consulting*”:

I have experienced excellence in my practice, and moments of absolute rightness, but flaws are still part of the essence of our practice as OD consultants. This is true for our clients as well. They and we face dilemmas for which there are no perfect resolutions.

Harrison (1995, p.172) continues by defining dilemmas:

I experience them all as genuine dilemmas; that is, one must choose where to stand on the dimension defined by each pair of polar opposites... .To fail to choose where one stands on a dimension may mean that one is unaware of the dimension... That often leads to rigidity masquerading as integrity.

Harrison's (1995) work, "A Consultant's Journey" is itself a reflection on his career, and expressly stated in the above is recognition of the need to acknowledge that there may often be no perfect solution, but that there is a need to consider alternatives and to make conscious choices.

Going further than this, there is also a need to be aware as to how we may be choosing alternatives and making choices. Bowie and Werhane (2004) further emphasise this personal dimension to ethical challenges by highlighting that:

the idea of moral imagination originates from the very simple but controversial contention that human beings deal with the world through, and only through, socially constructed mindsets or mental models (Bowie and Werhane, 2004, p.118).

They continue (2004, p.119) that "each of us can frame any situation, event or phenomenon in more than one way" and this is important because the way "one frames a situation is critical to its outcome".

They summarise moral imagination (2004, p.121) as being about self-reflection on self and situation, where one can understand the "mental model or script dominating the situation" and imagine possible dilemmas and new possibilities.

In moving towards examining consultancy literature within this paradigm, with a focus on the personal reflection and notions around social construction, the literature becomes increasingly "critical". "Critical" in this context is as defined by O'Mahoney:

to be critical is to move away from the conception of consultancy as a money making entity and to focus instead on its wider social and political role in constraining, enabling, and reproducing discourse, action and identities (O'Mahoney, 2010, p.260).

A number of these ideas are highlighted as they indicate prevailing discourses in consultancy literature and inform this study by providing themes to explore in the data. With this study focusing on the described, espoused positions of practising consultants, the themes are looked for in the descriptive narratives of participants.

One final point is that the themes are set out as subject areas rather than as dilemmas and best practice resolutions, given that there is an emphasis on the framing and the situational rather than instruction.

2.6.9 Ambiguity

Within "*the expert*" paradigm, notions around the consultant /client relationship are predominantly explored in the context of agency and client complexity. More recently, the literature starts to explore the dynamics of this relationship and, in particular, an acceptance that much of the relationship is ambiguous and uncertain. Poufelt highlights, for example, that consultants "*frequently have to operate in situations which are characterised by ambiguity, ignorance, uncertainty and sensitivity and they cannot always simply apply ethical rules in cooperating with their clients*" (Poufelt, 1997, p.65).

Whilst the actors in a consultancy relationship could be either consultant or client, this research is interested in the participating consultants' expressions of the ambiguity and how it affects their thinking or behaviour as agents. Sturdy *et al.* (2010, p.44) introduce the notion of "*liminality*" in consultancy relationships. This is described as the space "*where actors dwell between boundaries, as neither insider nor outsider, but in transition*" and Sturdy *et al.* explore how consultants manage this transition, using different case studies and exploring, in particular, the use of humour.

Sturdy *et al.* argue that these spaces are short lived, whereas others see this as a constant condition of the assignment. What is perhaps true is that throughout the consultancy assignment, there is a constant possibility of defining boundaries and renegotiation of role, but that there are moments of focus, of shift when one becomes aware that something is changing. Sturdy *et al.* describe this as emerging and changing "*in the moment*" and observe:

this presents a very different view of client-consultant relations from that in the consulting literature where any closeness is seen to develop over time and as relatively robust... in other words, relations such as continuing rapport between clients and consultants are an active achievement (Sturdy et al., 2010, p.175).

Whilst it is outside the scope of this study to examine these ideas in depth, the research does explore how the sample group describe this ambiguity and how they manage it. In particular, as O'Mahoney (2010, p.227) notes, "*a key component in reducing ambiguity is trust*".

2.6.10 Trust

As highlighted above, consultants are necessarily working through scenarios where there is the need to build a relationship and to do so in "*conditions of ambiguity and liminality*" (O'Mahoney, 2010 p.145). Trust can have the advantage of reducing uncertainty for the consultant, and also enabling them to build a better relationship with the client which is beneficial for all parties.

Working on the assumption that trust will help the consultant in different ways, there is also an assumption that trust can be developed (Stumpf and Longman, 2000). It is beyond the scope of the study to look at all of the ways in which trust can be developed, but this study explores how consultants describe the notion of trust and how they describe its importance in relation to ethical challenges emanating from aspects of the consultancy relationship.

2.6.11 Reflection

Bowie and Werhane (2004, p.121), as highlighted already, summarise the key elements of being "*morally imaginative*" as including "*self reflection*"; an understanding of the "*mental model or script dominating the situation*"; the ability to "*imagine reformulated or even new possibilities*" and finally, a moral evaluation of both the original situation and the alternatives and the dominating models. They continue by referring to the need to evaluate similarly the mindsets and values of the other stakeholders, and that this requires critical reflection by, and self awareness of, the individual.

Implied in the above is the assumption that by reflecting, one can change behaviour. It is acknowledged that there is debate as to how far this is the case. Hauser (2006, p.11) in "*Moral Minds*" explains that "*reasoning and emotion play some role in our moral behaviour,*

but neither can do complete justice to the process leading up to moral judgment". He continues (2006, p.20):

there is no question that conscious reasoning is part and parcel of our capacity to deliver a moral verdict. What is at stake, however, is whether reasoning precedes or follows from our moral judgments (Hauser, 2006, p.20).

His book is based on the premise that:

humans have an innate moral faculty, a capacity that enables each individual to unconsciously and automatically evaluate a limitless variety of actions in terms of principles that dictate what is permissible, obligatory, or forbidden (Hauser, 2006, p.36).

The notion of a dilemma implies a reasoning and thinking through of alternatives. Hauser himself acknowledges (2006, p.422) that *"we feel the weight of a moral dilemma when simple deontological or utilitarian principles fail us"*.

It is beyond the scope of this study to explore how far dilemmas are resolved by intuition or by reasoning. This study explores how consultants describe the challenges and considers both.

Haidt (2007) argues that there are three ways we can override immediate intuitive responses:

- i. Conscious verbal reasoning*
- ii. Reframing a situation and seeing a new angle or consequence and thereby triggering a second flash of intuition*
- iii. Talk to people who raise new arguments, which can then trigger in us new flashes of intuition followed by various kinds of reasoning (Haidt, 2007, p.999).*

This study explores how consultants refer to any or all or other of the above in describing their dilemmas.

2.6.12 Identity

O' Mahoney (2010) makes the link between reflection and identity as:

thus to better understand consultants as both socially constructed categories and reflexive selves, we need to better understand the identities that they, and others,

construct for themselves and to 'deconstruct' the discourses and power relations which underpin these identities (O'Mahoney, 2010, p.281).

He introduces (2010, p.283) three definitions of consultants (as the elite, as scientists, as magicians) but adds, drawing on Whittle (2005), *"it is not surprising then that consultants develop 'dramaturgical' selves which can provide 'front-stage' performances, acting out different roles for clients, employers, families, and colleagues"*.

It is not the intention of this study to reconstruct possible identities of consultants from their espoused positions, but it is useful to explore how consultants describe the notions of ethics and identity. As Browning (1982, p.106) states, in writing a reflective piece looking at a particular intervention he made and drawing on Allport (1955), *"moral integrity is having an emotionally compelling sense of oneself"*.

This study does not examine the implication that, without an *"emotionally compelling sense of oneself,"* there is no moral integrity, but it does explore how the sense(s) of self are described and recognises that, as Kornberger and Brown (2007) conclude in their study, that:

ethics can be embedded and enacted in everyday acts of organising and languaging, and can be analysed as a discursive resource that organisational members utilise to make sense, narrate and affirm control of who they are, individually and collectively (Kornberger and Brown, 2007, p.514).

The study also explores issues that relate to identity and role from the HR context. As noted by Ardagh (2007):

HR practitioners do face ethical dilemmas arising from the clashing roles which they are now asked to perform. They need some role clarification and prerogatives such as confidentiality protection. They are enforcers of company policy, instruments of downsizing, builders of positive culture, and change managers. They are also neutral conflict resolvers, communicators, and mediators between levels of the organisation. And they are seen as advocates of employees' rights and counsellors (Ardagh, 2007, p.168).

The length of the quotation itself indicates the number and variety of roles that HR may play, and this is not assumed to be exhaustive. Whilst Ardagh addresses practitioners, these could equally be consultants as well as managers and there are possible challenges not just in which role to play, but how time can be allocated to the different roles and demands of

others to play certain roles.

2.6.13 Self-awareness and congruence

This study is limited to exploring espoused positions in that participants are asked to describe situations which they found to be ethically challenging. It assumes that, to some extent, the consultants interviewed are aware of themselves in describing their own positions, whether presenting socially desirable responses or not (Kakabadse, Louchart and Kakabadse, 2006 p. 450). This is limited to the extent that there is no corroboration of the accounts given.

Building on this, there is a recognised limitation as to how far actions correlate with self-perception. Tichy's (1974) empirical study collected data from 91 social-change agents and made some interesting findings regarding the congruence of values and actions. He found that there was a lack of congruence between personal preferences in the thinking and the acting in change activity.

A later empirical study, Van Nistelrooij, De Caluwé and Schouten (2007) using a sample of 71 management consultants, similarly found that:

the results indicate a significant incongruence between the management consultants' preference in thinking and the use of interventions. On the one hand, the management consultants in our research prefer to see change as processes of learning and self-organisation, and on the other hand they use intervention methods that clearly specify the results in advance and which make it easy to plan, control and monitor the change process closely (Van Nistelrooij, De Caluwé and Schouten, 2007, p.251)

On the other side of the argument, the authors using Block (2000) as an example propose:

the prevailing opinion is that a management consultant acts through one's own preferences and tends towards congruence in one's personal preferences and one's way of working (Van Nistelrooij, De Caluwé and Schouten, 2007 p.244).

Tichy (1974) puts forward a number of reasons to explain the persistence of the incongruities, including ignorance; not being able to use ways of affecting change that are not controllable; sham; over-advocacy (overstating anticipated results) and too little learning from successes and failures.

It is beyond the scope of this study to look at congruence/incongruence between values and actions. This research relies on evidence as provided by the practitioners and describes the congruencies or incongruences that they are aware of.

On a similar point, a study by Snell (1997), who was specifically concerned with learning and teaching on business ethics, looked at the relationship between managers resolving moral dilemmas and Kohlberg's hierarchical model of moral development. The model is based on the premise that moral development is a lifelong process moving through six stages from pre-moral existence through pre-conventional morality, conventional morality to post conventional morality, and Snell (1997, p.192) found *"that managers did not consistently resolve their own moral dilemmas in accordance with their highest stage"*.

He continues, exploring reasons for this, drawing on Fraedrich, Thorpe and Ferrell (1994) and Trevino (1992) who have *"argued that ethical reasoning is governed more by the immediate business context than the individual's character"*.

This study does not attempt to relate consultants' descriptions with Kohlberg's (1975) model or determine how far actions are context driven or character driven, but it does look at how participants describe congruence whilst recognising the limitations of espoused positions.

2.6.14 Attitudes to consultancy

One final point that cannot be ignored in a literature review on ethics and consultancy is the criticisms that are made about professional practice.

A number of writers of both textbooks and in the academic literature refer to negativity towards the role of the consultant. Block (2000, p.308) refers to a general cynicism and repeats old jokes at the expense of consultants. This is echoed in other literature, for example, Poulfelt (1997 p.66) and Lynch (2003 p.62) who again repeat the old joke about consultants who borrow your watch to tell you the time.

Whilst these jokes have been repeated so often it is almost difficult to hear them, they do make a serious point concerning the behaviour of consultants. Block (2000, p.308) makes the point that *"the cynicism aimed at consultants is more about our ethics than about our competence or contribution"*.

Sturdy *et al.* (2010, p.4) refer to the “*discourse of consulting jokes*” and observe a “*polarity*” between the expansion of prescriptive guides and the “*sensationalist, insider or journalist exposes of consulting sharp practices at the expense of clients, employees and taxpayers*”.

Ozley and Armenakis (2000, pp.39-51) again observe the lampooning of consultants but also observe an increasing trend towards litigation and refer to a series of recently publicised court cases involving allegations of negligence against consultants. The cases cited all refer to large consulting groups (The Boston Consulting Group and Arthur Anderson for example), but these inevitably are going to be the cases which attract a high degree of media attention.

O’ Mahoney (2010) further explores criticisms of consultancy:

Criticisms of consultancy	Implied concern
Rationalisers	Employee job security. Do the ends justify the means?
Ideologues/neo-imperialists	Maintaining local cultures and conditions
Money wasters	Fairness of rewards/efficiency of work
Accountability	Lack of transparency/legitimate responsibility
Self- interested/parasitic	Lack of ethics, ownership or humanity

Popular consulting critiques and implied values based on O’ Mahoney (2010, p.294) (table 4)

Clearly, a number of the criticisms in these implied concerns call into question the ethics of the consultants from an external perspective. Kakabadse, Louchart and Kakabadse (2006, p.416) point out that very little research has been done from the perspective of the consultants themselves. They point out that previous research was also often pejorative and highlighted “*the omnipotence and the more or less deontological practice of consultants*”. Their research (based on interviews carried out with 17 business consultants from various fields) concludes that business consultants:

appear very humble in their approach to the relationship with clients... are conscious of the amount of control and discretion that is passed on to them by clients, and do recognise that criticisms of their role can be at times justified (Kakabadse, Louchart and Kakabadse, 2006, p.416).

The espoused ethical perspectives of consultants are explored in this study. The practitioner researcher was therefore aware of the potential impact of external and internal criticisms of consultancy. The study does not seek to respond to these criticisms or justify the practice of consultancy.

This section addressing ethics in the consultancy literature is now concluded as the study moves on to look at the literature on independent practice.

2.7 ETHICAL CHALLENGES IN INDEPENDENT PRACTICE

Having looked at ethical challenges within the HR literature and the consultancy literature, this section specifically addresses ethical challenges in the literature on independent practice, noting that that this field is not widely covered. This section looks at the background to this literature before addressing specifically the link between the business and the owner and the specific issue of shadow consultation.

As with all of the literature, key ideas are incorporated into a summary at the end of the chapter.

2.7.1 Background

Some of the literature introduced to date already deals with aspects of independent practice, such as Bowie and Werhane (2004, p.59), who base their ideas on Kantian views about respect for persons, *"the golden rule"* of treating others as you would wish to be treated and meaningful work, making it clear that these ideas *"are not simply the ideas of impractical philosophers, but are grounded in the business reality that a business needs to make money to stay in business"*.

A number of issues around the need to maintain an income stream and resources for guidance have already been dealt with in the literature around consultancy practice and are not repeated here. It was considered important to try and source specific literature on ethical challenges in independent practice to see if this raised further issues particular to this type of work.

In searching the literature on independent practice and widening this to small business management in the university library, the vast majority of the books do not deal explicitly with ethics. Of the few sources found, the authors again write from the expert paradigm (Hodgetts 1995; Zimmerer & Scarborough 1992; Anderson & Dunkelberg 1992).

2.7.2 The link between the values of the business and of the owner

Anderson and Dunkelberg (1992, p.87) make the point (as echoed in Hodgetts 1995; Zimmerer and Scarborough, 1992) that *"in large companies, values are often part of the corporate culture which evolves over time. In small businesses however, the values are often those of the owner"*.

"Values" are defined as *"a lasting belief that a certain mode of conduct or goal is better than the opposite"*, with a *"moral"* value being one which distinguishes right from wrong. These clearly influence *"ethics"*, defined as *"a system of moral principles and the methods for applying them"* (Anderson and Dunkelberg, 1992, p.89).

There is a general direction that, in understanding one's own values and ethics, there is a need to produce a *"workable ethical code"* (Zimmerer & Scarborough, 1992, p.53). This helps avoid a *"moral blindness"* (Zimmerer & Scarborough, 1992, p.58), particularly when dealing with conflicting interests between various stakeholders.

In addition to writing a code, additional instruction is given in relation to any employees to set a good example, to offer training and carry out audits, to create a culture of communication and to involve employees in establishing ethical standards (Zimmerer & Scarborough, 1992, pp. 62-64).

Zimmerer and Scarborough (1992) also set out ethical tests for judging behaviour which could be used by the owner:

<i>The Utilitarian Principle</i>	<i>Choose the option that offers the greatest good for the greatest number of people</i>
<i>Kant's Categorical Imperative</i>	<i>Act in such a way that the action taken under the circumstances could be a universal law or rule of behaviour</i>
<i>The Professional Ethic</i>	<i>Take only those actions that a disinterested panel of professional colleagues could view as proper</i>
<i>The Golden Rule</i>	<i>Treat people the way you would expect them to treat you</i>
<i>The Television Test</i>	<i>Would you or your colleagues feel comfortable explaining your actions to a national TV audience?</i>
<i>The Family Test</i>	<i>Would you be comfortable explaining to your children, your spouse and your parents why you took this action?</i>

Ethical tests for judging behaviour based on Zimmerer and Scarborough (1992, p.60) (table 5)

Whilst there is relatively little literature published on ethically challenging situations in managing a small business or operating as a sole trader, there are a high number of web short articles on the subject. Unsurprisingly, there is a strong emphasis in the sample researched on ethics in terms of impact on the bottom line and on long term business sustainability and building customer relationships, for example Times online (2004) “ *Profit from managing an ethical firm*”. None of the small business websites demonstrate a close examination as to what is meant by ethics, but most offering normative statements relating variously to owners' values, corporate social responsibility and as treating everyone with “*honesty and respect*” (www.work.com): “*fairness*” (www.buzzle.com).

In expanding the search, Hannafey (2003) conducted a study specifically on “*entrepreneurship and ethics*”. He observes that it is difficult to distinguish between entrepreneurs and small business owners and this implies that there is much overlap. He recognises (2003, p.99) that entrepreneurs can encounter “*uniquely challenging ethical problems*” as below:

- i. He observes (2003, p.99) that they are often working in stressful situations, which also makes time for reflection difficult.
- ii. They often (2003, p.99) have to take actions which impact a number of people “*without the moral guidance available in established organisations*” and which can impact upon business success.
- iii. He cites (2003, p.103) an earlier study by Longenecker, McKinney and Moore (1989) which notes that entrepreneurs are more likely than others to “*approve of actions that maximise personal financial rewards even in situations where these rewards come at the expense of others*”.
- iv. Finally, he summarises (2003, p.103) relationship dilemmas as representing “*some of the most challenging and ethical problems*” because of the tendency of some entrepreneurs to view relationships in a transactional or instrumental way.

Whilst it has been noted above that there has been little written about ethics in independent consultancy or small business practice, Lynch (2003, p.63) is interesting in that he asserts consultants “*who display integrity often belong to a larger body*”. This seems a strange statement to make in that there is an inference that if a consultant does not belong to a larger body, they do not display integrity.

2.7.3 Shadow consultation

There is one other point to be made about working independently, and that is as described by Lynch (2003, p.69), who observes that sole practitioners may miss the “*collegiality*” of a larger firm and may also rely on former colleagues or “*trusted and informed*” friends to discuss dilemmas which are only broadly covered by guidelines.

Whilst the literature highlighted so far focuses on internal reflection and self awareness, Kilburg (2002, p.75) introduces the notion of “*shadow consultation*”, which addresses external support in the reflective process. Shadow consultation is defined by Schroder (1974) cited in Kilburg as:

a consultant who, at the request of a colleague (or a team of colleagues) and by means of a series of discussions, helps assess - and, if necessary, change- that colleague's diagnosis, tactics, or role in a specific assignment (Kilburg, 2002, p.75).

Kilburg (2002, p.75) could only find two other articles on the subject, including Schroder's and maintains that this “*flies in the face of the extremely common practice of shadowing by many consultants in the field*”.

Harrison (1995, p.170) also makes a passing reference to “*shadow consulting*”, defining it as “*consulting to a consultant about the latter's project*”. Harrison describes his elation about a project, not least because it offered the time and scope for shadow consulting. He also points out (1995, p.170) that he prefers that term to “*supervision*” which, whilst “*the process is similar*”, implies that “*the relationship is more equal*”.

It is perhaps ironic that the chosen term “shadow”, here used as a positive, is in the title of Block's (2000) chapter, the “*shadow side of consulting*” which highlights negative practice. A case for some external assistance is clearly made and again is explored in the narrative accounts in this research.

The literature explored to date has focussed on ethical challenges within the specific fields of HR, consultancy and independent practice. This review now moves on to look at ethical challenges explored in other studies in other professions.

2.8 STUDIES EXPLORING ETHICALLY CHALLENGING SITUATIONS IN PROFESSIONAL PRACTICE

Van de Ven (2007), in writing on "*engaged scholarship*", highlights that researchers need to be informed by the knowledge and experience of other stakeholders. These can include scholars from different disciplines, practitioners with different functional experiences, researchers, users and other potential users and sponsors.

This part of the literature review is the point of engagement with scholars from different disciplines, practitioners with different functional interests and other researchers and professional practice.

This section sets out the background and then looks in detail at the methods and findings of three studies carried out within different professions (nursing, psychology and social work).

As with the other sections, key ideas from this section are summarised at the end of the overall review.

2.8.1 Background

There is an assumption in this that challenges practitioners experience in HR consultancy are comparable (to some extent) with dilemmas experienced by those in psychology, nursing, social work because they are all areas experienced within professional practice. In the literature dealing with HR, the idea that HR is a profession is introduced, together with a notion of strong to weak professionalism (O'Mahoney, 2010). It is beyond the scope of this study to determine how relatively weak or strong any profession is, but it is taken as a starting point that HR is a profession and so comparisons can be made.

2.8.2 A comparison of three studies carried out regarding ethical dilemmas in professional practice

Literature around practical ethical issues explored in other professional contexts is included here for its relevance in both methodologies and findings. Three main studies were identified in different professions following an extensive literature search: psychology (Pope & Vetter 1992), nursing (Von Post 1996) and social services (Banks 2005). These separate studies are considered as relevant in informing this study's methods and findings for a number of reasons:

- a) the research in all three studies is in areas of professional practice
- b) the research is explicitly or implicitly exploratory in nature
- c) the express purpose of each is to study ethical dilemmas
- d) significant detail of the studies are printed and this allows for examination and comparative analysis

Where the studies deal with specific areas of practice (such as operations and similar), the relevant material related to methodology and findings is extracted.

The table below sets out which methods are used in carrying out each of the studies. By setting this information out in table format, direct comparison can more easily be made. With regard to the findings from each study, these are set out in more detail in paragraph format. There is then a summary of the differences and similarities of methods and findings.

Brief consideration of two further studies involving HR practitioners is made before an examination of the relevancy of these studies, including an examination of the assumption that HR consultancy has a professional status with relevant codes of practice concludes this section of the review.

	Pope and Vetter	Von Post	Banks and Williams
Profession studied	Psychology	Nursing	Social Work
Country and year of publication	America, 1992 Published in American Psychologist (pp.397-411).	Sweden, 1996 Published in Nursing Ethics (pp.236-249).	UK, 2005 Published in British Journal of Social Work (pp.1005-1022).
Purpose	<i>"maybe useful in considering possible revisions of the code [of ethics] and preserving the APA's unique approach to identifying ethical principles that address realistically the emerging dilemmas that the diverse membership confronts in the day-to-day work of psychology"</i> (p.397).	<i>"the aim of the study was to elicit the ethical dilemmas that arise in perioperative nurses' practice"</i> (p.236). Von Post describes her study as "explorative" and "inductive" addressing the question (p.237) "what incidents are experienced as ethical dilemmas by Swedish anaesthetic and operating theatre nurses?" (p.237).	<i>"a preliminary exploration of social welfare practitioners' accounts of ethically difficult situations"</i> (p.1005).
Focus on Critical Incident	Pope and Vetter describe process as the <i>"gathering of critical incidents"</i> (p.397).	Von Post in abstract draws attention to <i>"the study has a descriptive design and the data are critical incidents"</i> (p.238).	
Respondent/ Participant sample size	Random sample of 1,319 members of the American Psychological Association (APA). Responses from 679 psychologists.	48 anaesthetic nurses and 76 operating theatre nurses.	32 semi structured interviews with social welfare practitioners.

	Pope and Vetter	Von Post	Banks and Williams
Data Collection	Letter and survey form posted out inviting members to <i>"describe, in a few words or more detail, an incident that you or a colleague have faced in the past year or two that was ethically challenging or troubling to you"</i> (p.398). Members asked to reply even if nothing to describe. The questionnaire constructed with <i>"brevity and simplicity"</i> as key principles to improve the return rate from a previous survey (p.398).	Data collected as <i>"unstructured self-reports by a questionnaire"</i> asking participants to <i>"describe an ethical dilemma they had faced in their work...and describe exactly what had happened and how it ended"</i> (p.238). The nurses guided by Von Post's definitions as to what constituted a critical incident, and what an ethical dilemma was, the latter being defined as <i>"difficult problems that seem to lack an acceptable solution"</i> (p. 238). Also highlights that <i>"ethical dilemmas, by their very nature, may be emotionally charged"</i> (p.238).	Interviewees asked to give examples of <i>"ethical dilemmas or problems experienced in their practice"</i> and any <i>"problems or dilemmas arising out of their work generally"</i> (pp. 1006-1008).
Data Analysis	Incidents grouped into 23 categories and could also be compared to an earlier study.	There was an <i>"inductive classification of the information into categories"</i> (p.239). Texts were read several times. First there was a <i>"superficial reading"</i> to acquire <i>"sense of it as a whole"</i> ; second a <i>"structural analysis"</i> to find <i>"meaningful connections"</i> . Between each step was reflection and finally, <i>"each incident was considered as a whole"</i> (p.239).	Interviews <i>"examined for the ways in which they exhibit details of the conceptual vocabulary of practitioners as moral agents, their constructions of the relevant organisational contexts of actions, their attributions and avowals of professional and moral identity or integrity, and the nature of their reflections on actions, reasons, motives and emotions"</i> (p.1006) . Data transcribed using NVivo drawing <i>"attention to the variations in vocabulary and concepts used by the practitioners"</i> (p. 1008).

A comparative analysis of the methods of three studies into ethical dilemmas in professional practice prepared by the author (table 6)

The analysis above is used specifically in reflecting on and determining the methods used in this study. Firstly, similarities between the studies are determined. All of the studies are based on descriptions given by practitioners in a profession with a prevailing code of ethics, as the practitioners operate under a duty of care in their work. With regard to methods, Pope and Vetter (1992) and Von Post (1996) set out to ask respondents to describe critical incidents, Banks and Williams (2005) ask for examples. There is an acceptance that the accounts given would be retrospective (Banks and Williams, 2005, p.1007).

Then the differences between the studies are examined as a check on the proposed methods for this study. Firstly, the Pope and Vetter (1992) study size is significantly larger than the other two studies and is postal. Also in the Pope and Vetter (1992, p.398) study, it is

not apparent if they explain what they mean by “*ethically challenging or troubling to you*” to survey respondents. Von Post (1996, p. 238) explains to respondents what she means by an “*ethical dilemma*” and “*critical incident*”, and Banks and Williams (2005, p.1008) deliberately do not define “*ethical dilemmas and problems*” in dealing with respondents, but do provide information with regard to understanding and meaning in their published account. Finally, with regard to data collection, Pope and Vetter (1992) ask for “*an*” incident, Von Post (1996) asks for “*only one*”, whereas Banks and Williams (2005, p.1007) ask for “*examples*” plural, which reveal different scopes between the studies.

One of the key differences between this research into ethical dilemmas in HR practice and all of the studies examined, is the management of practitioner researcher data throughout the process which is not highlighted in any of the other studies examined.

Moving onto findings, a comparison is set out first, followed by an analysis as to which areas are of most interest in this research.

Pope and Vetter, 1992 - Published in American Psychologist (pp.397-411)	Von Post, Sweden, 1996 - Published in Nursing Ethics (pp.236-249)	Banks and Williams UK, 2005 - Published in British Journal of Social Work (pp.1005-1022)
<p>Posted survey had response rate of 51%, with 134 respondents indicating that they had not encountered “<i>ethically troubling incidents in the past year or two</i>”.</p> <p>Of those who did describe such incidents, 703 incidents described and grouped into 23 general categories of incidents as below:</p> <p>Confidentiality 18%</p> <p>Blurred, dual, or conflictual relationships 17%</p> <p>Payment sources, plans, settings and methods 14%</p> <p>Academic settings, teaching dilemmas and concerns about training</p>	<p>124 ethical dilemmas described and grouped into four overall domains specifically related to perioperative practice. Difficult to find participants for the study.</p> <p><i>The summary, discussion and conclusion also noted that:</i></p> <ol style="list-style-type: none"> The dilemmas could occur at all phases and in every setting They become more complex in an ambiguous setting The nurses actions and decisions are “<i>ethically determined and guided by the ANA code</i>” (p.246) Decisions and actions are based on a “<i>universal ethical principle: ‘the nurse provides services with respect for human dignity and the uniqueness of the patient’</i>” (p.246). It is the relationship between the nurse and the patient that create the dilemmas “<i>A nurse’s competence includes not only ‘professional knowledge’ but also the ability to solve problems when ethical dilemmas arise</i>” (p.248). 	<p>Study sets out understanding and interpretation of “<i>ethics and ethical difficulties in professional life</i>” (p.1005). <i>The subject of ethics:</i></p> <p><i>is generally regarded as being about how humans treat each other and their environment- what actions are regarded as right or wrong and what traits of character are good or bad</i> (p.1005).</p> <p><i>In ethics:</i></p> <p><i>the central questions are normative ones relating to: ‘What should/ we do?’ or ‘How should I/we live?’</i> (p.1005).</p> <p>Distinguish between the treatment of ethics by moral philosophers and professional practice, but acknowledge the interrelatedness of the two. Professional ethics encompasses:</p> <p><i>how professionals should react in relation to service users and other (such as how much autonomy they should have or give, or how to distribute their resources of time and money) and what kinds of people professionals ought to be (honest, trustworthy, reliable, compassionate)</i> (p.1005).</p> <p>Note that in the majority of text books on ethics, starting point is to write up cases, which can be analysed by “<i>any informed author</i>” and result in “<i>a justified and determinate judgement about what to do</i>” (p.1006). They take a</p>

Pope and Vetter, 1992 - Published in American Psychologist (pp.397-411)	Von Post, Sweden, 1996 - Published in Nursing Ethics (pp.236-249)	Banks and Williams UK, 2005 - Published in British Journal of Social Work (pp.1005-1022)
<p>8%</p> <p>Forensic psychology 5%</p> <p>Research 4%</p> <p>Conduct of colleagues 4%</p> <p>Sexual issues 4%</p> <p>Evaluation 4%</p> <p>Questionable or harmful interventions 3%</p> <p>Competence 3%</p> <p>Ethics (and related) codes and committees 2%</p> <p>School Psychology 2%</p> <p>Publishing 2%</p> <p>Helping the financially stricken 2%</p> <p>Supervision 2%</p> <p>Advertising and (mis)representation 2%</p> <p>Industrial-organisational psychology 1%</p> <p>Medical issues 1%</p> <p>Termination 1%</p> <p>Ethnicity 1%</p> <p>Treatment records 1%</p> <p>Miscellaneous 1% (p.399)</p> <p>These findings are analysed in greater detail in the published report, with recommendations as to where the current code</p>	<p>g) The study <i>"gives no answer as to the reasons why these staff members chose to do and say what they did"</i>, but that was not the expressed aim of the study (p.246).</p> <p>h) Ethical dilemmas <i>"involve value conflicts between rights and responsibilities and require a choice between two or more unappealing alternatives"</i> (p.248).</p>	<p>different starting point, namely accounts from those in professional practice. Interviews then analysed to explore how accounts were constructed and interpreted. Detail included in the above informs starting point for this research as highlights what is <i>"ethically relevant, demonstrable and plausible"</i> (p.1007).</p> <p><i>Number of key findings, summarised below:</i></p> <p>a) Distinctions made between issues, problems and dilemmas using 3 terms as illustrating hierarchy of choice:</p> <ul style="list-style-type: none"> • ETHICAL ISSUE: describes a situation which has an ethical dimension, but there is no decision to be made • ETHICAL PROBLEM: describes a situation where a difficult decision has to be made but it is clear which course of action to take • ETHICAL DILEMMA: describes a choice between two equally unwelcome alternatives where it is not clear which choice will be the right one (p.1011). <p>Choice hierarchy is seen as most important as it allows for the perspective of the person making the decision to be taken into account, or as described by the author, focuses on the <i>"agent's view"</i> of the situation (p.1011). Whilst authors categorise, the professional is providing the clues as to how much choice and decision making is involved.</p> <p>b) Accounts divided into those that use explicit <i>"ethical language"</i> and those that did not but draw upon <i>"the practical intelligibility of moral standards and accountability"</i> (p.1010).</p> <p>c) <i>"Ethical language"</i> uses terms <i>"generally associated with 'ethics talk,' like: 'fairness', 'rights', 'choice', 'confidentiality' or 'honesty'"</i> (p.1019-1010).</p> <p>d) Emotions directly referred to by some (<i>"such as embarrassment, frustration or anger"</i>) and not by others (p.1010). This could also come across in the tone of voice or body language.</p> <p>e) Accounts could be <i>"selective, situated, complex and messy- with political, ethical, technical and practical elements intertwined"</i> (p. 1018).</p> <p>f) Observe that <i>"it is in the course of giving such accounts of actions and events as constituting ethical problems or dilemmas that subjects reflexively construct their own identities as competent, ethical, professional practitioners"</i> (p.1018).</p> <p>g) The stories are <i>"selective, situated, complex and messy"</i> (p.1018).</p> <p>h) Narrative examples given but no attempt to reconcile these with <i>"hypothetical or edited accounts... commonly used in moral philosophy and professional ethics"</i> (p.1018)</p>

Pope and Vetter, 1992 - Published in American Psychologist (pp.397-411)	Von Post, Sweden, 1996 - Published in Nursing Ethics (pp.236-249)	Banks and Williams UK, 2005 - Published in British Journal of Social Work (pp.1005-1022)
of ethics could be improved by addressing appropriate areas to ensure that the code remained valid and relevant.		i) Authors believe work will help other practitioners in encouraging and facilitating <i>"the kind of self and organisational scrutiny that we might refer to as 'practising ethical reflexivity' (p.1019).</i> j) Achieve this by encouraging practitioners to <i>"turn the ethical, professional and organisational resources that they implicitly use for competent practice into topics for explicit examination" (p.1020).</i>

A comparative summary of the findings of three studies into ethical dilemmas in professional practice prepared by the author (table 7)

The findings of all three studies are used as points of comparison with this study, particularly in chapter five. As a starting point, there are similarities in that Pope and Vetter (1992, p.399) refer to dilemmas occurring in *"day to day"* work, Von Post (1996, p.246) refer to dilemmas occurring *"at all phases and in every setting,"* and Banks and Williams (2005, p.1006) refer to *"ethical dilemmas and problems they have directly met in the course of their work"*.

Moving on to looking at differences with findings, Pope and Vetter (1992) and Von Post (1996) seek to categorise findings and set out a discussion specifically on these findings, providing little meta-analysis or synthesis of findings as in the other two studies.

The Banks and Williams' (2005) study, on the other hand, seeks to analyse discourse to reveal meaning. Banks and Williams (2005) is also the only study to explicitly address the emotions, drawing in aspects of identity construction and the potential importance of reflection, which have already been highlighted as potentially important themes in the literature relating to this study.

2.8.3 A note on one other study of professional practice

In addition to the three studies on ethical dilemmas in other fields as above.

Subsequent to carrying out the literature review, completing the field work and finalising conclusions for this study, one additional unpublished work on ethical problems in pharmacy practice was found (Cooper, R.J. 2006) that used a similar methodology.

The key conclusions of this study include:

- i. That ethical problems are encountered in the routine detail of selling and dispensing drugs

- ii. That the problems may be influenced by the pharmacy setting and, in particular, the working in relative isolation and under doctors' orders
- iii. That problems often involved legal issues which could be distinguished from philosophical dilemmas
- iv. That some pharmacists displayed an "ethical passivity" whereas others were active, sensitive to "consequences, the golden rule, common sense and religious faith" (Cooper, 2006, p.2)
- v. That codes and professional bodies' advice was not helpful
- vi. That this then raised issues about the education of pharmacists and how values could be passed on and whether the problems might exist in healthcare more generally.

Whilst Cooper observes a "passivity" which is not highlighted in the other studies, there is nevertheless a reinforcement of the need to explore codes, the importance of the specific nature of the role, and issues around theory and assistance which are explored as part of this research.

2.9 HOW THE LITERATURE REVIEW HAS BEEN USED

The literature review has focused in depth on ethically challenging situations in practice, whether in HR practice, consultancy practice, managing an independent practice or other areas of professional practice.

There is also a separate body of literature which was engaged with around the process of writing a thesis. This is not referenced here but referred to throughout the thesis where relevant, in the introduction, methodologies, data collection, data analysis and recommendation sections.

