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Doing the Public Good: Ethics, Ethnography and Policy Research

Abstract for 4th International Ethnography Symposium

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1. Introduction

This paper adds to contemporary debates about research governance using data from my PhD ethnographic research project that was subject to the UK Research Governance Framework (RGF) for Health and Social Care (DH, 2005). I discuss the ethics of “getting in and getting on” including the bureaucratic process of gaining ethical approval via the local Research Ethics Committee (LREC) and the ethical dilemmas I encountered during my research practices of observation, transcription, analysis and writing up. I outline some of my ethical dilemmas, produce a “confession” of an ethical misdemeanour and raise the question of how effective governing codes are in practice. I conducted much of my PhD research in a state of uncertainty and confusion and I am using this paper as an opportunity to reflect and attempt to surface some of the more or less unconscious decisions I took to resolve ethical dilemmas. Following a discussion of contemporary research governance debates, I provide some background on my research, detail the arduous but crucial process of obtaining ethical approval, before going on to reveal what happened next. I show how at various moments during my research endeavour I experienced research governance as constraining, as enabling and as ineffectual.

2. Research governance concerns for practising ethnographers

Shaw et al (2009:918) call for further research on research governance with a focus on “...examining how the tensions and contradictions that are foregrounded in health research and governance are ‘best’ played out.” This

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paper follows up their recommendation, not by presuming that my experience is any example of “best practice” but with an aim of illustrating how research governance in practice affected my ethnographic research on childcare policy implementation. Critical policy research has a long tradition of an ambition to “speak truth to power” (Haas, 2004) which appears to position policy researchers as ethically motivated, on the side of truth against policy makers who pursue their own, often corporately and/or politically aligned interests. Ideas about research being in the public interest and for “society in general” (SPA, 2009) are prevalent in ethical codes (ESRC, 2005, DH, 2005, BSA, 2004). Sometimes, however, notions of research carried out in “the public interest” can be theoretically and politically naïve (Gillies and Alldred, 2002). Ideas about the public good have come under increasing attack from neo-liberal theories, policies and practices (Burawoy, 2005, duGay, 2005). This has been accompanied by an uneven trend of a consumerist discourse alongside a decline in deference towards traditional forms of authority, including the professions (Newman and Clarke, 2009). These authors refuse a simple understanding of a “general public”, analysing how contemporary governance practices produce, constitute or call up a variety of publics from “citizen-consumers” to local communities to stakeholders with special interests. Foucault’s (1980) analysis demonstrates the intimate relationship between power and knowledge problematising ideas of interest-free, neutral and objective scientific research. Feminist research has been influential in deconstructing the “bounded, rational and autonomous” Western model of the individual subject (Alldred and Gillies, 2002:146). Ethnographers are by now (or ought to be) familiar with debates about the cultural / postmodern turn (Clifford and Marcus, 1986) which can result in what Bailey (2001) terms “veriphobia”.

These epistemological and ethical debates are surfacing in debates about the legitimacy of Research Governance (Alldred, 2008, Shaw and Greenhalgh, 2008, Calvey, 2008). Ethical codes and frameworks pay attention to informed consent

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as a key ethical principle that is designed to minimise harm but as Hoeyer et al (2005) discuss, the disciplines of anthropology and medical research have quite different traditions that can mean divergent understandings of harm and beneficence. The Research Governance Framework (2005) that applies to all UK research carried out within the NHS (hereafter RGF) acknowledges harm as a relative concept to be weighed against beneficial outcomes of research. Local Research Ethics Committees (LRECs) are charged with weighing up potential harm to research participants against the public benefit of research. Aldred's ethnography "studied up" elites (Aldred, 2008). She discusses the limitations of considering ethics purely in terms of the "researcher-researched dyad" and notes that harm may be done to organisations, not just to individuals.

Researching the powerful situates the ethnographer critically as the stance of researching "up" already implies recognition of power. The British Sociological Association recognises such issues in the section of their statement of ethical practice but this statement explicitly states that the statement is not to be used as a

"set of recipes for resolving ethical choices or dilemmas ... but recognises that it will be necessary to make such choices on the basis of principles and values, and the (often conflicting) interests of those involved." . (BSA, 2002:3) .¹

Dingwall, (2006) following Haggerty (2004) takes issue with what he sees as inappropriate "ethics creep" as research governance imposes control over increasing areas of academic inquiry. Richardson and McMullan's (2007) survey research of academics' opinions of the RGF found that some respondents had avoided researching within the NHS altogether and the authors cite Bently and Enderby's (2007) finding that applications had dropped by 40% .Other respondents had resorted to "gaming" to avoid the scrutiny of NHS ethics

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committees by classifying studies as “audit” rather than research. Edwards and Mauthner point to the risk of assuming that “an ethics committee sanctioned project is by definition an ethical one.”(Edwards and Mauthner, 2002:p.18). Whilst understandable as a response to perceived over-regulation, posturing and pretence by researchers is surely not in accordance with the spirit of ethical codes. Rather, the practice constitutes what Dingwall (2006:51) terms “ceremonial conformity”.

