



GUIDELINES FOR ETHICAL DECISION MAKING

Ethical Decision Making is the process of critical reflection, evaluation and judgement through which an ISANA member resolves ethical issues, problems and dilemmas. Ethical dilemmas arise when an ISANA member must make a choice between alternative courses of action, each of which is supported by moral considerations, yet each of which will result in an outcome which is in some way undesirable.

These can occur in diverse circumstances when advising international students. Two examples are:

1. When the interests of the students conflict with those of various other parties, or with those of the ISANA member or their employer.
2. When the ISANA member's ethical responsibilities conflict with the interests of other professionals, professional groups, agency policies/procedures or government departmental requirements.

When ethical values conflict, ISANA members have a responsibility to decide which will take priority. In this process of decision making, the following principles should be incorporated:

Having full and relevant information on the matter about which the decision is being made.

By taking reasonable steps to ensure that the decision making is being undertaken in an ethical manner, i.e., by checking against the ISANA Code of Ethics.

Being open in the decision making process, within the appropriate confidentiality requirements of the ISANA member's employer organisation.

Being accountable at all stages of the advising role and the decision making process.

In making ethical decisions, consultation with ISANA colleagues, supervisors and/or other competent professionals is advisable. Such consultation is not unethical when the situation is outside the ISANA member's area of expertise. ISANA members are often called upon to justify their decisions and should be able to clearly demonstrate the factors involved in arriving at these decisions.

Conflicts of Interest

Conflicts of interest may arise when an ISANA member's dealings with an international student result in, or may influence, or be perceived to result in, influence over the member's capacity to work in an impartial manner. When a conflict of interest is foreseeable, or actually occurs, members must identify the conflict of interest, declare it to the relevant authority and take appropriate action (e.g. referral to another party, record keeping, mediation, or follow up).

Involuntary Students

ISANA members are sometimes required to attend to students who present unwillingly or involuntarily as a result of conflict with their institution, other students, sponsoring bodies or agents, etc. When addressing such conflicts, consultation with other professionals is recommended. As far as possible, ISANA members should be open with the students about such conflicts, and should seek to involve students in identifying and negotiating the best possible outcomes.

Multiple Students

When dealing with students or a group of students in conflict, the ISANA member should clarify with all parties whose interests will take precedence, and make clear their objectives for conflict resolution. As with involuntary students, members should be open with all parties and should seek to involve all parties in identifying and negotiating the best possible outcomes.

Confidentiality

Taking into consideration the privacy or confidentiality policies of their employer organisation or institution, ISANA members are sometimes faced with difficult dilemmas in terms of reporting, with parties such as Immigration authorities, sponsors, agents and families.

ISANA members are ethically obliged and justified to share information that will enhance the student's welfare or that will inform relevant decision making. Such disclosure may constitute a legitimate breach of confidentiality.

On the other hand, the ISANA members may decide that maintaining strict confidentiality is ethically justified in certain circumstances. However, when this decision conflicts with legal disclosure requirements, the ISANA member may not be protected from legal sanction by relying on the ISANA Code of Ethics and these guidelines for ethical decision making.

Confidences may be revealed without student consent when compelling ethical or legal reasons prevail, for instance, to protect students, staff or the wider community where the ISANA member becomes aware that there is a risk to the student's safety or the safety of others.

Students should be notified when disclosure without consent is intended or has occurred, unless there is a risk of potential harm to any party.

Workplace

Conflicts may arise between adhering to ISANA's Code of Ethics and carrying out employment demands that are inconsistent with the Code's provisions. Tensions among ethical considerations, official orders, the interests of students, contractual agreements and the need to remain employed may be difficult to balance and resolve.

In these circumstances, ISANA members should seek the support of ISANA colleagues, co-workers, supervisors and managers where available. When the employer's interests or instructions conflict with ethical practice considerations, ISANA members should make this clear to the employing authority, and attempt to negotiate a solution, protecting the best interests of the international students where they are involved.

If serious ethical conflicts continue, advice and support should be requested from ISANA's Council, other pertinent departmental or representative groups, or the wider community. However, challenging the employers on ethical grounds may expose ISANA members to organisational/institutional or legal censure. Members should acknowledge and take account of this in developing strategies to address the situation.

Conscientious Objection

In exceptional circumstances, conscientious objection may be justifiable grounds for redirecting or referring a student to alternative means of assistance.

Given the diversity of reasonable ethical views held within the ISANA membership, the rights of members who elect not to engage in work with international students that offends against deeply held personal, moral, spiritual or cultural convictions should be respected.

However, conscientious objection must be based on reasoning that is consistent with ISANA's aims, values and principles, including a clear understanding of the member's role and duty.