The next table illustrates how all of the literature was used at different times, and the nature of each of these reviews.

TIME	STAGE OF RESEARCH	NATURE OF LITERATURE REVIEW	OUTCOME
T1	Deciding on topic	General reading in stage one on specific areas of interests carried out to determine what had previously been done and what were areas of potential interest and focus.	After time researching one proposed area of research, rejection of taking the notion further as reading the literature did not generate sufficient energy. Final area then selected, and a general literature review confirmed interest and possible gap in existing material.
T2	Writing Proposal	Discovery in stage one that two separate reviews were to be carried out. The first dealt with literature around writing a proposal and different types of research methodologies. The second dealt with identifying key sources of literature on the subject to be researched. Having identified this, collation of the literature being reviewed was more systematic.	After separation of the literature as to which was about the writing and research process or about the topic, it was easier to identify the types of literature to be reviewed for the specific area of research. Did not mean that the literature was kept artificially separate, but with separate collation, the purposes of reviewing the material became clearer. Both resources drawn upon for questionnaire design, for example, but greater clarity as to what was being looked for in the different types of material. Also there was a realisation that in studying literature on chosen area of research in other professions, methodology and findings were of interest and could review differently.
T3	Data Collection	Referral back to material identified at proposal stage when not totally satisfied that a particular methodology had been understood.	Need to refer back to the proposal when concerned about how the interviews were progressing. Discovery that some key information at the proposal stage was missing and highly relevant when context specific. Referral to both sets of literature to understand that semi-structured allowed for greater questioning rather than overly rigid scripting.
T4	Data Collation	Referral to literature on theming and also literature on the subject as to what to theme.	Iterative process between themes and data. Possibly the longest part of the research to complete.
T5	Data evaluation and recommendations	Utilisation again of the distinction between literature around the process and literature around the subject.	Heavy usage of subject literature in thinking and writing about the evaluation as detailed in the methodology chapter, Also heavy usage in recommendations as detailed in the discussion chapter.
T6	Final Check	After draft completed, check for new material	Unpublished study found. Hard decision to incorporate.

Table illustrating how the literature review was used and the nature of the review prepared by the author (table 8)

The narrative indicates the type of the review and the outcome of the review. The arrows on the table above also illustrate how the material identified at the proposal stage served at other stages. The process was dynamic throughout, which is less easy to show in a table, but where material was used repeatedly in the research, different amounts of information were extracted from the same piece of literature.

2.10 SUMMARY OF IDEAS FROM THE LITERATURE REVIEW

For the purposes of carrying out the data analysis, discussing the findings, making recommendations in this study and drawing conclusions from this study, the table below summarises ideas from the detailed review and which are used in the following chapters.

Idea	Exploration
Philosophical theories	<p>Study originally sought not to <i>"contrast... practitioners' and philosophers' accounts of the nature of moral matters"</i> as Banks and Williams (2005, p. 1007). In order to better understand what is happening in practice and to work out the position of the practitioner researcher, some detailed exploration of theory proved necessary.</p> <p>Study takes character as a starting point for any discussion on ethics (Melé, 2010; 2009). Character yields a <i>"practical rationality"</i> which <i>"permits the evaluation of both means and ends from the perspective of human good"</i> and that this can be done in <i>"each particular situation"</i> (2010, p.638).</p> <p>Accepts the notion presented by Brady that deontological/ teleological propositions presented in much literature on ethics as opposing constructs need not be seen as such (Brady, 1985). His view (1985, p.569) is that there are simultaneous influences in ethical decision as one may look to the rules and principles and assess the <i>"relevance and adequacy of the store of knowledge to the issue at hand"</i> with the need to look forwards and <i>"discover a solution that will give the best possible results according to some idea of what it means to be fully human"</i>.</p> <p>Spence (2000) also refers to rules, acts and character as above in setting out a framework summarising ethical theories without specific reference to deontology or teleology but rather to rules and acts. Her framework also includes social contract and discourse. A key point in the approach taken in this study is that these positions are still not either/or positions, but rather that they are emphases from positions in practice.</p> <p>Objective of this study not to seek neat categorisation but to look at emphasis to better understand what is happening in practice in particular situations.</p> <p>Whatever frameworks a person may subscribe to or have ascribed to them, as Hauser acknowledges (2006, p.422) <i>"we feel the weight of a moral dilemma when simple deontological or utilitarian principles fail us"</i>.</p> <p>Starting point is that most challenges occur when frameworks referred to (implicitly or explicitly) fail because they are insufficient in being able to guide action.</p> <p>Could be because, as Hartman refers (2006, p. 68), principles are <i>"usually vague, often in conflict, seldom unexceptionable, hence not reliably action guiding"</i>. Could also be because there is conflict between theories and <i>"our commonsense notions of right and wrong"</i> (Hauser, 2006, p.14). Both possibilities dealt with in this study.</p>
Practical Wisdom	<p>Melé defines practical wisdom as learning from one's own experience and reflection, together with learning from others (Melé, 2009). Study (drawing also from the advanced skills portfolio) is written on the premise that individuals are responsible for their own actions and that the learning can yield</p>

Idea	Exploration
	<p>an awareness which leads to a sense of moral identity and a recognition of professional responsibilities (Robinson, 2009). It is this learning which can be of more practical help than abstract philosophical debate. Again, this idea is explored in the data as part of the study and the notion of common sense is explored.</p>
Agency	<p>Implied in notion of <i>"practical wisdom"</i> (Melé, 2009) is the acceptance of the position of practitioner having an effect on others. Within HR, the effect can be on employees, clients and other consultants. How notion is framed by the participants is explored in the study and included is the notion of the treatment of others.</p>
The significance of the practice being HR practice	<p>Starting point is HR defined inclusively as management of people at work, accepting that HR and HRM used interchangeably in the literature.</p> <p>Pinnington, Macklin and Campbell (2007) and Winstanley and Woodall (2000) refer to the idea that within HR, there can be a tension between the "human" and the "resource" nature of the role. Tension is explored in the descriptions given by the participants. Also within practice, the roles of legislation and codes of ethical relevance are examined.</p>
The nature of role of the consultant	<p>Two ways of looking at role of consultant within literature are introduced, the <i>"expert"</i> and the <i>"process"</i> paradigms (Christensen and Klyver, 2006). Again, the way participants describe their role is examined, together with impact this has on findings and recommendations. In the <i>"expert"</i>, is an acceptance of there being one <i>"best"</i> way of acting, whereas in the <i>"process"</i> context, there is an acceptance that the way one acts can be situation specific.</p> <p>Perspective taken that there is validity in exploring the nature of the consultancy role beyond the <i>"expert"</i>.</p> <p>Central to much of the writing on the consultancy relationship is work that consultants can do in establishing and building the relationship with the client (Block 2000; Schein 1997). Consideration given to how participants describe the challenges at different stages of the relationship (beginning, middle and end).</p> <p>Further theme running through some of the more recent literature (O'Mahoney, 2010; Sturdy, 2010) is that paradoxically, the main constant in the relationship is ambiguity.</p> <p>Theme is explored in the evaluation and also the linked notion of trust as expressed by O'Mahoney (2010, p.227), <i>"a key component in reducing ambiguity is trust"</i>.</p> <p>Whilst beyond the scope of this study to look at ways of reducing trust, some ideas introduced to look at additional resources for <i>"trusted others"</i> (Kahn, 2001, p.261) when client is not known and trust has to be established.</p> <p>Following on from above, one further way in which there may be greater trust in a consultancy relationship is when the client is already known to the consultant or referred through a trusted source. The potential impact on the relationship regarding the source of work is also looked for in the participants' accounts.</p> <p>One additional point of note with regard to <i>"expert"</i> and <i>"process"</i>. Former has an emphasis on principles/rules for best practice and the latter an emphasis on the situational. This study accepts both paradigms as valid, and throughout, follows the structure of principles/rules first and then</p>

Idea	Exploration
	deals with issues that cannot be dealt with by such. Ties in with deontological/teleological theories.
The impact of being in independent practice	<p>Immediate issues may appear to be of restricted resources, as significant is the building on the earlier notion highlighted when reflecting on Nash's work as above, where it is clear that the independent practitioner or practitioner working in small business has a high degree of influence over the ethics of the business they operate. Issue of ethics can be one of personal identity, accepting that participants in <i>"the course of giving such accounts of actions and events as constituting ethical problems or dilemmas that subjects reflexively construct their own identities as competent, ethical, professional practitioners"</i> (Banks and Williams , 2005, p.1009).</p> <p>In literature on ethics generally is an assumption that there is a clear distinction between the individual and the business (Nash, 1981) and between the individual and the work role (Pinnington, Macklin and Campbell, 2007) and Winstanley and Woodall (2000). This assumption is explored in the context of independent practice in this study, and notions of self and non work self and congruence are examined.</p> <p>Explored as is of key interest as to how and why challenges experienced in particular ways and whether and how being in independent practice can affect this.</p>
Hierarchy of goodness in relation to a corporation	<p>Nash (1981 sets out the notion of a practical level of business ethics for a corporation. Whilst her practical approach is welcomed, her hierarchy raises questions for independent practitioners with regard to the level they wish to operate at.</p>
Ethical challenges	<p>Banks and Williams (2005) introduce hierarchy of challenge, moving from choices described as issues, problems and dilemmas. In the rest of the literature, the emphasis is predominantly on dilemmas, whether in normative <i>"expert"</i> texts (Block, 2000) or in situational <i>"process"</i> texts (Kakabadse, Louchart and Kakabadse, 2006 and Harrison, 1995).</p> <p>Interestingly, most writers adopt an attitude of dilemma reflecting an unwelcome difficulty. Dilemmas defined as choice between right and wrong (Kallman and Grillo, 1996) or choice between two <i>"unwelcome"</i> (Banks and Williams, 2005, p.1006) or <i>"unappealing"</i> alternatives (Von Post, 1996, p.248). Exception to this is Harrison, 1995, who welcomes choice as an opportunity to avoid <i>"rigidity masquerading as integrity"</i> when <i>"facing dilemmas for which there are no perfect resolutions"</i> (Harrison, 1995, p.17).</p> <p>Study chooses to use the word <i>"challenge"</i> to avoid positive/negative connotations as far as possible, but language used by participants is examined with regard to the hierarchy of choice and expressions of attitudes towards challenge.</p>
Help and guidance in dealing with challenges (with an emphasis on legislation, the role of professional	<p>Accepting the role of agency and the wide range on influence in making ethical decisions, is a focus in this study on sources of guidance for independent practitioners. Of particular interest is what practitioners describe they use as guidance, given that they do not have corporate resources to draw upon. Again, examining the guidance the participants describe informs the study with regard to the findings and recommendations.</p> <p>The hypothesis at the start of studying was that rules (set out in codes) would possibly be the main recourse for practitioners. What is apparent in the literature is that these codes have limitations and that a wider variety of resources is needed.</p>

Idea	Exploration
bodies and guidelines, personal codes, networking, supervision and mentoring, experience and reflection)	Sources of guidance are examined with regard to those appealing to the deontologically biased and then other resources also explored. Has parallels with looking first at the “ <i>expert</i> ” notions in the literature and then at the “ <i>process</i> ” dimensions as referred to above (Christensen and Klyver, 2006).
Methodologies	Ideas from other studies into ethical dilemmas are examined and comparison made with other methods suggested in the literature to test and refine the methods used in this study. The detail of specifics such as sample size, sample cohort, semi structured interviews, focus on critical incident, interview content and data theming and analysis are detailed within the study.

Summary of key ideas taken from the literature review and explored in the study prepared by the author (table 9)

2.11 SUMMARY OF WHERE THIS STUDY FITS WITHIN THE LITERATURE

The literature review highlights that, whilst there has been a proliferation of writing about business ethics, little of this has been empirical or with a focus on professional practice. Where the writing focuses on deontological / teleological or other theoretical debate, this often fails the practitioner as it is of little pragmatic assistance.

Furthermore, with specific regard to HR, little of the writing about business ethics has addressed ethically difficult situations in HR practice. This has started to be addressed in recent years as much needed debate.

With regards to the treatment of ethics in consultancy practice, there is a significant body of normative literature, with examples of possible challenges and appropriate prescriptions for ethical behaviour. Again, only recently have debates started in management consultancy which move away from “*traditional business discourse*” (O’Mahoney, 2010, p.260).

The move is towards being “*more reflexive in understanding consultancy from a multitude of different perspectives not just that which focuses on improving profit or maximising profits*” (O’Mahoney, 2010 p.260), which is also where the limited literature on independent practice focuses.

This move is also observed in literature around HR practice and this study draws upon material from both traditional and more modern discourses in exploring ethical challenges.

The literature review in this research identifies a gap in the empirical studies in this field and this thesis can start to address this gap.

One further point, as noted by Kakabadse, Louchart and Kakabadse (2006), is that whilst there has been much research on business consultancy, there has been little written on the subject from the standpoint of the consultant. This thesis is based on the discourse of HR consultants and the practitioner researcher is also an HR consultant.

The study also illustrates the use of practitioner research. As already noted, one of the key differences between this study and all of the other studies examined around ethics is the management of practitioner researcher data throughout the study whilst the practitioner researcher is engaged with "*capable peers*" (Vygotsky, 1978, p.86) and the study is informed by the knowledge and experience of other stakeholders (Ven, 2007). The practitioner researcher is also part of developing reflective, evaluative and engaged study in HR consultancy to inform future practice.

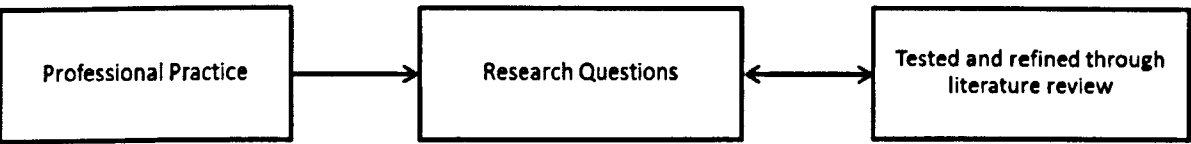
The study now moves on to look at the methodology particular to this research, drawing on the information yielded by the comparative studies included in this review, the themes highlighted in the review and the specific literature around methods as introduced in this chapter.

CHAPTER THREE: METHODOLOGY

This chapter sets out the methodology of the study, which was determined by research questions which emerged from professional practice and are influenced by the research being classified as practitioner research. The chapter sets out how this has driven the research strategy and methods, including data collection, data analysis and presentation. There is also consideration of the ethical considerations of these methods and as the study was carried out in two stages, this chapter sets out how anticipated and unanticipated constraints were reviewed at the end of stage one to plan for changes in stage two. Any final limitations of the methodology of the study after the completion of stage two are addressed in chapter five.

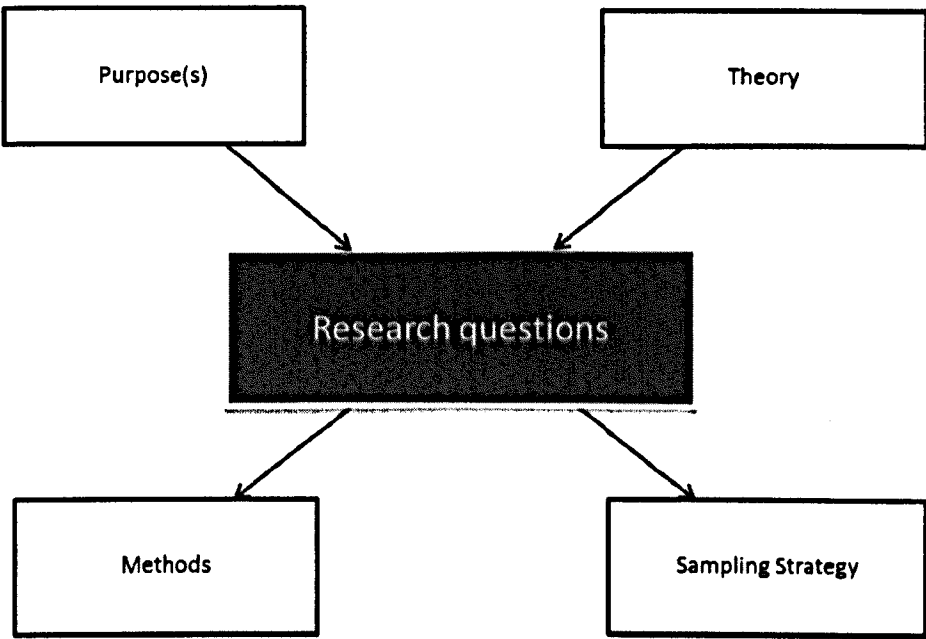
3.1 INTRODUCTION

As stated in the introduction the research questions emerged from practice as the figure below illustrates.



Model of the emerging research question prepared by the author (figure 4)

Robson (2002) sets out a framework for research design based on the research questions:



Framework for research design based on Robson (2002, p82) (figure 5)

Whilst the Robson model does not set out the emergence of the research question as directly experienced by the practitioner researcher, it nevertheless puts the research questions at the heart of the study. The purpose of this study is to explore a significant area for professional practice: how independent HR consultants respond to ethically challenging situations. As set out in the introduction to the thesis, the study specifically addresses the following questions to achieve this purpose:

- i. What kinds of ethically challenging situations face independent HR consultants?
- ii. How are consultants resolving these situations?
- iii. What explanations around ethical themes are identified in the study?
- iv. How could independent HR consultants resolving ethically challenging situations be helped?

Following the Robson model and drawing on the literature and theory of research, these questions drive the choice of research methods. In this study, this includes the detail of the classification of research, the methodological approach, the research strategy, methods, design, data collection, data collation, analysis and presentation and the ethics and constraints around the study. These are addressed in turn in rest of this chapter.

3.2 CLASSIFICATION OF RESEARCH

This research is “*practitioner research*” in that it is carried out by “*someone who holds a job in a particular area and is, at the same time, involved in carrying out systematic enquiry which is of relevance to the job*” (Robson, 2002, p.534).

The research exhibits a number of key characteristics of ‘*real world research*’ Robson (2002) has identified. Whilst the emphasis is not on problem solving as such, the research looks at issues not previously addressed and for which conclusions and recommendations relevant to the field can be developed (Robson, 2002, p.12).

There have been no similar published studies in this field in HR consultancy. Research in the subject area has been done in different disciplines (nursing, psychology and social work studies as highlighted in the literature review). Within these studies, the authors have not expressly positioned themselves as practitioner researchers or subjected themselves to scrutiny.

The results will contribute to a new understanding of ethical issues in independent HR consultancy practice with proposals for improving professional practice. Drake and Heath (2010, p.17) argue that *"insider researchers will engage with new knowledge at all stages of the project, from conceptualisation through methodology, methods and empirical work to writing the thesis"*.

In continuing this argument, they also draw on the Aristotelian concept of practical wisdom, not relating it to ethics as Melé (2010), but rather in the description of the practitioner researcher as integrating *"professional and technical knowledge with academic or analytical knowledge"* (Drake and Heath, 2010, p.18). Thus the theme of practical wisdom runs through the subject under scrutiny and the methods employed in that scrutiny.

The knowledge production is not limitless. Robson (2002, p.59) describes four classifications of the purposes of enquiry: exploratory, descriptive, explanatory and emancipatory. This research is exploratory in that it is research which (following Robson, 2002):

- i. Finds out what is happening
- ii. Seeks new insights
- iii. Asks questions
- iv. Assesses the phenomena
- v. Generates ideas and hypotheses for future work
- vi. Is nearly always flexible in design

Adding to Robson (2002), the study also articulates the problem in current practice experienced by the practitioner researcher and explores the issues in personal practice and amongst peers in a broader community. The research involves subjecting the practitioner self to scrutiny, drawing on reflections of critical incidents from the advanced practitioner skills portfolio in this thesis as appropriate.

3.3 METHODOLOGICAL APPROACH

Van de Ven (2007) highlights that researchers need to be informed by the knowledge and experience of other stakeholders. The research of engaged scholars also makes a contribution to practice. The stakeholders can include scholars from different disciplines, practitioners with different functional experiences, researchers, users and other potential users and sponsors. This study is designed to engage with stakeholders through primary and secondary data collection. The primary data is research collected directly by the

practitioner researcher and secondary data involves sourcing information in literature reviews and analysing data others have collected.

The research is inductive in so far as this indicates that there was an approach which is generalising from a set of particulars. There is a working assumption that there are essences of shared experience that the research would find and that these findings would be general in that *"the knowledge has applicability beyond the situation in which it was obtained"*. (Giorgi, 1997, p.250). Continuing with Giorgi, *"whilst universalisation is the highest form of generalisation, it is not demanded of all inquiry"*. In this study, it is intended that *"moderatum generalisations"* will be made, in that they will be moderately made and moderately held (Payne & Williams, 2005, p.296).

Similarly, whilst the work is phenomenological in approach, in that it is *"research which aims at description, analysis and understanding of experiences,"* it does not seek to produce outcomes which *"represent the full range of possible ways of experiencing the phenomenon in question"* (Marton, 1981, p.180).

The practitioner researcher operates from an interpretivist paradigm. Bowie and Werhane (2004), in writing generally on management ethics, refer to:

the idea of moral imagination originates from the very simple but controversial contention that human beings deal with the world through, and only through, socially constructed mindsets or mental models (Bowie and Werhane, 2004, p.118).

This study examines the socially constructed mindsets of the practitioner researcher and her peer group.

It takes as a starting point the data gathered from the peer group and is therefore similar in perspective to Bamford's (2008) study on change management. Drawing on Glaser, Barney and Strauss (1967), Bamford defines his strategy as inductive and as a:

methodology that allows the researcher to develop theoretical accounts of the 'general features' of a topic while at the same time, grounding the account in empirical observations and evidence (Bamford, 2008, p.112).

but is constructed from the position that:

the methodology...integrates data-gathering activity with constructing a text for it to live in is a very relativist position to take, leading to a position of research in relation

to practice, academically compromised by significant power relations, but compensated for by professional processes and insights arising out of the process of investigation and reflexion (Drake & Heath, 2010, p.45).

Van de Ven (2007, p.74) highlights a concern of the researcher in that *“even when problems are grounded in reality, their diagnosis or resolution may not lead to creative theory that advances the understanding of the phenomenon or problem”*.

Van de Ven continues (2007, p.74), drawing on Bruner, (1973) defining a theory or model as a *“generic representation of the critical characteristics of a phenomenon”*. It is in this sense, this research produces a model so that the study has *“applicability beyond the situation in which it is observed”* (Van de Ven 2007, p.74). The thesis has *“applicability”* as it will provide a categorising framework for describing the phenomenon observed.

3.4 RESEARCH STRATEGY

The research involves carrying out a number of semi-structured interviews and, through content analysis, observing any identifiable themes. Lee (2007, p.24) describes this approach as phenomenological in that the research question *“messily and slowly emerges from primary (empirical) and secondary (literature) data as the real “research” (the making sense of the area) is conducted”*.

This approach emphasises the emerging and inductive nature of the work undertaken. With the interviews transcribed, the first task of the practitioner researcher is to look at the descriptions and the narratives given by the interviewees; the second to look at interpreting the data through analysis and in the light of literature reviews; and the third to try to then make sense of the data.

As stated in the introduction, the study seeks to produce worthwhile and transferable data (Krueger and Casey, 2000, p.203) and to enable any future reader to determine the degree of transferability by setting out the procedures, methods and analysis strategies as part of the research thesis. Separately, the practitioner researcher's own experiences are described as part of authenticating the transferability of the data.

3.5 RESEARCH METHODS

The methods adopted at all stages of the research, from design, data collection, data collation, data analysis and data presentation all follow in this section.

Whilst the methods have been informed by the literature review (which included identifying similar studies in different professional fields), the practitioner researcher has worked alone, drawing on previous work experience in designing and managing the study. Third parties have been engaged to assist in data collation and presentation (the transcribing of recorded interviews and production of charts).

3.5.1 Study design

The study was constructed from the outset as a two stage study.

Stage one involved a preliminary study with a sample of 11 practitioners to establish the nature of the phenomenon, the issues faced and how they were handled. Stage two builds on this work, engaging with a further nine practitioners. Stage two also further explores the initial themes identified, extending the preliminary findings, and also engages with a broader community of practice to inform the recommendations and involves providing feedback to the participants.

Built into the study design was a review at the end of stage one. The main reason for designing the study in two stages was to use the first stage to see if the subject area was of broad and general interest rather than being based solely on the practitioner researcher's own experience. The practitioner researcher wanted to determine whether other practitioners had experience of similar challenges. The study design also provided the opportunity to review methods used, and where adjustments were made with data collection and data analysis methods, these are referred to as follows. To this extent the research was flexible (Robson, 2002, p.478).

3.5.2 Data collection

Details relating to sample group, consideration of alternative methods of primary data collection, interviews, further data collection and timescale are set out below.

a) Sample Group

Vygotsky (1978, p.86) refers to learning “*under adult guidance or in collaboration with more capable peers.*” This study seeks to record and explain what “*capable peers*” are doing in practice and the sample group was from peers in a “*community of practice*” (Wenger, 1999). The study focuses primarily on coherent description, and this structure allowed for narrative collection from which to explore meaning.

A purposive, non-probabilistic sample group of 11 practitioners was identified for stage one, with a further nine targeted for stage two. Potential participants were determined from the practitioner researcher’s own network and consultants working through Businesslink. The practitioners were predominantly sole traders, with a minority working in consultancies of up to ten people. All of those contacted bar one were able to participate in the interviews.

Robson (2002, p.165) states that in data collection, typically 20-30 interviews are needed to saturate categories. Kakabadse, Louchart and Kakabadse (2006) found data saturation after 17 interviews with business consultants. After the first 11 interviews in stage one, it was clear that saturation had not been reached as new detail continued to emerge. In the nine interviews in stage two, there was less new detail emerging, but supporting data and new examples were given which helped to consolidate or reframe the earlier scripts. This could not be seen as complete saturation, as no new themes emerged in interviews between ten and 18 for example, but interview 20 did point to a new area to be explored. To this extent, full saturation could not be said to have been achieved.

b) Consideration of Alternative Methods of Primary Data Collection

Other methods of data gathering were considered and rejected at the planning stage. The first consideration was to send out questionnaires to a sample group, but the nature of the subject potentially did not lend itself to disclosure on paper. In addition, it was felt that this may feel more burdensome to participants, who would less readily engage in the process.

Consideration was also given as to whether to use focus groups rather than interviews. The advantage here would have been that it could have possibly been less time consuming than carrying out individual interviews, but there were difficulties anticipated which caused this method to be rejected at this stage. The main problem envisaged was that it would be potentially difficult to bring together a group with different HR backgrounds who were needed as part of the research and then to ask them to talk about their ethical issues. It was felt that in a group situation, participants may not wish to talk about their work practices in a sensitive area with people they possibly did not know.

One other point in these deliberations was the experience of the practitioner researcher. What had been observed when asking about the area of study in a group setting, was that everybody had something to contribute, but that a wide variety of issues were raised. At this stage, the practitioner researcher did not feel comfortable in trying to capture the breadth and depth of debate whilst managing a focus group.

In addition to considered different ways of engaging with practitioners, different interview content was also considered. One possible approach, which had been used in other professions such as teaching (Cline and Holifield, 2000), was to research scenarios and to then ask participants for decisions and reactions. Given that the aim of the study was to explore issues that participants felt were directly relevant to their experience, this line of questioning was rejected for this particular study.

c) Interviews

A pilot interview was carried out before the planned, recorded interviews took place with HR consultants (considerations that related to the participant group are set out later in the chapter). A further ten interviews were completed in stage one and then a further nine in stage two. The questionnaire was slightly refined after the pilot. The pre interview briefing and final questionnaire are included at Appendices 1 and 2.

All of the interviews were an attempt to "*gather descriptions of the life-world of the interviewee, with respect to the interpretation of the meaning of the described phenomena*" (Kvale, 1996, p.174). To achieve this, they were planned to have the characteristics he describes, in that they have a low level of structure imposed by the interviewer, a dominance of open questions and a focus on specific situations and action sequences in the context of the interviewee.

The interviews are "*episodic*" in structure (Flick, 2000) and combine:

invitations to recount concrete events (that are relevant to the issue under study) with more general questions aiming at more general answers (such as definitions, augmentation and so on) of topical relevance (Flick, 2000, p.77).

Flick (2000, pp.85-88) distinguishes episodic interviews from critical incident interviews, focused interviews and narrative interviews whilst acknowledging that the episodic interview builds on these other techniques. The semantic distinctions Flick makes above are arguably a reworking of the critical incident interview, but his emphasis on the "*everyday*" aspect of

the episodic resonates with the subject of ethical challenges in practice, as does his emphasis on the small scale situations.

The episodic allows for greater exploration of subjective meanings and aims more “*at contextualising experiences and events from the interviewee’s point of view*” (Flick, 2000, p.86). It also allows for all ethical considerations to be raised, however small, and for interviewees to be “*orientated towards small scale situation based narratives*” (Flick, 2000, p.99).

One of Flick’s key constructs around the episodic interview is to establish the interviewees’ semantic knowledge of a term. In order to explore this, rather than ask interviewees directly what they understood by ethics, they were asked whether they had thought explicitly before about ethics in relation to work. This was then followed up by further questioning which generated data illustrating how the term is being understood and used in a professional setting.

Detail as to how these interviews were managed in practice is referred to in the constraints section later in this chapter. In essence though, whilst the interviews were planned to be semi-structured as follows in having a dominance of open ended questions and a focus on specific situations, the first few interviews were more structured than semi- structured, with the practitioner researcher following a rigid script and not following up with probing questions around the specific episodes related. This was then rectified in the remaining interviews.

d) Further Data Collection

As already noted, Van de Ven (2007) asserts the need to engage with other stakeholders to inform the research. The literature review highlights studies of ethically challenging situations faced by practitioners in professions with a duty of care. The practitioner researcher engaged in email correspondence with one of these researchers (a fellow alumna of Durham University) to inform the questionnaire and used published material on other studies as identified in the literature review in considering methods of data collection and also in making sense of the data gathered.

Additional data was also considered essential in informing the findings and additional material on practice was requested from larger consultancy firms (including Pricewaterhouse Coopers and Deloitte Touche Tohmatsu). Other bodies for professional consultants were also contacted for example, the IBC and the CIPD.

e) Timescale

The pilot interview was conducted at the end of August 2009. Stage one recorded interviews started in September 2009 and were completed by the end of October 2009. Stage two interviews were carried out in November and December 2010. The recordings were sent for immediate transcription by a third party and, once returned, were checked.

The interviewing timetable in stage one had been planned to ensure that those being interviewed would have been exposed similarly to public debates around ethics and business in the media. During the interviews in both stages, it emerged that the great majority of participants believed that media debate had not influenced their thinking but this could not have been known at the outset.

3.5.3 Data analysis

Detail with regard to data type, theming, individual script analysis and validation is set out as follows.

a) Data type

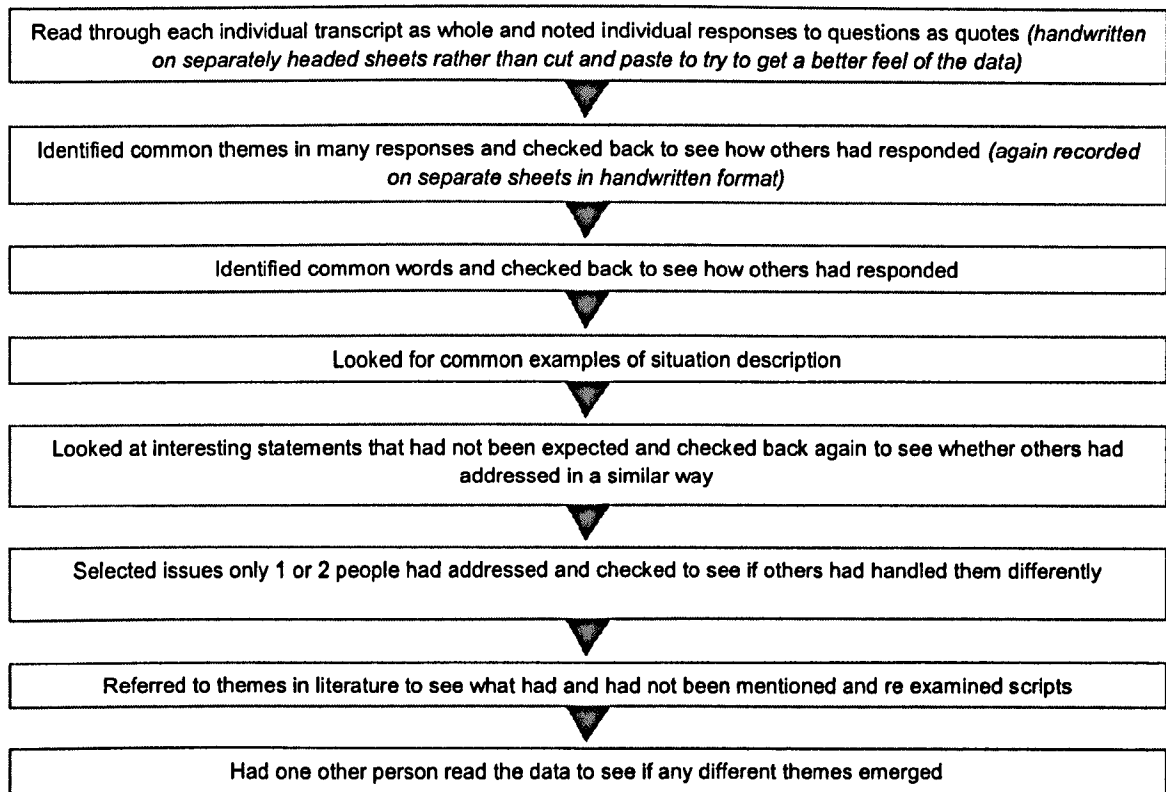
Continuing with Flick (2000), it was anticipated at the proposal stage that the following types of data would emerge: situation narratives, re-episodes, examples, subjective definitions and argumentative-theoretical statements. All of these data types emerge.

b) Theming

The next task was to theme the data findings. Whilst a number of themes emerged from the early transcripts, and to this extent, the stage two data was pre themed, it was felt necessary to subject all of the data to a re-analysis in the light of stage two data collection. The following flow charts illustrate the theming processes involved in both stages.

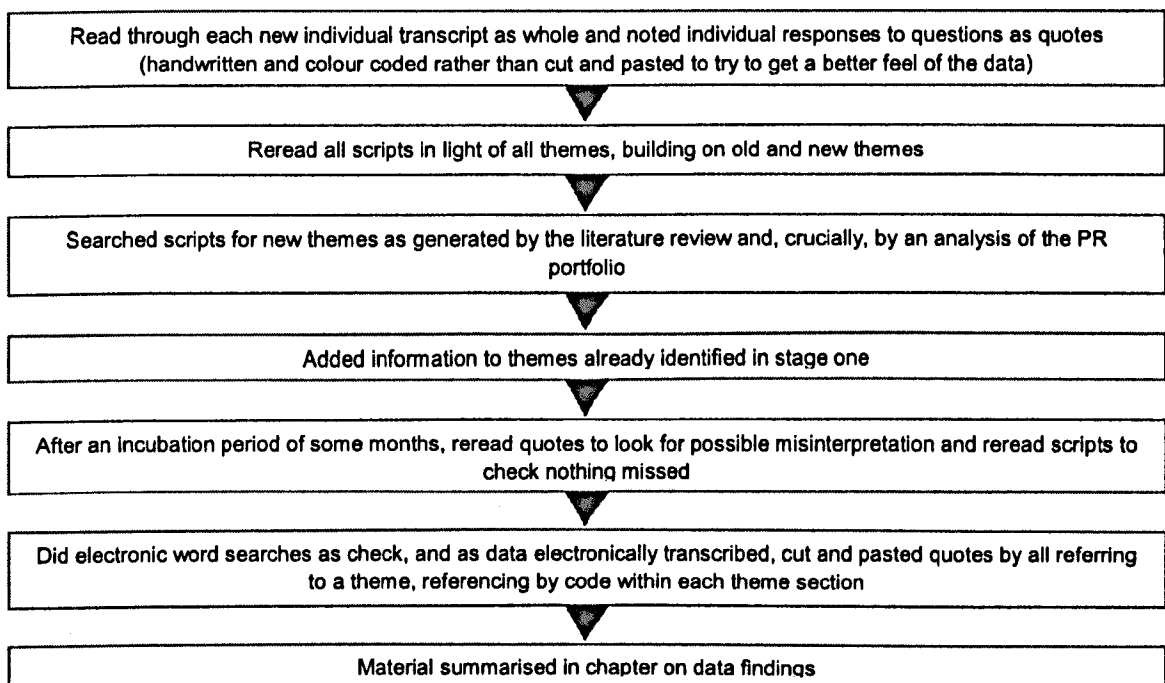
to subject all of the data to a re-analysis in the light of stage two data collection. The following flow charts illustrate the theming processes involved in both stages.

