

# Impartiality: A critical review

Article

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## Abstract

This article (re)opens debate about the concept of 'impartiality' in career guidance. It argues that while the concept of impartiality is at the centre of professional ethics for career guidance in the UK, it is poorly defined and weakly theorised. Through a process of concept mapping and an exploration of the challenges associated with impartiality, the article clarifies the definition of impartiality and problematises its centrality in the UK's ethical frameworks. The article argues that there are three main ideas which constitute the contemporary notion of impartiality: institutional independence, outcome neutrality and political neutrality. It argues that the grouping of these three ideas under a single term is unhelpful as they all raise different issues and objections. The article then outlines five challenges: ambiguity; application in practice; alignment with career theory, tensions with other ethical values; and practicing within partial funding regimes. Finally, some ways forward are suggested.

**Keywords:** Impartiality; transparency; ethics; professionalism; career guidance

## Introduction

In the UK the concept of impartiality is built into the ethical frameworks of career guidance professional associations: the Association of Graduate Careers Advisory Services (AGCAS, n.d.a) and the Career Development Institute (CDI, 2018). It is also mentioned seven times in the statutory guidance on career guidance which the UK Government issues to schools and colleges in England (Department for Education, 2023).

Yet, despite its importance to the UK's career guidance profession, the concept of impartiality has received very little theoretical or empirical scrutiny. Much of the extant literature treats it critically (Evans, 2021; Irving & Malik-Liévano, 2019). One of the most substantial treatments of the concept is Payne and Edwards (1997) work on pre-entry guidance delivered by colleges. They argue that the concept of impartiality emerged to guarantee careers professionals independence from the institutions where they work when

it became apparent that more structural approaches to institutional independence (i.e. having guidance services formally located outside of learning providers) were not tenable.

In its early manifestations the concept of impartiality was related to the need for guidance professionals to operate in ways that served the interests of their clients, but which may not serve the short-term interests of their employers. For example, by advising a student to continue their studies in another institution rather than to remain in the school or college. Its elevation to an ethical principle provided protection for guidance professionals undertaking the dangerous work of giving advice against the interests of their employers, and potentially in conflict with other stakeholders in that person's life such as the funders of career guidance services, policymakers and even parents.

The establishment of impartiality as an ethical principle therefore created an agreed compromise between professionals and the institutions that employed them and meant that, at least in theory, the advice given by guidance professionals was no longer a matter that employers and funders should be able to steer in their own institutional interests. Such an employment-based agreement may be difficult to realise in practice, but there is at least an agreed terrain through which such disagreements can be managed (involving line management, human resources, professional associations, trade unions, and ultimately the law). As the concept of impartiality is expanded to cover other sorts of relationships, such as those between the individual and their family, the level of complexity of the issues involved and its enactment in practice increases.

### A UK concern

The terminology of impartiality is far less common outside of the UK. The International Association for Educational and Vocational Guidance (IAEVG) does not use the term in their ethical code (IAEVG, 2017). Their framework talks about several related concepts such as 'self-direction', 'independence', 'avoiding imposing' the professional's values, and 'avoiding conflicts of interest', as well as things like challenging prejudice and supporting social justice. But the language of 'impartiality' which does so much work in the UK, is absent.

The terminology of impartiality also does not appear in the ethical standards of the United States National Career Development Association (2015) or the Career Industry Council of Australia (2019). It is mentioned once in the Irish code of ethics (Institute of Guidance Counsellors, 2012) where it relates to professional honesty, once in the New Zealand (CDANZ, n.d.) where it is used in relation to the disclosure of conflicts of interest, and once in the Canadian code where it is used to define justice (Canadian Career Development Foundation, 2021).

As this review of other English-speaking nations shows, nobody places as much importance on the concept of impartiality as the UK profession. When the concept is used in other countries, it is used in a variety of ways alongside a range of alternative concepts. It is only in the UK that it has a level of pre-eminence in the profession's ethical frameworks.

## Impartiality in ethical frameworks

One way to explore the concept of impartiality is to look at how it is used in the ethical frameworks that guide the profession.