Hedgecoe (2008) carried out an ethnographic study of several LRECs. His study reports on the process of considering research applications for ethical approval rather than following up subsequent research and governance practices to see how the approval process impacts on the conduct of ethnography. In contrast I focus on my practical ethical quandaries and how these were mediated by research governance as an example of how “those operating outside or on the boundaries of dominant epistemological frameworks struggled with tensions between systems.” (Shaw et al, 2009:917). Although the RGF (DH, 2005) appears to recognise a variety of methodologies, section A10 of the application form asks for:

“a full summary of the purpose, design and methodology of the planned research, including a brief explanation of the theoretical framework that informs it. It should be clear exactly what will happen to the research participant, how many times and in what order. Describe any involvement of research participants, patient groups or communities in the design of the research.”

This question implies a hypothetico-deductive model of research privileging the clinical, randomised controlled trials frequently used in medical, rather than sociological, particularly ethnographic research. This presents ethnographers with the task of fitting the square peg of open ended, trust-based ethnography

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with its emergent theorizing into the round hole of the RGF with its expectations of a predictable research design, a clearly specified theoretical framework and a contractual insistence on fully informed consent from research participants (Murphy and Dingwall, 2007, Richardson and McMullan, 2007). I suggest that, whilst ethnography as a *method* is not necessarily more true, more just or more radical than other data gathering techniques it does require more personal investment from the researcher, relying as it does on “close to the bone” encounters and so it can be more risky and unpredictable (Back, 2002, Willis and Trondman, 2000). Having outlined some of the debates about research governance, the next section presents empirical data on my own research governance encounter.

4. Ethical Dilemmas encountered in one piece of ethnographic policy research

In this section I show I negotiated ethical approval, describe the process of gaining access to a research site then how I subsequently dealt with data generation and analysis. Throughout these phases of my research, I show how I managed ethical dilemmas and interacted with the requirements of research governance

Context

My PhD study analysed the local implementation of the UK Government’s childcare policy in England. I started my research with ambivalence about whether the increasing commodification of childcare is a good thing, and a concern for whether the emancipatory potential of the childcare strategy for liberal feminists might lead to unintended consequences of workfare for working class mothers living in poverty (Lewis, 2006). Besides sampling some relevant policy conferences and a council cabinet meeting, I observed a Community Partnership network operating in the quasi-public arena of “partnership”

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governance, with governance arrangements initially unclear about what constituted commercial interest, what ought to be in the public domain and what might remain a personal or private matter. (Newman 2009). I carried out an ethnographic study of the complex governance of childcare as the UK public policy of Sure Start Children's Centres was being implemented by local authorities and their partner organisations. These included NHS Trusts as part of Children's Trusts and private sector nursery businesses working in "partnership". The research was sociologically, not medically oriented. Rather than interviewing or observing policy beneficiaries, I "studied up". For the most part I observed people (usually in middle management positions) who made decisions that affected the lives of children and families. My research enquiry was informed by my experience of working as a local government practitioner, committed to a public service ethos, by my feminist sensibility² and interest in how childcare policy related to the UK child poverty strategy. When researchers define a "context" for their research, they have framed reality and thus constructed, however vaguely at the outset, an ontological perspective and so ethical issues can begin to be anticipated and considered. (Edwards and Mauthner, 2002)

Getting In: Informed Consent

I was required to complete a University "Research Protocol Outline Form" in addition to the main NHS Research Ethics Committee application form with some compatibility between the forms enabling cut and paste. Both forms contain a section asking for a "scientific justification for the research" requiring answers to the questions "What is the background? Why is this area of importance?" which "must be in language comprehensible to a lay person." Constructivists might regard one person's social significance as another's drab piece of "so what" research and the language of social theory can be notoriously abstruse. I gave what seemed at the time and on reflection at a distance still seems a

² There is no single version of feminist theory – my own position holds in tension a recognition of the value of equal opportunities liberal feminism, that might be useful in the here and now, with a more future oriented radical vision of a redistribution of the sexual division of labour and ethic of care.

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comprehensive honest answer, detailing my view of the policy context. I do not believe that ethnographers should adopt a defensive position with respect to their methodological expertise. Hannigan and Allen (2003:692) point out that

“Researchers, for their part, need to be sensitive to the interpretative work that inevitably goes on in REC decision-making, and ensure that the information contained in their applications is unequivocal. “

This negates the idea that language is always subject to interpretation. One justification for ethnography as an appropriate methodology for policy research is a technical argument for the inadequacy of experimental or survey methods in “getting beyond the official line” (Duke, 2002) and for understanding how policy implementation happens within communities of practice (Lave & Wenger, 1991). There is a body of research identifying a policy “implementation gap” (Barrett, 2004) that supports the argument for ethnographic research. I suggest that qualitative researchers (and perhaps ethnographers in particular) possess rhetorical skills and on reflection I see how I deployed these in constructing a justification for my research in my ethics application (Golden-Biddle and Locke, 1995). The section of the application form “Scientific Background” asks “Have all existing sources of evidence, especially systematic reviews been fully considered?” I stated that I was aware of systematic reviews in the fields of “health inequalities, social inclusion, the effect of day care on children and welfare to work policies in the US.” but as I look back I realise that I did not provide citations. This was not queried. I made my case that my research

“Through close-up observation, interviews and documentary analysis, new information will be generated about the meaning that a variety of policy actors attach to parenting, work and family support and the processes through which such meanings may shift or stabilise as the policy is implemented.”