Stage one



Flow chart illustrating how data was collated into themes stage one prepared by the author (figure 6)

Stage Two



Flow Chart illustrating how data was collated into themes stage two prepared by the author (figure 7)

c) Individual script analysis

There was a potential danger in focusing too heavily on themes mentioned by a number of participants, to the possible exclusion of interesting individual points. Anderson (2008) describes the business positives and negatives of constantly applying the 80/20 rule or Pareto principle, where businesses are encouraged to spend 80% of their time on the most profitable 20% of the business. He proposes a shift in attention, ensuring that the remaining 80% is not disregarded but also receives due scrutiny. A similar shifting of attention was useful in studying the data, to ensure that valuable individual points, such as ideas around personal codes of practice and tendering, were not missed.

The data was analysed in a number of different ways including word repetitions, looking at metaphors, comparing and contrasting and searching for missing information (Miles & Huberman, 1994, pp.245–246). Individual word searches included “common sense”, “pragmatic”, “contract”, “expenses”, “billing”, “transparency”, “honesty”, “integrity”, “fair”, “word of mouth”, “referral”, “law”, “legislation”, “influence”, “supervision”, “networking”, “mentoring”, “Christian”, “faith”, “boundaries”, “others” and “treatment”.

d) Validation

The data was validated initially by the practitioner researcher’s own experience. Continuing with Miles and Huberman (1994, p.245), the practitioner researcher sought “*plausibility*”, asking whether the “*trends, patterns and conclusions made sense*”.

Throughout the study, the data was compared and contrasted with the literature, and external validation involved reporting findings to those engaged in stage one and stage two. This was done in written format and is attached at Appendix 3.

3.5.4 Data presentation

Robson (2002, p.488) refers to a number of techniques to improve visual representation, including maps and flowcharts, together with tables to compare and contrast data.

For this study, all of the above are used. Whilst they are referred to in this section and used also in chapter four, it should be noted that the purpose of such was to both make sense of the data for the practitioner researcher and also to help convey key elements of the study for the reader.

3.6 ETHICS

The study seeks to examine what is happening in professional practice. To do this, it is necessary to engage with a dialogue with others in practice, and to do so with boundaries and controls in place to manage the dialogue and an analysis of the findings.

To achieve this, a number of factors were built into the study design, with the practitioner researcher mindful of the increase of professional networking sites and possibilities that participants from the sample group could be identified as part of a network. The data has been presented very deliberately to ensure that there is no possibility of tracking any one participant's comments, and measures taken include:

- i. The size and scope of the sample group was considered to preserve anonymity
- ii. The questionnaire was checked against that used in a similar study in social work
- iii. Leading questions were avoided
- iv. The questionnaire was piloted
- v. Answers to any potentially difficult issues were scripted to avoid different responses being given by the practitioner researcher
- vi. The data was recorded
- vii. The data was coded
- viii. Throughout the study, codes only were only used in drafts and removed in the final versions
- ix. Only the practitioner researcher has the coding list and this is not included in this document
- x. Participant quotes have been changed out of chronological sequence in this document
- xi. Participants were given an information sheet prior to the interview
- xii. Just before the interview, key points were repeated
- xiii. Participants were advised that they could withdraw at any stage of the project
- xiv. Findings were sent to the sample group before the study was finalised

Other measures were also taken to protect confidentiality, anonymity and compliance with the Data Protection Act:

- i. All interview data is stored securely by the practitioner researcher. Manual records are locked and electronic data is encrypted and stored on a 3rd party back up provider. Additionally, where a further 3rd party was engaged for interview

transcribing, they operate under a specific policy vetted by the practitioner researcher.

- ii. All interview data and coding information will be destroyed post the acceptance of the thesis. Archived records held by those involved in the research will be destroyed after 12 months or earlier if requested.
- iii. Additionally, fellow students are aware of the study and they have been advised that any matters discussed as part of the study progress and development are to remain confidential. The practitioner researcher operates on the understanding that those at the university are covered by appropriate codes of practice and ethics. It has been explicitly requested that no material relating to the study is circulated without consent.
- iv. Where data is stored on electronic sites such as "googledocs" for the supervision group to access, the access and control features have been assigned within the supervision group only.

Furthermore, given the content of the study, the practitioner researcher's own understanding and experience of ethics and ethical challenges is a subject for research. Key questions asked at every stage of the study design have been "how would I react to being asked this or being asked to do this?" and "are my requests and questions fair and reasonable?"

There has also been considerable reading in preparation for the study and the advanced practitioner skills portfolio as to what is ethical, and this has also informed the design. As part of this, the practitioner researcher drafted a working model illustrating the nature of personal ethics in practice. Some of the questions in this model were used to question the later stages of the study, particularly the check back with participants.

The main anticipated consequence of the study design was that in the interview process, interviewees bring up matters for discussion that they wish the practitioner researcher to advise on or to judge. It was made clear that this sat outside the context of the study.

It was also considered possible, although extremely unlikely, that situations would be revealed which could potentially be in breach the CIPD's code of conduct. The practitioner researcher determined at the outset to seek supervision in these instances and refer to legislation on whistle-blowing.

For the subject of the research, considerable reading on the subject of ethics was undertaken. Whilst this is covered extensively in the literature review chapter, it is interesting that the reading yielded little of explicit practical assistance in the planning of the study. There are three significant areas where the literature review did influence the methods:

- a) Kakabadse, Louchart and Kakabadse (2006, p.448) directly considered ethics as part of their study design and highlight that “*ethical behaviour goes further than simply assuring the confidentiality of the data and involves a mutual understanding of the reasons and the expected outcomes driving the research project*”. In reflecting on this and in order to help achieve a mutual understanding with participants in this study, scripted information before agreement to interview was sent and scripted introductions were also used, repeating key information. The practitioner researcher was honest at the outset about not knowing whether the research would reach a wider audience than those involved with supervision group. Participants were offered reassurance that they would be sent a summary of preliminary findings to see how the data was interpreted and that they would be advised if the study was to be published to a wider audience than the university.

The summary of preliminary findings which was sent to participants was not just a copy of their interview transcripts but information from the data findings chapter, in order that the participants could see how their information was being presented. These reported findings were sent to those engaged in stage one and stage two. This was done in written format and is attached at Appendix 3.

- b) The literature review also involved examining, as with Kakabadse, Louchart and Kakabadse (2006), examples of how others had constructed their studies. Throughout, there was a comparative evaluation of methods, which helped the practitioner researcher think through each aspect of purpose and design. One clear example was the reading of Tichy's (1974) study for the purposes of understanding the incongruencies shown in the espoused and practised positions of organisational development change agents.

Tichy explains (1974, pp.167-168) in some detail the scope of his work (exploratory) and the reasons for this, including no representative sample and the need to resolve some “*methodological and theoretical issues... intuitively*”. This directly influenced the reasoning in selecting the initial sample group “*to include a broad spectrum of responses*” (Tichy, 1974, p.168) and after stage one, where it had been identified that one category of HR work (recruitment) had been unintentionally omitted, this was then remedied in the second part of the study to keep the sample group as broad as possible. It is impossible to identify in every way the influence reading a number of studies has in determining one's design and methodologies, but it can be recognised

that carrying out a literature review on a research topic, which then includes the reading of other research projects, must have both a known and unknown impact.

- c) Finally, the literature review on the subject of ethics forced the practitioner researcher to question the motives determining the content and design of the study. At the early stages of considering the various subjects for research for example, the practitioner researcher was advised by a colleague that the subject was less important than being able to demonstrate that they could undertake research. Whilst this was helpful, other criteria for research included the ability to generate a high energy level with those discussing the subject, and also an unstated notion that the research would somehow contribute towards a “greater good”.

The reading on the subject of ethics provides the practitioner researcher with the vocabulary and understanding to be able to articulate this as “*practical wisdom*” (Melé, 2010, p.642). Melé continues, describing how “*practical wisdom introduces ethics in decision making by considering the end or goal pursued and the means to achieve such an end from the perspective of human good*”.

Although Melé argues that ethics is an intrinsic part of decision making and managerial processes, by identifying and articulating the ethical dimension, evaluation then becomes easier.

Finally, it is worth noting that ethical approval was granted through the University processes at the proposal stage and the practitioner researcher remained vigilant throughout the study as to these considerations.

3.7 CONSIDERATIONS FOR STAGES ONE AND TWO

With the planning for stage one, a number of potential constraints were identified. Attention was focused on how questions and assumptions could be challenged around the gathering and the analysis of the interview data. The following constraints were considered at the proposal stage and are included here before looking at unanticipated problems and an analysis as to how all of these were dealt with in practice, and whether further changes were needed for stage two.

3.7.1 Constraints considered at stage one planning

The first anticipated constraints related to the skills of the practitioner researcher. Robson (2002, p.12) highlights a characteristic of real world research as being the need for the researcher to have well developed social skills. He details the general skills needed by flexible design investigators and a number of the solutions he proposes are included as they were considered.

Further constraints related to the participant group. Where participants were known to the practitioner researcher, it was felt that this could affect the interview responses. To help mitigate this, a standard questionnaire was used. Where participants were not known, there were possible difficulties with securing a response rate. For this reason, three target groups were identified.

It was also expected that for some of the participants, the subject matter may not be an area they had actively considered before the interview session. It was thought that there would be further thinking after the meeting and in order to capture this information, one follow-up telephone conversation with each participant was requested at the end of each interview.

Once the participants had been identified, there were possibly going to be problems with what was understood by ethical considerations. It was anticipated that this would be a commonly asked question. In order not to lead answers, a broad standard definition was written into the questionnaire to be used only as necessary. It was to be made clear that this standard response should not limit or constrain their responses.

At the proposal stage, one working assumption was that most of the examples given would focus on consultant interventions where there had been some conflict. It was possible though that the interviewees would describe ethical policy drafting or implementation, and there was a link question scripted to bring them back to the focus on challenges. Similarly, the participants may have chosen to disclose situations where they had been treated in an unfair manner, and again the script provided one standard response to regain focus.

It was also acknowledged from the outset that, as with Banks and Williams' study (2005, pp.1005-1006), which is a "*preliminary exploration of social welfare practitioners' accounts of ethically difficult situations*", the accounts would not exhibit "*the exactitude of textbook cases in their specification of the nature of moral judgments and evaluations*". The Banks' and Williams' research was carried out accepting that the accounts would be both "*retrospective*" and "*situated*," in that "*their formulation is at least partly determined by the situation of their*

production", namely an interview (Banks and Williams, 2005, p.1007). The issues of the interview have been dealt with above, but as the accounts were retrospective, this could cause questions around accuracy and justification against outcome.

Three final constraints were identified with interview construction. The first was that the interview had been constructed to focus on practical matters. Whilst it may highlight, as stated in its purpose, personal "*theories in use*" (Argyris and Schön, 1974), it was not seeking to enter into a philosophical debate as to ethical theories. If this had been initiated, for example, the teleological/deontological debates around "*actions based on intended consequences*," or should the "*beliefs in universal moral principles*", (Poulsen, 1997, p.65), the information would have been captured, and there was to be a response to move back to practical examples and incidents built into the interview questionnaire.

Secondly, the research was necessarily limited in that it can only draw conclusions on the espoused positions of participants (Argyris and Schön, 1974). As the participants were not observed in the workplace or any form of corroborating evidence from third parties was obtained, assumptions are made that the narrators are reliable and that all espoused positions be considered.

Finally, the study does not seek to provide a defence or justification for consultancy. Whilst studies may vary as to the current reputation of the work of consultants, the fact that there is cause to comment indicates the concerns remain. As already described in the literature review, Block (2000, p.139) refers to a "*shadow*" caused by "*the world's organisation about whether consulting really brings the value it promises*".

The plan was to record comments on standing or reputation of consultants generally and to identify any themes, but the questions were not focused on this aspect, nor was this used as a leading question in order to avoid defensive reactions or attempts to engage in discussion.

In addition to constraints dealing with sample and interview gathering, there were also potential issues around analysis. Firstly, as noted by Krueger and Casey (2000, p.129), there can be "*a tendency to selectively see or hear only those comments that confirm a particular point of view and to avoid dealing with information that causes us dissonance*".

They continue, asking whether the analyst can:

step outside of their personal experience and express ideas from the vantage of others?" Are they sufficiently secure with their own feelings to allow and even encourage others to offer divergent views? (Krueger and Casey, 2000, p.139).

At the planning stage, these constraints were highlighted and recorded as a challenge throughout stage one. Other unanticipated issues emerged in stage one and these are now recorded before the analysis as to how all of these constraints and issues were dealt with in practice with proposed changes for stage two.

3.7.2 How unanticipated problems were dealt with in stage one

A number of constraints had been anticipated with the overall methodology at the planning stage as set out above. In carrying out the research, additional problems arose at the data collection stage in stage one which had not been anticipated. These included a lack of control as to specialisms within consultancy practice, difficulties with arranging face to face interviews and keeping to a standard script and transcribing interviews.

a) Lack of control as to specialisms within consultancy practice

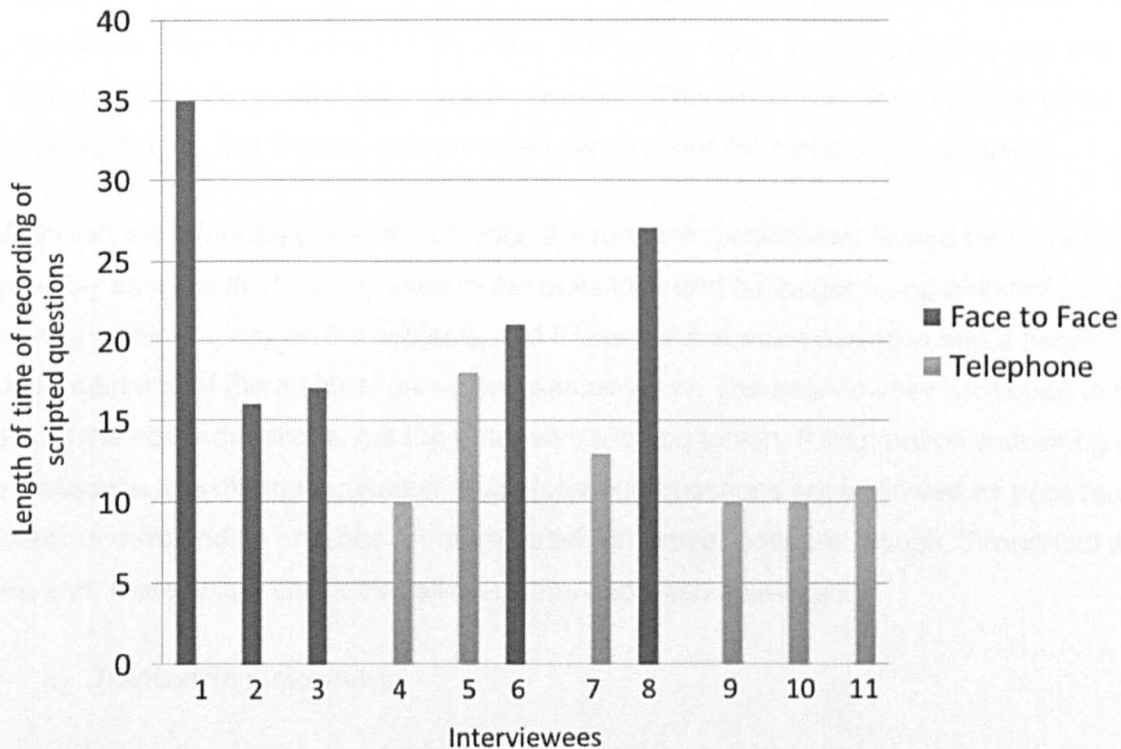
The participant group had been asked to describe the nature of their consultancy work, or the majority of their consultancy work, on the basis that most consultants have a particular emphasis, but may also get asked to work using other skills and areas of knowledge. The results indicated that a broad range of HR skills had been captured, but there was a clear emphasis on generalist and OD work and no participant had search or recruitment as a core area.

b) Arranging face to face interviews

At the planning of stage one, it had been decided that where the interviewee was not already known, the interview should be conducted face to face. Where the interviewee was already known, it was felt preferable to conduct it face to face, but it could be done over the phone if impossible to manage any other way. In stage one, however, only three interviewees were not previously known and the decision as to how to conduct the interview was made on interviewee and interviewer practical arrangements.

In analysing the data though, it became apparent that timings for discussion for all face to face meetings were longer than the phone conversations. The timings relate to the initial

recording time whilst the script was being used, and it can be seen that the average length of time for face to face interviews was 21 minutes (excluding the pilot that was manually rather than digitally recorded) and for the phone interviews was 12 minutes. What was perhaps not surprising was that occasionally in the face to face interviews, conversation continued after the recorder had been switched off. This averaged an additional six minutes, and whilst those interviewed face to face gave permission for this information to be included, in one case there was a request to turn the recorder back on. The continuing dialogue only happened in one of the phone conversations.



Bar Chart Illustrating Time Ranges of Different Interviews prepared by the author (figure 8)

N.B. The first interview reflects that it was not digitally recorded but written notes were taken

In assessing the impact on the data captured at the end of stage one, it was observed that whether conducted face to face or by phone, the full range of questions was covered, and rich data was sourced, regardless of method. It was also noted that in two cases, the face to face interviews may have been longer as they included people not known to the practitioner researcher prior to the research.

c) Keeping to a standard script

At the outset, there had been a strong determination to keep to the script and to go through the questions systematically, allowing the questions based on Flick's (2000) structure to

probe more deeply into respondents' descriptions. This led to a rather rigid format and on reading the first three transcripts, it was felt that some areas were not followed up in as much detail as possible.

At this point, there was a clear choice to be made between allowing a more natural conversation to take place and areas to be explored in more detail. Studies by Von Post (1996) and Banks (2005) were referred to, as they had both explored ethical dilemmas in different fields (nursing and social work respectively). Von Post (1996, p.238) refers to an *"unstructured self-report by a questionnaire"* and Banks, in an unpublished email to the practitioner researcher, refers to her interviews being *"open ended"* and says that she had *"an extended conversation with the interviewees"*. This detail had been missed during the planning stages, but proved crucial in then carrying out the remaining interviews.

Whilst all the interviews yielded rich data, the remaining interviews flowed better (also possibly as a result of getting used to the questions and no longer being afraid of people having nothing to say on the subject), and it was felt that more narrative and a better understanding of the material presented was possible. The interviewees continued to be asked the same questions, but the order was allowed to vary if information was being given in response to a different question. Also, follow up questions were allowed as necessary to check understanding or probe for more detail. Wherever possible though, throughout and at the end, there was a check that all questions had been answered.

d) Transcribing Interviews

At the pilot interview, handwritten notes had been taken. This meant that it was very difficult for the practitioner researcher to focus on accurately recording the information supplied, as well as think about the next question. It was decided at this point to invest in recording equipment and source a virtual business to take the digital downloads by electronic file transfer for transcription. This helped hugely with the flow of the interview, and also gave a great degree of confidence at the analysis stage that exactly the correct phrase had been recorded.

3.7.3 Unanticipated positive outcomes of choosing the semi-structured interview methodology

In addition to the way in which constraints and new problems arose and were dealt with, a few comments needs to be made on the unexpected positive outcomes of undertaking this research as a practitioner. By conducting the interviews from the groups as chosen, old

networks have been reinvigorated and new ones created, and by using the local BusinessLink database, new contacts outside London and the South East have been established.

3.7.4 Review of methods completed at the end of stage one with proposals for stage two

As already indicated, the review of the methodology of the data collection at the end of stage one was carried out in two parts. The first looked back to the constraints identified at the research proposal stage, the solutions proposed and whether this helped or not or needed to be adjusted for stage two. The second part identified problems that had not been anticipated, and again looked at how these were resolved in practice and whether or not adjustments were needed in stage two. Both parts are addressed in the following table.

CONSTRAINT / PROBLEM	SOLUTION PROPOSED	WHAT HAPPENED IN PRACTICE IN STAGE ONE	CHANGES FOR STAGE TWO
Prior knowledge of some of participant group hindering responses.	Standard questionnaire to be used.	<p>Whilst it had been of initial concern, in analysis at the end of stage one it was not possible for a second reader to work out the three interviewees that practitioner researcher had not known prior to the research.</p> <p>Additionally, in the majority of cases, interviewees changed the tone of their voice to being more formal as the recorder was switched on. The standard questionnaire useful in that, whilst the practitioner researcher may have known the answers to the first two general questions, these, together with script, helped set tone for a more formal process.</p>	Standard questionnaire to be maintained and interviews to continue to be transcribed. Interviews again to be based on practicality.
Response rate where participants not known being low.	Three target groups identified but only two used.	In fact, in only one instance was there no response.	<p>Given excellent response rate, decided that personal networks and snowball from existing group would be used in stage two.</p> <p>Noted, as described above, that certain areas of HR activity (e.g. recruitment) were not represented and consultants with this skill set were targeted.</p>
Participants not having considered issue previously.	At outset, one follow-up call agreed.	In practice, not necessary as interviewees had considered the matter prior to the interview.	Follow up call to continue to be offered and, in further thinking about ethical considerations, preliminary finding data to be offered to all.

CONSTRAINT / PROBLEM	SOLUTION PROPOSED	WHAT HAPPENED IN PRACTICE IN STAGE ONE	CHANGES FOR STAGE TWO
Participants not understanding what is meant by ethics.	Broad standard definition scripted based on literature review.	Requested in one interview only.	No change, but participants views to be explored as part of the data analysis.
Accounts not showing "exactitude of textbook cases".	No solution proposed.	Proved to be the case and required much consideration at the analysis stage. Meant that responses had to be read many times to work out how to record the information given.	No change, additional time to be built into schedule for data analysis recognising that all data would need to be re analysed.
Accounts being retrospective and possibly relayed as justifications.	No solution proposed.	Would be difficult to construct accounts that were not retrospective and, whilst possible justifications (particularly in the face to face meetings after the recorder was turned off), this did not undermine the challenge being described, but rather emphasised that choices had not been easy.	No change, but to be considered in limitations of study.
Interviewees wanting to talk about drafting organisation specific policies on ethics.	Response prepared to refer back to personal experience.	Was not needed.	No change.
Interviewees wanting to talk about situations where they feel they have been treated unfairly.	Response prepared to record data and to refer back to personal experience.	What was realised was that this was in fact a driver of challenges that the interviewees faced and that this personal experience helped them reflect on their own practice. Pressure from clients was a problem in a number of the interviews and a useful source of data.	No change in stage two.
Practitioner researcher's own experience influencing discussion .	Additional reader to check for researcher bringing in personal experience and influencing responses. Researcher experience to be written up separately to reflect on transferability.	Personal disclosures not made by researcher.	No change during interviews although own experiences recorded in autoethnographic accounts of critical incidents and reflections on the same significant in the data theming.
Practitioner researcher reacting to views expressed during interviews.	Additional reader to check for practitioner researcher bringing in personal experience and influencing responses.	Proved very difficult as encouragement was needed, and occasionally specific responses requested in terms of "is this the sort of thing you are looking for?" or the desire to give "interesting" information. Did not discount the initial challenge being described.	In stage one, the aim had been to be as neutral as possible. As acknowledged, this proved difficult and in stage two, there was a greater acceptance of the fact that if a direct request for some positive feedback was requested by a participant, then this would be given without it compromising

CONSTRAINT / PROBLEM	SOLUTION PROPOSED	WHAT HAPPENED IN PRACTICE IN STAGE ONE	CHANGES FOR STAGE TWO
			the data.
Interviewees seeking to engage in philosophical debate.	Response scripted to refer back to personal experience and questions drafted with no focus here.	No participant referred to philosophical debates as to right and wrong or different schools of ethics.	No change to response in script.
Interviewees seeking to justify consultancy.	Questions drafted with no focus here or to produce any defensive reactions.	Not referred to in any interview.	No change to script.
Practitioner researcher missing key information in the data analysis.	Additional reader to check key themes not missed.	No other key themes identified in second reading as themes generated from the questions asked at interview.	In stage one, the key themes identified from questions asked and through from an "expert" mindset, as expanded on in the literature review (Christensen and Klyver, 2006). Further reading and critical reflection around the construction of the skills portfolio enabled the practitioner researcher to relook at all of the data from a "process" mindset. This significantly extended the theming as explored in the next section

Review of methods at the end of stage one with proposals for stage two prepared by the author (table 10)

3.7.5 Themes in stage one and stage two

Building on the final point in the table above, the impact of the further literature review and the reflections from the advanced skills portfolio impacted the extension of the findings as indicated by the following summary lists.

The first sets out the themes explored in the analysis in stage one, and which are re-examined in all of the data in stage two. The second looks at further themes which emerge in the stage two analysis, and which are looked at in all of the data in stage two.

a) Themes explored in stage one and re-examined in stage two

- The threefold categorisation of ethically challenging situations (issues in consultancy practice, HR practice and running a business)
- Sources of guidance in resolving challenges (emphasis on legislation and limited use of codes)
- The responsibility for setting guidelines
- Ethics and completing tenders

- Why issues may be resolved in a particular way
- The importance of age and experience
- Possible future pressures

b) Themes explored in stage two

All of the above themes were re-examined as indicated, with significant extension in the area of sources of guidance in dealing with challenges (extended to include legislation, not accepting assignments, contracting and brief clarity, influencing and managing the client, networking, supervision and mentoring, the role of professional bodies and guidelines, personal codes, experience and reflection).

In addition to the themes introduced in stage one, additional themes emerged, including:

- Espoused personal positions
- The meaning of ethics
- Treatment of others
- Common sense
- Language
- Defining work and non work self and ethics in identity construction
- Internal and external orientation
- Congruence
- The impact of word of mouth and referral
- Ambiguity
- Trust

This concludes the detail of the review at the end of stage one of the study and the changes made for and to stage two. Any final limitations as to the methodology of the study after the completion of stage two are addressed in chapter five.

3.8 HOW THE PRACTITIONER RESEARCHER REFLECTIONS FIT WITH THE METHODOLOGY

The starting point of this study is that the methodology is set in the context of practitioner research in which the practitioner has subjected herself to scrutiny though out the process.

The introduction to this thesis indicates that there is an advanced skills portfolio that the practitioner researcher compiled during this study. In this portfolio, the detail of this scrutiny is set out as the "*practitioner is researched*" (Doloriert and Sambrook, 2009, pp. 29-30).

The skills portfolio is explicitly concerned with foregrounding and demonstrating the skills of critical reflection. It has been constructed from contemporaneous field texts which were written though out the period of study on issues which were demanding practitioner researcher time and energy. To improve the critical reflection skills, a number of different sources were drawn upon and include the supervision group, using different writing skills and applying learning from study to reflect on work situations. The detail of how these resources have been used is set out in the portfolio and which is based on the assumption that critical reflection is assumed to be a skill which could be practised and developed.

Glaser and Strauss (1967) comment that in grounded theory data analysis, the researcher may have moments of insight which do not directly arise from the data. The compilation of the skills portfolio produced such illuminating moments in this research, moments where "*thought crystals*" (Harrison, 1995, p.121) were produced as mapped in the portfolio. This interaction of critical reflection between the portfolio and the thesis in the field of HR consultancy practice is therefore an important part of the methodology.

The study now moves on to look at the findings delivered by the chosen methods in chapter four, with regard to the participant group and the impact of the practitioner researcher's "*thought crystals*" (Harrison, 1995, p.121).

CHAPTER FOUR: DATA FINDINGS

This chapter presents the data from the research, separately setting out findings from the participants and the practitioner researcher. The results are presented in five sections addressing the following and in line with the research questions relating to general practice set out in the introduction:

- i. Characteristics of the participant group
- ii. Ethically challenging situations facing participating UK HR consultants
- iii. How the participants are resolving challenging situations
- iv. Explanations around ethical themes identified in the study
- v. The interaction between practice and research for the practitioner researcher

The data findings are illustrated with a qualitative analysis of 20 semi-structured interviews. The data is been analysed to the extent that the responses are categorised and key themes established. As set out in chapter three, the nature of this research is exploratory, and the exploration draws out a high number of descriptive data findings. It is therefore necessary to theme a number of the findings to help make sense of the data.

The positioning of the data findings in the context of current literature is contained in chapter five and this chapter stands alone as a record of practitioner activity. Quotations from participants and practitioner researcher data are included and the participant data has been anonymised to maintain confidentiality. Extracts and quotes from the interviews with participants are in italics and ascribed as PC= participating consultant. The order of quotes does not reflect the chronology of the interviews, again to help maintain confidentiality. Extracts and quotes from the practitioner researcher's portfolio of advanced practitioner skills are in italics and ascribed as PR= practitioner researcher.

4.1 CHARACTERISTICS OF THE PARTICIPANT GROUP

Before examining the responses of participants, the characteristics of the participant group are set out. These include detail around gender, business background, experience and response rates.

4.1.1 Gender

Of the pool of 20 candidates, seven are male and 13 female. In looking at their responses to the interview questions, there appears to be no significant gender difference in the overall results. No ethnic origin data was collated.

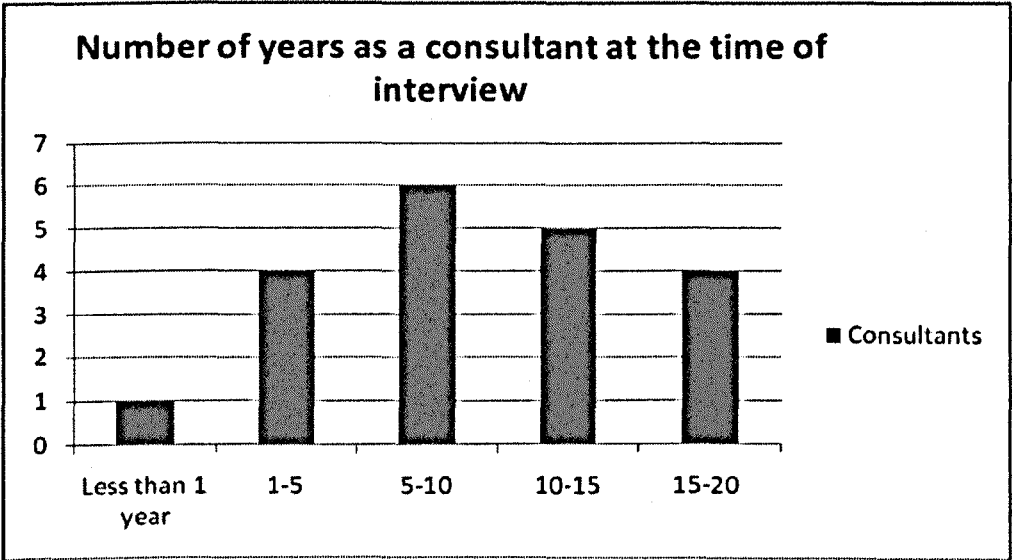
4.1.2 Business Background

12 of the participants work primarily alone, six work with one or two other colleagues and two work with more than two but less than ten colleagues. Only one mentioned that they have set up a limited company although it is known that a number of others operate as limited companies.

At least half of the participant group has had some experience in the hospitality sector, but a wide range of other sector experience is referred to. The participants mention public and private sector work across a wide range of operations including financial services, manufacturing, retail and health.

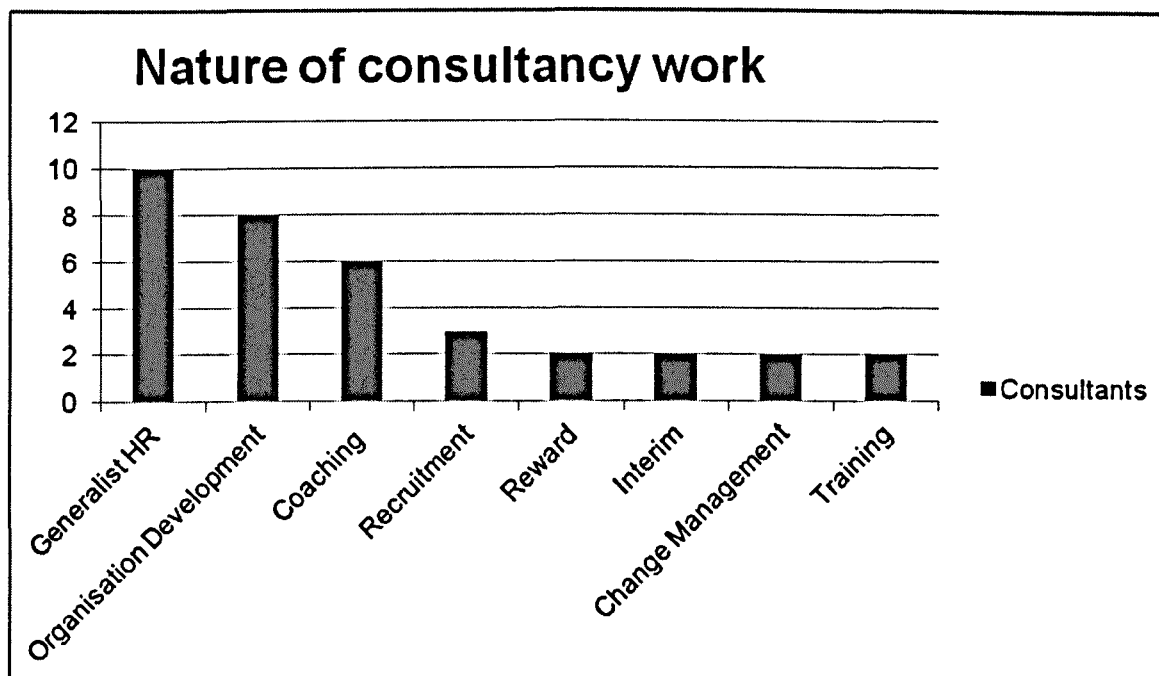
4.1.3 Experience

The following chart indicates the number of years spent as a consultant at the time of the individual interview in complete years:



Years of consultant experience of participants prepared by the author (figure 9)

Participants were asked to describe the nature of their consultancy work (or the majority of their work) and this was described as:



Nature of work of participants prepared by the author (figure 10)

It should be noted that a number of participants mention two or three fields of work. Organisation Development (OD), for example, is mentioned as a field of work linked with generalist HR in four cases, with coaching in five cases and as stand alone in one case.

Those in the category of generalist HR draw on examples of work in the following areas during the course of their interview:

- Discipline and Grievance
- Equal Opportunities
- Data Protection
- Termination of Employment
- Pensions
- Redundancy policies and processes
- Harassment and Bullying
- Recruitment and Selection
- Strategic HR planning
- Performance Appraisals
- Mentoring in-house HR teams

4.1.4 Response Rate

All bar one of those contacted agreed to participate in the study and a high number offered further contacts as necessary to complete the study. Whilst the high response rate could

have been anticipated when approaching individuals previously known to the practitioner researcher, a quarter of participants were not previously known to the researcher and still responded extremely positively.

In describing participants' responses to a (1974) study with "*agents of social change*", Tichy hypothesises that co-operation in his study could be high for a number of reasons:

first, the respondents were personally approached in such a way, by letter and telephone, as to make it known that they were specially selected as members of a small group. Second, many were interested in and supportive of the study. Third, this group had been subjected to very little empirical study, so they did not seem to resent the intrusion of the researchers. (Tichy, 1974, p.166).

The anecdotal feedback given around the interview would support all of these conclusions, as would unsolicited direct comments a small number of participants make in that the issues potentially raised by the study need to be debated.

In a further study, Kakabadse, Louchart and Kakabadse (2006) describe how:

it could be considered that only the researchers stood to gain from the discussions with business consultants, but this research project was also an opportunity for business consultants to talk freely and anonymously about their role and the perceived impact on their clients' organisations. This often appeared to provide some form of counselling and relief to consultants, giving them an opportunity to discuss their job, whereas the contrary is normally the case. (Kakabadse, Louchart and Kakabadse, 2006, p.450).

It is difficult to assess how far this was the case in their study, but the participants did talk freely and, on occasions, sought information as to other interview responses.

Finally, with regard to the responses, it is worth noting that nearly all of the group had thought about ethics in relation to their work before the interview, although only four indicated that their thinking had been influenced to some extent by recent media debates on the subject.

4.2 WHAT KINDS OF ETHICALLY CHALLENGING SITUATIONS FACE PARTICIPATING UK HR CONSULTANTS?

The participants were asked to describe common challenging situations from their personal experiences working as a consultant or working with other consultants. It was anticipated that some might prefer to relate information as third party narrative rather than in first person narrative, or express a view on the industry generally rather than a pure personal experience. The vast majority though relate personal experiences.

The responses are set out in detail before the dilemmas and incidents are categorised into three main areas of challenge.

4.2.1 Common dilemmas and critical incidents

A main objective of the study is to identify and explore ethically challenging situations that HR consultants face and participants were told that *"in this interview, I will ask you to recount situations in which you have had experience with ethical issues, problems or dilemmas"*. Participants were directly asked *"what would you say are some of the most common ethical dilemmas?"* and *"can you describe a particular situation that raised ethical issues for you?"* There was also one general question at the end of the interview when participants were asked *"is there anything else on this subject that you wish to raise that I haven't give you the chance to talk about during the interview?"* (PR).

The following tables summarise the common dilemmas and particular incidents participants highlight in response to these questions. With regard to common dilemmas, in all but two of the interviews, participants are able to quickly identify common ethically challenging situations.

Even in those two interviews, examples are given in response to later questions. This had been of potential concern at the start of the research, and in the first few interviews, the practitioner researcher can be heard reassuring the interviewees that *"if there is nothing to say in response to any of the questions, that is also fine"* (PR).