AGCAS (n.d.a.) has six ethical principles (equality and diversity, achievement for all, impartiality, confidentiality, integrity, and a commitment to maintain high standards across the profession). It defines impartiality as follows.

Impartiality – embedding the principle of impartiality into the design and delivery of career development services so that students and graduates have the freedom to develop their own career paths. Any conflicts of interest will be declared as soon as they are known

Impartiality is what guarantees students and graduates the freedom to develop their own career paths. Career professionals should not be telling people what to do with their lives, but rather respecting individual autonomy. Presumably such an ethical principle does not limit questioning a client's career ideas, the provision of information or the encouragement of reflection, but it does place some limits on directive advice. The AGCAS definition also notes that conflicts of interest should be declared, but this might be more accurately described as 'transparency' as it relates to the declaration of partiality rather than the adoption of impartiality.

AGCAS (n.d.b) has recently clarified its position on impartiality in response to moves to limit the freedom of fossil fuel companies to access students on campus (Green, 2022). The clarifying statement introduces new concepts such as 'trustworthiness', 'freedom of speech', which is used here to challenge the idea that 'no platforming' employers is ethical, and 'encouraging students to hold the conversation' rather than making decisions on their behalf.

The AGCAS clarification views careers professionals and careers services as the providers of trustworthy information and as a conduit for discourse between employers, who can exercise their freedom of speech, and students, who are free to debate the merits of different employers and career paths. What is not explored is what happens when the provision of trustworthy information comes into conflict with either of these expressions of freedom of speech. So, if student protestors argue that an employer is a polluter, and the employer says that they have in fact moved beyond fossil fuels, does the careers service have a role to weigh in with who might be right, or would such an act be a contravention of impartiality?

The CDI (2018) code of ethics is similar to that of AGCAS. The CDI have 11 elements to their code: accessibility, accountability, autonomy, competence, confidentiality, continuous professional development, duty of care, equality, impartiality, transparency and trustworthiness. Again, it is worth quoting the discussion of impartiality in full.

Members must ensure that professional judgement is objective and takes precedence over any external pressures or factors that may compromise the impartiality of career development activities and services. In doing so, members must ensure that advice is based solely on the best interests of and potential benefits to the client. Where impartiality is not possible this must be declared to the client at the outset.

This provides more detail than AGCAS's definition, highlighting the importance of objective professional judgement and the need to resist external pressure. Such a position is closer to how the concept of impartiality is articulated in law (Education Act 2011). Schools are required to provide 'all registered pupils' with 'independent career guidance'. Primarily independence is defined in terms of the guidance provider's employment relationship with the school, with the statute specifying it should be provided by someone other than 'a teacher employed or engaged at the school, or any other person employed at the school'. In practice this definition of independence is ignored by many schools, in part because the associated statutory guidance redefines independence to mean any external sources of information, and divorces it from the specific role of the careers professional (DfE, 2023). Instead, the statutory guidance picks up on the terminology of 'impartiality' and defines this as 'showing no bias or favouritism towards a particular institution, education or work option' (p.12). Again, this principle of impartiality is conceived as applying primarily to the school as a corporate body, rather than to the practice of an individual career development professional.

Such entreaties need to be understood in the context of an educational system which is assumed to favour academic over vocational pathways. This creates incentives for institutions to retain their students for as long as possible, for example by encouraging 16 year olds to progress into the sixth form of the school where they have been studying rather than considering all of the possible pathways (Select Committee on Social Mobility, 2016). In such examples, impartiality is viewed discretely as a bulwark against institutional interests rather than as a wider prohibition against taking sides in political or economic debates.

Impartiality is also important in how guidance professionals respond to policies which seek to increase engagement with particular pathways, occupations, sectors or careers. Government has frequently concluded that the careers of individuals would be better, and that they could make a bigger contribution towards society, if they went to university or alternatively chose to undertake a vocational pathway, studied a science subject, learnt to code, moved to where there was more work, or alternatively stayed in their local area. Each of these agendas requires individuals to make different career decisions and policymakers have often funded career guidance interventions with the aim of getting individuals to pursue one or other of these pathways (Kreutzer & Luga, 2016; Watermeyer et al., 2016; Zelloth, 2014). In such cases impartiality is one of the things that prevents career guidance professionals from becoming a marketing service for the latest policy whim.

