The Codes of Ethics in Public Sector and the Incorporation of Values that Promote Open Government: The Chilean case

Magdalena Calderón-Orellana* and Rafael Araya-Bugueño**

*Escuela de Trabajo Social, Pontificia Universidad Católica de Chile, mcaldero@uc.cl
**Ministerio de las Culturas y las Artes de Chile, Address, e-mail rafael.araya@cultura.gob.cl

Abstract: The objective of this study is to analyze the Codes of Ethics in force in public entities in Chile in the light of the open government principles: transparency, participation and accountability. In order to do so, a sample of formally approved codes of ethics in public entities of the central government of Chile and published on the website www.serviciocivil.gob.cl was analyzed using a qualitative methodological design. Through a content analysis applied to a selection of the Institutional Codes of Ethics studied, it is possible to point out that in general the principles of open government are not directly or clearly integrated into the codes. A relevant result refers to the use of these codes as an instrument for human resource management, especially in relation to specific problems faced by agencies. Finally, limitations and projections are discussed.

Keywords: public ethics, codes of ethics, anti-corruption, Chile

1. Introduction

The idea of open government has been highlighted as being intrinsic to the state's modernisation processe. This new relational framework between citizens and the government responds, on the one hand, to technological progress and, on the other, to a strong pressure on the part of citizens for greater transparency and the consolidation of relational governments (Cruz - Rubio, 2015).

Consequently, transparency, participation and accountability are dimensions that have been used to describe open government. Indeed, the Open Government Partnership (OGP, 2019) has identified them as key values of open government. Transparency refers to the need for information about government activities and the need for decisions to be open, comprehensive, timely, freely available to the public and in line with basic open data standards. This means that governments must actively open actual channels to present information about their work.

Secondly, there is citizen participation, which refers to the role of governments to call up citizens to participate in the public debate and contribute to the development of a more responsive, account-able, innovative and effective governance. This implies that governments should not only provide spaces to welcome citizens, but also encourage, guarantee and seek citizen contribution for the creation of public policies.

The third dimension is accountability, which states that there must be rules, regulations and mechanisms for government entities to justify their actions, act in response to criticism and accept the consequences of noncompliance with laws and commitments.It is through accountability that people understand how and why decisions are made.

By analysing the principles that guide open government, it is possible to establish that, since transparency, participation and accountability are linked to the anti-corruption agenda, the values of open government can be integrated as active principles to prevent corruption.

Nevertheless, even though it is known that the best way to fight corruption is to promote good open government and administration (Ponce, 2017), not all strategies for controlling and fighting corruption are considered in what is understood by open government, because they cannot include the above-mentioned principles.

Therefore, while making progress against corruption is not the ultimate goal of open government, it is, indeed, a key aspect of it. Anti-corruption measures are reinforced when they involve the principles of open government. As a matter of fact, Cruz - Rubio (2015) points out that a clear and effective strategy against corruption is to promote transparency, as required by open government. Consequently, it is important to move forward in the study of the relationship between the global open government framework and the codes of ethics.

The codes of ethics in public administration are aimed at providing solutions to ethical di-lem-mas, educating the population regarding the mission of the organisation and promoting an ethical environment among officials (Grundstein-Amado, 2001).

In this regard, it is possible to establish that there is no direct effect between the role of this instrument and the integrity system of the anti-corruption agenda. That is, the mere existence of codes of ethics does not ensure corruption control (Garcia-Sanchez, Rodriguez-Dominguez, & Gallego-Alvarez, 2011). However, they are effective for purposes related to ethical discernment, especially when the development process is participatory and when it is the organisational community that creates the principles considered in the code (Grundstein-Amado, 2001).

It is then, because of the relevance of participation and the definition of values as guarantors of the effectiveness of the codes that it becomes interesting to project the Chilean case in their design stage, as well as observing their link with the open government, the values that are articulated and the process through which they materialize.

In this way, the aim of this work is to analyze the Codes of Ethics in force in Chilean public entities during the period spanning from 2017 to January 2019, in the light of the principles of open government: transparency, participation and accountability. This will be used in order to understand the scope and limitations of said instrument in relation to open government.

The relevance of studying the Chilean codes lies on its design phase, as it allows to understand the link between the development of the code, the principles of open government and the internalisation of the actual code.