With regard to particular incidents, a number of participants highlight more than one situation and two do not raise personal experiences, and the frequency is examined in more detail later in the chapter. The dilemmas and incidents have been listed separately and not

chronologically, in order to protect the identities of the participants for reasons as set out in the methodology chapter.

Common dilemmas and ethical concerns raised by the behaviour of other consultants
<ul style="list-style-type: none"> • Boundary issues around confidentiality in the training room • Breaches of confidentiality around pay • <i>"The temptation to get sucked in"</i> (PC) and not setting boundaries • Not treating people fairly, going through proper processes or giving people their due entitlements and statutory rights as managers want to cut corners • Getting the client organisation to take on board what they need to do • Exiting senior people in an organisation when no warning has been given • The consultant being paid to <i>"do the dirty work"</i> (PC) of the client • Clients not behaving fairly and being inconsistent • Clients not wanting to follow advice and how forceful the consultant should be • Dishonesty in how people work with one another • Aspects of politics in organisations • Internet usage and use of time at work • Usage of salary survey data • Working out responsibilities to employee and employer when in conflict • Consultants overcharging • Clients asking consultants to do <i>"unethical things"</i> (PC) such as survey data and wanting data presented in a particular way with issues <i>"fudged"</i> (PC) • Knowing when to disclose information to employees or to the organisation • Accepting work and charging for work when the consultant cannot really help • Consultants <i>"holding up a mirror and reflecting back the problem"</i> (PC) rather than finding a solution • Clients giving recruitment briefs that are discriminatory • Fine line in handling sensitive information • Need for impartiality in executive coaching • Problems in persuading clients to act ethically over terminations • Others who <i>"want to extract every last penny"</i> (PC) with <i>"no conscience"</i> (PC) about a company's money • Fair and consistent application of the law

Summary of common dilemmas described by participants prepared by the author (table 11)

Moving on from common dilemmas, participants were, as already set out, asked to describe situations that directly referred to their personal experience.

Critical Incidents

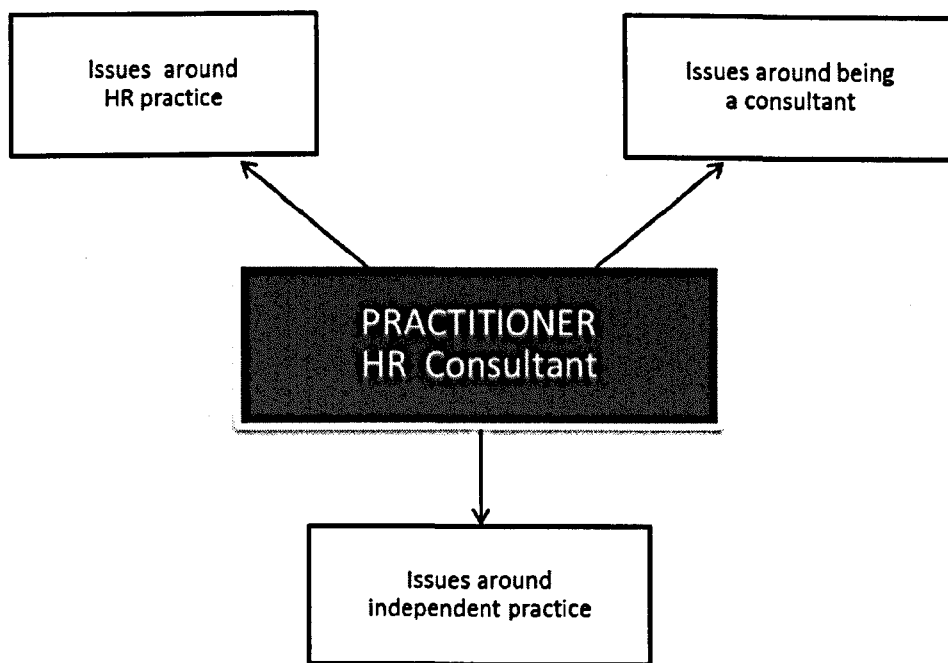
- Closure of a final salary pension scheme and balancing staff awareness with company's aim
- Consultant being engaged when internal team being made redundant and feeling that some of the internal team were capable but were being affected by a "*cyclical*" redundancy programme
- Precedent in disciplinary case being ignored, in one case, an action treated as final warning and in another, gross misconduct because of agenda against a "*difficult*" (PC) individual
- Trying to coach an individual who had left partner to have a relationship with a staff member
- Client wanting consultant to work to an agenda in a disciplinary / grievance situation
- Consultant being given confidential salary information that was supposed to be anonymous and seeing that information being disclosed inappropriately
- Taking a business trip with an employee to present future plans on a road show and knowing that, on return, the consultant would be handling their exit and being asked directly about when they knew
- Dealing with complainant in harassment claims when there is a "*party line*" (PC) and complainant cannot understand what is happening
- Client wanting data presented in a way to suit their argument
- Not being able to help as coach for an employee because the consultant didn't have technical expertise
- Being asked for salary data that the client hasn't paid for
- Mentoring an HR person that the company then decided to dismiss and not being able to help in a race discrimination claim. This caused the conflict between a "*professional obligation*" (PC) to the client and a "*personal commitment*" (PC) to the employee
- Moving from permanent employee to consultant and, in a disciplinary situation, taking decision without consulting the client
- Being given confidential information in a coaching situation (highlighted twice)
- Being given a brief for recruitment which was potentially discriminatory (highlighted twice)
- Being asked to recruit for a company who had a reputation for being not very interested in the people and who were "*very transactional*" (PC)
- Client threatening to terminate assignment if consultant wouldn't divulge confidential individual information post training
- Consultant providing advice against a dismissal and the advice being misused
- Being asked to invoice work in a particular way
- Recruiting when not sure of a company's reputation and moving someone into a potentially "*unsafe*" (PC) environment

Summary of critical incidents described by participants prepared by the author (table 12)

In order to better analyse the data, all of the examples given are categorised into three main groupings.

4.2.2 Categorisation of challenges

In studying the narratives, the participants describe a range of situations and responses to the same, and in analysing the situations described, the types of situation have been categorised by the practitioner researcher as follows:



Model showing categorisation of responses prepared by the author (figure 11)

Before the detail of these categories is set out, a number of general comments can be made relating to the categorisation:

- a) The categories have been identified by the practitioner researcher and not by the participants
- b) The categories were identified by looking at the data and emerged from the data
- c) In the majority of interviews, the issues in problems around being a consultant or HR practice are highlighted first and then the business issues emerge as the interviews progress, or in a minority of cases, after the end of the recorded part of the discussion
- d) Not every participant raises points that fall into each category
- e) It is accepted that the categories are inter-related
- f) The following narrative sets out detail of the participants' responses using these categories and first examines the situations and then examines how these situations are resolved
- g) The number of times the same or similar response is included in the detail where appropriate
- h) Where appropriate, typical descriptions are quoted.

As described above, the sorts of situations are detailed with reference to the three categories; the first being issues around HR practice.

4.2.3 Issues around HR practice

Whilst the issues around the consultancy relationship and independent practice relationship which are explored next could hypothetically relate to any management consultancy role, there are a number of examples which arise because of the fact that the work being

undertaken is human resource centred. In this category, there are a number of examples given around the nature of this work:

No. of separate interviews where this was raised	Description of ethically challenging situation arising out of HR practice
3	Managers wanting to "cut corners" (PC) and not follow statutory processes redundancy payments, consultation rights, redundancy selection policies and dismissal
3	Managers being inconsistent in their decision making
2	Interviewees being asked to "exit" (PC) employees when no warning had been given
2	Deciding when to disclose information to the organisation about the employee
1	Conflict of interest in dealing with staff when confidential information given and becomes confusing grievance / disciplinary matter
1	Employees potentially breaching other employee confidentiality
1	"Dishonesty in how people work with each other" (PC)
1	Company incentivising employees to give up defined benefit pension rights
1	Being asked to balance being commercial with legislative compliance
1	Deciding when to disclose information to the employee about the organisation

Ethical issues around HR practice prepared by the author (table 13)

There are also a number of comments participants make which reflect the seriousness with which they undertake their HR work, and indicate why they recognise that consulting in HR may be different from consulting in other disciplines:

- *No statement or formal structure replaces people's sense of whether you've got a very strong view on your own ethics and you live them. And I think that's probably more important to HR consulting than in other forms of consulting because it's the nature of what you're doing (PC).*
- *I think the biggest challenge in HR consulting is looking after the needs of the individual and the organisation, and making sure that somehow or other, you deliver value to one and to the other in a way that sits very comfortably with both parties, and that's really challenging (PC).*
- *We are genuinely messing about with their lives here, and that's a very serious proposition that we don't take lightly (PC).*
- *I suppose the challenge we face going forward, and I'm not quite sure how far ahead this might be, is we talk about human resources and it's more now about resources and less about human, and we are definitely the human end (PC).*
- *Effectively I have the power to change people's lives (PC).*

Participant quotes on the importance of the HR role prepared by the author (table 14)

All the above examples deal with negative concerns, but there are also some positive comments. One participant describes the HR consultant role as one where:

in all other respects, I was an equal sitting around the board table. Sometimes, there's a role where, as an external party, you can give a conscience to the organisation (PC)

4.2.4 Issues around being a consultant

Much of the literature around management consultancy revolves around defining the nature of the work and the roles the consultant consciously or otherwise adopts.

Whilst this was not specifically asked as part of the research, the participants identify ethical challenges which arise at all stages of an assignment because of the nature of the relationship between themselves and their clients, and this becomes a clearly identifiable theme in the data.

In this category, there are a number of examples around the nature of the consultancy relationship and whilst on occasions, participants are explicit that the consultancy relationship is different from other forms of relationship, on other occasions the assumption is implicit.

No. of separate interviews where this was raised	Description of ethically challenging situation arising out of the nature of the consultancy relationship
6	Confidential information being divulged to consultant
3	Client wanting data presented in a particular way
2	Client putting pressure on consultant to share survey data obtained for another client
2	Companies using consultants <i>"to keep themselves clean"</i> (PC) or to do <i>"their dirty work"</i> (PC)
2	Confusion as to who is the client, the paying company or an employee
2	Client's attitude of <i>"I'm paying you to do this, just do it"</i> (PC)
1	Constant discussions around boundaries of the brief
1	The client asking and being prepared to pay for one thing when the consultant felt they needed something else
1	Managing confidentiality between clients

1	Client not taking ownership of a problem
1	Client believing that external must be better than internal
1	Consultant not having the “ <i>full picture</i> ” (PC) as they may have felt they had when they worked in an organisation
1	Consultant transitioning from employee to consultant and confusion as to role expectation
1	The limitations of the relationship, “ <i>Clients can be capricious - stuff outside control or influence</i> ” (PC)
1	Needing to adjust to different companies
1	Consultant disagreeing with what the client was doing and how they were doing it, but feeling obliged to work on behalf of the client
1	Disagreeing on invoicing and expenses when working with other consultants
1	Different people within a client organisation having different agendas, “ <i>and I think that’s kind of one of the dilemmas that you come across – who really is your client?</i> ” (PC)

Ethical issues around being a consultant prepared by the author (table 15)

4.2.5 Issues around independent practice

As already noted, the detail provided in this category emerges later in the interviews, and whilst that can interrelate with the other categories, specifically that of the consultancy relationship, the detail is such that it forms a stand alone category of concern.

In looking at practice, there are some concerns expressed about working in relative isolation rather than as part of a larger organisation or consultancy. At one level, this means that the participant acknowledges simply that they do not enjoy working by themselves. At another level, there are also practical issues, such as limited access to resources (e.g. data surveys which could put consultants under pressure to obtain data).

In this final category, some of the examples are also as in consultancy practice but are articulated in a way that shows the pressures of managing the situations and maintaining an income stream or maximising income. A number of participants directly refer to the impact the financial position of the consultant could have on decision making, as the selection of comments below illustrates:

- *And there’s one other thing. I also remember clearly at the time thinking if I don’t work with the client here, I could lose nigh on £2,500 which was my monthly fee, so therein is another ethical dilemma. Did I make the decision based on the fact that I didn’t want to lose my fee?* (PC).
- *It’s been quite challenging in a recession because our experience is that people seem to be okay to compromise on ethics in the light of economic stress, shall we say* (PC).
- *Yes, and I think if you don’t need the money, that helps, I think that really helps. I think even if I was starting my own business and didn’t know where the next mortgage payment was going to*

come from, I would still have done the same thing (PC).

- *I think we're fortunate now in that with 16 years of business behind us, then we know how we operate and we know how we should operate in that way. I think if we were asked by someone to do something that we didn't feel was ethical, then we'd be very clear about our course of action. I think if there are people who have just started off in business, particularly a one man band or a very small organisation, I think there are situations out there where you can have very difficult decisions to make really on the basis of livelihood (PC).*

Participant quotes on ethics and managing a business prepared by the author (table 16)

With these concerns in the background, this gives rise to examples of challenges:

No. of separate interviews where this was raised	Description of ethically challenging situation arising out of the managing a business
11 participants recorded this as an action, but it's not possible to accurately determine how much of a dilemma or challenge this posed	Determining whether or not to walk away from an assignment because of examples of issues noted in the tables above (being a consultant or HR related) being balanced against the need for an income stream.
6	Lack of clarity around invoicing and expenses
2	Consultants potentially using data that that is not owned by the client
2	Handling rate setting, including amount and time ("what is a day?" PC)
2	Offering value for money
1	Overcharging by consultants
1	Wanting to be forceful but not wanting to affect the client relationship
1	Deciding whether to give the client what they have said they want and are prepared to pay for or what the consultant feels they need

Ethical issues around managing a business prepared by the author (table 17)

Whilst the examples above are negatively framed, there is also an appreciation of the importance of ethics in relation to good business practice. This is articulated in three cases as *"it's good business sense"* and *"it is about business sense... not about goodness"* (PC).

In addition to the above, one other area of challenge, which is linked to managing a business, is raised because occasionally business demands collaboration. This relates to deciding *"what is value for money?"* when working with other consultants. There can be difficulties in handling the situation where agreement on issues is not reached between these consultants. One of the respondents refers to the difficulties when *"I've worked with very many consultants who have had very separate and different value systems to myself"* (PC). Initially, there were *"lots of process issues"* around timekeeping and expenses because these were seen as *"grey"* areas. Even when processes were worked out, there

were still fundamentally different approaches to rates and value for money. In this instance, the conflict was eventually resolved by stopping working with some associates.

It should be noted that this experience contrasts with two other participants who worked in partnership and expressly stated the benefit of working with others who share the same religious value system.

This concludes the examples of specific challenging situations which participants chose to describe. The next section sets out how participants report how they dealt with such situations. General points relating to potential resolutions are made first, before more detail around the examples is given, using the same three categories that describe the situations in this section.

4.3 HOW ARE PARTICIPANTS RESOLVING ETHICALLY CHALLENGING SITUATIONS?

After asking participants to describe *"a particular situation that raised ethical issues"* for them, they were then asked *"how did you resolve it?"* and *"would you do things differently in hindsight?"* They were also asked whether *"you have any dealings with professional bodies or organisations that provide guidance, advice and/or professional information in your field of work?"*

As highlighted above, general points relating their responses are noted first and then specific examples relating to situations described, using the three classifications of ethically challenging situations, is recorded. This section concludes with detail around resources used.

4.3.1 General response observations

The chart and narrative in this section give an indication as to how many times different resolutions are cited. It should be noted that the numbers are approximate and reflect subjective classification by the practitioner researcher. Wherever possible, the language used to describe the approach is the language used by the participant, but there have been attempts to classify this to help with sense making. Some participants, for example, refer specifically to *"networking"* (PC) as a resource. Another may refer to *"calling a colleague and fellow consultant"* (PC). At this stage, these are both grouped under networking. With the

"boundary setting however," (PC) whilst this is only cited once, it could be inferred that it is included in the negotiating process, but as this is less clear, no assumption has been made.

Additionally, as noted in the data set, some participants work completely on their own and others with partners and this could impact on the responses mentioned. Again using *"networking"* as an example, the total number of times it is mentioned is recorded as follows, but it is highlighted mainly by those working as sole traders rather than by an even distribution amongst all participants.

The majority of examples given by participants relate to actions they describe they took. In a very small minority of cases, they refer to what they would *now* consider doing and it is not clear from the narratives whether the action had actually been taken.

The following chart could also be read as indicating that responses are definitive. In a number of cases though, interviewees refer to situations where the situation may be the same, but their response differs. One states for example that:

sometimes it will depend on the mood I am in. The tireder I get, the more I rely on the law and just state pure fact but then when I'm not so tired, I'll try and influence (PC).

Others note that though they had responded once in a particular way, they would not do so in the future, partly having learnt from mistakes, partly because of being more financially secure, and also in response to the changing environment around them. In the latter case, an example given is that now they are being asked to sign disclaimers around survey data by third parties and this affects their response.

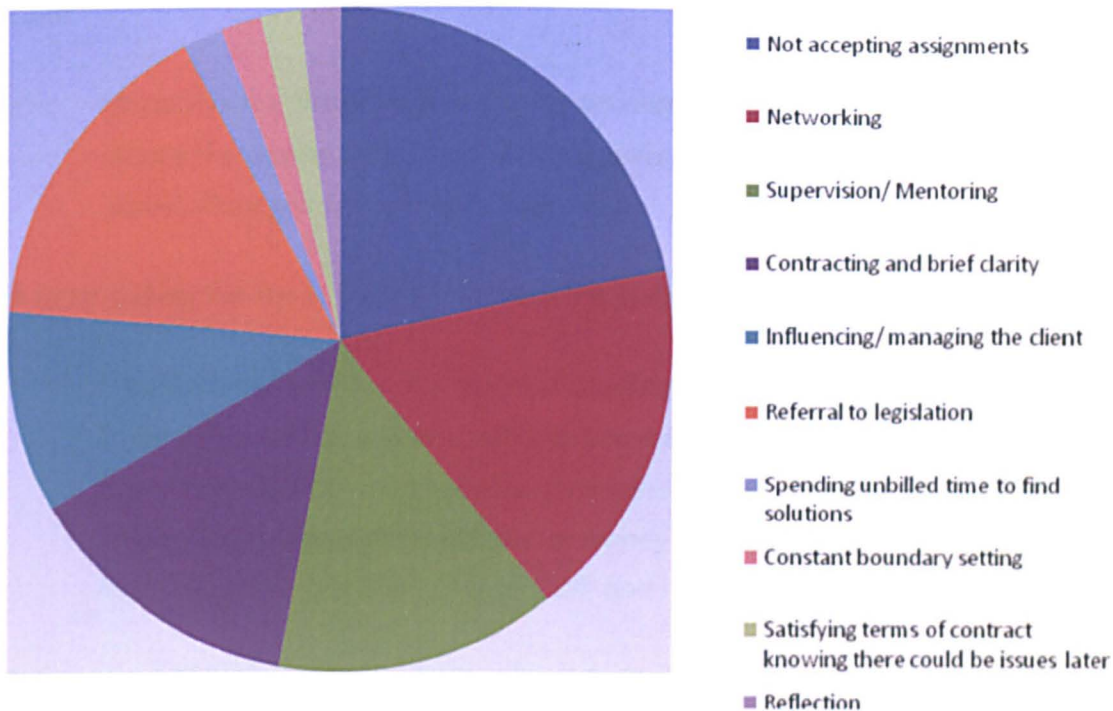


Chart illustrating general responses to how participants dealt with ethically challenging situations prepared by the author (figure 12)

The above chart illustrates the general responses to the question of how participants resolved situations, some relating to specific categories of ethical challenge and others being more general. Additional information relating to specific resources used (professional bodies and codes) is not included in the chart but dealt with at the end of this section, as these were discussed in prompts to separate and specific questions and not raised without prompts by the participants.

Before looking at general resources, each of the categories of ethical challenge is now considered in turn.

4.3.2 Dealing with issues in HR practice

The vast majority of participants in generalist HR consultancy practice cite appropriate employment legislation in relation to handling dilemmas in HR. The legislation is used to help with challenges in a number of different ways which are now identified.

In some cases, it is clear that the reference to prevailing legislation is used to influence the client:

I brought up a few examples of past case law, like the fish market and cases like that, where the courts have decided that that was how it was, that was the culture of the place. They got very annoyed with me (PC).

In other cases, the law is used to reinforce the consultants' belief in what they are doing:

I think I might refuse a few things in the past but it would be very difficult. I've refused to do things before now and actually come into major conflict. I fortunately knew I had the law on my side and said what they were asking me to do was actually technically illegal. There was a small amount of money but it was about making payments and I kept being told 'just do it, I'll sign it off' and I just kept on refusing to (PC).

In two cases though, the consultants acknowledge that their processes would not be solely determined by the law. One took the view that they would negotiate directly with the employees to achieve a commercial result:

I think one of the things that I've done a number of times is try to mitigate and get the balance right between saving the business some money on redundancy costs without actually skinning the individuals but coming to a fair figure in the middle. So you're actually trying to get round the law by cutting consultation short and also getting round some of the notice issues by buying it out at a lump sum cheaper. And there I think the issue... but that's that commerciality and ethics where they come together, isn't it? (PC).

Another implies that it was the client's decision and risk as to whether they should follow the legal processes or not:

I made a decision as an HR Director would do in fairness in respect of the individual in a disciplinary situation, and actually I failed to acknowledge that, regardless of what I thought and what the legal process would be, actually it was the client's decision and risk to say I disregard that advice and the legal position. In my opinion, it's not such a great risk and therefore I will act in this way and what I expect you to do as a consultant is advise me and then I will make the decision. In actual fact, what I did was made the decision to reduce a warning, or I advised the appeals officer to

reduce a final written warning to a written warning without consulting with the client (PC).

Whilst some consultants would be prepared to work on the basis that the law does not set out the minimum processes they would follow, others indicate that they or their clients prefer to go above minimum standards set by law:

- We previously both worked for a large corporate plc, who did nothing illegal or immoral but we just felt the size of the organisation just didn't allow the level of ethical approach that we wanted to give (PC).*
- The law should keep you on it, in the sense that there are laws that you have to abide by, as we all know managing a business, but it's for the senior team I think to 1) ensure the law is obeyed but 2) to go beyond really the law into a common sense and ethical business practice (PC).*
- The way they were asking their sales team to tackle a competitor and there were a number of things which were bordering on illegal, if not illegal in the real sense of the term, and they were asking young sales people to go and do X, Y and Z and really they should have known better. So I kind of fed that back... and ethically fair in terms of the business sense, whereas before they were asking... well, it was probably illegal but certainly was very shady" (PC).*
- By that I mean they expect me, clearly it's a given, that I would work within the confines of the law, if you like. But most of the companies, in fact I would say all of the companies I work with, have reasonably high ethical standards themselves. I use the word reasonably – some of them will actually work within the law; some of them though go far beyond the law and work within the spirit of the law, and it's very important to them that they actually have in place practices that consider areas such as how they go about employing people. But also who actually work within the community, for example – going back to your question – it is extremely important that that comes across (PC).*
- Yes, it's mainly areas are really around employment law and how they actually apply it, and some of them certainly do go a little further than what they would have to do strictly to keep to the letter of the law. A simple example would be that some actually provide some enhanced terms which are over and above statutory terms. That's the type of thing that they would probably do but that is relatively simple, I appreciate (PC).*

Participant quotes on the impact of legislation prepared by the author (table 18)

This concludes the specific detail of resolutions which were mentioned by participants relating the nature of HR practice. Next are specific resolutions relating to issues around working in consultancy.

4.3.3 Dealing with issues around being a consultant

Categories in this section relate to not accepting assignments, contracting and brief clarity and influencing / managing the client. Each of these is considered in turn. Additionally, a very small number highlight other issues such as spending unbilled time, boundary setting, satisfying terms of a contract knowing that there could be issues later and reflection, and these are noted here but not examined in detail.

a) Not accepting assignments

The consultancy relationship is different from that of an employee / employer relationship in that the consultant can decide on each occasion whether or not to engage or continue with an assignment.

Nine participants state that they have not or would not accept work if they felt strongly enough or indicated that they did the work because of the way clients worked:

- | |
|--|
| <ul style="list-style-type: none">a. refused workb. not renewed contractc. would now refuse workd. stopped contracte. would not do certain businessesf. clients work in a <i>"very ethical way, otherwise I wouldn't be working with them"</i> (PC), and also referred on coaching work when not best placed to dealg. refused work on role and would not work for certain companiesh. <i>"we tend not to deal with those kinds of companies"</i> and <i>"declined to work with client"</i> (PC).i. <i>"we're very happy to walk away from people who want to try and breach the way we run our business"</i> (PC).j. <i>"couldn't work for company couldn't believe in what they were doing or how they were doing it"</i> (PC). |
|--|

Participant quotes on not accepting assignments prepared by the author (table 19)

Only in one case was the not accepting an assignment related to the skill set of the consultant:

"if I can't help you I will tell you that I can't help you" (PC).

b) Contracting and brief clarity

At the start of the assignment, seven consultants directly refer to the importance of contracting and trying to agree clarity of brief. One participant even comments that *"there should be a code of practice for a consultant going in and setting the scene"* (PC).

In all the narratives, this involves engaging in a dialogue with the client. At one level, this may involve discussions of terms and conditions of a written contract. As one participant describes it, the discussions can go beyond that:

I think for us we felt from the beginning, and still do, that you start writing in legal speak about terms and conditions and it feels very much like a safety net for either party; and that's not really where we want to be (PC).

Aside from contractual terms, the initial dialogue also establishes greater clarity:

I think the contracting part is quite important, at what the outcomes are, what's expected, what your role will be". I would I think now establish some sort of ground rules, if you like, at the outset of the relationship, the contract, that clarified each other's role along the lines of, if I'm faced with this sort of situation, as your consultant I will flag it up and I won't make a decision until I've spoken to you" (PC).

In the case of this last participant, there is a particular issue as they moved from employee to consultant status which highlighted the need for greater clarity. In other cases, the dialogue involves time spent talking through the consultant's approach: *"So we're again very clear with clients upfront that if we're working on a consultancy project, that confidentiality and impartiality is everything" (PC).* Less explicit is the establishing of the client's position, although this is implied by a minority of participants and stated by one.

In recognition of the issue as to responsibilities to different clients, there is a need to think about making explicit implied obligations to different parties, expressed typically as *"it's up to me to contract properly with individuals and organisations" (PC).*

c) Influencing/ managing the client

A number of participants identified where they had used techniques to influence the client (and in one case, that this could also involve helping the client win internal support):

- refers to the need to put the case and sometimes give the client the information to sell on internally
- points out the need to understand the business to understand what is in the best interests of the business
- feels able to explain to client that they thought what they were doing was *"shady"* and references the impact of negative public relations
- describes *"the common problem is trying to persuade, convince an individual about handling things in an ethical way as opposed to not"* (PC)
- two participants use a cost argument by highlighting financial penalties

Participant quotes on influencing clients prepared by the author (table 20)

4.3.4 Dealing with issues around independent practice

Issues around managing a business are cited as significant problems in being in independent practice for the participants, as highlighted. It is interesting to note that in classifying approaches taken with regard to the different types of challenge encountered, there are relatively few solutions with regard to business issues.

Whilst issues about rates of pay, value for money, recording hours worked, and managing revenue streams are highlighted in a number of interviews, often describing how others worked, there are very few suggestions offered as to how these were being resolved.

Issues around whether work would be accepted is also a theme, and this is also often raised more as a question than as a statement. One interviewee, for example, asks "*at what point do we decide to walk away or need the money?*" (PC). Another, "*it depends what will come first, income or ethics*" (PC). Another provides an example of a dilemma between working for a business that they would rather not on principle (gaming), but may consider if it provided work, whereas another business (abortion clinics) would never be considered. Whilst these industries are possibly clear enough in purpose to allow decisions to be made, more than one participant raises questions about the need to find out about a company's stated ethical position.

Whilst there were few direct responses with regard to issues around running a business, being in independent practice often means that participants were seeking resources for help and guidance. Four of these are now detailed, encompassing professional bodies, codes, networking and supervision / mentoring.

4.3.5 Resources used

Resources participants mention relate to professional bodies, codes, networking and supervision / mentoring. Detail relating to each of these is now addressed, concluding the section dealing with how situations are resolved.

a) Professional Bodies

Given the different specialisms and background areas of interest, a number of specific sources of potential guidance are mentioned in the interviews when prompted. These include:

- i. Chartered Institute of Personnel and Development (10)
- ii. Advisory, Conciliation and Arbitration Service (ACAS) (2)
- iii. International Coaching Confederation (2)
- iv. BPS Guidance on occupational testing (3)
- v. Recruitment Employment Confederation and their follow up audits (1)
- vi. Institute of Business Consultants (1)
- vii. Institute Sales and Marketing (1)
- viii. Meetings Industry Association (1)

What was perhaps surprising is the limited use made of the CIPD. Whilst the summary above indicates the number of times the Institute was referred to, only in a very small minority of cases is it actively used. When asked, two participants specifically state that they did not use any professional bodies at all.

b) Codes

A number of participants refer specifically to codes produced by the professional bodies above when prompted. Two participants also refer to clients' codes of conduct and a further two participants (both involved in coaching) refer to having their own code of ethics. In one case, this is based on a professional bodies' code:

the International Coaching Federation has a kind of standard template type thing which we referred to, which I didn't find terribly accessible I have to say, so I rather took some of the notions within there and I felt I had to put them in my own words. There was something very odd about putting an ethical statement together using someone else's words, so it had to be real to me (PC).

c) Networking

12 of the participants in this study work as sole traders and do not have immediate colleagues to fall back upon. With regard to resolving ethical concerns, nine participants all specifically mentioned the importance of networks. For some, this might mean using one

other person as a “*sounding board*” (PC), for others, using a more extensive network. Different participants for example describe how they:

- regularly ring other consultants,
- refer to sole traders using the small consultancy practice to discuss matters with,
- refer to “*it’s more networking than professional bodies*” that are turned to,
- refer to conversations with one other consultant,
- describe how “*I can only reference myself and the people I might have chosen pick the phone up and talk about it*” (PC),
- refer to having an informal network,
- refer to “*colleagues who are in the same business*” (PC),
- simply refer to networks.

Participant quotes on networking prepared by the author (table 21)

d) Supervision/ Mentoring

These two themes are considered jointly as they relate to formal arrangements for guidance. It is of course recognised that they are not the same, but it is beyond the scope of this study to engage in debate around issues differentiating both. Of the six participants who specifically highlight coaching as an area of work, three refer directly to having had supervision, with one considering they may potentially need to formalise an arrangement for themselves in the future.

Supervision / mentoring is also mentioned by two generalists and one participant further mentions the need for peer review. One of these consultants had worked for a larger consultancy firm in the past, and explained the benefits of a formal arrangement at the start of a consultancy career. From the perspective of the sole trader, the potential benefit was expressed as:

I think if I was to going to change anything, it would probably be a clear statement, a formal statement and possibly making sure that supervision’s in place in tricky assignments (PC).

e) Reflection

Only one participant states explicitly that they used reflection as a help in dealing with ethical challenges. Others refer to frameworks to help thinking and to challenge practice or, indeed, to other activities such as checking back with affected parties after the event, which imply reflection and thinking through decisions and actions. Additionally, the language participants use indicates an intellectual and emotional engagement which may not have been articulated directly as "reflection".

This concludes the detail of specific answers to questions relating to ethically challenging situations. The next section of data findings looks at general themes in all of the responses.

4.4 EXPLANATIONS AROUND ETHICAL THEMES IN THE EMPIRICAL DATA

This section explores general themes which are raised during the interviews. These expand upon the categorisations already made in relation to situations and resolutions described. The analysis in this section examines the interview transcripts as a whole as opposed to looking at responses to specific questions. (The two instances which do involve specific questions "*in your opinion who is responsible for setting ethical guidelines*" (PR) and "*do you anticipate future problems*" (PR), are highlighted in the narrative).

The themes are as set out at the end of the methodology chapter, with one exception, in that stage two theme data is considered first before moving to stage one theme data. This better reflects the importance and relevance of the data to the research questions. The themes therefore arise from the literature review, an analysis of the practitioner researcher data and from answers to specific questions within the participant data.

The themes raised deal with espoused personal positions, the meaning of ethics, treatment of others, common sense, language, identity, internal and external orientation, congruence, the impact of word of mouth and referral, ambiguity, trust, responsibility for setting guidelines, ethics and tenders, why issues may be resolved in a particular way, the importance of age and experience and possible future pressures.

4.4.1 Espoused personal positions

There was no specific question in the interview itself which asked for a definition of ethics, although most interviews included a direct question as to why they had indicated something

was of specific ethical concern. During all discussions, statements are made which indicate some meaning for the interviewees.

<ul style="list-style-type: none"> • <i>"driven by a situation that's forced me to feel like that rather than somebody who has quite strong views on ethics" (PC)</i>
<ul style="list-style-type: none"> • <i>"it's a fundamental part of how I am" (PC)</i> • <i>"it's trying to do the best by everybody" (PC)</i> • <i>"not breaking any part of legislation or moral standing" (PC)</i>
<ul style="list-style-type: none"> • <i>"the importance of transparency" (PC)</i> • <i>"it's about business sense...not about goodness" "pragmatic" (PC)</i>
<ul style="list-style-type: none"> • <i>"everybody's definition of ethics is probably going to be slightly different. I tend to think about ethics in relation to people and HR issues as something that's going to impact the life of a person or group of individuals beyond their time at work" (PC)</i>
<ul style="list-style-type: none"> • <i>"it is with regard to honesty, transparency and also a questioning"</i> • <i>"internal moral compass" (PC)</i>
<ul style="list-style-type: none"> • <i>"how I would be expected to be treated or a member of my family" (PC)</i>
<ul style="list-style-type: none"> • <i>"I know what feels right" (PC) based on background and experience</i>
<ul style="list-style-type: none"> • <i>"strong set of guiding principles" (PC)</i> • <i>"treating other people as we would like to be treated ourselves" (PC)</i>
<ul style="list-style-type: none"> • <i>"it's all from my own personal values" (PC)</i>
<ul style="list-style-type: none"> • <i>"it's common sense" (PC)</i> • <i>"people make their own judgment call and if they're a respecter of people, they'll be a respecter of judgment calls" (PC)</i>
<ul style="list-style-type: none"> • <i>"I've got my own set of values and own set of standards and the standards, which I think are reasonable, have been well thought out", "for me it always starts with simple common sense and also in terms of what the business actually wants, and an understanding from a business perspective what is in the best interests of the business", "common sense and courtesy" (PC)</i>
<ul style="list-style-type: none"> • <i>"it's a question of the way which I like to work with people" (PC)</i> • <i>"my sense of doing the right thing" (PC)</i>
<ul style="list-style-type: none"> • <i>"own code of ethics" (PC)</i> • <i>"inner values... being truthful and straight" (PC)</i> • <i>"there is something implied in the word ethics which is about truthfulness" (PC)</i>
<ul style="list-style-type: none"> • <i>"Moral issues, lots of issues around race, colour, creed, sexuality" (PC)</i>
<ul style="list-style-type: none"> • <i>"my fundamental belief is that you are them" (PC)</i> • <i>"they're there to be seen" (PC)</i>
<ul style="list-style-type: none"> • <i>"it's the foundation of who we are" (PC)</i>
<ul style="list-style-type: none"> • <i>"we stay above board" (PC)</i>
<ul style="list-style-type: none"> • <i>"being treated in a fair and just way" (PC)</i>
<ul style="list-style-type: none"> • <i>"sense of 'we' rather than a great sense of 'I' (PC)</i>
<ul style="list-style-type: none"> • <i>"it's very important to me that I act with total integrity" (PC)</i>

Participant quotes relating to the meaning of ethics prepared by the author (table 22)

Despite the range as indicated above, there are a number of common themes emerging from the data.

4.4.2 The meaning of ethics

Most participants appear to assume that there is a general understanding as to what 'ethical' means. Only one participant refers directly to an accepted philosophical theory (utilitarianism) in describing their positions. In order to look at ethical meaning in the texts, it is necessary to infer meaning from statements given and to look at specific attributes described in the participant narratives. These are now each looked at in turn, drawing on Spence's definitions of the perspectives as set out in the literature review (2000).