The CDI's code of ethics argues that career guidance should be 'based solely on the best interests of and potential benefits to the client' but does not give us a clear way to calculate such benefits. So, we might assume that enabling an individual to achieve career success and a high salary would be clearly in their interests, but is there also a case to be made that it is in their interest to live on a planet which is not being choked by fossil fuels? Yet the latter attempt to serve the best interest of the individual could be seen as a move into the political sphere, and therefore a rejection of some versions of impartiality.

The concept of impartiality is both slippery and normative. It exists within a chain of signification which gives it meaning, but it can be difficult to define precisely. Laclau (1996/2007) has discussed how debates about the meaning of such ambiguous concepts

(what he describes as empty signifiers) can be intensely political as different individuals and groups work to associate the key concept with subtly different meaning which privilege their worldview. For example, debates about the meaning of 'freedom' can associate the term with the freedom to smoke or with the freedom not to breath passive smoke. Debate over the meaning of such terms is a key site of political and ethical struggles. As the concept of impartiality has been placed at the centre of career professionalism in the UK, disagreements about its meaning or even small variations in definition matter because they speak to different conceptions of what the profession is, what it is for and where its ethical and practical limits should be.

Reviewing these different treatments of impartiality in UK ethical frameworks allows us to explore the signifier of 'impartiality' further by creating a concept map.

<b>Impartiality</b>	<b>Definition</b>	
	Institutional independence	Careers professionals are expected to serve the individual over and above the institution that they work for or any other institutional agendas.
	Neutrality (outcome)	Careers professionals should not have preconceptions about what the best or right outcome for an individual is. This is up to the student to decide (see autonomy).
	Neutrality (politics)	Careers professionals should not take sides in relation to political, environmental, economic or ethical controversies.
	<b>Outcomes</b>	
	Autonomy	Students/clients should have freedom to develop their careers. They also should be free to believe what they choose and hold whatever values they choose.
	Ensuring the best outcome	Careers professionals are expected to work towards achieving the best possible outcome for the individual rather than sublimating such outcomes to the interests of institutions or outside agendas.
	<b>Related Concepts</b>	
	Freedom of speech	Employers, students and clients and other actors in the labour and learning markets should be free to state what they believe. The exercise of freedom of speech is not normally extended to careers professionals who are viewed as outside of such debates.
	Transparency	It should be clear where a careers professional is coming from and what agendas, funding and other forces are influencing them.
Trustworthiness	Careers professionals should be telling the truth rather than pushing agendas or ideologies.	

**Figure 1. A concept map of impartiality**

In figure 1, I have coded the concepts identified into three groups. The first group are those terms which seek to define impartiality, describing it as a stance which can be adopted by a careers professional in which they seek to be institutionally independent and neutral about the ultimate destination of the individual. These definitions can be found in the work of Payne and Edwards (1997) and represent what we might view as the traditional concept of 'impartiality' in UK career guidance. However, recent debates have seen an attempt to extend this definition to encompass political neutrality (Webb, 2022).

Secondly, there are concepts which are presumed to be positive outcomes associated with the practice of impartiality. So, if careers professionals are impartial it will lead to, or at least aid, students and clients in exercising their autonomy and achieving a positive outcome. The logic chain between the professional value of impartiality and these outcomes are not explicitly stated, but in the case of autonomy it is linked to the idea that if a careers professional can maintain impartiality, they will not displace the individual's own career ideas. In relation to ensuring a positive outcome, the assumption is that where individuals are able to guide their own development rather than being channelled into things that suit the interests of their school, their government or the whims of the career development professional, they are more likely to achieve a positive outcome.