At the same time, the importance of the study is that it allows us to foresee the scope and challenges that the Codes of Ethics may imply during its implementation in relation to organisational development, the strengthening of open government and anti-corruption actions. In this way, the study allows to make adjustments to this instrument and safeguard the impartiality, transparency and values of the public service.

2. Integrity Systems and the Codes of Ethics in the Chilean Case

In 2016, regarding the Final Report of the Presidential Advisory Council against conflicts of interest, influence peddling and corruption (2015), the Chilean government presented an Agenda for Probity and Transparency in Business and Politics. This Agenda included 18 legislative measures and 14 administrative measures. The latter established the obligation for each public body to write its own Codes of Ethics for the Public Service.

The National Civil Service Directorate of Chile (Spanish acronym DNSC) participated as a key entity for the conduction of the measure, and the United Nations Development Programme (UNDP) acted as a technical support body. Also, the National Association of Fiscal Employees (Spanish acronym ANEF) and the Associations of Officials of each agency had a role in the development of the process (Carrizo & Silva, 2017).

It is important to mention that the Codes of Ethics developed in Chile are one type between different kinds. The conduction of a comparative review allowed to identify international experiences, which constitute two types of implementations: i) the option to adopt Ethical Codes or Statutes at the level of the organisation; and ii) the option to generate and apply theCodes at the level of specific professions or disciplines.

In the case of the first option, the Codes of Ethics apply to officials, it is also possible to find two implementation options: firstly, to define a single centralized Code for the entire state apparatus (as is the case of Australia, Canada and the United Kingdom); and secondly, an option in which each public body creates their own codes of ethics according to their specific needs (as is the case of Colombia, Peru and Brazil).

The other option is to generate Codes of Ethics that apply to specific professions, defined either at a national or international level. For example, in Chile, there is a Code of Ethics for the College of Librarians, a Code of Professional Ethics for archivists, and the ICOM deontology Code of Ethics for museums.

In the countries studied, two ways of drafting the Codes of Ethics are observed: a) A normative approach (Peru, Brazil): the Code of Ethics constitutes a legal text (law, board) that details the values, principles and obligations that apply to officials, mentions cases of conflict of interest, defines the makeup and operation of the Ethics Committee (if any), and specifies the penalties for unethical behavior; b) A pedagogical approach (Australia, Canada, the United Kingdom, Colombia): the Code of Ethics is considered a guide that explains how to have an ethical behavior and how to make ethical decisions. In this case, although there may be a regulatory angle to it, the format of the Code of Ethics is more pedagogical, including sections that explain how to act in certain situations.

In Chile, the codes of ethics were defined as a tool that allows institutions' ethical and legal standards to be agreed in a participatory manner, and whose objective is to create a work coexistence based on common values. It is the systematization of those values and behaviors that reflect an institution's culture, mission, vision and strategic objectives, considering its link with the legal framework that governs the behaviors of public officials. In this way, it is possible to establish a general frame of reference regarding expected actions, and provide a clear and consensual criterion that allows people to adapt their behavior towards the proper exercise of their functions.

Thus, during 2016, in a context of political and institutional crisis, 256 public services of the central administration of the State of Chile faced the challenge of moving forward in the development of an infrastructure of integrity and ethics for public functions (Carrizo, 2017).

Therefore, the guidelines by the National Civil Service Directorate considered the following stages (DNSC, 2016):

1) Diagnosis and project planning: This stage was established as an essential part of code development. Its objective was to identify weak areas that present a potential risk to the integrity and ethics of the institution. This stage meant, in the first place, to identify the potential areas of risks for probity and ethics in organizations. At the same time, it meant the definition of the main objectives, strategies, and milestones.

2) Design of the Communication Plan: The development of the codes required the establishment of the means by which the officials would be informed about the project and its stages, the dates and mechanisms through which the information would be collected, the writing of the code, the subsequent training and the instances of diffusion, among others aspects.

3) Dissemination of the project to the members of the institution: This stage had the objective of communicating to all the officials about the project of elaboration and diffusion of the Code of Ethics. It was necessary to indicate the importance of the project for the institution and officials, to explain the methodology, to schedule activities indicating in what stages and how the participation of the officials will be requested, to explain whether there will be participation in the drafting of the code or if ideas will be received, to present the communication strategy and the group that will be in charge of the project.

4) Information gathering: The National Civil Service Directorate established that it must be the officials themselves, through a process of reflection and discussion, who define the values, principles, and behaviors relevant to the institution that must be addressed in the Code of Ethics. The process must be participatory, representative and transversal.