Evidence from transcripts	Possible philosophical perspectives implied from one example
"ethics as pragmatic" (PC)	Act based
"trying to do the best by everybody" (PC) "Not breaching trust" (PC) "How you treat people" (PC)	Character based and possibly rule based
"Not the end justifying the means" (PC) "Getting the balance right" (PC)	A mixture of expressly not act based but not clearly rule based
"compartmentalised" (PC) actions by doing what thought best at the time and then discussed with individual concerned afterwards	Act based Communication based
Dilemma in that clients pay for results and can be conflicted working for client or organisation	Contract based
"Treating people fairly" (PC)	Rule based
Example of stopping coaching session	Character based
Applies judgment in grey areas on a "situational" rather than "prescriptive" basis (PC) Christian principles	Act based Character based Rule based
Would have to look at particular "misdemeanour" (PC) and judge based on what contracted with all parties	Contract based
"Common sense" (PC)	Act based
Utilitarianism stated explicitly with example given	Act based
Choosing between working with client and supporting someone had made a personal commitment to	Contract based
"Treat as would be treated" (PC)	Rule based
"Against the law" (PC)	Rule based

Balancing needs of company and employees	Act based
Christian faith, based on long term relationship	Character based
Issue was of ethical concern because person not being treated in a fair and just way	Rule based
Has seen businesses where the objective becomes the reward rather than " <i>right way being the means to the end</i> " (PC)	Act based
Practices that go beyond legal minimum	Rule based

Summary of possible philosophical traits in participants' descriptions prepared by the author (table 23)

The examples given above illustrate the difficulties of trying to extrapolate theoretical philosophical positions from the texts. Whilst they nearly all illustrate a degree acceptance of agency theory, there is also a wide range of positions adopted. What can be summarised here is that these statements express emphasis at one point in time and that in only one case is a theoretical base referred to.

Moving on now to look at specific attributes or behaviours, here, many do use a similar vocabulary, which would extend the table above to that where most participants accept a notion of virtue ethics, in that assessments are made about character traits which are "*such that a good, virtuous person exhibits*" (Spence, 2000, p.50):

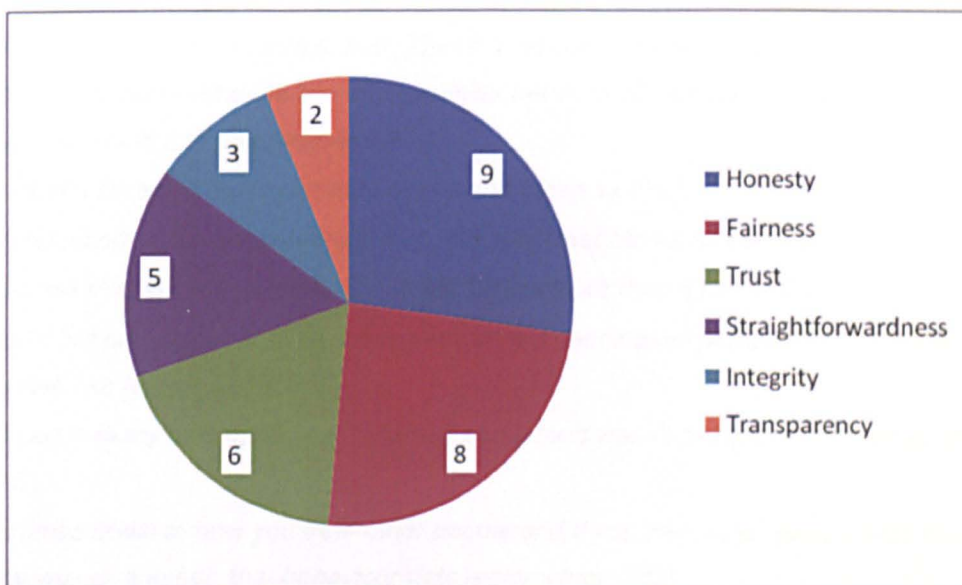


Chart showing the number of times specific attributes or behaviours were referred to by participants prepared by the author (figure 13)

As already noted, with regard to looking at the meaning of ethics, the vast majority refer to a strong degree of acceptance of the notion that they must take responsibility for themselves and their actions.

4.4.3 Treatment of others

Interestingly, a high number of the participants refer to the above not just in the way they or others behave, but specifically in the way that one's behaviour affects others. A consistent theme is how one person treats another. This is expressed variously:

- *Not treating people fairly, so clients want to cut corners, not go through process, not give people their rights or follow their statutory rights, basically, I'd say would be a key one (PC).*
- *It's an approach that is trying to do the best by everybody, not breaching any parts of legislation or moral standing. So I want to treat everybody as equally as possible, treat them decently and within guidelines (PC).*
- *But referring to people of different faiths, actually a lot of the principles are not particularly conflictual because they're straightforward moral issues. We're not a religious organisation, we're a business organisation that applies we think good principles and they could be summed up in treating other people as we would like to be treated ourselves (PC).*
- *I think one of the main ones that crops up quite a lot is the way that I expect clients to treat people but the way that clients actually do treat people. I like to think that the advice that I give is correct, fair, follows procedures and guidelines. However, it doesn't work like that and with clients, often their personal opinions will come into their decision-making. Also I have a big issue with consistency in regards to that. They'll treat one person in one way. However, they'll ignore somebody else who does something similar because of their personal feelings. So that's always my main issue and that happens (PC).*
- *A lot of it for me is basic common sense and courtesy (PC).*
- *So common sense and what you'd expect, you treat others as you would expect to be treated yourself kind of thing, is more of a guide for me more than a rule (PC).*
- *And what people seem to be striving for, from a candidates' perspective and a client, is to be treated like human being (PC).*
- *Because in my own mind, the individual concerned wasn't being treated in a fair and just way (PC).*
- *It comes down to how you treat other people and if you treat other people well, then invariably in one way or another, that behaviour gets reciprocated (PC).*
- *How others treat others, respect (PC).*

Participant quotes on the treatment of others prepared by the author (table 24)

4.4.4 Common sense

Following on from some of the quotes above, it is also clear that a number of participants express ethics as a matter of common sense:

- *No, but it's common sense isn't it? I think it doesn't matter what's written down – documents anywhere – I think people make their own judgment call and if they're a respecter of people, they'll be a respecter of judgment calls (PC).*
- *a lot of it for me is basic common sense and courtesy, keeping someone in, communicating with that other party, keeping in touch in terms of what they're doing at various stages rather than once they've had the brief, going their own way (PC).*
- *It's a difficult one because one of, if you like, my inner values is about being truthful and straight. You kind of look at some of the MPs' expenses and they say, I just followed the rules and you say, yes, but that doesn't pass the common sense test to me. So common sense and what you'd expect, you treat others as you would expect to be treated yourself kind of thing, is more of a guide for me more than a rule (PC).*
- *The law should keep you on it in the sense that there are laws that you have to abide by, as we all know, managing a business, but it's for the senior team I think to 1) ensure the law is obeyed but 2) to go beyond really the law into a common sense and ethical business practice (PC).*

Participant quotes on common sense prepared by the author (table 25)

Whilst it cannot be known how far the term “*common sense*” is used as a philosophical description, it does imply that the consultant has to make decisions based on the situation.

The majority of participants interviewed adopt a world view of choices between right and wrong, the only exception to the contrary possibly being:

ethics as pragmatic, it is about business sense... not about goodness... but about business sense (PC).

For this participant, the language used indicates a philosophical view of pragmatism, that “*good or bad*” is not the issue, that what matters is the end goal of getting things done.

4.4.5 Range of responses gauged by language used

Participants were advised that the nature of the research is around “*ethical concerns*” and they were asked “*to recount situations in which you have had experience with ethical issues, problems or dilemmas whilst working as an HR consultant or whilst working with HR consultants*” (PR). This had been phrased deliberately, building on previous studies, and indicating that any range of concern could be worth raising.

No participant questioned the range indicated by the question, and although all three terms had been introduced by the practitioner researcher, the terms "dilemma" (eight) and "issue" (ten) were more frequently used than "problem" (five). Only one participant qualified the terminology when describing something that they saw *"the other, I suppose, not dilemma, but the other issue we come across"* (PC). The language used in the descriptions gives an indication as to the impact on the individual, rather than on the event itself.

The scale of responses can be illustrated as ranging from mild to intense. At one end, participants describe having something *"niggling away"* (PC), feeling that *"conflict"* was *"too strong a word"* (PC) or they describe having *"a flicker of doubt"* (PC).

At the other end, participants describe feeling stressed by what they perceived to be a *"power battle"* (PC), being *"mugged"* (PC), or it feeling *"awful, the whole horrible experience"* (PC). Another interviewee refers to the *"disasters"* she had had along the way and the learning gained from *"the wreckage"* (PC). Also at this end of the scale, one recalls *"sleepless nights"* (PC), and feeling *"totally responsible"* (PC). Along the scale are ranges of feeling *"comfortable / uncomfortable"*, a language used by five participants.

4.4.6 Identity

There was no specific question on identity in the interview and therefore it cannot be known what all participants feel on this issue. It can be known only that it was of note for those who specifically mentioned it.

It is interesting that, with no prompting, a quarter of respondents explicitly articulated that there is no distinction in their mind between work selves and non-work selves and that ethics plays an important part in their definitions of themselves.

There is also a strong sense in this group that their ethical identity remains constant, with words such as "fundamental" and "foundation" being used.

- *I've got quite an ethical approach to life as well as to business. So it probably forms a fundamental part of how I operate rather than me thinking about* (PC).
- *My personal views on the matter tend to extend to my work* (PC).
- *I suppose my fundamental belief about ethics is you are them, but no formal statement or formal structure is as powerful as getting straight in your own mind the way that you want to deliver your consulting and living it. So I think one of the reasons that I don't get challenged more formally on my ethics is that they're there to be seen* (PC).

- *But it's the foundation of who we are, not what we do (PC).*
- *And I've always been very honest and straightforward, whether that's been in my personal life and the way I was brought up and the way I was educated, right through to my working life. And I kind of think that you either work ethically, you either have that inbred in you or imbibed into you as part of your way of working or you don't (PC).*

Participant quotes on work and non-work self prepared by the author (table 26)

4.4.7 Internal and external orientation

A number of participants referred to themselves as having an ethical stance that is internally driven:

- *I think I've got my own set of values and own set of standards, and the standards which I think are reasonable have been well thought out. And I know I've been slightly conditioned by my upbringing and cultural background which has impinged upon those but that's the way I work (PC).*
- *I drew up my own code of ethics, which we were encouraged to do on the programme; so that's a kind of personal statement that I put together for myself. I haven't explicitly shared that, if you like, with people so it doesn't become part of a pitch or anything like that (PC).*
- *"inner values", "internal code" (PC).*
- *And so wherever I sense that something isn't fair or ethical, it seems to be a natural reaction which is that I become concerned about it, it worries me if things aren't done, as I would perceive, fairly (PC).*
- *It's almost inherent, it's a natural reaction that I have to wanting to be fair, like I say, with people that I work with or for (PC).*
- *No, it's mostly been about just organisations or people behaving badly or, I feel, not morally. I think my internal moral compass is separate of all of the current external macro issues that you discussed... the personal values that I hold within myself (PC).*
- *my own personal values (PC).*
- *I think it's up to the individual and their own moral standing as to how they work and what they practice (PC).*

Participant quotes on describing themselves as having an internal ethical stance prepared by the author (table 27)

Three participants observe that the orientation could also be more external:

- *more driven by a situation that's forced me to feel like that rather than somebody who has quite strong views on ethics (PC).*
- *I think it's not so much ethical guidelines as the culture of the business that sets the ethical stance, and I think that has to be driven by the HRD and the CEO. And I think it ultimately emanates from what they believe in because most people want to be led. They need a direction and you give them that and they'll follow it. It doesn't always have to be the right one but they will follow it, so I think it's the HRD and the CEO (PC).*
- *That there is a "problem that employers don't keep track of what consultants do". The participant continues that, in their opinion, some seventy percent of consultants "are likely to take work and use the system as it's offered to them", the system in this instance being one whereby checks would not be made on hours worked or value given (PC).*

Participant quotes on describing themselves as having external influences ethical prepared by the author (table 28)

4.4.8 Congruence

All three participants who had set up sole trading or small recruitment businesses describe, without being prompted, how the desire to work in an ethically different way had driven decisions in the sort of business they wish to set up. It is evident that they are seeking congruence between what they believe and how they wish to work:

- *That was when I was working for a larger company, but it was for reasons like that [being asked to work in a "racist" / "discriminatory" way] that I went to work for a smaller company (PC).*
- *The inception of our business was based upon that very premise. We previously both worked for a large corporate plc, who did nothing illegal or immoral but we just felt the size of the organisation just didn't allow the level of ethical approach that we wanted to give (PC).*
- *I've seen lots of poor practice and poor approach in terms of how people have gone about recruitment. And where, for example, they've thought to gain some kind of competitive advantage through bad practice, for example, mailshotting candidate CVs to companies without their permission, and putting CVs in front of people without actually interviewing people and finding out what they've done and what they want to do, and made the function about what they've done as being the sole thing that they want to do. And I've made it part of my USP, if you like, to make sure that I am somebody who works ethically and honestly (PC).*

Participant quotes on congruence prepared by the author (table 29)

In these cases, working independently gives the participants the opportunity to define their

business in accordance with their personal beliefs. Nor is it only recruitment consultants who express this sentiment. The opportunity to match work and value systems is expressed by one training consultant:

I suppose I've managed to find an area where the way we work fits in with the way I personally like to operate (PC).

and one reward consultant:

we want to be an organisation of people of diverse faith and of no faith, but they do need to understand that the value set of the organisation is informed by Christian values (PC).

4.4.9 The impact of word of mouth and referral

Whilst there was no specific question relating to where business was sourced from, five of those interviewed directly raise issue of referrals. As can be seen from the examples below, the fact of referral has helped significantly in the consultancy assignment:

I think it's more or less if individuals know you and have had dealings with you before, then you find that the role they've asked you to do tends to run a lot more smoothly. And the fact of what you're advising them to do is far more readily accepted than somebody who you haven't done any work for before and is completely... and is not used to using HR individuals and doesn't have any presence in HR (PC).

And the other reason is I'm quite careful who I work for as well. I've been very fortunate because the clients I work with, they've all been recommended to me by people I know very well and they've either in turn recommended me to other organisations that they know of. So because my work has come through recommendation, I basically have had a trusted source at the very start before I've actually gone in to even tender. So that's given me reassurance about the people that I'm providing a service to. So I've been very lucky so I haven't had any major conflict, no (PC)

Whilst the referral can help with the influencing role of the consultant, participants also positively directly comment that it can help with the clients understanding the way they work and behave.

4.4.10 Ambiguity

This is not directly raised as a concern by the majority of participants, who imply that the consultancy relationship is more static and capable of steady development. There is a significant emphasis on contracting and brief clarity at the start of the relationship, although some uncertainty could be implied at the start with the difference between clients who are referred through word of mouth and others.

There is an interesting point one of the participants raises in capturing the issue of ambiguity and constant change in the consultant / client relationship, describing it as involving "*constant discussions around boundaries*" (PC) and the "*feeling of dancing on boundaries*" (PC).

4.4.11 Trust

More than a quarter of participants refer directly to the issue of trust, both as a positive, having a "trusted source," and recognising when some of the challenges were caused by a lack of trust. A number of participants implied the benefits of a "trusted source" also when describing the positives of business being sourced through word of mouth as above. Finally, participants used the word "trust" as how they wanted clients to feel about the relationship.

4.4.12 Responsibility for setting ethical guidelines

There was one interview question which was "*who in your opinion is responsible for setting ethical guidelines?*" (PR) Many of the participants express the importance of their own values as already described, and the majority assume a responsibility for their own actions and decisions. Given the accepted responsibilities, it is worthwhile noting how they describe the influences on their ethical values.

Some expand as to how their personal value system had been affected and the responses here fall into a hierarchy clearly articulated as such by two of the interviewees.

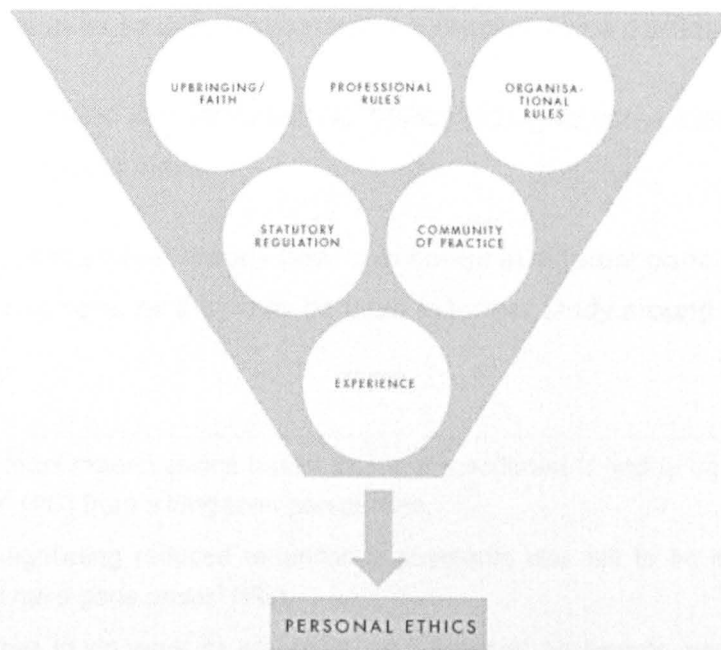


Diagram illustrating influences on personal ethics prepared by the author (figure 14)

The emphasis by all is on the personal, although it is interesting that in the statutory category, specific reference is made by one participant to the example the government sets, which recognises that the personal can be influenced not just by rules and laws.

4.4.13 Ethics in relation to completing tenders

In three of the interviews, specific mention is made with regard to the need for consultants to have their own policy on ethics in relation to public sector tenders. This is expressed as:

I could see a time when if I worked for a local government organisation or if I did massive tenders, I might have to formalise my supervision as such and/or possibly a statement of values or ethics or something like that. But I don't tender for work (PC).

They also comment that it tends to be “a check the box mindset” and once completed “I've never been questioned or audited or anything like that” (PC). In these interviews also, this was seen as a gateway issue, rather than anything which underpinned the life cycle of the project.

The information above was not given in response to a specific question, and so it is not possible to know if others had similar experiences, or if it related to public sector tendering only, which was possibly outside of the experience of all of the participants.

4.4.14 Reasons given as to why issues may be resolved in a particular way

Aside from the participants' ethical reasoning, participants give some reasons as to why they might behave in a particular way.

A number of these points have already been mentioned in different parts of the research, but they merit highlighting here, as they may be used in further study around tensions of choice:

- Fearing future legal repercussions meant that one mentioned *"I had to be whiter than white for every piece"* (PC) from a long-term perspective.
 - Dealing with negotiating reduced redundancy payments was felt to be necessary *"as the business could have gone under"* (PC).
 - Deciding whether to do work or not could be influenced by income pressures. This was phrased as a rhetorical question *"at what point do you decide if you need to walk away or need the money?"* (PC)
 - Degree of tiredness of the consultant.

Table highlighting potential non ethical reasoning behind behaviours prepared by the author (table 30)

4.4.15 The importance of age and experience

Whilst there was no direct question as to what participants think about past experience or age, it is interesting how many refer to both as being important in the context of resolving ethical challenges. Half of the participants raise this as a consideration without any prompting question.

Typical of the way this is expressed is one participant:

I think HR consultancy isn't something you can do at an early stage in your career, because I think you have to have the background, the intuition and practice to be able to cope with situations (PC).

This person goes on to describe the need to have been *"corporately mugged"* (PC) to *"build up your own ways and moral values"* (PC) as part of the experience building process.

Others explain the importance of confidence that experience gives and the chance of having learnt from mistakes:

I think people are more able to deal with ethical dilemmas if they have a greater reservoir of experience to draw from, because just that application of prior learning to what is a familiar situation leaves you better equipped... I suppose that's one of the reasons why 45 year olds make better consultants than 25 year olds (PC).

The confidence this gives, and also possibly the income security, is also key at the stage when deciding to work with a client or not. In two instances, this is again linked to age and experience. This is typically expressed as:

I would be more willing now, much more than in the past, to say 'if that's what you want, you need someone else to do it' and actually pack there and then (PC).

More than one participant highlights that age and experience also provides the consultant with a better understanding of their own position and views:

I think we're fortunate now in that with 16 years of business behind us, then we know how we operate and we know how we should operate in that way. I think if we were asked by someone to do something that we didn't feel was ethical, then we'd be very clear about our course of action. I think if there are people who have just started off in business, particularly a one man band or a very small organisation, I think there are situations out there where you can have very difficult decisions to make really on the basis of livelihood (PC).

What can be seen from the descriptions above is that a consultant may feel financially more secure and more able to turn away work. It could also be that they have a better sense of their own value system and feel more confident about what they will or will not do.

4.4.16 Possible future pressures

Consultants' future ethical concerns fall into five areas and this was prompted by a specific question to participants, as already noted:

- a) Three participants identify pressure of future legislation on business as potentially going to impact on future challenges. Participants specifically mention discrimination legislation and the Data Protection Act. The Freedom of Information Act is also highlighted in the context of consultants being asked to disclose data (in one case, instigating a policy of file deletion after work has been completed). One participant refers to the potential problems with handling equal pay orders, feeling that clients

will put pressure on consultants (*"can you fudge it, can you write it up so it doesn't look like an issue?"* (PC)).

- b) Pressure of the recession and need for consultants to retain income levels has been highlighted already as an existing problem which a number felt could intensify.
- c) Two participants identify changes in employees potentially causing more pressure. One participant highlights that consultants may need a different approach as employees become less accepting of things than in the past. Another commented on the ageing working population and the *"different sets of values"* (PC) of the working generation Y.
- d) Finally, one participant refers to the increasing tendency of HR to have Corporate Social Responsibility and environmental issues on the *"tick list"* (PC).

There is also reference made to pressures on HR being very busy and that possibly putting pressure on departments, along with the level at which they worked in the organisation.

This concludes the section dealing with the participant data. The study now moves on to look at data generated by the practitioner researcher.

4.5 THE INTERACTION BETWEEN PRACTICE AND RESEARCH FOR THE PRACTITIONER RESEARCHER

This section describes separately how the research impacts on my practice and my practice on my research, and describes the findings of the practitioner researcher relating to ethical challenges. Throughout this chapter, the first person is used, both in the main narrative and in quotes taken from my advanced practitioner skills portfolio. This distinguishes this part from rest of the chapter where I am describing the experiences of research participants. This data is evaluated, as with other data findings from the participant group in chapter five.

This section draws heavily on the material in the advanced practitioner skills portfolio, although I have quoted at sufficient length to allow this thesis to be read as a stand alone document. A summary of the different field texts is included at Appendix 4 to enable the reader to see the flow of field texts. A timeline document of the writing of both the portfolio and field texts is also included at Appendix 5 to enable the reader to see the context of the writings.

By including this section in the data findings, I am making explicit where my *"personal theories"* (Jarvis, 1999, p134) from practitioner based research have evolved from.

4.5.1 Clarity of role

The label 'practitioner researcher' is tidy but it is also deceptively simple. Whilst it accurately describes my role, throughout the study, I have had to determine with greater clarity what role I am assuming when interacting with others and also when writing. (The term "*scholar-practitioner*" was also considered but I felt it more suitable to emphasise "*practitioner*" first and to use "*researcher*" rather than "*scholar*").

During the course of my study, I determined that my thesis would emphasise the research and my portfolio would emphasise my practice.

Whilst this distinction serves to structure the writing, and sets the tone with the data collection and my positioning with the participants, clearly both practice and research inform and influence the other.

My background as a practitioner and researcher has been set out in the introduction in chapter one and a summary of interaction between the two positions is now documented. The reasons for setting out the summary out are:

- a) This chapter sets out findings from the data from the research process and my own experience contributes to these data findings
- b) The process of examining the impact of one role on the other acts as a check for bias and skew in the recording of the data findings
- c) My thinking with regards to ethics in consultancy practice should not be recorded, together with the responses from the participants, as the starting point for each is very different. My data has been recorded over a longer time period and is influenced by reading on the subject, together with reflections on participants' responses. As a result, it seems more appropriate to record it separately here, rather than confuse the data findings for both myself and others.
- d) My data is primarily drawn from field texts written during the study period and recorded in the portfolio. Quotes are included to assist with sense making.
- e) Elsewhere in this chapter, the findings are recorded with no reference to the positioning in current literature as this is dealt with in chapter five. In this part of the chapter though, some literature is noted to the extent that it has influenced my practice.

4.5.2 The influence of my practice on the research

Some of the impact of being a practitioner has already been described in the study, including the emergence of the research question and the choice of research methods. This part of the study now examines my experience of ethical dilemmas, setting my experience in context first.

a) A positioning of my practice

In my portfolio, I describe myself as a practitioner with some 25 years of experience who has been working as a consultant for more than 10 years. With regard to my practice, I explain in my portfolio that I consider myself to be closest to the stage of 'alignment' defined by Harrison in his description of a 'consultant's journey' (Harrison, 1995, p 3). This is the stage in my career when I am "*feeling motivated by vision and purpose; concentrating my efforts on achievement of ideals*" and when I consider myself to be:

learning from experience and experiment, guided by intuition; experiencing successes and setbacks as learning events in the progress toward a goal (Harrison, 1995, p.3).

I highlight the detail of the practice over the past three years as follows:

To put learning in the context of work experiences though, I set out here what work I have been and am currently involved in as an HR consultant.

Firstly, I have three main retained clients. They are in the hospitality, IT and motor industry sectors and my work with all of them has an international dimension. For all of them, I provide or have provided generalist advice, and with one, I work specifically as an independent pension trustee.

Over and above this, I undertake specific projects, generated by two firms of lawyers or the CIPD or word of mouth. During the course of this study, I have worked on a TUPE transfer for three charities, a public sector pension tender, a lengthy sexual harassment investigation / redundancy case for a law firm and a disciplinary investigation / compromise situation for an energy business (PR).

b) Specific situations which posed ethical dilemmas

During the course of the research, I experienced a number of difficult situations which troubled me and caused me to struggle over the “right” course of action, two of which are recorded on the portfolio.

The first, recorded in field texts five and six of the skills portfolio, details the issues surrounding taking on a new assignment involving the termination of employment contract of the managing director.

The second, recorded in field text 11 of the portfolio, details the issues surrounding a sexual harassment/ redundancy scenario.

With regards to the situation described, my issues involved all three categories of situation described by other consultants (those of the nature of it being a consultancy relationship, specific human resource practice and issues around managing a business). The issues around being a consultant in both the situations involved me trying to determine who the clients were, and what my responsibilities to the different clients were. The issues of HR practice were also clear, as I was dealing with legal processes and knew that the implications for all parties would extend beyond the employment arena. In both cases, I was also concerned as to the issues around managing a business and trying to work out how much unpaid time to expend on the matter at the expense of family time.

Both situations were helped by reflection, using networks and using resources from my study to structure my thinking and which I now explore in more detail.

To this extent, my findings were not dissimilar to those of the majority of other consultants I interviewed.

c) What I found to be of help in these situations

In reporting on the participants’ resolutions to difficult situations, I observed that a high number used networks or supervisory arrangements to help resolve or understand issues. My reactions were not dissimilar to those of other participants in this respect. I was more explicit though in my use of such networks, noting that I sought not only a legal check but also a check as to my overall handling of the situation.

Also, only one other participant specifically stated that reflection was used to work through to a better understanding. What I also found was that by reflecting critically on the situations, I

could further resolve why these situations were so troubling to me after many years of experience.

In addition to resolutions already identified, I would extend the example list articulated by the participants by adding the following points:

- a) I found it most difficult to work out whether I was being asked to do something I thought could be wrong, and to work out what I felt was right or wrong at the start of working with a new client. Whilst other participants articulated this as an important time, I attribute part of this difficulty to lack of knowledge and of trust. I describe this in field text five as:

If I now reflect back, whilst there were problems of overload and convergence of two difficult cases, I can see that trust was a huge issue for me. My experience demonstrates the negative of Kahn's theory, namely that when I did not feel I was working with "trusted others", I did not feel self reliant or self confident. The actions I took were to check out what I had done with those I could trust (JT and husband) and ask for help on challenging the shareholder on payment and actions. I also challenged the contact (PR).

- b) This problem was exacerbated by not realising that I was dealing not just with a new client, but one who operated outside of the corporate world I worked in. It was only on doing some research on entrepreneurs and ethics that I came across frameworks which helped me change my assumptions about the client's expectations. I describe this in field text six as:

It has helped me understand how I found myself adjusting my influencing skills in the decision making process involved in all of the cases. There were times when I thought the shareholder perverse (for example, over the delaying tactics in the compromise negotiation). Whilst I will never know how much was a cash flow issue, how much a need to take independent action, or how much a combination of both, I do now understand that I had gone into the process with assumptions as to how it would operate that were incorrect (PR).

- c) Following on from this is the need not to make assumptions about the client's priorities, and to be more forceful about my own. In both the difficult assignments I took on, there were issues with the client pushing at my boundaries regarding time. I of course have to take responsibility for colluding with their putting pressure on me to work weekends and late hours and to strict deadlines, but I do need to ensure that I put across my limits more

clearly. When I felt under time pressures, I found it more difficult to think through the best course of action, or to work out if I was being asked to work in the 'right way', both in the business and at home. This was included in my reflections:

Things that may change include no automatic assumption on priorities and boundary setting for clients. Some of this is an on-going discussion at home, as both my husband and I operate from the same paradigm. What may also change is my negotiation for more time not just from a family perspective, but from a need to prepare for disciplinarys and similar. I had to feel comfortable that I could act in a legally and ethically correct way (PR).

4.5.3 The influence of the research on my practice

My skills portfolio documents in detail the impact the learning of transferable skills of critical reflection had in my practice as a consultant, and the two examples of difficult situations I encountered above highlights also how my reflecting on issues in practice were informed by my study.

My skills portfolio also documents how I realise that networks provide not only additional resources for practical knowledge, but also a source of support. They can provide a framework of "*trusted others*" (Kahn, 2001, p.261), which is essential for me as I work more on new assignments where I do not know as much about the client as I have done previously, and find myself needing to challenge myself and them more to work towards a position of trust.

Additionally, reflections on my practice as a consultant included in the portfolio involved some practical experimenting with ideas sourced from the literature reviews and from other consultants. This experimentation was not contrived. The study was being carried out whilst working, and so when concerns arose, it was natural to use resources available.

In reviewing the field texts written during the course of the study, the following resources were used:

- Material sourced in the various literature reviews
- Information from discussion with participants
- Input from the supervision group
- Applying learning from study to reflect on the experience of work situations

The information that these resources generated was used in a number of practical ways which are detailed as follows:

a) My understanding of ethics

In the narratives above, I refer to what I consider or feel 'right' and 'wrong'. My starting point for my research was that of the "*man on the street*" and relied heavily on an intuitive and emotional response to the situations I found myself to be in (Schutz, 1964).

Berumen (2003, p8), as already referred in the literature review, describes in answering "*what do business people think about ethics,*" that "*to no small degree the 'man on the street' sees ethics as a matter of common sense, and not something that requires justification*".

At the time of completing the first stage of the study and starting the work for the thesis, I considered I had moved to the level of '*well-informed*', informed by resources as already detailed (Schutz, 1964).

My understanding of the subject is now better able to be articulated, and the research framed for the perspective captured in field text seven:

in writing on ethics in social work, Banks and Williams (2005, p.1005) define "the subject matter of ethics is generally regarded as being about how humans treat each other and their environment- what actions are regarded as right or wrong". They distinguish between how moral philosophers treat ethics and professional practice, but acknowledge the interrelatedness of the two. Professional ethics for them encompasses "how professionals should react in relation to service users and others... how to distribute their resources... and what kinds of people professionals ought to be". The writers define a hierarchy, where in an "issue" describes a situation which has an ethical dimension, but there is no decision to be made; a "problem" is describes a situation where a difficult decision has to be made but it is clear which course of action to take and a "dilemma" is defined as "a choice between two equally unwelcome alternatives" where it is not clear which choice will be the right one (PR).

b) An understanding as to why I struggle with ethical dilemmas as a consultant

Being able to better articulate why I had defined dilemmas as being ethical helped me frame the question as to “why” I struggle with such dilemmas as a consultant. I wanted to understand this, as I was possibly struggling unnecessarily and expending energy at a time when I had the least time and mental resources to deal with the question.

Having asked myself the question over many months, I realised that there were a number of reasons. These are explored in field text 12, written in December 2010 and January 2011, *“Issues of ethics and identity when one is an individual and a business”* (PR) and include:

- Being at an age and stage of life when one seeks different goals
- That being more experienced, the assignments I am offered are more complex and difficult and are more through indirect word of mouth than knowing the client from the outset
- That I need my own expression of my values and questions to guide ethical practice
- That, working as an independent consultant, my work identity and professional identity are one and the same and this is not the same as working in a large organisation. I expand on this in the text as follows:

Finally, I think that this may also be to do with who I am being totally bound up by what I do. Nash (1981, pp.79-90) puts forward the “good puppy theory” as part of her answer to her question, “what do we expect of the ‘ethical’, or ‘good’ corporation?” She gives three examples:

- “the most rigorous moral analogy to a good corporation would be the ‘good man’ An abstract, philosophical ideal having highly moral connotations”.*
- “Next, there is the purely amoral definition of good, as in ‘good martini’- an amoral fulfillment of a largely inanimate and functional purpose.”*
- “Halfway between these two views lies the good as in ‘good puppy’- here goodness consists primarily of the fulfillment of a social contract that centres on avoiding social injury”.*

For Nash, “business ethics operates most appropriately for corporate man when it seeks to define and explore corporate morality at the level of the good puppy. The

good corporation is expected to avoid perpetrating irretrievable social injury... while focusing on its purpose as a profit-making organisation. Its moral capacity does not extend, however, to determining by itself what will improve the general social welfare".

What struck me when I read this, was that, by myself, being defined by my work which was determined by myself, possibly the "good puppy" level of operation was not one I was satisfied with. In a number of the interviews I carried out, the need to operate at a different level of morality was a key driver in more than one case of a person setting up their own business. I cannot claim that, but I am now more aware as to why this was an issue I wanted to explore further (PR).

c) Writing my own model of personal ethics in practice

As already identified, I recognised during the study that I needed my own operational code of ethics. Field Text 8, written in July 2010, sets out my model of "Personal Ethics in Practice".

The model sets out the skills I consider to be at the heart of my practice (namely HR skills and consultancy skills). I then note the ethical issues that can occur at the three stages of an assignment, namely engagement, delivery and disengagement. These issues are dealt with by posing a series of questions to check behaviour. Finally, I draw on the four qualities that I feel I need to use at all of the stages of the assignment and in answering the questions I raise.

In my portfolio, I observe that:

I have also found that when I when I worked for an organisation, it was very easy to use either an explicit code of ethics or an implicit "this is how we do things" to work out my own position and sense of identity. Somehow, this has become harder as a sole practitioner, and working out my own sense of personal ethics has been very useful here (PR).

When setting up in practice, it is necessary to think about sourcing and resourcing the many things that are supplied when working as part of a corporation. It is still surprising to me that I had not considered some document or instrument to use as a touchstone for my own code.

d) Use of models found in the literature reviews

A number of models to help with reflection were sourced at different stages of the research. The most useful for me was recorded in Field Text 10, written in October 2010. The text is called "*Trying to untangle myself in an ethically difficult situation using Schein's (1997) simplifying model 1 of basic client types*" (PR). The model worked by asking me to look at who were the different clients in any consultancy arrangement. Once I had this, I could then extend the model by working out my responsibilities to each of these clients, their expectations, and work on any gap between the two.

In the portfolio, I observe that:

when I take on a new assignment through word of mouth, I am often having to operate in an environment where I do not have prior knowledge of the primary client, and where trust has therefore yet to be established. In these situations, I have found that thinking through my responsibilities to the different clients to be very helpful, as has recognizing that working through to a stage where there is trust will take time and is an ambiguous time period to be managed (PR).

4.6 SUMMARY OF FINDINGS AS A CONTRIBUTION TO KNOWLEDGE

This chapter sets out a summary of practitioner research, predominantly from within the sample group but also including practitioner researcher data. As there has no specific research sourced in this field, the data contributes to new knowledge.

To the extent that this knowledge has applicability outside the group studied, key characteristics of the group are detailed, together with a high number of examples and quotes to better explain the situation from the perspective of the consultant. In summary, there was a high response rate from within the group, the majority of whom have more than five years' experience in independent practice across a variety of industries in both the public and private sectors.

The challenges can arise with consultants who have different specialisms, ranging from generalist HR, organisation development, coaching, reward, recruitment, interim, change management to training.

A high number of participants in this study work in generalist HR and examples of challenges are given which cover a wide range of HR practices, including the management of disciplinary and grievance processes, equal opportunities, data protection, termination of employment, pensions, redundancy management, harassment, recruitment and selection, strategic HR planning, performance appraisals and mentoring.

There was rich data provided which indicates that ethical challenges arise due to the nature of their practising in HR, practising as consultants and practising independently. These challenges arise throughout the consultancy relationship from initial engagement and delivery through to disengagement, although there is an emphasis on the initial engagement.

The challenges arise predominantly within the client relationship, but a smaller number indicate that they can also arise from relationships between consultants in networked or subcontracted arrangements. The degree of challenge also varies as indicated by the language the participants use, although the majority refer to a scale of feeling uncomfortable to comfortable, with a few using more extreme descriptive vocabulary.

In addition to challenges, there was also a high number of resolutions offered; some of these related to the specific categories of challenge, such as legislation helping with HR issues and not accepting assignments, getting contracting and brief clarity, and influencing and managing the client helping with consultancy issues. There were less specific resolutions to help with independent practice but it could be that general resources were used. These include professional bodies, codes and supervision / mentoring, although it was surprising that these are infrequently used with the main resource being networking, which was cited by more than half of the participating consultants.