Finally, there are several concepts that are addressed alongside impartiality, but which are not directly connected to it. These include freedom of speech, transparency and trustworthiness. Freedom of speech is not dependent on the impartiality of careers professionals. For freedom of speech to be dependent on impartiality, careers work has to be viewed as a venue for freedom of expression rather than as an expression in itself. While it is possible to make this case, it is also possible to imagine an alternative situation in which freedom of speech was also extended to careers professionals and all parties were enabled to participate in the debate.

Similarly, trustworthiness may also be desirable, but impartiality is neither necessary nor sufficient for someone to be trustworthy. Someone can be trustworthy whilst still holding a position if they are transparent about that position. Trustworthiness also depends on a host of other things including knowledge and competence.

Transparency has a distinct, almost antinomic, meaning from impartiality. While impartiality is about not taking a public position, transparency is about the public declaration of any positions that you hold. Transparency recognises that true impartiality is very difficult in practice and addresses this through the reflexive acknowledgement of partiality. Such a position seeks to empower the student or client by providing them with the information needed to make critical judgements.

## Challenges with impartiality

The fact that impartiality is difficult to define and is enmeshed in other concepts leads us to the first major challenge, that of *ambiguity*. I have already discussed the complex chain of signification that is mobilised in various definitions of impartiality and argued that at the heart of the definition are the three inter-linked but not synonymous concepts of institutional independence, outcome neutrality and political neutrality.

If impartiality is going to be central to career guidance professionalism it is important that impartiality is more clearly defined and that a debate is had about whether all three of these components are included and whether any other components should be included. Such work could include a more explicit logic chain clarifying what the outcomes of such a commitment to impartiality are expected to be and why.

Secondly, we need to consider the *application of impartiality in practice*. There are many descriptions of the activities which can be included within career guidance, but the NICE model of careers professional competencies (Schiersmann et al., 2012) provides a well conceptualised and internationally recognised summary. The NICE model views the professional skills needed for career guidance as including career counselling, career information and assessment provision, careers education, active intervention into social systems including networking, brokerage and advocacy and the management of programmes and services.

If career guidance is understood in this kind of multifaceted way, can an ethical value like 'impartiality' play the same role in each of these activities? It is possible that professionals might want to reveal more of their opinions or to discuss issues in different ways in different contexts. So, if a careers professional is approached by a young woman to discuss the possibility of pursuing a career in construction, we might expect them to address this in a very different way from how they might treat the same subject in a career education lesson, where they may choose to address stereotypes and the gender segregation of the labour market more explicitly.

At the very least it is clear that the exercise of impartiality may be different in different contexts. Providing information, counselling, educating, advocating, and designing and developing careers services all offer different opportunities for partiality and therefore require different strategies for remaining impartial. This raises the question as to whether impartiality is always possible or desirable. Maintaining impartiality whilst discussing the gig economy or legal rights relating to discrimination, or whilst advocating for a client who has been badly treated by their educational institution or the benefits system, may prove challenging. In such a case the more ethical approach may be to be in favour of social justice or unproblematically on the side of the client. Given this, should impartiality be an absolute principle or is it more of a strategy that should be applied where it is useful and dispensed with at other times?

Indeed, it may be that impartiality often crumbles amongst the complexity of careers professionals addressing real problems with real clients. Payne and Edwards (1997) found that this was often the case with the concept of impartiality given 'different and uncertain meanings... within the individual, social and institutional contexts of guidance practices' (p.373).

We may also recognise that much of the value of the concept of impartiality is rooted in a cultural conception of the individual as an autonomous career decision maker and that as such it may be more challenging to adhere to in a multi-cultural society in which not all individuals share that assumption (Sultana, 2017). Of course, the fact that a principle is difficult to realise in practice does not necessarily invalidate it. Principles may provide useful guiding lights, even if they can be difficult to fully live up to. But it remains important to

provide some clarity about what is covered by the principle as well as to consider how such a principle survives when it moves into practice.