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The challenge of communicating in lay language at this early stage in my research was considerable but this did help me to formulate my ideas. Shaw et al (2009:917) draw attention to "...how decision-making tools highlight some aspects of experience but silence others" and they note that the iterative nature of qualitative research is silenced. My application did not silence these unique aspects of ethnography. In the section "Detailed plan of investigation", despite being directed "It should be clear exactly what will happen to the research participant, how many times and in what order" I stated "The design is intended to be flexible in order to respond to opportunities for further data collection and any practical constraints that arise during the course of the fieldwork." In the section "Detailed Plan of Investigation" I followed the suggestion given on the form to use the sub-heading "Theoretical Framework". I set out my "theoretical interests" which I explained were

"... informed by cultural studies and feminist theory, ... Fischer's (1993) work on policy argumentation, and on a discursive tradition within qualitative research that focuses on the ways in which language mediates reality (Fairclough, 1992, Levitas, 1998).

My protocol was peer reviewed by two academics but this was not a blind process. The form asked me to provide the names of external reviewers and state if I had any relationship with them. I was able to state "none" but the reviewers were colleagues of the academic acting as my supervisor at that time and may have been inclined because of their friendship to give my research a favourable opinion. I completed the online COREC³ form and attached a host of documentation such as my own and my supervisors' CVs, a 4 page research protocol, an information sheet about my research, evidence of funding, a template detailing sponsor responsibilities, an invitation letter to participants, and a form I designed to obtain informed consent. The University Independent Peer Review Committee scored my application as "grade 2" and requested:

³ Central Office for Research Ethics Committees see <http://www.nres.npsa.nhs.uk>

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1. More detailed explanation of the background including a clearer rationale for undertaking this study
2. More information regarding the structure of the interviews
3. Consideration to the use of the standard COREC consent form.

I responded positively to the first point but pointed out that “It is not possible to be more specific at this stage about the study population. Early enquiries suggest that local authorities are struggling to engage health partners in this policy [Children’s Centres] ...” I hastily produced a very loosely structured topic guide to address the second point stating that:

“I have discussed this with my supervisor who considers this to be adequate at this stage but we would like to stress that it is likely to be amended and refined as the fieldwork progresses.”

On the third I pointed out that:”

I have reviewed the standard COREC consent form but I believe that the references to G.P. and medical records are inappropriate for this study which does not aim to collect any medical data. “

Rather than complying with the medically dominated framework, I argued my case and I offer this as a recommendation to other social researchers although I acknowledge that LRECs are not necessarily consistent in their procedures (Hannigan and Allen, 2002). My response resulted in a grade 1 “proceed without any revision”. To know that my protocol had been peer reviewed was a boost to my morale at this stage of my PhD but this only got me as far as the University ethical approval. I still had to gain approval from the Local Research Ethics Committee.

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I attended the LREC with my supervisor to answer questions. A lay member of the committee asked what I felt was the most intelligent, appropriate question about the political nature of the research. I agreed that I would be encountering “political” situations. The question of politics did not seem to have occurred to the other committee members, who included medical researchers. We had a dialogue about my plan to observe meetings. To ensure informed consent from people who would be attending the meetings that I wanted to observe, I was advised to hand out my information sheet, withdraw from the meeting to allow time for a discussion and to repeat this on any subsequent meeting where the group members may have changed. I found this impossible to comply with in practice.

Getting In: access to data

The research governance process took 6 months from drafting the application to finally obtaining ethical approval. During this time I approached a local authority to request permission to observe policy implementation within their organisation. The “ways in” to the organisations are porous in some instances but can appear closed and tightly controlled in others (Bryman, 1988). I contacted a Council that was within travelling distance and I guaranteed anonymity to the local authority that agreed to act as sponsor of my research. In exchange for guaranteed anonymity I negotiated permission from a local authority to research their implementation process and immediately encountered ethical dilemmas around gatekeeping.⁴ I met with a senior officer at a County Council – I’ll call him “Ted” and negotiated permission to carry out my PhD study. We discussed the “quid pro quo”. Ted expressed his interest in the theme of governance. The meeting was friendly and fruitful – permission was granted in return for guaranteed anonymity and a summary report of the research to be presented at some time in the future to (some unspecified part of) the local authority. To protect the Council’s anonymity I requested of an NHS R&D Manager that details of my

⁴ See Miller and Bell (2002)) for a detailed discussion of gate-keeping

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research application be excluded from the National Research Register as this would identify the local authority.