Other themes in the participant accounts are also explored in this chapter, including the espoused personal positions of those participating and the way they express their understanding as to what ethics means. Only one participant queried what "*ethical*" meant in asking a rhetorical question, but all of the participants worked from an assumed understanding. Again with regard to any philosophical theories around ethics, only one participant referred to established theories and in examining the accounts given, it was found that a high number of different positions were adopted.

There was a clear focus on the treatment of others in such accounts, with more than half introducing this, together with other notions of common sense and issues around identity and congruence between work selves and non-work selves.

Whilst the above summarises the findings from within the participant group, the practitioner researcher also reflected on these findings with regards to her own practice. Like the participant group she had experienced ethical challenge which related to the nature of the work being HR in consultancy practice. As for many of the participants, networking has proved important in helping with her resolve these situations; so too has reflection and also using resources from study.

With regard to further themes within the study, as already stated, these themes arise from the literature, from the reflections of the practitioner researcher and also from interview questions reflected in the data. Whilst the literature and interview questions are set out elsewhere in the thesis, this chapter sets out practitioner researcher data to illustrate how “*personal theories*” (Jarvis, 1999, p.134) were formulated during the research and how practice was impacted by these theories.

These “*personal theories*” include the notion that challenge can arise at the start of the relationship (as found with the participant group) and that this is because the situation can be ambiguous (particularly so when work is sourced indirectly and trust has yet to be established to reduce these ambiguities). One of the uses of networks can be to find others who are trusted and who can support.

The practitioner research also found that reflection, sometimes using structured models from the literature, could help a better understanding of the dimensions of a challenge, particularly with regard to understanding who the clients were and respective responsibilities towards different clients. It also helped to reflect on different assumptions about priorities and agendas between consultants and clients and to set personal boundaries about responsibilities to others generally.

It was also recognised that challenge is also about personal and professional identity and that in operating independently, or by being a business (as opposed to working for an organisation), a personal code of ethics can help determine the level one wishes to operate at. These findings, together with detail from the literature, are now discussed in chapter five.

CHAPTER FIVE : DISCUSSION

This chapter discusses the research findings. Initially, the discussion sets out a summary of participant data before addressing each of the research questions set out in the introduction to this thesis:

- i. What kinds of ethically challenging situations face independent HR consultants?
- ii. How are consultants resolving these situations?
- iii. What explanations around ethical themes are identified in the study?
- iv. How could independent HR consultants resolving ethically challenging situations be helped?

This chapter draws upon detail from the literature review and also from the data findings chapters, comparing both.

Additionally, there is an evaluation of the study overall with regard to:

- v. Practitioner research methodology for exploring independent HR consultancy practice
- vi. Limitations of the study and recommendations for further research

The sections that follow provide a discussion of the key findings as regards the research questions. In general, detail from the participant data is presented first and is then compared with the literature and evaluated. The discussion also highlights, where relevant, reflections on the practitioner researcher's own practice which inform the research. The data is presented in this way for a potential audience of practitioners and/or practitioner researchers.

Further detail relating to the literature and the findings from participant and practitioner research data is found in chapters two and four respectively. Additional data relating to the practitioner researcher is in the advanced practitioner skills portfolio which forms a separate part of the submission for the professional supervision, but quotes and summaries are included in the discussion when relevant.

5.1 ETHICALLY CHALLENGING SITUATIONS FACING INDEPENDENT UK HR CONSULTANTS

Before the detail of specific examples of ethical challenges is set out, the types of challenges participants describe are categorised.

The participants in this study describe a range of situations which have been themed into three main categories relating to ethical challenges arising from:

- i. the nature of HR work,
- ii. the nature of the consultancy relationship, and
- iii. the managing of an independent business.

The three categories this research identifies are not dissimilar to Pope and Vetter's (1992) findings on ethical dilemmas encountered by members of the American Psychological Society. Pope and Vetter carried out a significantly larger study and identify the three most common areas of ethical dilemmas for psychologists as being "*confidentiality*", "*blurred, dual, or conflictual relationships*" and "*payment sources, plans, settings and methods*" (Pope and Vetter, 1992, p.399).

Clearly, their study does not focus directly on the detail of issues in HR practice or consultancy work and they provide a much longer list of areas of challenge rather than a three-fold categorisation.

Issues in practice as identified for HR practitioners in this study encompass "*confidentiality*", with issues in managing a business corresponding to "*payment sources*" and issues in being a consultant corresponding to "*blurred, dual or conflictual relationships*" (Pope and Vetter, 1992, p.399). Whilst too exact a comparison is not possible (this study includes different aspects of confidentiality for example in different categories), there is sufficient overlap to be of interest and to assist in validating the work. It should be noted that the categorisation in this study was made by the practitioner researcher before the similarities with the Pope and Vetter study were consciously noted.

The Pope and Vetter (1992) study, as with this study, focuses on the consultants' perspectives rather than the clients'. Participants were asked to describe situations which they observed in the industry and/or that they had found to be personally ethically challenging and to explain how they dealt with such.

Kakabadse, Louchart and Kakabadse (2006, p.485), in their study of management consultants, found that amongst the 17 business consultants they interviewed, it appears they were all *“very ethical in their behaviour”*. There are no judgements made in this study as to whether any behaviour or situation described is ethical or not because this is not in the scope of the research, and therefore the study includes all incidents participants chose to describe.

The three categories are used as a framework to examine in greater detail the challenges which are described and also how they are being dealt with.

5.1.1 Examples of challenges arising due to the nature of HR practice

Specific examples of areas of potentially challenging situations are given which relate to HR practice and include:

- Confidentiality (around when to disclose information to employees and to the client and around employees disclosing inappropriate information about other employees)
- Clients wanting to *“cut corners”* and not follow statutory processes (such as dismissal legislation)
- Clients being inconsistent with application of HR policies and procedures (around redundancy selection, payments, consultation and dismissal)
- Consultants being asked to *“exit”* employees when no warnings given or process followed

There is also a notion a few participants express that HR is different from other forms of consultancy practice by its very nature. That the challenge is to *“look after the needs of the individual and the organisation”* (PC) or that in HR *“we are genuinely messing about with their lives here”* (PC) and *“have the power to change people’s lives”* (PC). One participant directly expresses this as a choice in emphasis between the *“human”* and the *“resources”* nature of the role.

There is little in the prevailing literature dealing with specific dilemmas independent HR consultants face. Where there are examples, these are in the literature written generally for consultants by those involved in HR related consultancy assignments (such as Schein (1998:1987) and Margerison (2001)).

Schein (1987) for example, highlights similar examples referred to by the participants. He describes how he was used by clients to give feedback to a senior manager and being asked to provide career counselling, but then realising that there was a hidden agenda as he was in fact informing a member of staff that they were expected to leave.

Within the literature around ethics in HR practice rather than consultancy practice, there are specific examples however of ethical issues relating to HR practice. Winstanley and Woodall (2000, p.8) highlight a number of specific areas of HR practice and identify a issues and frameworks, which can help the reader who has to “*utilise their own moral frames of reference to determine 'right' and 'wrong'*”.

Winstanley and Woodall in their introduction also highlight :

the literature on human resource management has overtly concentrated on the 'resources' aspect, to the detriment of the 'human', on objective rather than subjective relations and what individuals can do for the organisation, rather than what the organisation can do for them” (Winstanley and Woodall, 2000, p.5).

The issue of the question of emphasis on the “*human*” in human resource is raised by both participants in the study and within the literature. This does point to ethically challenging situations being of particular concern to this area of consultancy practice, in that decisions can affect people beyond the work context and within the work context, there is the balance between the needs of the employees and of the employer. The difference between HR and other forms of consulting is expressed by one participant as:

no statement or formal structure replaces people's sense of whether you've got a very strong view on your own ethics and you live them. And I think that's probably more important to HR consulting than in other forms of consulting because it's the nature of what you're doing (PC).

The impact of this on practitioners is reflected by some participants in the language used to describe challenges and this is examined later.

5.1.2 Examples of challenges arising from the nature of consultancy practice

Specific examples given in this category by participants include (on a most frequently cited basis first):

- Confidentiality (around being paid by the organisation but managing the issues with employees and around confidentiality between clients)
- Confusion concerning who the client is and working with clients within an organisation who have different agendas
- Requests for data to be presented in a particular way
- Responsibilities towards previous and current clients
- Pressure from client for consultants to share salary data
- Consultants being used to do keep clients “clean”
- A client attitude of, “I’m paying you to do this, just do it”
- Clients not taking ownership of a problem
- Consultants undertaking work which they do not believe will be maintained or is necessarily right for the organisation
- Consultants needing to adjust to different expectations with different organisations, or when switching from one role (employee) to another (consultant)
- Consultants not having the “*full picture*” (PC) as they may have felt they had when they worked in an organisation.

The examples the participants raise are typical of those found in the prevailing literature on consultancy practice and as described in the literature review (Kakabadse, Louchart and Kakabadse 2006; Lynch 2003; Margerison 2001; Block 2000; Poulfelt 1997, Lippitt and Lippitt 1986).

Whilst there is significant overlap between many of the examples participants of this study raise and examples in much of the literature written for consultants, there are also some differences.

One of the areas of challenge the participants do not raise is the issue observed by Block, namely that sometime consultants can “*take advantage of what is in vogue and use it for covert purposes*” (Block, 2000, p.310). Block’s emphasis is very much on the handling of product solutions (referring to “*packaging*” and “*false customisation*” (2006, p.310), and this echoes Kakabadse, Louchart and Kakabadse’s findings around “*standardised solutions*” and “*package*” (2006, p.477). These questions could legitimately be asked of HR consultants offering particular solutions as well as general business consultants.

Kakabadse, Louchart and Kakabadse also find sub themes in unethical practice of *"standardised solutions;...arrogance; lack of innovation; and esoteric language"* (2006, p.477) which are not raised by the participants in this study.

A further issue relates to the handling of more than one client, with participants noting issues around data sharing and handling confidentiality between clients which is not reflected in the literature. On the theme of handling more than one client, Margerison (2001) refers to one further implication, namely role overload. Again, the questions can legitimately be asked of HR consultants managing time and delivery for different clients, both simultaneously and consecutively.

5.1.3 Examples of challenges arising from the nature of independent practice

The examples participants cite here include:

- Inconsistencies with regards to billing and expense claims (around what to charge, what a day rate is)
- Speculation that some consultants may take on work because of a financial need, *"at what point do you decide if you need to walk away or need the money?"* (PC)
- Lack of delivery (around offering value for money, having the best skill set, giving the client what is wanted rather than needed)

It should also be noted that the examples above are also raised as challenges in reaching agreement when consultants were operating collaboratively or sub contractually with other consultants.

Whilst the examples above indicate areas of potential challenge, a number of those interviewed stress the *"good business sense"* (PC) of operating in a transparent manner, with one working on a principle of *"if you don't like what we've done....don't pay us"* (PC).

A minority of participants highlight general negative distrusting attitudes towards consultancy, including *"don't just hold up the mirror and reflect back what the problems are"* (PC), and observing that there must be many clients who probably do not realise how much pay and expenses can vary.

The question raised by a number with regard to *"at what point do you turn down business"* (PC) was made rhetorically, with an implied acceptance that this would remain an area of potential challenge.

Within the literature, attention is given to attitudes towards consultancy practice, a number of which could be categorised as issues concerning independent practice. Some of these relate to managing a business and needing to maintain an income stream.

O'Mahoney's (2010, p.294) details analysis of criticisms of consultancy, and implied concerns, for example, include the criticism that consultants could be seen as "*money wasters*" and "*parasitic*", with implied concerns of "*fairness of reward/efficiency of work*" and "*lack of ethics*".

This study does not set out to justify consultancy or defend consultancy against the critiques highlighted in the literature (O'Mahoney, 2010; Kakabadse, Louchart and Kakabadse, 2006; Block, 2000).

Issues in managing a business are further highlighted in the literature, expressed succinctly by Poulfelt (1997, pp.67-69) as "*maximum income versus the best solution*" and in detail by Schein (1997) addressing contracting and fees about what to include in fees, what rate to charge, billing for exploratory meetings and contracting

Literature on issues in managing an independent or small business proved hard to source in the prevailing literature. Articles on the web, as highlighted in the review, tend to emphasise the link between ethics and profit, and generally use normative language stating that behaving ethically would drive client satisfaction and long term sustainability. Other literature on small businesses occasionally has guidelines on ethics which are all normative in tone (Hodgetts 1995; Zimmerer & Scarborough 1992; Anderson & Dunkelberg 1992).

In seeking information relating to the difference of managing a small business, one study on entrepreneurship and ethics sourced (Hannafey, 2003) makes the point that many small business owners are entrepreneurs. Hannafey finds that entrepreneurs come across "*uniquely challenging ethical problems*" (Hannafey, 2003, p.99). These include working in stressful situations which make time for reflection difficult; the need to take action without "*the moral guidance in established organisations*" (Hannafey, 2003, p.99) and the increased likelihood of action for personal gain, even at the expense of others. He also notes that entrepreneurs can tend to view relationships in "*transactional or instrumental ways*" (Hannafey, 2003, p.99).

When undertaking the data collection, the majority of participants raise the other areas of concern first and then highlight the challenges that are the result of managing a business as

an independent practice. These areas are often reported as incidents which participants have come across when dealing with others, or were narrated as speculation as to pressures others may be under.

It is interesting that there was little found in prevailing literature which deals specifically with examples of ethical issues in networking or subcontracting, which is already noted as a concern of some independent practitioners. The points relating to time pressures on reflection and needing to act without larger company guidance are well made by Hannafey (2003), and impact on the recommendations made in this study.

The examples given above indicate a huge range of issues that independent HR practitioners may face. The vast majority of examples are raised by the participants themselves and correspond to examples found in the literature. That challenge exists is not in dispute and the study now moves on to look at how these challenges are dealt with in practice.

5.2 HOW UK CONSULTANTS ARE RESOLVING ETHICALLY CHALLENGING SITUATIONS

In the first instance, examples participants raise as to how they deal with ethically challenging situations are explored using the three categories of challenge already identified. There is then an exploration of some common resources participants refer to which could be used across all areas of challenge.

5.2.1 Resolving challenges relating to the nature of HR practice

The area a very high number of participants refer to frequently, with regard to dealing with ethically challenging situations that relate to HR, is the recourse to prevailing employment legislation. It is interesting that there are some notable differences with regard to how employment legislation is used.

Whilst the majority observe that the law sets standards of ethical behaviour, a very few state that legislation may need to be balanced with commercial interests, with a further few suggesting that their clients go "*a little further*" (PC) to "*far beyond*" (PC) legal requirements.

This is reflected in the literature where there is a general acceptance that, as Creighton (2007, p.81) refers, *“the law can and should provide a framework that can encourage participants in the labour market to behave in an ethical manner”*.

This is taken further by Bennington (2007):

the law generally sets minimum standards. It might be criticised as falling far short of ethical goals by some and, by others, as possibly not even ethical. Viewed on a continuum, Baytos suggests that it operates along the lines of unfair... unethical... illegal’ (cited in Grensing-Pophal 1998), but for the purposes of this chapter and, at least in the first instance, adherence to the law will be treated as the minimum requirement for ethical behaviour (Bennington, 2007, p.139).

The high incidence of referral to legislation amongst the participant group suggests that the practitioner researcher is not alone in seeking reference to rules first, as has already been highlighted. Whilst not raised by participants, but observed by the practitioner researcher, employment legislation and case law often hinge upon *“reasonable”* behaviour, and consideration of ethical issues may be included in deciding what is reasonable, and in determining what the consultants’ responsibilities are. Berumen emphasises this (2003, p.11), stating that *“the law and morality are not the same. The law tells us what we must do, whereas morality tells us what we ought to do”*.

To this extent that consultants need to make judgments as to *“reasonableness”*, this calls for judgment to be exercised, again drawing on experience and knowledge. This is taken into consideration when making recommendations and supports the notion of a need to consider both rules and the situation in making such judgements.

Where there are areas of practice not covered by specific legislation, (such as coaching) codes are more frequently referred to as explored later in the chapter.

5.2.2 Resolving the challenges relating to the nature of consultancy practice

Within this category, participants specifically highlight the following as important in resolving challenges:

- Not accepting an assignment or shortening assignments (raised by nearly half of participants)

- The need for clarity and contracting at the briefing stage
- The need to influence and to manage the client

These resolutions are reflected in the literature with a number of specific suggestions being given, including Schein's (1997) definition of consultant roles and client identities and Block (2000, p.323) "*say no as often as you say yes*".

Within the "*expert*" literature (of which Block and Schein are good examples), there is an approach which is "*often highly normative with a strong emphasis on best practice. Thus, quite some energy is put into the formulation of guidelines for how to solve different problems*" (Christensen and Klyver, 2006, p.304). Not surprisingly, there are a number of instructions such as above or more generally covering behaviour, such as Schein (1998, p.1) "*always try to be careful*", "*be clear about who the client is and their role*", Block (2000, p.324) "*stay true to your worth*", Stroh and Johnson (2006, p.164) "*always play it straight*" and similar.

Whilst most of the prescriptive directions in much of the "*expert*" literature cannot be disagreed with, this does mean that they can easily be read and not challenged. If one looks at the selection quoted here from the literature, such statements are potentially open to challenge. For example, how does a consultant express their worth to themselves or others; what would not playing it straight look like; and is it best that one should always be careful?

There is also an action based orientation with many of the guidelines, with a heavy use of verbs, although Block does acknowledge the tension between the action and the need for reflection (2000, p.335).

With literature from within the "*process*" paradigm rather than an emphasis on prescriptive guidelines, there is a greater emphasis of an exploration of the situation, exploring notions around the ambiguity of the client / consultant relationship and issues around identity. There is a therefore a greater understanding that:

the advisor is in this view envisaged as a change agent, who listens to the needs, values and the variety of attitudes in order to judge the situation and feed new views and energy to those routines and rituals that dominate the management of the small firm. Literature inside the process paradigm thus emphasise the contextual and situational aspects of performance, disregarding the emphasis on one best practice (Christensen and Klyver, 2006, p.305).

All of the literature is written on the assumption that the consultant must and does take responsibility for their actions and intervention affects. There is an underlying assumption in the “*expert*” that there will always be a solution and answer, and the idea that difficulties can be resolved if one just behaves “ethically”. There are some frameworks, notably Schein’s (1987), which can help with specific issues around working out exactly who the client is and the understanding of the nature of the consultant’s role.

Within the “*process*” paradigm, whilst there is an acknowledgement of the need for experience and tacit knowledge, it is less clear how this can be improved. The notion of experience emerges as an important theme from the participants, as further explored, but this raises the question as to how challenging situations can be minimised rather than accepting a “*learning from mistakes*” attitude.

5.2.3 Resolving the challenges relating to the nature of independent practice

Whilst acknowledging the issues in this category, the participants make no specific suggestions which deal with rate setting, expenses, offering value for money and balancing the need to maintain an income stream. It is perhaps even more surprising that few solutions are suggested, even though problems are raised, given that the participants work in HR. Whilst a number of consultants could potentially be involved in salary work for clients, no participant suggests benchmarking fees or similar, for example, and there are varying views from the participants as to the practice of fixed versus variable rates.

In analysing the interview scripts, it is possible that the lack of suggestions here is because the issues around managing a business are raised after other concerns. It is also possible that the solutions are found through drawing on general resources (which are detailed in the next section), although this can only be hypothesised. Also, a number of the comments in this category are made as observations about other consultants and solutions had not been sought by the respondents themselves.

In the literature, there are a number of instructions as to how to behave which could apply to this category and, as already noted above, include Stroh and Johnson (2006, p.164) “*always play it straight*”, “Block (2000, p.324) “*stay true to your worth*” and Schein (1998, p.1) “*always try to be careful*”. Other than instructions or suggestions about behaviour, there is little specific practical support suggested.

This concludes the section detailing suggestions to help with the three specific categories of ethical challenge. The study now moves on to evaluate a number of general resources which could be used with regard to any or all categories and in addition to the legislation and guidelines already noted.

5.2.4 General resources and strategies for resolving challenges

A number of general resources and strategies are cited by participants encompassing professional bodies and appropriate codes, personal codes, networking, supervision / mentoring, experience, sources of business and reflection. These are now considered in turn.

a) Professional bodies and codes of ethics

Codes concerning ethical behaviour are variously found under labels such as codes of conduct, codes of ethics or codes of practice. Additionally, there can be much confusion in codes and statements between morals and ethics and values and ethics (Walton, 1999). This study does not explore the naming or positioning of such, but accepts that guidelines could be found in any such codes and/or value statements.

With the IBC, for example, they detail what is expected under “*professionalism and ethics*” and refer to “*adherence to the code of practice*,” whilst also listing a number of professional and ethical behaviours (IBC 2007). The CIPD has a code of conduct which it could be argued is, in fact, a code of ethical principles rather than situation or context specific behaviour, but this study is more interested in the fact that it is rarely cited by members, despite a strong awareness of the professional body, rather than an examination of labelling.

No participants directly refer to a professional body’s code when asked about how they handle challenge. When asked specifically about whether professional bodies are used as a source of guidance or support, a number of different bodies are mentioned. Half of the participants refer to the CIPD, but in this case, as with other organisations, the professional body is rarely actively used. When asked about codes, two participants also refer to codes of conduct produced by the client as being of potential importance.

Aside from the limited practical value highlighted by the above, two further participants also refer to the risks of codes, in that they can invite a “*compliance attitude*” (PC) with a “*tick list*” (PC) or provide a set of rules which can be “*twisted*” (PC).

The limitations of codes are also highlighted in the literature. Lippitt and Lippitt (1986, p.87) refer to the limitations of general codes in that *"simply establishing a code does not guarantee a change in the ways in which members of a profession function"*. They continue that *"effectiveness in application of course depends on the competence of the consultant"* (Lippitt and Lippitt, 1986, p.87).

As has already been noted, codes at best can serve as *"ethical guidelines"* (Poultfelt citing Gallessich. 1997, p.65). Poultfelt continues *"the consequence of this is that the professional when practising is exposed to several more specific ethical issues for which there is no explicit or written solution"*.

Woodall and Winstanley (2000, p. 283) similarly refer to the limited role of codes in that *"they too often do little more than introduce a mechanical compliance, are great at dealing with routine and predictable issues, but come unstuck with exceptional cases"*. Elsewhere in the literature, it was highlighted that the motives behind codes may be *"more about self interest, mitigation and public relations than a concern for the 'rights' of stakeholders"* (Baker and Cooper, 2000, p.72).

Legge (2007) distinguishes between attitudes to codes of conduct that:

exist over and above the individual and which can be used to legitimate independent action. This contrasts with the individualism of a post modern perspective, where ethics are seen as a matter of personal choice in the project of the creation and care of an aesthetic personal identity (Bauman 1993; Cummings 2000) (Legge, 2007, p. 40).

The issue of identity is explored later in the discussion.

At the outset, a key *'hypothesis on probation'* was that a more detailed code would be a key source of support for HR consultants in independent practice. The participant data did not support this and whilst professional codes may still be useful, further research would be needed to ascertain how these guidelines could be best constructed to provide a positive solution, and the extent to which they could help as a resource in resolving ethical dilemmas.

Also, at the start of the research, the prevailing code of professional conduct of the CIPD was also extremely short and unspecific. At the time of writing (2011), a more detailed code is under consultation before adoption by institute members. This is not quoted in detail as it

has not yet been adopted. There is new detail in the proposals though (relating for example to confidential information, responsibility and seeking support), which interestingly reflect a number of themes which have emerged as part of this study.

This research identifies that at most, various codes of ethics or conduct were referred to, but they were not seen primarily as tools to help with ethical challenges. This was supported by the literature where various writers propose that there may not always be a clear link between espoused best practice and actual practice (Baker and Cooper, 2000, p.79).

Within the literature and within the participant interviews, further limitations of codes are made and these influence the recommendations made in this study.

b) Personal Codes

Two participants in this study raise the need for a consultant to have an expressed statement of values or code of ethics in relation to tenders for work within the public sector.

Two others refer to having worked out their own personal statement of ethics, one taking the code of a professional body as a basis and adapting it to better reflect their approach and beliefs, as *"there was something very odd about putting an ethical statement together using someone else's words, so it had to be real to me"* (PC). There is also a stated desire to do this in the future, expressed by one as *"I think if I was to going to change anything, it would probably be a clear statement, a formal statement"* (PC).

Within the literature, Lippitt and Lippitt (1986) drawing on Benne (1959) advise that:

the consultant may reduce personal dilemmas, anxieties, and uneasiness by giving careful thought to the formulation and articulation of his or her civic, religious, and personal philosophies and moralities- a precondition for adequately recognizing and handling ethical issue (Lippitt and Lippitt, 1986, p.92).

Margerison (2001, p.93) similarly asks the reader to think about how they would have acted after detailing his particular experiences and refers to the importance of having values to *"guide one's decisions in advance"*. These values could be expressed in a personal code, with the emphasis being on the thinking *"in advance"*.

As with the practice of two of the participants, the practitioner researcher designed a personal code, drawn up as a model and showing:

what skills I consider to be at the heart of my practice (namely HR skills and consultancy skills). I then note the ethical issues that can occur at the three stages of an assignment, namely engagement, delivery and disengagement. These issues are dealt with by posing a series of questions to check behaviour. Finally, I draw on the four qualities that I feel I need to use at all of the stages of the assignment and in answering the questions I raise (PR).

Whilst limitations of codes already highlighted could still apply to personal codes, the model of the practitioner researcher is useful in that it focuses on questions rather than on instructions.

Both formal codes and personal codes can be principle establishing and, limitations notwithstanding, such codes have a place in the recommendations of the study.

c) Networking

With the study sample, more than half of the participants interviewed operate as sole traders and the vast majority of these refer positively to using informal networks for advice and support. A very small number of participants also highlight potential challenges in collaborating with other consultants and it is probable that some of these collaborations are the result of networking experience.

The use of networks does not feature as significantly in the literature as the importance of the support for independent consultants would suggest. The only directly relevant research is Winstanley's (2004) study of HRD consultants in the not for profit sector. She finds that informal networks are highly important, along with the need for mentoring and supervision.

The point is made in the literature that sole practitioners may miss the "*collegiality*" of larger business and, therefore, potentially rely on "*trusted and informed*" friends or former colleagues (Lynch, 2003, p.69).

Similarly, Macklin (2007) describes the importance of discussion in decision making. Referring throughout to Heller's (1990) work:

decent people do not automatically know the right thing to do. They need support to help them be decent. They turn to others for advice and in discussing what is right

and wrong, they find moral universals that can span modern and diverse communities" (Macklin, 2007, p.273).

There is also less emphasis in the literature on the more negative aspects of networking. Jones 1995, p.404, writing on "*ethics of efficient contracting*," does though refer to the contract as "*the metaphor for the relationships between the firm and the various stakeholder groups*" (Jones, 1995, p.407) and this could be extended to cover networks. His argument is not that he is proposing networks as a resource, but rather he is highlighting ethical difficulties which may arise out of opportunism between "*the firm*" and "*various stakeholder groups*".

Where networks are used for support or advice, there is less likely to be an issue or any difficulty. Where networks are also used for business purposes, there may be potential conflicts as they become "*stakeholder groups*". This remains a hypothesis as the data collected from the participants only touches on this.

The experience of the practitioner researcher corresponds to that of many participants in that, when working in independent practice, networks are an important resource. Indeed, a key motivation at the outset of this study was to explore what peers are experiencing and to do this through personal networks.

As with participants, the reasons for using networks are varied and include both practical advice and general support. Within the practitioner researcher skills portfolio and summarised in the data findings chapter of this thesis, there is a record of the learning and recognition of the importance of networks for an independent practitioner.

In addition to providing general advice and support as with the study participants, in the experience of the practitioner researcher, networks can also serve as potential "*holding environments*" defined by Kahn as "*interpersonal or group based relationships that enable self-reliant workers to manage situations that trigger potentially debilitating anxiety*" (Kahn, 2001, p.260).

The need for such an environment for the practitioner researcher is detailed in the advanced skills portfolio, and it was particularly acute in situations when there was ambiguity at the start of a client relationship and trust had yet to be established.

The study is limited in that no specific questions were directly asked about networking or indeed subcontracting (as in some cases, networking can be directly linked to collaborative or subcontracted work). The theme emerges at data analysis stage, and can be noted as an important resource for independent practitioners to be included in the recommendations, but also a source of further potential challenge in certain circumstances.

d) Supervision/ Mentoring

A number of those participants who highlight coaching as an area of work have been involved in being supervised. A small number of HR generalists also raise the experience of supervision, one having been used to the practice in a large consultancy organisation and others expressing it as a need or wish for supervision or peer review.

It is recognised in some parts of the literature that there are benefits in formalising external relationships between the independent practitioner and other "*trusted and informed*" parties (Lynch, 2003, p.69).

These references are not frequent however, and as Kilburg notes (2002, p.75), he could only find two articles on one such process, namely that of shadow consultation and that this "*flies in the face of the extremely common practice of shadowing by many consultants in the field*".

From the study sample and as with networking, there is a greater emphasis by the participants on supervision than the general literature review would have suggested. As already noted, this has only been found in Winstanley's (2004) study of HRD practitioners to date.

The general literature also conflicts with practice in many large consultancy businesses (such as Pricewaterhouse Coopers and Deloitte Touche Tohmatsu), where formal arrangements are used as an advisory and support resource for consultants.

The potential need for more formal arrangements is relevant for all levels of experience and is considered in the recommendations.

e) Experience

When starting to work as a consultant, there is potentially the need to draw upon the experience of others and the more experienced the consultant, the more complex the assignment can be, with corresponding needs for support.

More than half of the participants suggest that experience is important in dealing with challenging situations, partly because of financial security, having learnt from mistakes and also having a greater understanding with regard to their own sense of values:

I think HR consultancy isn't something you can do at an early stage in your career, because I think you have to have the background, the intuition and practice to be able to cope with situations (PC).

The importance of experience is also highlighted in the literature. Kakabadse, Louchart and Kakabadse (2006, p.464), for example, define the following five skills as being necessary to become an “efficient” consultant:

1. *Experience;*
2. *Functional Skills;*
3. *Ability to listen and question;*
4. *Objectivity; and*
5. *Self awareness.*

In their study of 17 business consultants, two participants suggest that “*experience primes over technical skills*” and with regard to unethical practice, of the six sub themes that emerge from their interviews, the first was “*lack of experience*” Kakabadse, Louchart and Kakabadse (2006, p.464).

The issue is interesting for the practitioner researcher in that whilst experience is an important resource, there was also a link between personal challenges and experience. Previous experience meant that there was an involvement in more challenging assignments which was not raised by the participants.

Importantly for this research is the question of how ethically challenging situations can be handled, either when a consultant does not have “*the reservoir of experience*” (PC) which one participant highlights and which can be drawn upon when dealing with challenges, or when experience means that the practitioner is involved in more complex assignments.

This is taken into consideration when making recommendations later in the chapter.

f) Reflection

As already stated, only one participant states explicitly that they use reflection to help in dealing with ethical challenges. Others refer to frameworks to help thinking and to challenge practice or, indeed, to other activities such as checking back with affected parties after the event, which imply reflection and thinking through decisions and actions. Additionally, the language participants use indicates an intellectual and emotional engagement which may not have been articulated directly as “reflection”.

Within the literature, Lippitt and Lippitt (1986, pp.96-97) drawing on Benne (1959) set out value guidelines in consulting interventions and these include “*self evaluation*”, “*self correction*” and “*self renewal*”. All of these processes require not only action but also reflection (Haidt 2007; Bowie and Werhane 2004).

Additionally, Banks (2006), in writing after her joint study on ethical dilemmas in social work, describes one of her objectives as being to encourage:

critical thinking, reflection and reflexivity through exploring the nature of ethical problems and dilemmas in social work, how and why they arise and what might be some alternative ways of tackling them according to different ethical theories and approaches (Banks, 2006, p.9).

From the perspective of the practitioner researcher, the writer notes that critical reflection was used considerably in working out particular situations which were challenging. The portfolio records examples of such reflections, which often meant situations were subject to scrutiny at different points over a period of time. This better enabled a process of reflection in action and reflection on action (Schön, 1976). The portfolio also includes limited examples of models to frame reflection and help organise thinking, as sourced from the literature review for the thesis.

Whilst participants did not, in the main, directly refer to reflective skills or practice, it was implied in a number of cases. The literature around encouraging reflection and the advantages of it has been noted, but there is an observed potential gap between described practice and calls for reflection in the literature. As noted also by Woodall and Gourlay (2004, p.199), “*the conditions under which critical reflection might be encouraged or impeded in everyday professional practice has been overlooked*”.

This is again taken into account when making recommendations later in this chapter.

5.3 WHAT EXPLANATIONS AROUND ETHICAL THEMES ARE IDENTIFIED IN THE STUDY?

Whilst the study focuses on specific situations experienced by participants and resolutions, there are a number of further themes identified in the study relating to ethical challenge which are now expanded upon. These themes take as the starting point the themes identified in the methodology chapter and in the data chapter. A number have been consolidated so that the themes explored here relate to ambiguity and trust in the consultancy relationship, the meaning of ethics for participants, philosophical theories, describing themselves as ethical, personal responsibility for ethics, influences on positions, identity and language.

The study details these themes as they place the challenges and resolutions in context, are part of the findings of the study and directly relate to the recommendations which then follow.

5.3.1 Ambiguity and trust

Throughout the examples the majority of participants give, there is an implication that the consultancy relationship develops steadily, and there is a significant emphasis by a number of participants on the importance of the contracting and brief clarity at the start of the relationship. This is not dissimilar to the literature, where the focus in the prevailing “expert” literature is around the initial stages of the consultancy relationship and the determination of the “what” and “how” of an assignment. There is less emphasis on the ending of the assignment and questions that occur at that stage of the cycle. An exception to this was the Ozley and Armenakis (2000, p.41) model, which looks specifically at termination and disengagement in their “*building blocks to ethical consulting*”.

Alongside the notion of the relationship developing steadily, there is also an interesting point one of the participants raises which captures the issue of ambiguity and constant change in the consultant / client relationship, describing it as involving “*constant discussions around boundaries*” (PC) and the “*feeling of dancing on boundaries*” (PC).

Poulfelt (1997) similarly highlights that consultants frequently have to operate in ambiguous and uncertain situations. This is taken further by Sturdy *et al.* (2010), observing that these situations can create liminal areas, defined as the spaces:

where actors dwell between boundaries, as neither insider nor outsider, but in transition...[which]... presents a very different view of client-consultant relations from that in the consulting literature where any closeness is seen to develop over time and as relatively robust... in other words, relations such as continuing rapport between clients and consultants are an active achievement (Sturdy *et al.* 2010, p.44).

Sturdy *et al.* (2010, p.175) acknowledge in their study that there are points in time when things can shift "*in the moment*". The participants predominantly (although not exclusively) appear to accept the more traditional view of consultancy relationships in that "*closeness is seen to develop over time*" and is "*relatively robust*" (Sturdy *et al.*, 2010, p.44). This could be because the interview questions centred predominantly around specific situations and for many, the emphasis was on contracting stage of the assignments.

Whether an issue at the start of a client / consultant relationship or a constant of the relationship, there is an acknowledgement of ambiguity at key points, and this is considered important with regard to notions of trust and dealing with challenging situations.

O'Mahoney (2010, p.227) observes that "*a key component in reducing ambiguity is trust*" and whilst it is beyond the scope of this study to look at ways of reducing ambiguity and building trust, one interesting and relevant theme which the participants raise is the issue of where their work has come from and the impact of this on the relationship.

A quarter of participants refer to business coming via word of mouth and the positive impact this had in terms of the process of client and consultant understanding how each other worked. In one instance this is expressed as helping:

I think it's more or less if individuals know you and have had dealings with you before, then you find that the role they've asked you to do tends to run a lot more smoothly (PC).

The implication here is that where the clients are already known or recommended, then there is more trust and less ambiguity which has a positive effect. One participant, for example, specifically relates the benefit of having work from a "*trusted source*" (PC).

Whilst there are no specific references to the impact of word of mouth sourced business to business from other sources could be found in the prevailing literature, the notion of the need for "*trusted others*" (Kahn, 2001, p.261) is relevant in this context as a need when the client is not known and trust has yet to be established.

Within the portfolio, the practitioner researcher makes a number of realisations relating to this notion and the client / consultant relationship. These are summarised and refined in the context of this discussion as follows:

- a) The client / consultant relationship feels more ambiguous than traditional literature describes and although not highlighted by the majority of the participant group, it was identified
- b) The participant group highlights the importance of "*word of mouth*" (PC) in helping with the issue of trust in the relationship, although this is not highlighted in the literature. For the practitioner researcher, this is also relevant, in that when dealing with a new client who was not through a direct "*word of mouth*" (PC) route or was through a remote referral, there is less initial trust to help with the ambiguity
- c) There is the need for greater reflection and different resources to structure thinking in this scenario
- d) These resources include the need for a "*holding environment*" (Kahn, 2001, p.260) or "*trusted others*".

The need for reflection and resources to help with issues of trust to reduce ambiguity are considered in the recommendations for practice. Before the recommendations, themes relating to how participants understand ethics and the impact of this on their professional identities are now considered.