Thirdly, we may want to consider the *alignment of the concept of impartiality with career theory*. As already discussed, the concept of impartiality has received scant attention in career theories. However, there are some connections between this concept and the concepts of 'non-directivity' and 'unconditional positive regard' which are drawn from humanistic tradition associated with Rogers (1942, 1951, 1961). In contrast emancipatory traditions of career guidance tend to emphasise more subjective and dialectical approaches which call into question the viability of career guidance professionals adopting an impartial and apolitical position (Hooley, 2022). The differences between these two approaches show the need for careers professionals to consider how their theoretical stance recontextualises their understanding of professional ethics.

Even if we remain within the theoretical space of humanistic counselling, there is still a need for theoretical alignment. Non-directivity and impartiality are not synonyms and whereas non-directivity has been explored through extensive theoretical and empirical discussion, impartiality remains weakly articulated. I suspect that many who are regulated by professional codes on impartiality would balk at adopting a fully Rogerian counselling approach or assimilating its underpinning assumptions. The strong influence of matching theories in career guidance means that many practitioners feel that their job is to help individuals to move forward by supporting them to make an assessment of their capabilities and the availability of opportunities within the labour market. It is difficult to square such normative practices with non-directivity, but neither is there a clear sense of how impartiality can be aligned with the assumptions of matching theories.

Work on non-directivity in the field of therapeutic counselling has suggested that some similar issues emerge as to those raised in this article about impartiality. Spong (2007) concludes that while counsellors are committed to being non-directive, they also highlight a range of paradoxes that showcase the complexity and challenges of living this value. While some counsellors felt that they 'shouldn't influence their clients' many recognised that 'influence is inevitable' or indeed that the process of counselling is in fact predicated on the possibility of influence. For example, encouraging clients to clarify their ideas, challenging them, and pointing out inconsistencies in their narrative are tools which are regularly used by counsellors and career guidance professionals to influence their clients and help them to change and develop. This raises a range of ethical issues around the degree of intentionality and transparency that should accompany this process of influence.

The fourth challenge relates to impartiality's *tensions with other ethical values*. I have already discussed some of the tensions that exist with the value of 'transparency'. It addresses a similar problem to that addressed by impartiality (dealing with the partiality of the career professional) through a different strategy (reflexive acknowledgement rather than obfuscation). But there are at least two other places where the principle of impartiality is commonly in tension with other ethical principles: the requirement to act in the best interest of the clients (e.g. AGCAS' 'achievement for all') or to take action in pursuit of social justice (e.g. CDI's commitment to 'equality').

If impartiality is meant to safeguard the best interests of the client or student there is a need to be able to define what is in their best interest. The identification of the best



interest is notoriously difficult with an extensive literature devoted to exploring the nature of objective career success, e.g. salary, seniority and position, and its inter-relationship with subjective career success, e.g. wellbeing and job satisfaction (De Vos & Soens, 2008). Given that the process of career guidance is frequently held up as one which can stretch clients' perceptions of the possible and help them to reach their potential, it also seems unsatisfactory to devolve all responsibility for the identification of success onto the student or client. Of course, concepts like 'the possible' and 'potential' are also open to various interpretations, which as Watts (1996) notes are themselves shaped by the ideological perspective which guidance takes.

Evans (2012) views the identification of best interest as a negotiated outcome, co-produced through an interaction between the professional and the client. In such a negotiation the careers professional may challenge students' ideas and assumptions about things like what constitutes a good or beneficial outcome for them and whether they should challenge norms and assumptions about their future. Guidance also includes discussion and mutual assessment of what possibilities are offered by the opportunity structure. Such a process is inevitably partial and subjective with the professional considering what questions to ask, information to present and opportunities to highlight.

The adoption of an impartial stance can also be in tension with ethical principles that emphasise social justice, and equality and diversity. Irving and Malik-Liévano (2019) argue that in a political world career guidance can never truly be impartial. It needs to either support assumptions or question them and that inevitably brings in the need to engage with dominant social and political narratives and to be open and honest about your own position. For Irving and Malik-Liévano this ultimately leads to emphasising transparency over impartiality as the key professional value.