Getting On

My anxiety about the PhD process and naïve novice researcher status led me to begin pursuing all practical possibilities for data collection in a somewhat desperate fashion. Sometimes I drew on my existing social capital to request interviews (Edwards et al 2004). Snowballing sampling can have ethical implications as frequently I was asked whether I had already spoken to named individuals. I generally fudged a reply or lied in order to protect confidentiality. One manager of a Children's Centre wanted reassurance that I had some existing research experience before he agreed to be interviewed. I explained that I understood his concerns about allowing inexperienced research students access for their research as I had previously faced this same dilemma myself. This demonstrates the ethical dimension of competence which poses an inevitable problem for students. The ESRC Research Ethics Framework (2005:16) recognises the dilemma but in my case my student status necessitated the same type of ethical review procedure as any other more qualified or experienced researcher would be subject to.

Generally I found the process of interviewing individuals less emotionally stressful than being in meeting situations where I made observational field notes. Interviews are relatively structured, predictable interactions with social conventions and professional props such as a tape recorder that structure mutual expectations. I felt safer, on surer ground compared to the unpredictability of open-ended observational fieldwork where I used a pen and notebook to write fieldnotes. The advantage of this recording method was that most other people at the meetings also made notes so my activity was unremarkable. Sometimes I was conscious of people looking over my shoulder to see what I was writing or seeming surprised at the volume of my notes. The amorphous nature of the

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partnership with its fluid membership and “round tables” meant that I did not often stick out like a stranger. Sanger (1996:35-36) has useful advice on “being a chameleon” including “Emulate the norm in the activity being observed” and “Try not to make eye contact”. I found it relatively easy to gain access to one local network, partly because membership was defined loosely. One way in which I interacted with people responsible for policy implementation was to adopt a role of an intellectually curious outsider seeking knowledge from experts. There may have been some dissembling here as I was familiar from my own past work history with much of the activity I was researching. This resonates with the “... risk of feeling, and indeed actually becoming, ‘phoney’ and ‘inauthentic’ when “doing rapport” that Duncombe and Jessop (2002) discuss as an ethical dilemma. “Getting on” was a matter of demonstrating a keen interest in and respect for the demands of managers’ policy implementation responsibilities. I naively assumed that I had been given permission to “access all areas”. However, when I contacted managers more senior than Ted in the authority to request interviews with them, my e-mails were intercepted by their secretaries whose response was that “Ted is dealing with this policy implementation and can tell you everything you need to know.” The fact that the policy is being delivered within complex governance arrangements influences access as I interviewed several people working outside the Council hierarchy in the voluntary sector and so outside RGF jurisdiction.

Attendance at meetings seemed to comprise a core membership as well as several people who seemed to drift in and out with no opportunity for me to establish contact or rapport. Whenever the opportunity arose (generally during the round robin introduction part of a meeting) I introduced myself as a researcher, flagged up my information sheet with an offer to give one to anyone who wanted a copy, I guaranteed anonymity and offered to answer any questions regarding my research. Often I found myself making use of the credentials of the LREC to give reassurance that my research was being conducted ethically. When introductions did not take place, it was because the group had begun to

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expect that, after several meetings, people would know one another or that newcomers were expected to catch up as there was business to get on with. It felt unethical to disrupt proceedings and I frequently found myself making moral judgements “on the hoof” about my overt / covert researcher status, weighing up potential harm against benefits and assessing risk to myself and to others. I am not suggesting that I was in physically dangerous situations; the nature of my research was not that I was asking questions about topics more usually considered private or sensitive such as sexuality. The sensitivities arose from the *political* nature of observing a group, talking to individuals about their role in the group and about asking for views and opinions on “official” policy while negotiating relationships of trust. My partial insider knowledge did not necessarily automatically gain me entry or automatically admit me once I had my ethical approval, or my “anthropologist’s visa”.⁵ Opportunities to observe “policy in action” were contingent, dependent upon finding out about policy implementation meetings in the first place, negotiating access, building credibility and trust or sufficient rapport to be invited back (Buchanan et al 1988). Sometimes I requested permission in advance from the Chair. On at least one occasion I risked turning up uninvited and my researcher status went practically undetected until I found myself about to be co-opted onto a management group. I was called upon to explain why I wasn’t voting and explained my independent status. Where sub-group meetings were small, the intimate nature of the group affected my role – I was more open to scrutiny and “stuck out” and so chose not to attend some meetings where I might risk spoiling the rapport I had developed in the larger partnership. I requested private interviews with most of the people I observed. To maintain confidentiality, I had to ensure in subsequent meetings that I gave no indication that these private interviews had taken place. I am confident that I have maintained confidentiality, (despite meeting a professor at a Christmas party who seemed determined to try to get me to break my code of ethics, pressurising me to reveal the name of the Council in my study). Some people declined to be interviewed but I continued to observe them. I believe that the

⁵ This phrase was used by Teresa Smith at a Social Policy Association Postgraduate event I attended.

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course of meetings and so the data I gathered was not altered by my presence. This messy reality is considerably at variance with the idea of a planned study design but not with an iterative research design as envisaged and presented by me in my protocol for the ethics committee.