5.3.2 The meaning of ethics

Most participants assume that there is a general understanding as to what "ethical" means. Rather than debate meaning in the interviews, they focus on a vocabulary around their values and/or behaviours. These include acting with honesty, fairly, with trust, in a straightforward manner, with integrity, with transparency and with an emphasis on how others are treated.

As had been observed in the literature review, one of the approaches in business textbooks, dealing explicitly with 'ethics' as subject material, is to assume that there is a general understanding as to what 'ethical' means. Berumen, for example, describes how *"ethics books written for a general audience consist mostly of assertions or conclusions rather than philosophical analysis"* (Berumen, 2003, p.5).

For the vast majority of participants, their understanding is similar to that of the *"general audience"*. They describe ethics as being synonymous with morals and rather than debate meaning, they describe specific values and behaviours in their narratives, confirming Poulfelt (1977, p.70), who notes that ethics has become a *"professional informative label"*, a shorthand for indicating certain behaviours such as *"trustworthiness and credibility"*.

In referring to the three studies used as comparators in other disciplines, only one set out an understanding to participants before answering the survey questionnaire (Von Post, 1996, p.248). She defines ethical dilemmas in nursing as involving *"value conflicts between rights and responsibilities and require a choice between two or more unappealing alternatives"* whereas in the others, the interviewers assume a general understanding at the interviewing stage.

In one of these studies, there is an understanding of ethics by the researchers set out in their analysis as being *"about how humans treat each other and their environment- what actions are regarded as right or wrong"* (Banks and Williams, 2005, p.1005). This is extended to professional ethics, which encompasses:

how professionals should react in relation to service users and other (such as how much autonomy they should have or give, or how to distribute their resources of time and money) and what kinds of people professionals ought to be (honest, trustworthy, reliable, compassionate) (Banks and Williams, 2005, p.1005).

The vast majority of participants respond as very many writers on the subject have, using the notion of ethics as *"shorthand"* for *"the conduct of the persons fulfilling a particular social role"* (Pinnington, Macklin and Campbell, 2007, p.4).

The discussion of philosophical theories now follows, treated as a separate theme to illustrate the bridging of the gap between theory and practice.

5.3.3 Philosophical theories

The way judgment is exercised is very rarely expressed in terms of traditional philosophical positions during the interviews. Only one participant describes an underpinning approach in such a way:

I guess the standard I apply myself, if it's in the best interests of employees, I suppose it's looking at a utilitarian kind of approach. If I feel the employees are likely to benefit from this, then I think there are times when one doesn't have to disclose certain information - either the employee's going to be embarrassed as a result or the organisation is going to be embarrassed as a result and therefore one tends to hold back on certain information (PC).

Two other interviewees expressly mention the importance of their Christian faith when:

judgements are not always easy and there are plenty of grey areas...The Christian faith essentially is one of principles and therefore there are guiding principles. The way the different Christians would interpret those principles in applying them to a situation would differ. So we would say, there are some clear principles but our application of those would be situational rather than prescriptive (PC).

What is clear from these narratives is that philosophical theories or faith can provide a framework for decision making, but that the individuals still have to exercise their judgement.

As identified in the literature review, Spence (2000, p.50) outlines a range of traditional philosophical positions, covering Kantian theory, Act and Rule Utilitarianism, Virtue Ethics, Social Contract Theory and Discourse Ethics.

As also highlighted in the literature review, much positioning of philosophical approaches assumes an either/or categorisation. In reinforcing this approach, Kakabadse, Louchart and Kakabadse (2006, p.416) refer to previous research on consultancy which describes the “‘more or less’ deontological practice of consultants”.

Brady (1985) highlights though that previously opposed approaches need not be such. He proposes that those confronted with ethical decisions can be doing two things at once:

- i. *As formalists, they are looking to the cultural heritage established by law, language, and tradition and assessing the relevance and adequacy of the store of knowledge to the issue at hand.*
- ii. *As utilitarians, they are simply seeking to discover a solution that will give the best possible results according to some idea of what it means to be fully human (Brady, 1985, p.569).*

Philosophical theory can be useful, as Berumen (2003, p.11) describes, in that *"in philosophy... we must also concern ourselves with why we ought to do something"*. This study does not directly seek to ascertain why consultants had made particular decisions or acted in a particular way and, indeed, participants indicated that they may not always act in the same way. The data analysis limits itself to seeking to discover any themes and the scripts were examined for any theme as to participants' descriptions of their behaviour with regard to ethical theories.

As noted, only one participant specifically refers to a philosophy (referring to utilitarianism) around ethics and this seems to support the argument of Melé's that:

ordinary people, without philosophical prejudices, seem to perceive the reality as a whole, not as a bare fact without any moral connotation to which they add value judgments by taking values from somewhere (Melé, 2009b, p.228).

In analysing the scripts further, there were approaches which could be attributed to being influenced by a range of philosophical theories akin to Brady, who argues for simultaneous influences in ethical decision making. In particular, the three prevalent notions in this study are an emphasis on rules, on the principles of treating others fairly (most akin to Kantian theory if forced to categorise and in line with a rule perspective), and also on virtue ethics (which focuses on the aspect of the greatest good).

This contradicts Kakabadse, Louchart, Kakabadse's (2006, p.416) reference to previous research, which describes the *"more or less deontological practice"* of consultants and is closer to Melé, who describes evidence of *"practical wisdom introduces ethics in decision making by considering both the end or goal pursued and the means to achieve such an end from the perspective of human good"* (Melé, 2009b, p.228). This also aligns itself to Brady's approach which sets out that ethical philosophies need not be either/or perspectives.

The findings from the study support the assertion by Campbell *et al.* in that:

insights can be gleaned from a wide range of disciplines and debates in, for example, legal ethics, neo Weberian sociology, stakeholder theory, utilitarian economic philosophies, Kantian ethics of respecting persons, Aristotelian concepts of virtue and capabilities, human rights and reflections as to how decent people behave in morally difficult situations, but there is no ready-made ethical theory from which uncontroversial HRM policies can be readily derived (Campbell et al., 2007, p.283).

What participants do use is a language around the treatment of others and of common sense, together with a vocabulary of positive attributes such as honesty, fairness, trust, straightforwardness, integrity and transparency.

Treatment of others was directly referred to by nine of the participants and indirectly by a number of others. It was of high importance for nearly half of participants in this study. The notions of how to treat others are most akin to Kantian theory *"you must abide by the categorical imperative such that what is right for one person is right for everyone, and do to others as you would be done by"* and the *"second formulation of the categorical imperative; people should be treated as ends in themselves, never as means to ends"* (Spence, 2000, p.50).

The emphasis on the treatment of others is perhaps not unsurprising in the context of a study amongst HR practitioners. It clearly shows the emphasis for many on the *"human"* as well as the *"resource"* nature of the role, as explored above.

Creighton expands on this:

ethical behaviour in employment will be taken to encompass four key elements: respect for the dignity and integrity of the individual employees and potential employees; respect for, and protection of, the physical and mental integrity of employees; access to 'decent work' in the sense of access to an appropriate range of different forms of work, proper conditions of work, security of employment and 'feelings of value and satisfaction' (ILO 1999:7) (Creighton, 2007, p.81).

The other aspect of debate around the meaning of ethics relates to the notion of common sense. Four of the participants directly refer to taking a common sense approach. Another refers to ethics as *"pragmatic, it is about business sense... not about goodness... but about*

business sense". Berumen (2003,p.8), describes, in answering "*what do business people think about ethics?*" that "*to no small degree the 'man on the street' sees ethics as a matter of common sense, and not something that requires justification*". He continues, describing his understanding of Kant's view, that morality is derived from "*practical reason*" and this would appear to be supported by a number of participants' comments. This is echoed by Hauser, "*Kant acknowledged the role of our common sense notions of right and wrong*" (Berumen 2003, p.14).

Whilst participants may not express their ethical philosophical positions as neat categorisations, this does not mean that it is not important for the participants. Many describe themselves as ethical with a strong value system and with a notion of responsibility for their actions.

What participants can take away from the theory is that, within the context of challenge, they may be doing simultaneous reasoning, looking to rules for guidance and then evaluating in the context of "good". For this, "*practical wisdom*" (Melé, 2009) is needed and it is how this can be developed that is explored later in the recommendations.

Before the recommendations, there are still five themes to discuss which inform the same, considering how participants describe themselves, notions of personal responsibility, influences on positions, ideas on identity and congruence and the language used to describe challenge.

5.3.4 Describing themselves as ethical

The great majority of participants refer to their "*personal values*" (PC) or "*internal moral compass*" (PC) or to faith guiding principles. They are emphatic in some cases in describing how they operate from a standpoint of inherent values, with a high degree of congruence between work selves and professional selves (see congruence as follows).

A very small minority though express the view that they do not hold strong views, but rather reacted to particular situations and would "*use the system as it's offered to them*" (PC).

Browning (1982, p.106) and drawing on Allport 1955) asserts that "*moral integrity is having an emotionally compelling sense of oneself*". In looking at the language used by participants around identity and values, it is not surprising that some participants conveyed a strong sense of themselves.

Additionally, Kornberger and Brown (2007) conclude in their study that:

ethics can be embedded and enacted in everyday acts of organising and languaging, and can be analysed as a discursive resource that organisational members utilise to make sense, narrate and affirm control of who they are, individually and collectively (Kornberger and Brown, 2007, p.514).

The notions around identity are explored shortly, but at this stage, It is interesting to note the emphasis by a number of participants, as reflected in the literature, that they describe themselves in strong terms as having guiding principles. As already noted though, in only two cases have these principles or values been formulated into any personal codes.

5.3.5 Personal responsibility

A great majority of the participants express a sense of personal responsibility for their own actions and an accountability for decisions that they take. This is expressed in positive terms such as “*doing the right thing*” (PC).

Melé (2009b, p.227) argues that one of the main shortcomings is that “*principle-based ethics ignores the role of the agent’s character in ethical behaviour and moral judgements*” and his view is that a “*practical wisdom*” can be developed. Melé’s thesis is that personalism (which holds that the human person is central to all contexts) can be integrated in virtue based ethics (based on Aristotle).

Snell (1997, p.192) argues that “*that ethical reasoning is governed more by the immediate business context than the individual’s character*” and although this does not negate the role of character, it clearly reduces it.

Within the espoused positions of the participants within this study, there appears to be stronger correlation with Melé’s (2009) position than Snell’s (1997). This was not a direct question within the study and given that the study focuses on the consultant and their thoughts and actions throughout, this result is also perhaps not surprising.

The recommendations therefore are written from the principle that practitioners work from the perspective that they have a strong sense of responsibility for their own actions.

5.3.6 Influences on ethical positions

When questioned directly about responsibility for setting ethical guidelines, participants respond variously, referring to upbringing and faith, professional rules, organisational rules, statutory regulation, a community of practice and their experience.

Within the general literature, a number of similar influences on ethical guidelines are highlighted (Berumen, 2003) and these are not particularly surprising.

The position of organisational rules is perhaps more interesting. Sturdy *et al.* (2010, p.13) make the point that the consultants are both “*insiders*” and “*outsiders*” when they work in client organisations, and therefore the extent to which organisational rules do or should apply is not clear. In the literature, Schein makes the link between the values of the organisation and the consultant, observing:

there are never easy answers to such questions [ethical dilemmas], but it is important in all helping relationships to recognise the questions. That is, anytime we help anyone, we are, in effect, allying ourselves with the goals and values they represent (Schein, 1997, p.213).

The information on influences on ethical positions was sourced by a direct question to provide a background with regard to possible recommendations as an outcome of the research. For these purposes, the issues with regard to experience, professional rules, legislation and community of practice are most relevant, and these have already been explored as separate themes relating to how challenging situations are dealt with.

The issue of organisational rules is not dealt with elsewhere, but it does strengthen the argument that consultants need an awareness of their personal code to help seek and understand differences and similarities with the client's perspective.

5.3.7 Identity and congruence

A quarter of respondents articulate that there is no distinction in their mind between work selves and non-work selves. There is a strong sense in this group that their ethical identity remains constant, with words such as “*fundamental*” and “*foundation*” being used.

In a few cases, the desire to work in a way which is more closely aligned to work values drove them to set up in independent practice. This desire for congruence between personal ethics and work ethics is also articulated by those working in other areas of practice, although not highlighted as a driving force in setting up independently.

There was no specific question on identity, and so it cannot be known what other participants feel on this issue. It can be known only that it was of note for those who specifically mention it.

Whilst the literature suggests a number of roles and identities that consultants or HR professionals assume or perform (O'Mahoney 2010; Ardagh 2007), for some, with regards to ethics, there is no distinction between work and non-work selves and for others, potential conflict (Lippitt and Lippitt, 1986).

Lippitt and Lippitt (1986) describe three specific factors in ethical dilemmas in consulting:

- i. *The client's expectations regarding the nature of help needed and how it should be acquired*
- ii. *The intrusion of ethical standards acquired by the consultant in his or her other professional experiences*
- iii. *Conflicts that arise between the ethics identified with the consultant's non professional life and the value judgments that are peculiar to a consultation process* (Lippitt and Lippitt, 1986, p.89).

In this instance, they appear to be suggesting that dilemmas arise when there is a conflict between the ethics of personal life and of values peculiar to consultation. This is expounded directly elsewhere in the literature by Winstanley and Woodall (2000, p.17) who, when examining ethics in HR, also refer to a "*different standard for ethical behaviour at home from that at work*".

Banks and Williams (2005) make a different point, observing that:

it is in the course of giving such accounts of actions and events as constituting ethical problems or dilemmas that subjects reflexively construct their own identities as competent, ethical, professional practitioners (Banks and Williams , 2005, p.1009).

The desire for congruence between work and non work selves is articulated by some of the study participants, and the issue of identity as expressed by participants and the practitioner

researcher would appear to suggest that congruence is desired. This potentially conflicts with studies which conclude that there may be a lack of congruence between expressed positions and actions (Van Nistelrooij, De Caluwé & Schouten 2007; Tichy 1974), but as already outlined, it is beyond the scope of this study to test for congruence / incongruence in espoused positions on ethics and actions.

Whilst identity was not a related to a direct question in the research, it evolved from the reviewing literature on HR practice and on consultancy. Additionally, the critical reflections of the practitioner researcher also suggest that identity is an important theme in the discussion. Within the portfolio, there are detailed practitioner researcher reflections on the theme.

These can be summarised in that, within a business organisation, an employee has the choice as to how far they align themselves to the values and ethical behaviour of that organisation or not. For the independent practitioner, that is no longer the case. To the extent that the independent practitioner is an organisation, they are also potentially the value and ethical proposition of that organisation (Anderson and Dunkelberg, 1992).

In the case of non alignment between work and personal identities, the potential conflict Lippitt and Lippitt (1986) observe would arise possibly from the issues of managing a business, which has been explored above.

In the case of alignment, the independent consultant who is also a business manager raises further issues. Nash, in writing as a moral philosopher, expresses the notion that

business ethics operates most appropriately for corporate man when it seeks to define and explore corporate morality at the level of the good puppy. The good corporation is expected to avoid perpetrating irretrievable social injury....while focusing on its purpose as a profit-making organisation. Its moral capacity does not extend, however, to determining by itself what will improve the general social welfare (Nash, 1981, p.89).

For some consultants, including the practitioner researcher, positioning the ethics of their business at a "good puppy" level is possibly not sufficient.

The issues raised also reinforce the need for the consultant to have a professional expression of ethics through which the consultant can consider their positioning and the question of alignment between work and non-work identities. The questions generated by

the reflections on critical incidents, for example, have now been captured in a model of personal ethics in practice by the practitioner researcher, which can be used on future occasions and which inform the recommendations.

5.3.8 The language of ethically challenging situations

The titles of most of the comparator studies detailed in the literature refer to ethical dilemmas only. In the analysis of the interview data in one of these studies, Banks and Williams (2005, p.1011) introduce a hierarchy of ethically challenging situations ranging from issue to problem to dilemma, with the most difficult being a dilemma.

This study, mindful of Banks and Williams (2005), chose to question participants about ethically challenging situations and used a range of vocabulary rather than focus just on dilemmas. The responses of the participants indicate the degree of challenge, and also the involvement of emotional reactions, which again range in intensity. Participants were asked *"to describe situations in which you have had experience with ethical issues, problems or dilemmas whilst working as an HR consultant or whilst working with HR consultants"* (PR), and at other points in the interview, the term *"challenge"* (PR) is also introduced.

No participant questioned the range indicated in the interview and although all four terms are introduced, the terms *"dilemma"* (8) and *"issue"* (10) are more frequently used than *"problem"* (5). Only one participant qualified the terminology when describing something that they observed, *"the other, I suppose, not dilemma, but the other issue we come across"* (PC), and this correlates with the Banks and Williams (2005) hierarchy.

The language used in the descriptions gives a better indication as to the impact on the individual of the situations they describe. The participants' vocabulary in describing challenges ranges from a *"flicker of doubt"* (PC) and a *"niggle"* (PC) to a *"power battle"* (PC), with the suggestion of being *"corporately mugged"* (PC), resulting in the *"wreckage"* (PC). A quarter of participants use common descriptive language, explaining feelings which are *"comfortable"* (PC) or *"uncomfortable"* (PC).

Within the literature, Kallman and Grillo (1996, p.3) provide a practical definition of ethical dilemmas, *"ethics has to do with making a principle- based choice between competing alternatives. In the simplest ethical dilemmas, this choice is between right and wrong"*. Whilst this introduces the notion of *"competing alternatives"*, it fails to capture the emotional

difficulties of some dilemmas. Banks and Williams (2005, p.1011) extend this, describing ethical dilemmas as *“a choice between two equally unwelcome alternatives where it is not clear which choice will be the right one”*. Von Post similarly refers to ethical dilemmas as involving *“value conflicts between rights and responsibilities and require a choice between two or more unappealing alternatives”* (Von Post, 1996, p.248). This is echoed in Hauser (2006, p.422), in that *“we feel the weight of a moral dilemma when simple deontological or utilitarian principles fail us”*.

Harrison (1995, p.172) takes a different approach, not using words such as *“unwelcome”*, *“unappealing”* or *“weight”* in reflecting on instances where there are *“no perfect resolutions”*. Rather, when he experiences *“genuine dilemmas”*, he embraces the choice and warns of the dangers of being unaware of the different dimensions which can *“lead to rigidity masquerading as integrity”* (Harrison, 1995, p.422). Within the participant group, there was no sense of appreciating any positive benefits as Harrison (1993) describes.

The intensity of some of the language used by participants does indicate though that the subject can engage the emotions and can be of great impact for some participants. The language also validates the time spent on exploring the issues and trying to provide help in the shape of recommendations which now follow.

5.4 HOW COULD INDEPENDENT HR CONSULTANTS RESOLVING ETHICALLY CHALLENGING SITUATIONS BE HELPED?

The five recommendations arising from the study are detailed in this section of the study and are set out in bold, numbered R1-R5. First, the positioning of the recommendations is set out, before looking specifically at the areas the recommendations are drawn from, specifically codes of ethics, personal codes of ethics, critical reflection and the need to formalise support relationships.

The order of recommendations is in line with the perspective of first looking at the rules and then considering what can further help the practitioner in a specific context.

5.4.1 Positioning of the recommendations

The initial aim of this research is to explore the phenomenon of ethically challenging situations within independent HR consultancy practice. The desire to explore this issue

arose out of the practitioner researcher's experience and the research seeks to record information that may help with future situations, both for the practitioner researcher and for other practitioners.

Von Post (1996, p.238) concludes after her research into ethical dilemmas within nursing that "*competence includes not only 'professional knowledge,' but also 'the ability to solve problems when ethical dilemmas arise'*". She notes that dilemmas become more complex the more ambiguous the setting.

This study shows that a client / consultant relationship can be such an ambiguous setting, and the ambiguity increases when assignments are sourced not via close word of mouth or through known networks, but when there is little known about the client and trust has yet to be established.

As noted extensively in the literature review, a significant amount of literature written for consultants from the "expert" paradigm (Christensen and Klyver, 2006, p. 305) tends to be "*often highly normative with a strong emphasis on best practice. Thus, quite some energy is put into the formulation of guidelines for how to solve different problems'*".

The recommendations included here are not written from this perspective, but rather from the "*process paradigm*", which emphasises "*the contextual and situational aspects of performance, disregarding the emphasis on one best practice*" (Christensen and Klyver, 2006, p.305).

5.4.2 Codes

As has already been noted in the discussion, codes or ethical rules serve as "*ethical guidelines*" (Poulsen, 1997, p.85). They cannot cover all difficult situations HR consultants may need to address as practitioners, acknowledging that "*the professional when practising is exposed to several more specific ethical issues for which there is no explicit or written solution*" (Poulsen, 1997, p. 85).

Additionally, codes have limitations in that they can invite a compliance attitude rather than an active consideration as to what is ethical.

They can however serve a useful purpose. Snell (1997, p.194), in his study on moral reasoning, describes how "*codes of ethics, rights or duties would be regarded as evolving*

tools for debate and self-inquiry, designed to help people create their own insights and learn from their moral dilemmas". Similarly, Woodall and Winstanley (2000, p.284) observe that *"without a sense of ethical agency on the part of the HRD practitioner, it is unlikely that codes of practice can ever be 'live' ethical instruments"*, but there is a converse here in that with a sense of agency, codes can serve a purpose.

The code of conduct which most of the participants referred to was the CIPD's Code of Professional Conduct and at the time of writing, a new draft code is under consultation (November, 2011). Whilst the proposed code is not quoted in detail, as it has not yet been adopted, there is new detail in the proposal (relating for example to confidential information, responsibility and seeking support) which interestingly echoes a number of themes which emerge from this study.

R.1 It is recommended that independent HR consultants are aware of relevant codes of ethics as guidelines, the most recognised being the CIPD Code of Conduct. These can be used as frameworks for critical reflection, although there needs to be an awareness of the limitations of codes and an acceptance of the need for active engagement rather than a tick box compliance response.

5.4.3 Personal codes of ethics

Sturdy *et al.* refer (2005, p.35) to *"shared norms"* and where there is a common understanding of norms, this can build a level of trust which can help reduce ambiguity in the consultancy process, following O'Mahoney (2010, p.227), *"a key component in reducing ambiguity is trust"*.

R.2 It is recommended that independent HR consultants formulate their own model for expressing their code of ethics. This could be based on existing professional codes of practice or conduct, ethics or value statements as required, and whilst it may not be directly used in the relationship building with the client, it can serve as a framework for critical reflection and as a referral point in the consultancy process. This could also be used as a framework to establish the norms, values, codes of clients.

5.4.4 Critical reflection

Both of the above recommendations rely on the need for critical reflection by consultants on the assumption, explored in the literature review, that in ethically difficult situations an innate or intuitive response can prove inadequate and *“we feel the weight of a moral dilemma when simple deontological or utilitarian principles fail us”* (Hauser, 2006, p.422). In these situations, it is assumed that *“moral reasoning can correct and override moral intuition”* (Haidt, 2007, p.999), and that reflection as part of the reasoning process can help *“prevent practice mistakes and problems from becoming disasters”* (Kilburg, 2002, p.90).

A number of writers on practitioner ethics call directly for reflection (Melé, 2009, Block, 2000) and Banks in writing about her research into ethical dilemmas in social work sets out her objective of encouraging:

critical thinking, reflection and reflexivity through exploring the nature of ethical problems and dilemmas in social work, how and why they arise and what might be some alternative ways of tackling them according to different ethical theories and approaches (Banks, 2006, p.9).

Others explain the need for to *“reframe”* a situation to develop moral reasoning (Haidt, 2007 and Bowie and Werhane, 2004).

As noted by Woodall and Gourlay (2004, p.199), *“the conditions under which critical reflection might be encouraged or impeded in everyday professional practice has been overlooked”*. For independent consultants, there may be a number of issues with the call for reflection, possibly relating to time, propensity and skill.

With regard to time, as noted above, Hannafey (2003, p.99) observes that one of the *“uniquely challenging ethical problems”* faced by entrepreneurs is finding the time for reflection. With regard to propensity, Block (2000, p.335) acknowledges the tension between action and reflection. Finally, with regard to skill, Kakabadse, Louchart and Kakabadse (2006, p.464) found in their study that, in order to become an efficient consultant, five skills were needed, *“experience, functional skills, the ability to listen and question, objectivity and self awareness”*.

Whilst writers may call for self awareness and reflection to develop their *“moral imagination”* (Bowie and Werhane, 2004, p.121), these are skills which may need to be learnt. Within the

literature, some frameworks for structuring reflexivity were sourced and used in the skills portfolio. Within the nursing profession, examples of frameworks for guiding ethical reflection were sourced (Johns, 1999, pp.287–298).

R.3 It is recommended that the importance of critical reflection is recognised and consideration given as to the development of a communication platform to enable or facilitate this.

Additionally, and as noted in the practitioner researcher skills portfolio, the CIPD have published a profession map with underpinning behavioural competencies (May 2010). Whilst this emphasises a number of important attributes, such as being curious, having the courage to challenge (oneself as well as others) and being a decisive thinker, it does not sufficiently emphasise the skills of critical reflection.

R.4 It is recommended that the CIPD's behavioural competences be extended to explicitly reflect the need for critical reflection as part of continuous professional development.

5.4.5 Formalising a need for support relationships

Networking, supervision, mentoring and shadow consultation are highlighted in the earlier discussion. The need for external support is to build, as Melé (2009b, p.228) contends, a *"practical wisdom"*, which can be *"gained not only from personal experience and reflecting on past actions, but also by learning from prudent people and from the practical wisdom accumulated over the history of mankind"*.

Not only can such relationships help practitioners learn from *"capable peers"* (Vygotsky, 1978, p.86) and possibly provide sets for benchmarking data and similar, but these peers can also potentially provide *"emotional support"* (Kakabadse, Louchart and Kakabadse, 2006, p.489) and/or a *"holding environment"* (Kahn, 2001, p.260) at times of challenge.

Johns, (1999, p.288) in writing about the nursing profession, refers specifically to *"guided reflection"*, which he defines as a:

co-developmental and collaborative research process whereby practitioners reflect on everyday experience with a guide, who leads them to expose, understand and

work towards resolving contradictions between what they aimed to achieve within any particular situation and the way they actually practice (Johns, 1999, p.288).

The potential challenges are that networks need to be sourced, managed and maintained, and can themselves be a cause of potential difficulty if they involve collaborative work.

R.5 It is recommended that awareness of the potential benefits of formal support relationships, such as mentoring or shadow consultation or supervision for independent HR consultants, is increased, and that consideration is given to resources to better help the formalising of such support with resource and practical constraints in mind.

Finally to note, the recommendations above are presented in that they might be of assistance. As implied in the terms of challenge, alternatives and choices, there is no one answer or solution. It is worth highlighting that the process of acknowledging challenges can be part of the thinking process that works to a resolution, and that in itself can be part of the consultant's skill set.

5.5 CONSIDERATIONS FOR IMPLEMENTATION OF THE RECOMMENDATIONS

The recommendations as set out have been made by the iterative process of analysing information from the participant group, the literature and the practitioner researcher's own experience. This means that, in some cases, there are situations which could now be explored further. These ideas for further study do not negate the validity of this study as they relate more to the implementation of the recommendations.

In particular, further work could be carried out to seek information as to how consultants can effectively build trust in a client relationship to reduce ambiguity, and therefore difficulties of ethical challenges, how codes of ethics can best be used, how critical reflection can be encouraged, and in seeking more information on the impact of networking and the formalisation of support relationships.

The starting point is to build on existing relationships continue the dialogue with the professional body, addressing how best to introduce the findings and recommendations into the public domain. Existing channels of communication could be used, including practitioner magazines, targeted research summaries, blogs and special interest group meetings. There

may also be the possibility of developing some of the material into a specific product, such as a development programme for fellow consultants.

5.6 PRACTITIONER RESEARCH METHODOLOGY FOR EXPLORING INDEPENDENT HR CONSULTANCY PRACTICE

The use of practitioner research in this study provides unique insights into independent HR consultancy practice and produces new knowledge with regard to the subject.

The advantages of conducting practitioner research are that the research question emerged from practice and had a practical relevance throughout. The practitioner researcher could generate a sample group as part of the research, utilise practitioner knowledge and skills in designing the study, analysing the data and also engage directly with the participants in the study. The role of researcher also informed practice. As highlighted in the advanced practitioner skills portfolio, the practitioner researcher developed a personal code with questions to ask at all stages of a client assignment to challenge ethical behaviour. The practitioner researcher could also reflect on critical incidents, practise various models to guide reflection and use the supervision group as learning and development resource.

There are some disadvantages of practitioner research relating to sense making and sense giving. Drake and Heath (2010, p.36) argue that *"placing oneself squarely in the frame of research and in considering explicitly what that means for the project provides a degree of integrity and authenticity"*.

Whilst this is accepted, it takes considerable thought to try and work out how to place the practitioner researcher *"squarely in the frame"* and to work out which role (practitioner or researcher or a combination of both) is being foregrounded at various stages of the research. This was particularly true when sense making, including theming the data and reviewing the data findings, and this is now expanded as a possible limitation of the research.

The other disadvantage of conducting practitioner research is the potential confusion in sense giving. Whilst this is, to some extent, mitigated by writing two documents as part of the professional doctorate, it still requires considerable focus in writing to work out again which role is being foregrounded, and to signal to the reader clearly where personal views are being recorded, or where there is a different position being adopted in reporting the views of others.

5.7 LIMITATIONS OF THE STUDY AND RECOMMENDATIONS FOR FURTHER RESEARCH

The above disadvantages of practitioner based research result in limitations which should be considered when interpreting the findings. Primarily, these limitations relate to the small sample size, the selection of the sample group and the role of the practitioner researcher conducting the data analysis.

5.7.1 Sample size and selection

Whilst the methodology of this study includes the use of interviews with a small number of participants, there are some limitations with this research approach.

The sample size of 20 practitioners and sample selection, three quarters sourced directly through the practitioner's network, mean that the findings cannot be claimed to be representative of all independent HR consultant practitioners. The methodology is described in detail to better enable evaluation as to the transferability of the findings to a wider population, but a different research strategy based on a larger numbers of participants would be required to produce findings that could claim to be more generalisable.

5.7.2 Espoused views

The limitations of espoused views have already been acknowledged as part of this study, as Hauser (2010, p.422) notes, *"for morality, we must be prepared to find that what an individual knows has little to do with what he or she chooses to report"*.

This limitation was also acknowledged by one participant:

if you ask about their ethics directly, they're all going to come out with the spiel – we work with integrity and we'll find the right client for you and find the right candidate for you and all of that kind of stuff. Actually the proof is in the way they work not what they say (PC).

The literature relating to congruence between stated beliefs and actions is mixed. Tichy's often cited 1974 study highlighted a lack of congruence, possibly attributed to practitioners

being unaware of any incongruence between what they say and do, or a tension between what they would wish to do and what they do.

In a later empirical study of management consultants, Van Nistelrooij, De Caluwé and Schouten (2007) refer to literature on consulting and note that :

the prevailing opinion is that a management consultant acts through one's own preferences and tends towards congruence in one's personal preferences and one's way of working (Van Nistelrooij, De Caluwé and Schouten 2007, p.244).

The results from their study highlight, as Tichy (1974), *"a significant incongruence between the management consultants' preference in thinking and the use of interventions"* (Van Nistelrooij, De Caluwé and Schouten, 2007, p.251).

This study is based upon information provided by participants and there has been no substantiation with practice. Whilst this is not an aim of the study, (and this study was throughout to be consultant rather than client focused), again different methods would be needed to explore this further. These might draw on research approaches that observe actions rather than assertions.

5.7.3 Data analysis

Finally, the data analysis relating to the participant interviews is carried out by the practitioner researcher. Whilst the effects of potential bias have potentially been minimised by rigorous checking of the data theming, and by including the detailed and often verbatim responses in the data findings chapter, this could only have been eliminated by using additional research resources which were not available.

The above analysis of the limitations of the study concludes the discussion around the findings and the presentation of recommendations for practice.

The final chapter which follows draws these findings together, highlighting the importance of these with regard to the contribution to knowledge and professional practice.

CHAPTER SIX: CONCLUSIONS

The introduction to this study sets out a number of personal questions the practitioner researcher had in relation to professional practice, and which sparked the interest in further study. The personal questions were then expanded on to relate to professional practice more generally and were refined to determine appropriate areas for research.

The conclusions set out here assess the extent to which the questions relating to professional practice have been answered, and then the extent to which the personal questions of the practitioner researcher have also been answered. There is finally a concluding summary of the contribution to new knowledge.

As in the introduction, the first person is only used in this chapter in the section in describing personal conclusions.

6.1 CONCLUSIONS RELATING TO PROFESSIONAL PRACTICE

The study set out to answer the questions: “what ethical challenges face independent HR consultants and how are they dealing with them?”

This thesis answers this by making an important contribution to understanding ethical challenges consultants report themselves as facing and how they are dealing with them.

The HR consultants participating in the study work across a wide range of sectors and have a variety of HR specialist and generalist skills, but they face common challenges. This study finds that these challenges fall into three main categories arising from the fact that the work is in the field of HR, the nature of the consultancy relationship, and issues concerning working in independent practice.

The study concludes that these challenges can arise at all stages of the consultancy relationship and occur in relationships between consultants, as well as between consultants and clients.

Specific examples with regard to these challenges and how they are resolved are included in detail in the discussion chapter. In summary, with regards to HR practice, the most commonly cited areas of challenge arise with confidentiality and when to disclose

information between employees and the client, with managers who are reported as wanting to take shortcuts rather than follow statutory processes, and with managers being inconsistent in their decision making. In consultancy practice, the most common situations causing challenge relate to the consultant determining what to do with the disclosure of confidential information within the organisation, but also between clients, confusion around who the client is and working with people in an organisation with different agendas, and clients wanting data presented in a particular way or data from other clients shared. With regards to independent practice, the most frequently cited areas of challenge arise from inconsistencies and lack of clarity around invoicing and expenses, and from speculation that work is taken on because of a financial need, even if that causes problems with the value of the delivery.

With regard to dealing with the challenges, the study concludes that there are a number of resources and techniques used, which partly relate to the categories of challenge. Legislation is used primarily to deal with HR challenges (although there are differing views as to how the legislation is used). Refusal to work on assignments, seeking contract and brief clarity, and acknowledging the need to influence and manage the client are all used to deal with consultancy challenges. With regards to issues around independent practice, less specific information was sourced, but more general resources are possibly used as highlighted by the participants.

With regard to these generally used resources, whilst there is an awareness of a wide range of professional bodies, with the most commonly cited being the CIPD, such bodies and their codes of conduct are not frequently actively used. The study concludes that consultants prefer to use their networks for advice and support and frequently in cases of coaching, supervision and mentoring are also used. This is found to be much more significant than nearly all the literature had originally indicated. The study also notes that, as some ethical challenges arise from consultants working in networking and subcontracted arrangements, this also needs to be considered when using peers and colleagues for advice and support.

This study finds that very few consultants overtly refer to the reflection processes they engage in to resolve challenge, although the language consultants use often indicates an emotional and intellectual engagement with the challenges they face.

Similarly, very few frameworks are highlighted to help with the reflective process. Whilst there are calls for reflection in the literature on ethics, there has been too little attention paid to how this could work in practice.

This study also explores themes in the narratives as to how consultants understand ethics and philosophical theories and personal influences of their positions. Rather than debate meaning and theory, consultants refer to practical notions around the treatment of others and common sense, using a vocabulary of behaviours and values such as honesty, fairness, trust, being straightforward and transparent and acting with integrity. Such descriptions are often reflected in the literature around ethics but if theories are applied as in the literature, it can be seen that a wide range of positions are adopted, with the most consistent being a sense of character and agency in the impact they describe their roles as having on the treatment of others.

Ethics can play an important role in determining their professional identity. In some cases, consultants also expressly state the need for congruence between their personal and professional selves. They acknowledge the difficulties of working in situations which are ambiguous and where trust has yet to be established, (and the converse that assignments are easier when through word of mouth or direct referral and more can be known about the potential client).

For consultants, previous experience is very important in the context of resolving challenges, and again is highlighted more than the literature indicates. The study concludes that for many consultants, they choose to refer both to legislative rules and also to look at the situation specific nature of a challenge. In theoretical terms, they simultaneously address deontological (rule based) and teleological notions (act based). It also means that consultants may relate to notions written within both the “*expert*” and the “*process*” paradigms of literature on ethics (Christensen and Klyver, 2006), offering normative guidelines and situational considerations, respectively.

6.2 PERSONAL CONCLUSIONS

At the time of starting the study and with regard to my own practice, I found myself asking whether I was doing the “*right*” thing?” and “*was I a good consultant?*”, trying to work out how I was judging “*right*” and “*good*” and what I meant by these terms in any event. I had a notion that by examining ethics in more detail and moving from a person “*on the street*” to being an “*expert*” (Schutz, 1964), that I would find the answers to these questions and reduce the impact dilemmas had on me.