Moving away from the specific articulation of ethical practice in the codes of the CDI and AGCAS, there is also a wider literature which looks at ethics in career guidance. Such work emphasises values such as beneficence (doing good), nonmaleficence (doing no harm), fidelity (honest and trust), justice (fairness and equality), autonomy (individual responsibility) and societal interest (society rules and requirements) (Schulz, 2021). Such theoretical articulations again surface similar issues, with the concept of impartiality being strongly related to a respect for autonomy, but also distinct as autonomy is a goal for the client whilst impartiality is a strategy for the practitioner to use in service of that goal. Tensions again emerge between justice, societal interest and autonomy, raising the question of whether all can be delivered simultaneously whilst maintain beneficence and nonmaleficence for all parties. What if the empowerment of the client results in the oppression of others or damage to the social fabric? An ocean of ink has been spilt on such issues by philosophers and it is unlikely that they will be resolved neatly in the messy reality of career guidance practice. But neither is it wise nor possible to commit practitioners to fulfilling a range of ethical conditions which are destined to collapse under the weight of their own contradictions.

A fifth challenge relates to *practicing impartiality within partial funding regimes*. Evans (2021) traces a range of ways in which the impartiality of career guidance services has been challenged by co-option of the field into a variety of 'aspiration raising' projects funded or advocated by the British state. Career guidance professionals may be seeking to be impartial, but they are also entreated to get more people to go to university, become

apprentices, pursue STEM subjects, or meet various other objectives. In many cases funding is linked to such aims and professionals expected to at least emphasise and prioritise even if not to proselytise such options.

In addition to managing a range of policy agendas which are actively partial, careers professionals also find themselves in sub-optimal practice contexts, starved of time and resources and subjected to a variety of managerial pressures. In such context professionals have little space for 'doing ethics' and may find themselves subject to 'ethical drift' (Colley, 2011). While it is possible to point to various kinds of active and passive resistance in defence of ethical standards, the reality of funding and power dynamics has rarely allowed for a full-throated defence of impartiality (Colley et al., 2010). Even back in the 1990s, Payne and Edwards (1997) observed that there was often an identifiable gap between the rhetoric of impartiality and the reality of practice, in which professionals often favoured their own institution over alternatives. This raises the question as to whether it is right to establish ethical principles that it is impossible to satisfy within existing conditions or, alternatively whether future government agendas and funding and employment regimes should create programmes which take greater account of the professional ethics of careers professionals.

## Reflections

Despite the way that it is mobilised in debates, ethical frameworks and government documents, the concept of impartiality remains as a problematic one. There is evidence that its meaning has changed over time, moving from a more discrete concept associated with institutional independence to a broader and more politicised terminology.

While I have concerns with approaches that lock career professionals out of politics or the pursuit of social justice, this is not the main problem with the current terminology of impartiality. Rather the main problem is that the terminology is at once imprecise, poorly defined and teetering under the weight of multiple distinct meanings and associations. We are asking too much of impartiality and need to use the terminology more carefully and add new terms to address different concepts.

I would be in favour of narrowing the terminology of 'impartiality' to focus on the careers professionals right to support clients in a way which is independent from the institutional interests of their employer or the funders of their service. I would also argue for some rebalancing of professional ethics away from impartiality and towards transparency, as such an approach seems to me to foster an open and reflexive way of handling issues of partiality. But, regardless of my preferences, I would argue that the UK's professional associations should foster further debate on this terminology. Such debate might include research into how professionals define the term and whether they experience challenges in operationalising it. It might also include more comparative work with the ethical frameworks of other countries and congruent professions. Finally, it might include more detailed concept mapping on the wider ethical frameworks and greater investigation into how these frameworks influence practice.

The belief in impartiality as a core ethical value for career guidance practice has its roots in genuine power struggles within the field and an attempt to empower professionals to allow

them to serve the best interests of their students and clients. This article has argued that as the concept of impartiality has swelled, it has become more problematic. Given this, it is now time to begin a more fundamental debate about what impartiality is and where it fits into the future of career guidance practice.

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