Having gained some distance with the passage of time I can make sense of some of the feelings of discomfort I felt in the field. I felt like a gamekeeper turned poacher. I had checked with some past work colleagues whether they felt that it would be at all realistic for me to conduct observation and they replied that yes, so many people working in the public sector are used to being surveilled, monitored and judged by the likes of SCIE⁶ or Ofsted⁷ that this was practically a commonplace experience (Law and Mooney, 2007). It was only later that I understood the risk of entering the field and being perceived as an inspector (Clarke and Hall, 2008). This “placing” or framing of my researcher role as outsider sometimes militated against my attempt to behave as a participant observer. I learned that detaching myself in a physical sense from the main meeting could be interpreted by other participants as either self-exclusion, and they felt sorry for me, or I was positioned in the “judge” role which made them uncomfortable so on most occasions I participated alongside them in meetings. On one occasion I found myself the only member of a group willing to draw a picture of a pram so I duly made my mark on a flipchart. Early on in my research, following my attendance at several Council consultation events I presented Ted with a report analysing what I had found in terms of “cultural attitudes to change.” I had one further meeting with him and then contact went “cold” which I experienced as a relief. Most of my observations of the Community Partnership were overt but other associated policy meetings I researched covertly.

⁶ Social Care Institute for Excellence

⁷ Office for Standards in Education

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Covert observation

I opportunistically sampled several free national and regional conferences and “summit” meetings that took place outside of the local authority. Spicker (2007:112) maintains that certain ethical constraints are applied inappropriately to the field of public policy. He argues for a distinction between public and private spheres such that

“In a democracy, if someone is functioning in a public role, that person is subject to public examination and criticism in that role whether they like it or not.”

In my thesis I quote senior civil servants and Government Ministers. I attended a meeting to discuss child poverty that was held at the Treasury and a Respect Agenda conference held at a hotel in London. At one of the meetings a Minister, in an apparent attempt to put participants at their ease, announced from the podium that “there are no press here today”. The implication that the meeting was “off the record” made me wince but I remained silent, continuing to take notes. In contrast to the medically dominated NHS Research Governance Framework’s insistence on informed consent, the ESRC ethical framework notes that for studies of, say, crowd control, it is impractical to secure informed consent. It also recognises a plurality of research methodologies, that research designs may be iterative and that in some contexts “covert observation is necessary and warranted” Although “it is only justified if important issues are being addressed and if matters of social significance which cannot be undertaken in other ways are likely to be discovered.” (p.21). I did not conceal my research student status when booking a place and always carried my information sheet. Practically, in a large audience, my presence as a researcher was fairly covert. However, I believed that these meetings discussing public policy constituted a “public realm” and so I could legitimately record my observations. In my thesis (Carter, 2009) I write “The Minister, summing up, stated that “although people

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living in poverty have not been invited here today, nevertheless they have been spoken about very respectfully.” In my analysis, I situate the Respect Agenda in relation to the child poverty strategy, childcare and welfare reform. I analyse the disjuncture between a discourse that emphasises public participation in policy making and the semi-closed nature of a meeting where the invitation specified as a dress code (“normal business attire”) and that proceeded with the assumption that only professionals rather than members of the general public were invited to the meeting. I believe my recorded observations of the meeting, theorised and analysed, become significant in the context of my research and therefore justified covert observation. To me it seemed ethical to expose this aspect of public policy implementation.

5. The ethics of transcription, representation and trust

I promised all interviewees a transcription of their interview believing that this might mediate otherwise unequal power relationships between me and interviewees. The Local Research Ethics Committee LREC had insisted that I offer a two staged informed consent process so that people signed to document whether they agreed to be interviewed, whether the interview could be taped and then signed a second form to say whether they were happy for me to use verbatim quotations. I was not given a rationale and was too anxious to proceed, unclear at the time how I might argue against this and, conscious of the committee’s power of veto, I did not question this decision. Initially I obtained signatures from interviewees once before I switched the tape on, then I introduced the second form which dealt with use of verbatim quotations when I had completed the interview and switched off the tape. Technically I was complying with the LREC requirements placed on my research. However I realised after several interviews that people would be able to give a more informed consent to the use of their verbatim words after they had read their transcript. I found that several people read their transcript and chose in writing

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not to give me permission to quote them verbatim. I felt unable to query this because of the risk of applying undue pressure but I suspect that some people would have found it an easy choice to “play safe” and tick the “no” box. I understood this to mean not that I could not include their interview transcripts in my data analysis as they had already signed a Part One consent form but it did mean that I missed the opportunity to represent some “juicy quotes”. (Schostak, 2006:122). Buchanan et al(1988) regard this form of censorship as innocuous. They gives the example of cleaning up data to suit an organisation removing a colloquial phrase, “he has got us by the short and curlies...” substituting managers’ alternative phrasing “... the company is dependent on his goodwill...”. He suggests that meaning was not altered but I would argue that colloquial metaphors can be very revealing and I relied heavily on metaphor and other tropes in my analysis. I transcribed non-verbal communication so that I could analyse hesitancies, gaps and silences for what they communicated. (Alldred and Gillies, 2002). In a couple of instances I felt the process of consent to use verbatim quotes worked well and dialogically. Dingwall (2006:56) distinguishes between the “fetishization of consent” governed bureaucratically through contractual arrangements and:

“... the construction of a customized relationship between researcher and researched, where the researched are offered explanations tailored to their level of understanding and concerns, not presented with legalistic formulae that require an advanced education to be intelligible.... We cannot force our informants to provide information. We depend on their co-operation and goodwill – but these ends are not served by the ESRC’s demand for written evidence of a contract of consent. Contracts are designed to manage adversarial relationships. We cannot function in conflict with our informants.”