I have found a number of answers, although they were not as initially expected. The course of the study led to an acceptance that, as Bauman (1993, p.32) states, "*the probable truth is that moral choices are indeed choices, and dilemmas are indeed dilemmas- not the temporary and rectifiable effects of human weakness, ignorance or blunders*". By looking at my own practice and the experience of others, I learnt that many consultants were experiencing similar issues to myself.

The study also led to a greater understanding that the challenges related specifically to the independent nature of the role, to the nature of consultancy relationship and to the nature of HR work which can have such an impact on the people involved. Whilst the specific examples given in each of these categories could differ, there was a strong sense of consistency in these three areas.

For me, the most significant issues which are highlighted during the study, and which relate the independent nature of the role, is that this not only affects resources but I also came to an understanding that when you are the business, the thinking around personal ethics is very different to being in organisational practice. When you are also a business, personal and professional identity can become one and the same, which is not the same as determining how far one aligns oneself to organisational beliefs and practices.

With regard to the consultancy relationship, I came to better understand why I was experiencing challenge at this stage of my career. As the nature of my work changed, the ambiguity inherent in a consultancy relationship was heightened with new clients who had been sourced much more remotely as trust had yet to be established. All of these issues were compounded, in that the nature of HR work means that decisions can have such an impact on people affected by advice or actions.

The study also helped me develop techniques to deal with such challenges. My original "*hypothesis on probation*" had been that if I found a good code of ethics, that this would be sufficient. Following Bauman (1993), during the study, I came to understand that:

there are no hard- and- fast principles which one can learn, memorise and deploy in order to escape situations without a good outcome and to spare oneself the bitter after taste (1993, p. 32).

Instead, I realised that reflection on situations could help me understand why some situations were troubling and to help with reflection in the future, I formalised my own

statement of ethics. This statement was set out as a series of questions for the different stages of the engagement relationship. During the course of writing the portfolio, I had come to learn that it was the questioning process itself that was important to my thinking.

Again to help the reflective process, I also used models for reflection (Schein, 1998; Schein, 1987). These were particularly useful to me as they helped me work out clearly my responsibilities to different clients, and again by asking myself these questions, I could feel more confident that I had considered such responsibilities.

Bauman (1993, p.34) calls for the need to “*let morality out of the stiff armour of artificially constructed ethical codes*” and to “*re-personalise it*”. Given that I only came to this text after I had completed my study, during the course of this study, I see that I had indeed made efforts to “*personalise*” the subject.

My examining of ethical theories in more detail had been beset by false starts. After constant efforts to categorise my dilemmas as either deontological or teleological, I determined that such efforts were indeed “*artificial*” (Brady, 1985, p.568). Instead, what I found to be of use was the notion that rules for me were important, framing the “*what is right?*” question as above. Equally important, however, was the need to look at matters from a situational perspective and to assess with regard to what is “*good*” overall (Melé, 2009). This meant not looking at theories from an either/or perspective, but to take Bauman’s notion (1993, p.245) of “*postmodern wisdom*” and accepting that there will always be problems, to look at what could help in practice.

What was of most importance was how to gain and apply “*practical wisdom*” (Melé, 2009b, p.228). Accepting that moral philosophers may wish to label this as “*virtue ethics*” or relating to notions of practical reason, was less important to me than the understanding that this would become the driving force for my study as:

practical wisdom can be gained not only from personal experience and reflecting on past actions, but also by learning from prudent people and from the practical wisdom accumulated over the history of mankind. (Melé, 2009b, p.228).

From my peer group and through study, I also learnt that not only were challenges inevitable but in addition to using codes and reflection, I had a need to rely on “*trusted others*” (Kahn, 2001, p.261). For me, this could come from existing networks and resources, including others in practice.

I would add one final caveat before moving on to looking at the overall contribution of the study, and that is that I hope I will always find myself asking questions of my practice, accepting Bauman's (1993, p.80) notion that a moral self "*is always haunted by the suspicion that it is not moral enough*".

6.3 RESEARCH CONTRIBUTION

This study helps bridge the gap between academic research and practice. The research question emerged from practice and it was then found that there was a gap in the existing literature. The practitioner researcher's interest and the energy and level of participation in the study, together with direct calls for debate around the questions raised in the study, show that this is an area needing attention. Also, given the current debates surrounding ethics in different areas of professional practice, this study shows the need for HR consultants to be involved in this debate. The practitioner researcher methodology and the focus of the study within a community of practice, generate specific recommendations for improved professional practice.

These recommendations include the need for a greater awareness of industry codes of ethics, accepting that they provide a framework for active engagement; the need for practitioners to develop their own code, which could be expressed as conduct, ethics, values or practice; a recognition of the importance of critical reflection and consideration as to resources to enable this; an extension of the CIPD's behavioural competences to explicitly reflect the importance of critical reflection in continuous development and finally, an increased awareness of the potential benefits of formal support relationships, and consideration as to how support could be formalised.

This thesis also shows the validity of practitioner research as an appropriate method for the research question. Without the practice, the research question would not have emerged so clearly. The practice also yielded the sample group, practitioner researcher skills and a constant referral point for the discussion and recommendations. The reflections on practice from the research led to a clearer understanding as to why ethical challenges emerge and how they can be dealt with by independent HR consultants. This understanding and focus on the "*why*" came about as a synthesis of research and practice achieved through critical reflection.

The thesis is presented with a potential audience of practitioners, together with other practitioner researchers in mind. The literature review and findings chapters set out key

notions from the prevailing literature and from practitioner interviews for each to see the relationship with the other. The discussion then draws these together. Furthermore, the detailed account of the practitioner research methodology can inform future practitioner researchers undertaking research within this or within other communities of practice.

In conclusion, the subject of the thesis is one which needs debate and where there is a contribution to be made by empirical research to that debate. This thesis provides such empirical research. It sets out a detailed understanding of the nature of ethical challenges in independent HR consultancy practice, produces a categorising framework to better understand these challenges and resolutions, and evaluates the phenomenon through the literature and critical reflections of the practitioner research.

Having made a contribution to new knowledge with this understanding, and in being able to make a contribution to practice by drawing on this knowledge and making recommendations, the next steps for the practitioner researcher involve how best to communicate to other practitioners and practitioner researchers by introducing the findings and recommendations into the public domain.

REFERENCES

- Allport, G.W. 1955. *Becoming*. New Haven, CT: Yale University Press.
- Anderson, C. 2008. *The Long Tail, Why the Business of the Future is Selling Less of More*, Hyperion.
- Anderson, R.L. & Dunkelberg, J.S., 1992. *Managing Small Businesses*, West Publishing Co.
- Ardagh, D., 2007. The Ethical Basis for HRM Professionalism and Codes of Conduct, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford pp.152-170.
- Argyris, C. and Schön, D.A. (1974). *Theory in practice: Increasing Professional Effectiveness*, Jossey-Bass: San Francisco, Washington and London.
- Baker, B. & Cooper, J., 2000. Occupational Testing and Psychometric Instruments: an Ethical Perspective , in Winstanley, D. & Woodall, J., (eds.) *Ethical Issues in Contemporary Human Resource Management*, Palgrave Macmillan pp. 59-84.
- Bamford, D., 2008. The Use of Grounded Theory in Change Management Research. *Journal of Change Management*, 8(2), pp.111-121.
- Banks, S., & Williams, R., 2005. Accounting for Ethical Difficulties in Social Welfare Work: Issues, Problems and Dilemmas. *British Journal of Social Work*, 35(7), pp.1005-1022.
- Banks, Sarah, 2006., *Ethics and Values in Social Work (British Association of Social Workers (BASW) Practical Social Work)* 3rd ed., Palgrave Macmillan.
- Bauman, Z. 1993., *Postmodern Ethics*. Blackwell, Oxford.
- Benne, K.D. 1959. "Some ethical problems in group and organisational consultation", *Journal of Social Issues*, 15 (2), pp.60-67.
- Bennington, L., 2007. HR Managers as Ethics Agents of the State, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford.
- Berumen, M.E., 2003. *Do No Evil: Ethics with Applications to Economic Theory and Business* 1st ed., iUniverse.com.
- Block, P., 2000. *Flawless Consulting: A Guide to Getting Your Expertise Used* 2nd ed., Jossey Bass.
- Bowie, N.E. & Werhane, P.H., 2004. *Management Ethics*, Wiley-Blackwell.
- Brady, F.N., 1985. A Janus-Headed Model of Ethical Theory: Looking Two Ways at Business/Society Issues. *Academy of Management Review*, 10(3), pp.568-576.
- Browning, L.D., 1982. The ethics of intervention: a communication consultant's apology. *Journal of Applied Communication Research*, 10(2), p.101.
- Bruner, J. 1973. "Going Beyond the Information Given", in J.M. Anglin (ed.), Jerome S. Bruner: *Beyond the Information Given*. New York: W.W.Norton, pp.218-38.
- Campbell, T., Pinnington, A., Macklin, R. & Smith, S., 2007. Conclusion, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford.
- Chartered Institute Personnel and Development ., 2010. *Code of Conduct* available at: <http://www.cipd.co.uk> (accessed Spring 2010 and March 2011).

- Chartered Institute Personnel and Development „2011. Factsheet: *The History of HR and the CIPD* available at: <http://www.cipd.co.uk> (accessed March 2011).
- Cline, D. & Holifield, M. (2000). *Ethical Dilemmas and Unprofessional Conduct in Teacher Education*, Research Proposal. Available at: http://www.education.astate.edu/dcline/Guide/Ethics_Proposal.html/ (Accessed: Summer 2009).
- Cooper, R.J. (2006). *Ethical Problems and their Resolution by Community Pharmacists: a Qualitative Study*. Unpublished PhD Thesis/ University of Nottingham. pp.81-101.
- Creighton, B., 2007. Ethical Employment Practices and the Law, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford pp.81-101.
- Christensen, P.R. & Klyver, K., 2006. Management consultancy in small firms: how does interaction work? *Journal of Small Business and Enterprise Development*, 13(3), pp.299-313.
- Cummings, S. 2000. "Aesthetics of Existence as an Alternative to Business Ethics", in S. Linstead and H. Hopfl (eds.), *The Aesthetics of Organisation*. London: Sage, pp. 212-27.
- Curnow, B. & Reuvid, J., 2003. *International Guide to Management Consultancy: Evolution Practice and Structure*, 2nd ed., Kogan Page.
- Doloriert, C. and Sambrook, S., 2009. Ethical confessions of the "I" in autoethnography; the student's dilemma". *Qualitative Research in Organisations and Management*. 4 (1) pp.27-45.
- Drake, P. & Heath, L., 2010. *Practitioner Research at Supervision Level: Developing Coherent Research Methodologies* 1st ed., Routledge.
- Flick, U., 2000. Episodic Interviewing, in Bauer, D.M.W. & Gaskell, D.G.D., (eds.) *Qualitative Researching with Text, Image and Sound: A Practical Handbook for Social Research*, Sage Publications Ltd pp. 75-92.
- Fraedrich, J., Thorpe, D.M. and Ferrell, O.C. (1994). "Assessing the application of cognitive moral development theory to business ethics", *Journal of Business Ethics*, 13 (10), pp. 829-38.
- Garber, P., 2008. *The Ethical Dilemma*, HRD Press Inc., U.S.
- Glaser, Barney G. and Strauss, Anselm L., 1967. *The discovery of grounded theory: strategies for qualitative research*, Chicago: Aldine.
- Greenwood, M., & De Cieri, H., 2007., Stakeholder Theory and the ethics of HRM, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford pp.119-136.
- Giorgi, A., 1997. The Theory, Practice, and Discussion of the Phenomenological Method as a Qualitative Research Procedure. *Journal of Phenomenological Psychology*, 28(2), pp.235-260.
- Guest, D.E., 2007. HRM and Performance: Can Partnership Address the Ethical Dilemmas?, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford pp. 52-66.
- Haidt, J., 2007. The New Synthesis in Moral Psychology. *Science*, 316(5827), pp.998-1002.
- Hannafey, F.T., 2003. "Entrepreneurship and Ethics: A Literature Review". *Journal of Business Ethics*, 46, pp.99-110.

- Harrison, R., 1995. *Consultant's Journey*, McGraw-Hill Publishing Co.
- Hartman, E. M., 2006, Can we Teach Character? An Aristotelian Answer, *Academy of Management Learning & Education* 5(1), 68–81.
- Hauser, M., 2006. *Moral Minds: How Nature Designed Our Universal Sense of Right and Wrong*, Ecco Press.
- Hodgetts, R.M., 1995. *Effective Small Business Management* 5th ed., Thomson Learning.
- <http://www.buzzle.com> (no date) (accessed Spring 2010).
- [http:// www.thetimes.co.uk](http://www.thetimes.co.uk). (2004). "Profit from managing an ethical firm" (accessed Spring 2010).
- <http://www.work.com> (no date) (accessed Spring 2010).
- Institute Of Business Consulting (2007) *Code of Conduct* available at: <http://www.ibconsulting.org.uk> (accessed Spring 2008).
- Jarvis, P., 1998. *The Practitioner-Researcher: Developing Theory from Practice*, John Wiley & Sons.
- Johns, C., 1999. Unravelling the dilemmas within everyday nursing practice. *Nursing Ethics*, 6(4), pp.287-298.
- Jones, T.M., 1995. Instrumental Stakeholder Theory: A Synthesis of Ethics and Economics. *Academy of Management Review* 20 (2) pp. 404-437.
- Kahn,W.A., 2001. Holding Environments at Work. *Journal of Applied Behavioral Science*, 37(3), pp.260-279.
- Kakabadse, N.K., Louchart, E. & Kakabadse, A., 2006. Consultant's role: a qualitative inquiry from the consultant's perspective. *Journal of Management Development*, 25(5), pp.416-500.
- Kallman, E.A. & Grillo, J.P. 1996. *Ethical Decision Making and Information Technology*. McGraw-Hill, Maidenhead.
- Kilburg, R.R., 2002. Shadow consultation: A reflective approach for preventing practice disasters. *Consulting Psychology Journal: Practice and Research*, 54(2), pp.75-92.
- Kornberger, M. & Brown,A.D., 2007. 'Ethics' as a discursive resource for identity work. *Human Relations*, 60(3), pp.497-518.
- Krueger, R.A. & Casey, M.A., 2000. *Focus Groups: A Practical Guide for Applied Research* Third Edition., Sage Publications, Inc.
- Kvale, S., 1996. *Interviews: An Introduction to Qualitative Research Interviewing illustrated edition.*, Sage Publications, Inc.
- Lee, M., (2002) Defining the Research Question: On Seizing the Moment as the Research Question Emerges, in McGoldrick, J., Stewart, J. and Watson, S. (eds.) *Understanding Human Resource Development: A Research Based Approach*, Routledge: London, pp.18-40.
- Legge, K., 2007.The Ethics of HRM in dealing with Individual Employees without Collective Representation, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford pp.35-51.
- Lippitt, G.L. & Lippitt, R., 1986. *The Consulting Process in Action* 2nd ed., Jossey Bass.

- Longenecker, J.G., McKinney, J.A. & Moore, C.W. 1988, "Egoism and Independence: Entrepreneurial Ethics", *Organisational Dynamics*, 16, pp. 64-72 .
- Lynch, C. P., 2003. Ethical Norms and Guidelines, in Curnow, B. & Reuvid, J.,(eds.) *International Guide to Management Consultancy: Evolution Practice and Structure* 2nd ed., Kogan Page pp.78-99.
- Macklin,R., 2007.The Morally Decent HR Manager, in Pinnington, A., Macklin, R. & Campbell, T. (eds.) *Human Resource Management: Ethics and Employment*, OUP Oxford pp.266-281.
- Margerison, C.J., 2001. *Managerial Consulting Skills: A Practical Guide* 2nd ed., Gower Publishing Ltd.
- Marton, F. ,1981. "Phenomenography: Describing conceptions of the world around us", *Instructional Science*, 10, pp.177-200.
- Melé, D., 2009a. Practical wisdom in the managerial decision- making process. available at: <http://www.stthomas.edu> (accessed Autumn 2010).
- Melé, D., 2009b. Integrating Personalism into Virtue-Based Business Ethics: The Personalist and the Common Good Principles. *Journal of Business Ethics*, 88(1), pp.227-244.
- Melé, D., 2010. Practical wisdom in managerial decision making. *Journal of Management Development*, 29(7/8), pp.637-645.
- Miles, M.B. & Huberman, M., 1994. *Qualitative Data Analysis: An Expanded Sourcebook* Second Edition., Sage Publications, Inc.
- Moustakas, C., 1990. *Heuristic Research: Design, Methodology, and Applications*, Sage Publications, Inc.
- Nash, L.L., 1981. Ethics without the sermon. *Harvard Business Review*, 59(6), pp.78-90.
- O'Mahoney, J., 2010. *Management Consultancy*, OUP Oxford.
- Ozley, L.M. & Armenakis, A.A., 2000. "Ethical consulting" does not have to be an oxymoron. *Organisational Dynamics*, 28(4), pp.38-51.
- Payne, G. & Williams, M., 2005. Generalization in Qualitative Research. *Sociology*, 39(2), pp.295 - 314.
- Pinnington, A., Macklin, R. & Campbell, T., 2007. *Human Resource Management: Ethics and Employment*, OUP Oxford.
- Pope, K.S. & Vetter, V.A., 1992. Ethical dilemmas encountered by members of the American Psychological Association: A national survey. *American Psychologist*, 47(3), pp.397-411.
- Poulfelt, F., 1997. Ethics for management consultants, *Business Ethics*,6, (2), pp.65-71.
- Robinson, S., 2009. The Nature of Responsibility in a Professional Setting. *Journal of Business Ethics*, 88(1), pp.11-19.
- Rashford, N.S. & Coghlan, D. 1994. *The Dynamics of Organisation Levels*. Addison-Wesley, Reading (MA).
- Robson, C., 2002. *Real World Research: A Resource for Social Scientists and Practitioner-researchers* 2nd ed., John Wiley & Sons.
- Sadler, P., 2001. *Management Consultancy: A Handbook for Best Practice* 2nd ed., Kogan Page.

- Schein, E.H., 1987. *Process Consultation: lessons for Managers and Consultants: v. 2* 1st ed., Addison-Wesley.
- Schein, E.H., 1997. The concept of "client" from a process consultation perspective: A guide for change agents. *Journal of Organisational Change Management*, 10(3), pp.202-216.
- Schein, E.H., 1998. *Process Consultation Revisited: Building the Helping Relationship* 1st ed., Financial Times/ Prentice Hall.
- Schön ,D., 1976. *Theory In practice*, Jossey- Bass Publishers.
- Schutz, A. ,1964. The well-informed citizen in Collected Papers Vol. 2. *Studies in Social Theory*. Martinus Nijhoff. The Hague, pp.120-134.
- Schweicker, W., 1995. *Responsibility and Christian Ethics*, Cambridge University Press: Cambridge.
- Snell, R.S., 1997, Management Learning Perspectives on Business Ethics in Burgoyne, P.J.G. & Reynolds, P.M., (eds.) *Management Learning: Integrating Perspectives in Theory and Practice*, London, Sage Publications Ltd. pp.182-198.
- Spence, L., 2000.What Ethics in the Employment Interview?, in Winstanley, D. & Woodall, J., (eds.) *Ethical Issues in Contemporary Human Resource Management*, Palgrave Macmillan pp.43-58.
- Stark, A., 1993. What's the Matter with Business Ethics? *Harvard Business Review*, 71(3), pp.38-48.
- Stevens, B. & Fleckenstein, A., 1999. Comparative ethics:: How students and human-resources directors react to real-life situations. *The Cornell Hotel and Restaurant Administration Quarterly*, 40(2), pp.69-75.
- Stroh, L.K. & Johnson, H.H., 2006. *Basic Principles of Effective Consulting* 1st ed., Psychology Press.
- Stumpf, S.A. & Longman,R.A.,2000. The ultimate consultant: building long-term, exceptional value client relationships. *Career Development International*, 5 (3),pp. 124 – 134.
- Sturdy, A. et al., 2010. *Management Consultancy: Boundaries and Knowledge in Action*, OUP Oxford.
- Tichy, N.M., 1974. Agents of Planned Social Change: Congruence of Values, Cognitions and Actions. *Administrative Science Quarterly*, 19(2), pp.164-182.
- Trevino, K.L.1992. "Moral Reasoning and business ethics: implications for research, education and management", *Journal of Business Ethics*, 11 (5/6), pp. 445-59.
- Van Nistelrooij, A., De Caluwé, L. & Schouten, N., 2007. Management Consultants' Colourful Ways of Looking at Change: An Explorative Study under Dutch Management Consultants. *Journal of Change Management*, 7(3/4), pp.243-254.
- Ven, A.H.V. de, 2007. *Engaged Scholarship: A Guide for Organisational and Social Research*, OUP Oxford.
- Vygotsky, L., 1978. *Mind in Society: Development of Higher Psychological Processes* New edition., Harvard University Press.
- Von Post, I. ,1996. "Exploring Ethical Dilemmas in Perioperative Nursing Practice through Critical Incidents". *Nursing Ethics*, 3 (3) pp. 236-249.
- Walton, J., 1999. *Strategic Human Resource Development* 1st ed., Financial Times/ Prentice Hall.

- Wenger, E., 2000. Communities of Practice and Social Learning Systems. *Organisation*, 7(2), pp.225-246.
- Whittle, A. 2005. Preaching and Practising Flexibility: Implications for Theories of Subjectivity at Work, *Human Relations*, 58 (10), pp. 1310-22.
- Wicks, A.C. & Freeman, R.E., 1998. Organisation Studies and the New Pragmatism: Positivism, Anti-positivism, and the Search for Ethics. *Organisation Science*, 9(2), pp.123-140.
- Winstanley, D. & Woodall, J., 2000. *Ethical Issues in Contemporary Human Resource Management*, Palgrave Macmillan.
- Winstanley, D., 2004. A study of HR consultants in the charity and voluntary sectors, in Woodall, J., Lee, M., Stewart, J., (eds.) *New Frontiers in HRD*, London and New York: Routledge, pp. 98-111.
- Wit, B.D. & Meyer, R., 2004. *Strategy: Process, Content, Context* 3rd ed., Cengage Learning EMEA.
- Woodall, J. & Gourlay, S. N., 2004, The relationship between professional learning and continuing professional development in the UK: a critical review of the literature, in Woodall, J., Lee, M., and Stewart, J., (eds.), *New Frontiers in HRD*, London and New York: Routledge, pp. 98-111.
- Zimmerer, T.W. & Scarborough, N.M., 1992. *Effective Small Business Management* 4th ed., Macmillan USA.

APPENDICES

Appendix 1: Pre Interview Briefing

DRAFT TO BE PERSONALISED

INFORMATION TO ASSIST YOU IN DECIDING IF YOU CAN HELP WITH STUDY

Context

Thank you for agreeing to look through the brief below.

[As explained on our call], I have been working as an independent HR consultant for the past 10 years since leaving my last role as VP HR of an international call centre business. Whilst working, I am also studying and am currently carrying out research for a professional doctorate in HR. Based on my own experiences, my research focuses on how other sole traders and those in small associate practice deal with ethical dilemmas which can arise in day to day working life.

I have already conducted 10 interviews and am looking to conduct up to 10 more. It is envisaged that the academic study will be supervised and marked by teaching staff at the university as a part of the discussion for the doctorate. It maybe that in the longer term parts of the study inform further work or writing for a wider group such as interested consultants for example. In that event and prior to any such use, I would endeavour to advise participants.

As I detail below, all data will be handled throughout on an anonymous basis and it will not be possible to identify participants throughout the study.

Data Collection

The interview is semi- structured around a number of prepared questions and would last for approximately 45 minutes and no longer than 1 hour. I would prefer to do the meetings face to face (and will travel just about anywhere in the UK). With permission, conversations are recorded and then transcribed and data is stored in accordance with Data Protection Regulations.

All participants are asked the same questions and receive the same brief at the start of the interview. Before the interview, you will be given a code, and no names are used thereafter throughout the study.

Whilst all data is anonymous, you may still choose to withdraw at any stage of the research.

Help

It would very much help to have a few more participants, currently working in HR consultancy practice either as sole traders or in small firms employing no more than 10 people with 1 hour to spare.

If you could help, please could you email x or call y for more information about the research or me or indeed for any other questions you may have. Very many thanks again.

Appendix 2: Interview Questionnaire

Interview Questionnaire

Background

Research: I am looking at "Ethical challenges within HR consultancy in sole trading or small associate practice in the UK"

Target audience: teaching staff at university, possibly wider audience interested consultants

No names or identifiers, codes used throughout

May withdraw any stage

Are you happy to continue?

Are you OK if I record and as explained in the brief, I can assure you that the recording will remain confidential?

Introduction

What is the nature of your consultancy work? OR MAJORITY OF WORK

How long have you been working as a consultant?

Do you work with colleagues?

In this interview, I will ask you to recount situations in which you have had experience with ethical issues, problems or dilemmas whilst working as an HR consultant or whilst working with HR consultants (IF REQUIRED, DEFINE ETHICS AS BEING ABOUT HOW HUMANS TREAT EACH OTHER AND THEIR ENVIRONMENT AND WHAT IS RIGHT AND WRONG, DILEMMA COULD BE ABOUT WHAT ACTIONS ARE RIGHT OR WRONG OR CONFLICT OF REQUIREMENTS OR VALUES)

Interviewee's concept of the issue and his/her biography in relation to it

Have you thought before explicitly about "ethics" in relation to your work? (INTERVIEWEE MAY REFER TO DRAFTING POLICIES: REFER BACK: HAS THIS CAUSED YOU TO THINK ABOUT YOUR WORK?)

If so, can you tell me how?

The meaning of the issue for the interviewee's everyday life

If you look at your thinking, has it changed at all with recent media coverage of morals and issues around the behaviours of those in finance around the economic problems or the various recent UK expenses scandal? (DO NOT REFER TO SPECIFIC GROUPS)

If so, can you tell me how?

Focussing the central parts of the issue under study

What would you say are some of the most common dilemmas? (MAY REFER TO HOW TREATED BY OTHERS: HAS THIS CAUSED YOU TO THINK ABOUT YOUR WORK?)

Can you describe a particular situation that raised ethical issues for you?

Why do you see this as an ethical issue?

How did you resolve it? Would you do things differently in hindsight?

More general relevant topics

In your opinion who is responsible for setting ethical guidelines?

Do you have any dealings with professional bodies or organisations that provide guidance, advice and/or professional information in your field of work?

Do you anticipate future problems?

Discussion and small talk

Is there anything else on this subject that you wish to raise that I haven't give you the chance to talk about during the interview?

CONCLUDE:

WOULD YOU BE HAPPY IF I DID 1 FOLLOW UP CALL IN CASE YOU THINK ABOUT ANYTHING
OR IF I HAVE ANY QUESTIONS AFTERWARDS?

ARE YOU CLEAR ABOUT HOW TO CONTACT ME IF YOU HAVE ANY FOLLOW UP QUESTIONS
OR CONCERNS?

WOULD YOU BE INTERESTED IN SEEING MY PRELIMINARY FINDINGS?

THANK YOU

Appendix 3: Post Interview Follow Up

Draft to be personalised

Dear x,

Some time ago you kindly helped with my research and a number of interviewees expressed an interest in seeing some of the data findings.

I am therefore sending the attached to all participants which shows:

- 1) The general make up of the participant group
- 2) Overall findings in relation to ethically challenging situations faced and resolutions cited
- 3) How the interview material has been set out (including the incorporation of quotes)
- 4) How confidentiality has been maintained

I have thoroughly enjoyed my work so far and cannot thank you enough for your help. There is no need for any further comment unless you want to, but I am very happy to talk further to those who wish to.

Finally, please could you keep the attached confidential.

With best regards and thanks again

Appendix 4: Map of field texts from the advanced practitioner skills portfolio

FIELD TEXT	STYLE OF TEXT	SUBJECT	THOUGHTS
1	Mind Map, September 2009	Problems identified at start of writing portfolio for professional doctorate	I did not realise it at the time, but my starting point here was to capture all of the questions I had with the notion of the portfolio. I then used these questions and how I resolved them to structure this work some 16 months later. I applied thinking around where my questions for my research thesis had originated to the portfolio.
2	Narrative tale, September 2009	Story of experience with antenatal group and problems with writing autoethnographically	Again looking at writing out a series of questions once I had told the tale, including an acknowledgement that as working mothers, we were adept at presenting personas to fit the different audiences in the outside world. Also a realisation in writing up this story that whilst we thought as a group we were being liberal and tolerant, we were in fact intolerant of those who did not want to play by our "rules".
3	Diary narrative, October 2009	Explanation personal tension between wanting to engage in study and reflection and pragmatic styles	Recognition that my voice ranges from "introspection" to "pragmatic", with my emphasis to date having been on the pragmatic.
4	Critical incident record, January 2010	Short summary of starting with a new client, P	By writing up a three and a half page account of a client taking up a lot of thinking time and emotional energy, and by using ideas from the supervision group meetings, I was able to work out why the client was causing me to need to work out what was actually happening. I realised that this client was different from others I had been dealing with. I had been introduced via word of mouth, and thrown immediately into a situation where action was being demanded before I knew that I could trust the client, and that this lack of trust was causing me to feel less self reliant and confident. Whilst I took actions at the time to address this so that I could perform effectively, only by writing up the experience and reflecting on it could I better understand the situation and hopefully learn for the future. Incidentally, if reflecting the notion of "power" (as sometimes done within the critical genre: <i>Thus to better understand consultants as both socially constructed categories and reflexive selves, we need to better understand the identities that they, and others, construct for themselves and to 'deconstruct' the discourses and power relations which underpin these identities</i> Mahoney 2010 p.281) it is interesting how I much I use the idea of "control" in this writing.
5	Essay style, March 2010	Further reflections on working with client P	Here I used an essay format I had learnt and practiced whilst doing my masters to think about my practice as a consultant and also someone

FIELD TEXT	STYLE OF TEXT	SUBJECT	THOUGHTS
			managing their own business. Some of the reading for my thesis literature review had led me to observations about entrepreneurs. I used these observations to try and understand my new client better. Probably unsurprisingly, I realised that a number of my assumptions about clients had been based on my experience with large and small businesses, but to date no start-ups. A number of my assumptions therefore had to be re-thought.
6	Essay style, May 2010	A response to the question, "where do I consider 'ethics' in my autethnographic reflections on critical incidents?"	At some 14 pages, this is by far the longest field text. In some ways, it is part field text, part essay and part start of me summarizing thoughts for the writing of the thesis. Whilst it follows a structure of introduction, defining ethics, looking at the subject with regard to my autoethnography, reflections on my practice, as a family member, as a consultant and conclusions, it also encompasses summaries of writing of others and again model testing. There is a huge range therefore, but to large extent, choosing to spell out thinking to date helped clarify these thoughts to myself.
7	Notes and diagram, June 2010	Capture of thoughts around supervision group meeting	Before the meeting, I documented how tired and frustrated I was with writing, the interaction with the group and general lack of connection, " <i>nothing connected</i> ". This carried on after the meeting, but I did get hold of a book one of my tutors had recommended, even though I remember thinking I'm not sure actually why I should be looking at it. I failed to understand at least half of what I read, but I suddenly stumbled on a way of connecting practice and my thesis and my portfolio. I realised that all of my reading (for my thesis) to date had been around ethics, and that I had neglected the consultancy aspect (the subject of the book), although it was in my preliminary findings. This was an important moment of crystallization. My portfolio was about my consultancy interventions and my thesis about ethical dilemmas. In very simple terms, what I had not clearly enough articulated to myself was that the dilemmas were often peculiar to the consultancy relationship. Whilst I had written about this in my preliminary findings, I had not emotionally connected with the notion. It had taken me two and a half years to get to this point.
8	Diagram, July 2010	Personal ethics in practice	This gave me the opportunity to map out what I think is at the heart of my practice, namely my HR skills and consultancy skills. Around this, I could position the personal qualities I prioritise, and then I set out a series of questions I could / would ask myself at the different stages of a consultancy assignment. In pulling this together, I could integrate my reading around my thesis topic and think directly about my practice.
9	Free flowing	Taking foregrounding and backgrounding as	I worked out a way of thinking about and structuring and content of my writing,

FIELD TEXT	STYLE OF TEXT	SUBJECT	THOUGHTS
	diary essay, September 2010	a theme, the piece looks at how my portfolio and thesis are emerging	foregrounding the thesis and portfolio at different times whilst still being able to integrate both. I also realised that these different experiments fitted into the field text genre, which helped with sense making for myself.
10	Typed notes on using a model to structure thoughts, October 2010	Applying Schein's model on identifying consultant client types and my responsibilities to the different types	Still thinking about Company P and one other client, I had done some further reading and used a model I had found on client types to then extend the model and work out my responsibilities on two assignments. Whilst it is not explicit in the text, I am looking for practical ways to look at ethical dilemmas in HR in consultancy practice. I also jotted down a quote from Wall, which I think I included as I liked the expression of the position " <i>I still believe that some things are right and some are wrong</i> ", but the preceding sentence, " <i>we cannot separate ourselves from what we do</i> " was also starting to raise questions in my mind. Whilst included here with no comment, these are themes that I continued reading around in the following months.
11	Typed notes on December 2010/January 2011	My thinking on issues and identity when one is an individual and a business	These notes reflect my coming to realise why ethical dilemmas felt different to me a sole trader, whose identity is partly constructed by the notion of the person managing a business. For the first time I started to see why it had felt so different experiencing these concerns as a sole trader as opposed to operating corporately.
12	Transcript of notes post supervision group meeting, February 2011	Ideas emerging at and after a supervision group meeting	The purpose of writing this piece was to explain how my thoughts around the writing of this portfolio had crystallised. Thoughts and images from the meeting were in my mind after the meeting, and as I articulated my wish to get my thinking around content and structure clearer, I was then able to do this very quickly. I could conceive of a framework of recording transferable skills between study, reflection and practice, and in doing so, make greater sense for me and for the reader of the portfolio.

Map of field texts from the advanced practitioner skills portfolio (table 31)

Appendix 5: Timeline of writing skills portfolio and research thesis

ETHICS THESIS	Taught MA modules and written assignments Played around with different research ideas before deciding on Ethics in sole trading/ small associate HR Consultancy Practice	Carried out initial study and wrote dissertation based on findings			Finalised RD1 and ethics review form for progression from MA to professional doctorate (09/10) Wrote project plan for research (10/10) Wrote up first draft of methods chapter (11/10) Carried out data collation (12/10)	Revised methods chapter Wrote data analysis chapter Completely rewrote literature review chapter	Tidied up with citation manager Prepared evaluation chapter
PORTFOLIO	Some reflexive writing as part of the modules indicating what was learning about self and business Prepared Consultancy Skills Portfolio (07/09)	Started to write Field texts: "What I learnt from Consultancy Skills Portfolio" (09/09) "Initial problems with writing autoethnographically" (09/09) "My voice" (10/09)	Field texts continued: "Critical incident record" (01/10) "Further reflections on critical incident" (03/10) Also started to play around with structuring account as piece of research	Field texts continued: "Where do I consider 'ethics' in autoethnographic reflections on critical incidents" (05/10) "Personal ethics in practice" (07/10)	Field texts continued: "Fore-grounding and back-grounding" (09/10) "Untangling myself in an ethically difficult situation using Schein's simplifying model" (10/10)	Finished Field Text: "Issues of Ethics and Identity when one is both an individual and a business" (01/11) Field Text (Moustakas 1990) "Emerging ideas" Wrote first draft	Revisited first draft. Restructured so answers to questions clearer and mapped Field texts. Tidied up with citation manager
	Feb 08-Aug 09	Sep 09-Dec 09	Jan 10-April 10	May 10-Aug 10	Sep 10-Dec 10	Jan 11-April 11	May 11-July 11

The shade highlights the fore-grounded work at the different stages. It is interesting that I am struggling the most in my head when the fore-grounding is not clear.

READING	Focussed on modules	Focussed on ethics and dissertation methods and practices Started some reading into autoethnography but based much of initial Field texts on supervision handbook and tutorial discussion	Focussed on autoethnographic writing, styles, methods and evaluation	Entangled reading. To write autoethnographic reflection revisited lit review for MA plus continued reading on genre	Focussed on practical skills for methods chapter and expanded lit review to encompass some areas missing completely from MA work but could now hear more clearly (e.g. boundaries for consultants and issues around personal identity/ self and business)	Very little for prof doc. in Jan. Lot of CIPD background material for new assignment. Interesting focus on moral compass	
COMMENTS	Saw research and reflexive writing as distinct pieces of work	Saw research and autoethnography as distinct pieces of work	View challenged in tutorial that work should be distinct Decided to think about future Field texts differently	First writing looking at researcher is researched on chosen area of thesis research This felt right in pulling together different strands of thinking	Started spider diagrams to try to capture activities in different areas as very much interlinked Clarity in distinguishing thesis as researcher and research and autoethnography as researcher is researched Struggled however in building into draft of methods chapter and issue that didn't feel right in writing raised at tutorials	Prepared this timeline	
	Feb 08-Aug 09	Sep 09-Dec 09	Jan 10-April 10	May 10-Aug 10	Sep 10-Dec 10	Jan 11-April 11	May 11-July 11

Timeline of writing skills portfolio and research thesis (table 32)

