



# Do the right thing

SLT's new series on leadership dilemmas begins with a headteacher's tough decision on whether to complain about an underperforming colleague. **Jos Delnoij** and **Karin Murriss** weigh up the issues

**E**ven well thought-out rules or policies of organisations, such as schools, are not always sufficient to help managers deal with moral dilemmas. Every day managers have to make important decisions in situations when it is very hard to decide what the morally right action is. There seems to be a moral cost whatever they do. But thinking through case studies with other professionals can help managers to come up with better and stronger reasons to justify what they do or don't do.

It is particularly interesting to distinguish between 'rationalisations' (excuses) and 'good reasons' for actions. Rationalisations usually arise when people are more concerned about the effectiveness or efficiency of their actions. Good reasons or justifications are morally relevant: they take account of the rights and interests of other stakeholders. For accountability, this is absolutely essential.

Dilemma training is not only an intellectual exercise. It focuses on actions and helps decide the morally right course of action when investigating real life examples.

### Send your dilemma

Each issue of *School Leadership Today* will tackle a new case study that has arisen in the practice of managing schools. Details of your case will be changed to ensure confidentiality and sources will remain anonymous (even to the editor) unless you wish otherwise.

Dilemmas submitted by readers provide an excellent opportunity to learn about a six-step method of ethical decision making which you can use in your own professional and personal lives. It offers support for difficult decisions on the morally right course of action – which is crucial when dealing with actions that have major consequences, such as hiring and firing employees.

Let us know whether you agree or disagree with our analysis. A selection of your comments will be published in the next issue.

To tell us about your dilemma or comment on our analysis, use the email addresses at the end of this article.

### Evelyn's dilemma

Evelyn Brown joined her present inner-city primary school as headteacher three years ago. She quickly realised that the existing deputy headteacher, Lucy, had been promoted way beyond her level of competence. Evelyn feels that Lucy's relationship with staff, children and parents is inappropriately over-familiar, but living very close to the school Lucy would argue that many parents and staff members have become friends or acquaintances over the years.

Evelyn judges that Lucy lacks self-awareness, as well as the management and leadership skills necessary to enable her to motivate and develop colleagues, and to articulate a vision for the school's future.

Lucy is married with one child from a previous relationship. Her husband has been on long-term sick leave and has only just gone back to work. Lucy's parents look after their eight-year-old son, who has had health problems since birth. Lucy's father is prone to stress.

Evelyn believes that Lucy is unable to amend her ways, even though she has been given continuous professional development. Evelyn hasn't kept her opinion to herself. She has already told colleagues of her concern about Lucy's teaching and her ability or willingness to carry out instructions. This concern has found its way to the ears of the chair of governors and senior advisers. Evelyn now needs to make a decision. Should she take Lucy's case to 'formal competency' or not? Would it be the morally right thing to do?

Evelyn has to decide whether to take the case to 'formal competency' (decision A) or not (decision B). As soon as she puts in such a formal complaint she no longer has an influence on Lucy's fate. Lucy might lose her job. So how should she decide or find out what is the morally right choice? Such a moral judgement depends on weighing up the various rights, interests and wishes of all involved: the so-called 'stakeholders'. As a rule of thumb, rights have a heavier weight than interests and wishes. First we need to list all stakeholders in our case study. The next step is to examine all arguments in favour of decision A, and to examine all arguments in favour of the other decision, B. Then the arguments are weighed up. And Lucy has to think of 'compensating actions' to compensate for the harm caused by choosing one of the two.

First, who are the stakeholders in this case? If you try this yourself, just list everyone you can think of who might be relevant: Evelyn, Evelyn's family, Lucy, Lucy's family, the children (pupils), other staff, parents, other schools, governors, local education authority, wider community, future employees.

Next, what are the arguments in favour of taking the case to formal competency?

1. Lucy is not good enough for the school; she doesn't and will never be able to understand her role.
2. Lucy is in a position of responsibility but can't live up to it. (When Evelyn is not there, the school has no competent leader.)
3. Lucy uses her authority inappropriately and appeals to it for its own sake.
4. Lucy is paid a high salary and is not doing the job properly.
5. Lucy has very few friends among the staff.
6. It will bring fewer problems at home for Lucy.
7. Lucy is uncomfortable in her present situation.
8. Taking the case to formal competency will allow Evelyn to get a good deputy head.
9. Evelyn will be able to get the support and freedom to get on with what she feels is needed to complete her vision of the school's future.
10. It will bring fewer problems home for Evelyn.
11. Governors and advisers want Evelyn to take this step.
12. Children have the right to a good education.
13. NQTs need good mentors and existing staff need good role models.
14. Evelyn has a duty to the parents to employ the best staff possible.
15. Evelyn has a duty to the wider community to prepare children in the best way for life after school.
16. The school has to be seen to 'walk the talk', that is, meet its own mission statement.

#### Tip 1

Keep focusing on what the rights, interests and wishes are of the stakeholders and how these have been represented in the core arguments!

#### Tip 2

When deciding which argument is better or stronger, ask yourself whether it is mainly about consequences or mainly about principles. Consequences are about what happens next. Often this means getting into trouble, making a profit, or being told off. They can be about personal gain, avoiding trouble, and are usually tangible. Principles are to do with what most people think is fundamentally good, bad, right, or wrong, such as stealing or telling tales. They are often about (violating) rights. Identifying principles or consequences is not always easy.