Rather than view the process as an adversarial contract, I attempted to manage the ethical dilemma of informed consent respectfully. One interviewee asked me

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to change their gender and their job title to protect their anonymity and I did so as this did not affect my analysis. Two interviewees diverged from the options indicated on the consent form and told me that they would prefer to see their quotations in context before giving me their permission. This meant I was writing up my thesis and including quotes from their transcripts without knowing whether permission would be granted. I proceeded with the pragmatic but possibly unethical assumption that if I did not gain their consent I would simply paraphrase them rather than use their words verbatim. Fortunately I did not resort to this deceit. Having drafted my thesis, I faced the choice of how much context to give them to inform their decision to give consent or not I tried to put myself in these peoples' shoes to try to understand from their perspective why they might be unwilling for me to use their words. One interviewee had been quite critical of elected politicians whom she worked closely in partnership with and so I guessed that she may have felt awkward or embarrassed and perhaps wary of how secure my promise of confidentiality and anonymity could be. I sent her a section of my thesis that incorporated her critical comments and included similar quotes from other people as well as reference to theory to support my argument about complex forms of governance that were being enacted. I reasoned that perhaps she would feel reassured in not being a lone voice and hoped that the theory and my analysis might make some sense to her. The other interviewee's transcript contained comments I wanted to use about her employing organisation being a feminist organisation which was not reflected in the organisation's "mission statement". Again I had to decide how much surrounding text to extract from the thesis to inform her decision about whether or not to grant me permission to quote her. I can only surmise that she was satisfied that I had made reasonable use of her words and not abused the trust she placed in me in granting me the interview and the authority to analyse her words and her situation. This dialogic process happened outside the LREC governance and yet felt more meaningful and ethical as it was dependent upon trust and dialogue rather than a standardized research governance format.

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In another instance I confess I caused harm and this confession entails an embodied, situational approach to research and to ethics (Mauthner et al,2002) I interviewed two local authority Members together at their home. I felt the interview went well. In fact they were very kind to me. I turned up at their house having just had a not too serious car accident. I was shaken and they sat me down with a cup of tea and made me feel welcome. I felt the interview proceeded well and was pleased with the recorded data. I posted the transcript to them and received a response to the effect that they wished to withdraw their permission for use of the data. They sent me a handwritten note to the effect that they felt abused and would never take part in research of this nature again. The Social Policy Association guidelines on research ethics states that:

“Researchers have a duty to maintain the good standing of the discipline through the ways in which they conduct research and thereby the way in which social policy research is regarded.”

I offer my cautionary tale as a means of educating future researchers about the ethics of transcription and in the hope that I have not brought the discipline of social policy research into disrepute. I have destroyed the transcript since the complaint but I shall explain how I constructed it. When I was gathering data I was uncertain how I would subsequently be analysing it and thought I might give myself the option of carrying out conversation analysis if I produced transcripts in an appropriately detailed format. I transcribed the interview myself. The Councillors spoke in a local dialect that I shared and sought to reproduce. I did not correct grammatical errors believing that it would be more honest to send a transcription in the same format that I might subsequently want to reproduce verbatim quotations from – i.e. colloquial speech. I received a written note from these interviewees to the effect that they felt I had abused their trust. I replied apologising and offering a meeting with my research supervisors but heard no more. Whilst their reaction could be rationalised as a lay misunderstanding of the transcription process and of the purpose of qualitative research, I personally felt

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ashamed of my conduct. At some level I had been aware that I wanted readers of my thesis to infer from quotations aspects of the interviewees' identity such as their working class location. Theories around representing marginalised populations advocate allowing research participants' voices to be heard. (Schostak, 2006). Voice is essentially different than the written word in that non-verbal communication, tone, dialect and inflection convey more meaning than "mere" words Alldred and Gillies (2002). I became immediately aware of the harm I had caused in representing these interviewees as undereducated. Several other interviewees remarked on how often they said "y'know", er or um but I felt that their cultural capital gave them the psychological resource to cope with a transcript that only made them appear different than they might otherwise have represented themselves in their own form of written words. I also pointed out that I included my own words in their transcripts so that when I asked questions I included my own hesitations and grammatical errors of speech. (Hoeyer et al, 2005:1746) write: "The psychological reaction to seeing oneself and one's ideas described, objectified and relativised, is difficult to predict and, thus, difficult to prepare for". Corden and Sainsbury (2005) conducted a study to explore the issues of verbatim quotes. This resulted in equivocal findings so that ethical dilemmas remain around transcription and representation. I still feel ashamed that I caused harm.

I volunteered to present interim findings back to the CLP whose meetings I attended over the course of several months but the offer was not taken up. I feel I have partially fulfilled my obligation to report back to research participants. On the other hand, I cannot possibly claim that my research has made any difference to the people I met in the field.

