

Editors' Association of Canada
Report of the NEC Code of Ethics Taskforce, November 3, 2011

Members

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Primary objective

- Research and develop a draft code of ethics (COE) for consideration by the NEC and, ultimately, the members of the Editors' Association of Canada (EAC).

Secondary objectives

- Assist members, employers and clients in professional business practices
- Develop the COE as a tool to assist the EAC (and the Certification Standards Committee) in resolving disputes between members and their clients

Meetings

We met on three occasions in September and October, reviewed many codes and governing documents from other organizations, and discussed issues related to content, enforcement, application, liability for and obligatory adherence to a COE for the EAC.

Proposal

We do not believe that the EAC requires a COE at this time.

Rather, we propose that the EAC take the following actions:

1. amend its by-laws to include a complaints procedure for disputes between clients and members, and between members and the EAC, reserving to the EAC the right to remove a member from the Online Directory of Editors (ODE), revoke membership or take other appropriate action, possibly building on Section 2.6 of the EAC Constitution;
2. repackage relevant sections of the Professional Editorial Standards (PES) into a separate document that will guide and encourage members on the ethical aspects of editing, and provide clear links to this document on the EAC website; and
3. develop materials to educate members on their rights and obligations as concerns confidentiality of client information, an area not covered in the PES.

Reasoning

Enforcement/Accountability Issues

The greatest danger in policy-making is not failing to have a policy, it is having a policy that you can't enforce. Having a formal COE raises accountability and enforcement issues that the EAC is currently unable to resolve.

Publishing a code—and telling the public that all members abide by it—creates an automatic assumption that the EAC somehow guarantees that its members actually comply. However, the EAC is a volunteer organization run by a small core of individuals. It does not have the capacity to ensure compliance. While it is certainly possible to require that members formally accept a COE as a condition of membership, this doesn't ensure compliance. It merely ensures that they tick the appropriate box.

In addition, we understand that the EAC does not have a working mechanism in place to deal with a member who the EAC knows is behaving inappropriately toward clients, nor to deal with complaints that the EAC receives directly from clients. A COE will not solve this problem. Rather, the EAC should amend its by-laws to include a complaints procedure that reserves to the EAC the right to remove a member from the Online Directory of Editors (ODE), revoke membership, or take other steps it deems appropriate in the circumstances.

Section 2.6 allows membership to be revoked when a member's behaviour undermines the aims, objectives, or effectiveness of the EAC. However, the mechanism is cumbersome, requiring a unanimous vote of the Executive Council at a special meeting. It also fails to establish a complaints mechanism for clients or members. We believe an amendment is necessary to create a complaints procedure, however, Section 2.6 of the EAC Constitution provides a starting point on which to build.

Without the capacity to ensure compliance or handle complaints from clients, the EAC could open itself up to liability. We do not want to place the EAC in the position of accepting any liability for the actions of its members.

The EAC already prints a disclaimer on the ODE page. This disclaimer reads:

EAC makes no warranty as to the suitability of any individual member for any specific project or purpose. As in any dealing you might have with a potential employee or supplier, you should assess qualifications and experience before entering into an agreement.

Our committee suggests that this disclaimer may need to be put on other pages as well, or identified more clearly. At present, it appears only on the first page of the ODE and is buried in the paragraph entitled *Using EAC recruitment tools*, rather than in a stand-alone paragraph.

Repackaging existing sections of the PES

We believe it is not the place of the EAC to police its membership, but rather to support members in providing professional services to their clients. We discussed creating an aspirational guideline, rather than a formal COE, but found that many principles of editorial professionalism are already set out in the PES. We have

identified the relevant themes and the supporting PES provisions in Appendix 1 to this report.

Rather than reinvent the wheel, we propose combining these PES provisions into a single document that members can go to for guidance on the ethics of the business of editing. Ideally, this document would have its own page on the EAC website, so that clients and members could easily access it.

Confidentiality

The PES lacks information on one area of great concern to our committee members: confidentiality. We see an opportunity to develop standard contracts, seminars, workshops and other educational materials to educate members on their rights and obligations as concerns confidentiality of client information. We hope that the next version of the PES will address this gap, and we have included confidentiality in those parts of Appendix 1 where we believe it should appear.

Conclusion

Following our research and our discussions, we conclude that the EAC does not need a COE at this time. The PES already contains guidance for members on almost all areas of the ethical practice of the business of editing. These can be brought together in a single document, grouped into five general responsibilities of the ethical editor (see Appendix 1).

The PES lacks guidance on issues of confidentiality. We propose that the EAC address this gap through educational materials for members, until it can be rectified in the next version of the PES. If our suggestions are accepted, and the EAC decides to move forward on repackaging selected sections of the PES into a set of easily accessible guidelines for the membership, some members of our committee have expressed interest in participating.

Finally, with respect to the original two incidents that led to a call for a COE, we did not have enough information to determine if a COE would have been helpful. The EAC may need different tools to handle those sorts of situations, and their development may be beyond the scope of our committee.

Appendix 1

Repackaging the relevant provisions of Professional Editorial Standards

Although it does not express a code of ethics, the PES supports ethical behaviour in editing. Throughout, it stresses the importance of clear, tactful communication between client and editor, and the editor's responsibility to balance the needs of the client, the author, and the audience while collaborating with a team of professionals. These are, fundamentally, ethical concepts.

In our discussions and research, we identified five themes in the ethical practice of professional editing, all of which are already found in the PES. We set them out in this Appendix, along with a list of the relevant sections of the PES.

We propose that the EAC repackage existing provisions of the PES into a set of guidelines or ethical practices that all members can access. We propose further that the EAC develop educational materials to teach members about their obligations with respect to confidentiality, an area that is missing in the PES.

1) Editors have a responsibility to the client

- to adhere to, or at least understand the importance of, a schedule
- to understand budget limitations
- to understand the purpose of the final product
- to flag potential legal and ethical issues
- not to misrepresent their competence
- to respect confidentiality where appropriate [not currently mentioned in PES]

2) Editors have a responsibility to the author

- to make improvements to intelligibility and clarity without altering the author's voice or intent
- to query the author regarding editorial changes whenever appropriate
- to communicate queries and suggestions tactfully and diplomatically
- to respect confidentiality where appropriate [not currently mentioned in PES]

3) Editors have a responsibility to the audience

- to deliver a final product that serves its purpose
- to strive for factual correctness, either correcting or querying when errors are found

4) Editors have a responsibility to other team members

- to adhere to a schedule or flag problems that may affect scheduling at the earliest opportunity
- to respect the contributions of other team members
- to clearly and tactfully communicate instructions or queries to other team members

5) Editors have a responsibility to the profession

- to have the skills, training, and experience required to complete the work, without misrepresenting their competence
- to continue to develop professionally throughout their careers
- to respect the work and contributions of fellow editors and not bring the reputation of the profession, their clients or their fellow editors into disrepute [not currently mentioned in PES – may be included in educational materials on confidentiality]

Relevant Provisions of the PES

The following sections of the PES have an ethical dimension and support the five themes discussed above.

Introduction	A10
A	A11.2.
A2	B12.
A5	C4
A5.1	C14
A5.2	C15
A5.3	D8
A5.4	D18
A7	E14
A8.4	E15
A9	