

WRHA FRENCH LANGUAGE SERVICES RESEARCH TIDBITS

Issue 8

ETHICS IN FRENCH LANGUAGE SERVICES

AN ISSUE OF ETHICS

Ethics are at the heart of all care relationships and are based on a professional's ability to consider the impact of his or her actions not only in terms of standards, but also in terms of values. Much more than simple adherence to standards and to codes of conduct, the ability to act ethically in healthcare matters requires a capacity for ethical thinking, which guides action.

Almost two million Canadians live in official language minority communities. They are confronted daily with language barriers to access health services, health and well-being promotion programs, and disease prevention programs. Health Canada recognizes the importance of the Official Languages Act for health: "Providing comparable health care services to all Canadians, no matter where they live, is an essential element to improving and maintaining the health of the population."

DID YOU KNOW?

Ethics is about ways in which we do, and should, treat each other. This extends from the 'bedside to the boardroom' and everywhere in between, and includes individuals as well as groups.

Determining what should be done can sometimes be challenging. This is where ethics, a systematic method for deciding right and wrong, can be of use. For example, while there may not always be one right choice, there will usually be a choice that is better than others. Using ethics-informed processes and analyses can help determine which is better, and provide a basis for explaining our decisions to others.

OUTCOMES

The goals of using an ethical decision-making framework are to:

- ▶ Identify situations that would benefit from consideration of ethical implications
- ▶ Apply a systematic method for making a difficult decision
- ▶ Promote discussion of ethically relevant considerations with all relevant stakeholders, including the patient/client/resident and family
- ▶ Work toward an acceptable solution or decision that best represents the person's wishes, balanced against ethical considerations such as policy, professional standards, and best interests.

DEFINITION: ETHICS

The systematic examination of facts, beliefs, standards and values in determining the rightness or wrongness of decisions and actions. Consideration of contextual factors, appropriate guidelines and the perspectives of all relevant stakeholders is integral to ethics.

ETHICS OF THE CARE RELATIONSHIP

This aspect of ethics governs the caregiver/cared-for relationship. It requires health professionals to consider the consequences of their actions and their decisions. It goes beyond the action of curing and into the territory of caring. The ethics of the care relationship present a number of questions, such as: Am I seeing my patients as unique and whole people with their own unique beliefs, values, understanding of their own well-being or illness, preferences and needs? Am I actively offering French language services? How can I improve the situation?

ETHICS OF FAIRNESS

This aspect of ethics requires that all people be treated with the same level of integrity, dignity, equality and fairness. The ethics of fairness present a number of questions, such as: Am I respecting the applicable laws and standards, as well as my patients' rights? Do my patients have to wait longer or receive lower-quality services as a result of requesting service in French?

CRITICAL ETHICS

This aspect of ethics encourages people to think independently, to go beyond the requirements, and to question the status quo of the inconsistencies and disparities in the healthcare system and in society. It pushes people to ask real questions when faced with critical challenges and possible ways to overcome them. Critical ethics present a number of questions, such as: Does the agency promote a patient-centred approach? Does the agency ensure that high-quality French-language health services are actively offered? Do health and social policies consider linguistic and cultural diversity and the related requirements? What can I do to improve the situation? What can we do to improve the situation?

PROFESSIONAL ETHICS

According to Shapiro and Stekovitch, the ethics of the care relationship, the ethics of fairness and critical ethics do not cover all the factors that must be considered in ethical decision-making and action. They believe that the ethical aspects of the profession itself must also be considered. For health professionals, the interests of the patient or beneficiary must be the primary objective; this means that the ethical decision making process or action must be centred around the patient. Professional ethics are based on respect for and integration of the values of the care relationship, of human dignity, of independence and of fairness. Indeed, most codes of ethics or conduct cite these values to guide health professionals' decision-making and actions.

CODES OF ETHICS

Codes of ethics or conduct reflect professionals' commitments to the values and principles that underlie their practices and behaviours regarding the care and services to which patients are entitled, including the provision of such services in the preferred language of patients and their families.

As Sarah Bowen says: "Codes of ethics that regulate the conduct of health and social service professions stress the need for the provider to obtain informed consent, provide explanations, ensure confidentiality, and refrain from practicing the profession under conditions that may impair service quality. This means that in addition to a requirement to comply with external regulations defined in law, professionals are also required to meet the standards of their professional associations. For these ethical standards to be achieved, it is necessary to address language barriers."

We can therefore conclude that ethics and the active offer of quality French language health services are closely linked.

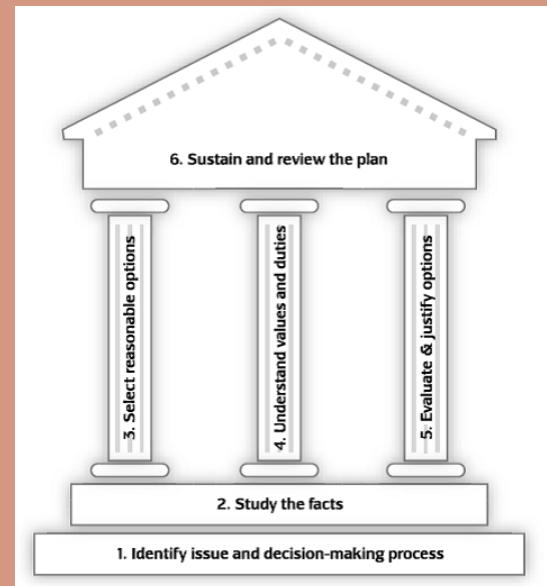
BEYOND RIGHT & WRONG

PROCESS

Ethical conflicts or dilemmas are usually best resolved through direct engagement with the parties involved. Often there will not be an answer that pleases everyone and so it is our responsibility to ensure that our processes for decision-making are fair and legitimate.

This process is captured in the acronym **ISSUES**:

1. **Identify** issue and decision-making process
2. **Study** the facts
3. **Select** reasonable options
4. **Understand** values & duties
5. **Evaluate** & justify options
6. **Sustain** and review the plan



ETHICAL DECISION-MAKING

Ethical decision-making: disciplined reflection on how to make decisions about what should be done in a particular situation. Ethical decision-making usually involves four related questions:

- ▶ What should we do? (What options are good or right in this context?)
- ▶ Why should we do it? (Exploring the values and reasons that support each option.)
- ▶ How should we do it? (What plan of action best aligns with these values and reasons?)
- ▶ Who should do it? (Who is responsible for making the final decision and enacting and communicating it?)

OUR COMMITMENT

The Winnipeg Health Region and all its service providers aim to:

- ▶ Improve access to health services in French, including primary health care;
- ▶ Ensure there are an appropriate number of organizations able to provide health services in French, consistent with Ministry standards;
- ▶ Ensure an adequate distribution of health professionals who are able to provide care in French;
- ▶ Provide information and resources in French;
- ▶ Respond to issues of interest and concern;
- ▶ Focus on the Active Offer of services in French;
- ▶ Increase staff awareness about needs of the French-speaking community;
- ▶ Collaborate with Francophone community representatives, and;
- ▶ Facilitate changes to improve the quality of services provided.



RESOURCES

The Winnipeg Regional Health Authority French Language Services mandate is:

To assist the WRHA in promoting and providing health services in French in accordance with its French Language Services policies, the Government of Manitoba French Language Services Policy, and regulations established under the legislation governing the Regional Health Authorities of Manitoba.

VIDEO - The importance of Active Offer



VIDEO - What is an Active Offer and why is it so important?



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