6. Being Monitored (or not)

Governing practice included sending an annual report. As discussed in my “confession”, I felt that I had experienced a “serious adverse event” but this was not as constructed by the RGF in which a SUSAR (Suspected Serious Adverse Reaction) carries medical implications.⁸ “Harm” seems to be generally conceived of within the DH RGF lexicon as bodily harm or emotional distress caused by the immediate consequences of taking part in research which may involve medical interventions. For example, under Health and Safety, section the RGF states “Research may involve the use of potentially dangerous or harmful equipment, substances or organisms. “2.2.8 Some research may involve an element of risk to those participating in it. If there are any risks to participants, the risks must be in proportion to the potential benefit. Under the section headed “Ethics” 2.2.8 we find “Risks, pain or discomfort must always be kept to a minimum, and explained clearly both to the relevant research ethics committee and to participants. It must always be explained whether there are arrangements for compensation in the unlikely event of nonnegligent harm. Alldred (2008) says a key question is who regulates but a further research question I propose is how effective is the regulating? The harm that the interviewees were complaining that I had caused them remained outside the LREC’s purview, partly because of their medical bias.

In an annual progress report to the LREC in the “amendments” section which asks “Have any substantial amendments been made to the trial during the year?” I stated in italicized block capitals “this is not a trial” and wrote disingenuously:

⁸ “An ‘adverse reaction’ is any untoward and unintended response in a subject to an investigational medicinal product which is related to any dose administered to that subject. An adverse reaction is “serious” if it: (a) results in death (b) is life-threatening; (c) requires hospitalisation or prolongation of existing hospitalisation; (d) results in persistent or significant disability or incapacity; (e) consists of a congenital anomaly or birth defect. A ‘suspected serious adverse reaction’, therefore, is any event which is suspected of meeting the above criteria

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“my research has had to respond to the exigencies of fieldwork” without describing what this process was. I was covering my back. An astute reader of my report responsible for monitoring my research picked this up and asked for clarification at which point I responded honestly as follows:

I recently completed a monitoring form and stated under ‘deviations’ that ‘The protocol has needed to adapt to the contingencies of researching policy implementation in action.’ I realise that this statement is ambiguous so I wish to clarify. I have met with my main supervisor recently specifically to reflect on and discuss the ethical implications of my research. I have returned to the COREC guidance that references the ESRC (my funder) which also has its own very useful ethical guidelines. My original protocol stated in section A10 that “The design is intended to be flexible in order to respond to opportunities for further data collection and any practical constraints that arise during the course of the fieldwork.” The LREC approved this protocol. As I predicted, opportunities *have* arisen for further data collection and I have maintained ethical standards in pursuing these. For example, I was invited to an early years conference organised by the local authority and I collected artefacts for analysis and I produced field notes of observations. Practical constraints have also arisen. Due to the complexity of policy implementation, rather than one children’s centre strategic partnership being in operation for me to observe, I have observed a Community Partnership. I obtained informed consent from the Partnership although it is loosely constituted and I cannot be 100% certain that subsequent new members joining the group are all fully informed about my research. However, I have taken every opportunity to introduce myself, to provide my information sheet as well as offering to withdraw on more than one occasion should the Partnership wish me to. As I am maintaining strict confidentiality and anonymity I do not believe that any harm could arise to these Partnership participants

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whom I have observed. I have offered to feedback when I have interim findings and am awaiting a response from the Partnership.

The letter ... that approved my application explains that a substantial amendment is that which is likely to affect:

- (a) the safety or physical or mental integrity of the trial participants
- (b) the scientific value of the trial
- (c) the conduct of management of the trial.

Having reflected upon my research and discussed this in detail with supervisors we do not believe that the inevitable minor changes to the original protocol arising from fieldwork constitute a substantial amendment.

I trust that this satisfies your monitoring requirements and I hope to provide you with a final report in due course. “

I was informed in writing that my response was satisfactory so with relief I proceeded and in subsequent annual reports reported no adverse incidents or substantial changes. My final interaction with research governance has been to send an “end of study” report and an executive summary of my thesis that I wrote in a non-academic format.

7. Writing Up ethically

Ethnographers face ethical decisions over how to represent including how to select data from the voluminous mound that qualitative research often generates. (Mason, 2004). The ethical issue of bias entails complex philosophical questions that are not addressed by the LREC questions about conflicts of interest. Here I want to discuss the ethics of analysis, bias and the perils of overclaiming. There are ethical dilemmas around how to interpret and reflect reality and how to derive