To sieve the morally relevant arguments we ask ourselves: "Is there someone who has a right to this?" If the answer is 'yes', then it is a principle-based argument (P). If the answer is 'no', then it is either a consequentialist argument (C) or an excuse (E). This leaves us with the following arguments:

1. \* Lucy is not good enough; she has to be replaced (P: children's right and parents' right to capable staff).
2. \* Lucy 'harms' others and sets the wrong example and Evelyn has to stop this situation (P: misuse of authority threatens health of other staff and children).
3. \* Lucy is paid a high salary so she has to meet the standards of her position (P: right of taxpayers/board of governors/the local authority that they get what they pay for).
4. \* Lucy will have fewer problems and be more comfortable (C: in Lucy's best interest).
5. \* Evelyn will be able to create the school according to her vision (C: Evelyn's best interest).
6. \* Evelyn will have less problems and be happier (C: Evelyn's best interest).
7. \* Newly qualified teachers need good mentors (P: right of NQTs to have good role models).
8. \* The school has to meet its own mission statement (P: exemplary position school in community).
9. \* The school has to be seen to walk the talk (C: image of the school).

The arguments 5 and 14 are excuses (E). It is not relevant for the moral rightness of this case whether Lucy has many friends among the staff or not. And if 14 were indeed true then a head teacher would need to employ another member of staff each time a better qualified or more experienced professional offers their services! Arguments 12 and 15 about the quality of education are probably not relevant, because the decision is not about Lucy in her role as teacher but about Lucy in her role as deputy head.

Apart from asking whether someone has a right to what is stated in the argument, one also has to ask whether (i) what is stated is indeed true, and (ii) whether what is stated is directly relevant for the decision that is under examination.

Next, what are the arguments not to take the case to formal competency?

- a) It would damage Lucy personally and professionally.
- b) Lucy may change if given more time.
- c) Some parents are very fond of Lucy.
- d) It would set an example that you don't sack someone easily.
- e) Evelyn has already sacked a member of staff, and this might frighten other staff. Evelyn might start to lose their trust.
- f) The staff might not understand the reason behind the decision, because Evelyn has never actually confronted Lucy in front of other members of staff.
- g) It will have consequences for Lucy's family.
- h) Evelyn is still not 100 per cent certain that Lucy is not up to the job.
- i) Competency procedures take a long time and are a painful experience.
- j) It could destabilise Evelyn's relationship with others.
- k) It would result in too much focus being put on one person to the detriment of other people in the school. It will cost a lot of time.
- l) Lucy would fight a long battle.
- m) Lucy has served the school for 17 years.

The sheer number and strength of the arguments that Evelyn herself brought forward against taking the case to formal competency (when explaining the dilemma) took us by surprise, especially considering that she herself thought that the morally right thing to do at first was taking the case to formal competency. It was the arguments against her initial decision that changed her mind. Again we assess the arguments in the same way as above.

- a) \* Lucy may change if given more time (P: fairness/ reasonableness, Lucy's right to get a chance to improve her performance – good leadership).
- b) \* Prevent personal damage for Lucy (CC: crucial consequence, income and status and possible work satisfaction).
- c) \* Prevent consequences for Lucy's family (C: depression, income etc).
- d) \* Evelyn does not want to lose trust of other staff because of sacking another staff member (CC: to have the staff's trust is crucial for the head of the school).

### Structure of a sound moral judgement

- Step 1: Which particular moral dilemma in the case study are we investigating?
- Step 2: Who are the stakeholders?
- Step 3: Do I need more information?
- Step 4: What are the arguments for and against (taking into account all stakeholders)?
- Step 5: Which arguments are stronger than others and what is my final decision?
- Step 6: Does the decision feel the right one or should I redo certain steps? How can I minimise the damage to myself and others?

- e) \* Competency procedures are painful and take a long time and should be avoided if not absolutely necessary (CC: prevent long-lasting hindrance for staff, children, parents, Lucy and Evelyn and governors).
- f) \* Lucy deserves another chance even more because she has served the school a long time (see a).

### The decision

Evelyn decided not to take it to formal competency as she is still not certain Lucy is not up to the job and definitely does not want to lose the trust of her staff. Also, she feels Lucy deserves loyalty as she has been working for the school for so long. Was this the morally right thing? The crucial question is whether Lucy can or cannot change. To be a competent deputy headteacher involves not only knowledge and skills but also values and experience. She has already been involved in continuous professional development, but has it been enough? If Lucy never learns how to be a good deputy head (that is, if argument 1 above is true), then the only thing Evelyn can do is to take the case to formal competency. On the other hand, if argument (a)\* is true, then arguments 1, 2, and 3 are met by compensating

interventions, such as offering Lucy more coaching, mentoring and other opportunities for professional development. So it seems fair and reasonable to give Lucy more time.

We don't agree that Evelyn's duty to be loyal to Lucy is decisive. She may have been with the school for a long time, but the right of parents and their children to capable leadership in their school is paramount.

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**To tell us about your dilemma or comment on our analysis, please email Jos and Karin: [delnoij@leidschdialogocentrum.nl](mailto:delnoij@leidschdialogocentrum.nl) and [karin.murriss@wits.ac.uk](mailto:karin.murriss@wits.ac.uk)**

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