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meaningful conclusions from what often feels like an overwhelming messy mass of qualitative data. As my research design crystallized it became apparent that I would be analyzing broad questions of partnership and network governance and situating individuals as members of these institutional arrangements. Rather than analyzing the minutiae of conversations, I focussed on discursive practices.⁹ To view research respondents, participants or subjects as bearers of discourse de-centers subjectivity and this in itself might be viewed as unethical. Researchers emphasizing the agency of research respondents grant them the respect of having a point of view that may be separate and independent of the researcher. As I was seeking to explore power relations inherent in policy however, my ethical stance or point of view meant that I analysed the dialectical processes of structure and agency through which subjectivity was dialectically reproducing policy. Following Katz (2002) I prioritised what I regarded as “luminous moments” in my data. I was biased towards data that highlighted what I saw as policy contradictions, such as the strategy of relying on the private childcare market to solve the “wicked issue” of child poverty. I presented data on the expedient practice of spending up to maximum budget by financial year end, irrespective of whether such expenditure was directed towards satisfying childcare needs. When I presented a work in progress paper based on this data, people in the audience asked me directly whether I was claiming that public money was being wasted. I faced the ethical dilemma of how to represent expedient allocation of public funds (which I saw as being against the public interest, and certainly in contradiction to the idea of carefully judged evidence based practice) without claiming that the people I observed were acting unethically. To conclude that public money was being wasted would be to directly attribute blame to the agency of individuals. On the other hand, to negate their agency and interpret waste as a fault of “the capitalist structure” or “the bureaucratic system” would seem to be an unwarranted claim in terms of the data I had. Constructing an argument for my thesis and theorizing helped me to gain a critical distance on the data. Clarke J. (2004) pursues an analysis with doubts and hesitations, noting

⁹ Except in Carter 2009 I do analyse the production of an inter-view

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with frustration the tendency of some researchers to set out their analysis of how power is all pervasive, relegating relative autonomy or resistance to an endnote. Willis and Trondman argue that researchers should be willing to be surprised by fieldwork and should remain open to what they term “a-ha” moments of illumination. In their view, researchers should combine data and theory so that “Engagement with the “real” world can bring surprise to theoretical formulations”. (2000: 399). Mason (2004) urges caution with respect to claims of qualitative research. She argues that, generally sociologists are only able to assert modest claims as causality is rarely as clear cut in social science as it is in natural sciences¹⁰. To return to my previous point about ethnography’s reliance on rhetoric, I negotiated the ethical dilemma through argument and evocation in my writing. Theoretically I drew on Lipsky’s work (1980) on street level bureaucrats to locate the social actors structurally in relation to their limited, relative autonomy vis-a-vis policy and I adopted Chenail’s advice to “let the data be the star”. Chenail (1995:3)”. He argues that

“... the process of establishing the trustworthiness of any study comes down to the quality of the relationship built between the researcher and the community of readers and critics who examine the study. ” (p2)

By foregrounding data on expedient spending practices and juxtaposing verbatim quotes about the forthcoming financial year end against statements about child poverty, I was aiming for a representation of reality whereby I might evoke in the reader an appreciation of the complexity of policy implementation but also allow them to perceive a tragic sense of waste. This “thick description” is a key strength of ethnography (Clifford and Marcus, 1986). Van Maanen (1995:201) has discussed at length how ethnographic texts diverge from the “logico-scientific code” of conventional social science writing. He notes how, in the “scenic method”:

¹⁰ I am aware of debates about the uncertainty principle in physics but I am making a general point about probability and causality

“The writer shows rather than tells. Situations are recreated for the reader, so that he or she can see and hear, smell and touch, listen to the dialogue, feel the emotional tone.” (1995:118).

The RGF (DH, 2005) carries no recognition of the ethical dilemmas entailed in writing up qualitative research nor of how emotions might be affected by reading research accounts other than to acknowledge that reports may be written in different formats for different audiences.

6. Conclusion

This paper has presented empirical data to show the extent to which my PhD research was governed by the Local Research Ethics Committee. The committee sanctioned my research and gave me ethical approval which I was used on occasion in the field as a legitimisation device in a perfunctory fashion. Although I was required to comply with a two-stage informed consent process for interviews, this did not guarantee ethical practice as my confession and discussion of the ethics of transcription shows. Despite concerns about competing epistemological paradigms (Hoeyer, 2005) I found in practice that I did have some opportunity to justify my critical theoretical approach and iterative research design. I took some risks in pursuing covert research and was honest about how I considered the potential ethical harms of this but weighted them against research benefits. To some extent my ethical behaviour was monitored by the committee querying a vague statement in my annual report. On the other hand, what I regarded as a serious adverse event (causing pain and discomfort to two interviewees) occurred beneath the radar of the committee’s oversight function. The committee cannot possibly know whether I have maintained confidentiality. Aside from my confession, the ethical negotiation of trust between myself and those I observed and / or interviewed happened despite, rather than because of research governance. Had I complied strictly with the recommendation and disrupted

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policy implementation business by withdrawing from meetings to seek informed consent, I doubt I would have maintained credibility or rapport and would not have been able to gather rich, naturalistic data.

I argue that the codified ethics of the Research Governance Framework are not the same as personal values and moral practice. Whilst I accept that these are also socially constructed, my paper argues that an ethical sensibility is beyond codification, located in the infinite contingency of principled praxis and situational ethics (Mauthner et al , 2002). Ethnography does not deserve to be immune from ethical considerations and I do not call here for "... denying the oxygen of legitimacy to the self-appointed sanitary inspectors of HSS" [humanities and social sciences] (Dingwall, 2008:11). In the short term there must be further dialogue so that ethics committee decision makers develop a greater awareness of how their procedures impact (or don't impact) on qualitative social science and so they recognise and value the potential of ethnography to get a close up perspective on ethical dilemmas as they occur in policy, in research and in practice.

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