The suggested methodologies were, to develop web forums, in-depth interviews, focus groups, use of emails, and a benchmarking of codes of ethics.

5) Drafting of the code; general recommendations; drafting of the body of the Code; draft document and final version: The recommendations were that the code is written in a way that is easy to understand and assimilate by all officials, considering the language and tense that is more in line with the culture of the institution.

   The code should be brief and refer to the most important and relevant behaviors and areas of the institution's work according to the diagnosis made, therefore, it should not be a repetition or summary of the probity legislation. At the same time, the suggestion was that the code should not be ambiguous, it should be defined and exemplified based on specific situations. Finally, values that were identified through participation should reinforce the mission of the agency directly and positively. The values should be listed and explained with examples in the code.

6) Socialization and training: The socialization process should allow all officials, regardless of their function, position, hierarchy or type of hiring to know and be trained regarding the content of the Code of Ethics. Socialization should not be a unique process in time, but a permanent plan, whose ultimate goal is that the code is a reason for reflection on ethical behaviors within each organization, and that allows ethics and integrity to be present in a constant manner within the actions of each official. In relation to the training on the contents of the code, it was indicated that they should be annual or biannual, that they should include information on the monitoring report as part of an accountability process of the institution. It was also established that the code of ethics must be incorporated as mandatory content within of induction programs and/or actions for new officials; notwithstanding that, due to its importance, it should also be considered in training programs for the rest of the service officials.

This process ended with the elaboration of the codes of ethics and their entry into force during the first half of 2017, which made Chile one of the first countries to generate a cross-cutting implementation on issues of probity using a preventive instrument. This boosted the development of the Chilean Public Integrity System, and was considered an unprecedented initiative in the region in matters of public ethics.

2.1. Public Ethics

Adela Cortina (1996) sets that ethics "is a knowledge that aims to guide human action in a rational way in every aspect of our lives", while morality "has to do with not harming, but not always, and also with not letting down". Within this framework, the organizational ethics tries to apply ethical principles in concrete decision-making and actions, and provides tools that raise the ethical level of companies and organizations. Ethics and morality have been part of the human discussion for centuries.

Nevertheless, Public Ethics is a relatively recent construct, as its origins are considered to have started in the United States in the early 70's. The concept refers to the moral behavior of public offi-

cials, politicians and their institutional creations. Its function is to produce thought about the behavior of the State, the public service, public officials and politicians. This should help define the behavior of these entities and draw the boundary between good and bad in this area, while promoting probity (Orellana Vargas, 2002).

In more concrete terms, public ethics translates into an ethics infrastructure proposed by the Organization for Economic Co-operation and Development (2000), which recognises a public sector environment that fosters high standards of conduct. The infrastructure elements can be categorized according to the main functions they serve. First, is guidance, which entails a strong commitment to political leadership; statements of values, such as codes of conduct and professional socialization activities, such as education and training.

Another component of ethics infrastructure is administration: This means it can be done through coordination, through a special body or an existing central administration agency, and based on public service conditions, policies and administrative practices.

A final component, is control: This is mainly ensured through a legal framework that makes possible independent investigation, prosecution, effective responsibility, control mechanisms, transparency, public participation, and scrutiny. The ideal combination and degree of these functions will depend on the cultural and political administrative environment of each country.

Therefore, it is possible to see that the relationship between public ethics and open government is a two-way link. In effect, the Ibero American Open Government Charter sets public ethics and integrity as principles understood as; the observance of values and the duty of public officials to act with rectitude, loyalty and honesty. Within this framework, the work carried out in matters of ethics and integrity systems, in the efforts to develop and strengthen Open Government in the societies of America, becomes relevant.

The same idea is noted by Ibero American Charter of Citizen's Rights and Duties in Relation to Public Administration (Centro Latinomericano de Administración para el Desarrollo, 2013), that sets within the framework of open government, that ethical action is an obligation of the public administration and a citizen's right, thus recognized by the, which identifies it as a principle that governs citizenship rights.

Understanding that open government refers to a system of public governance based on the relationship between citizenship and good governance, the Ibero American Open Government Charter establishes "it is necessary to understand that the foundations of open government are a means to strengthen and reconfigure the task of every State: to serve citizens in the interest of common good. This implies a cultural change in the way of doing things and interacting, and also in the attitudes of public authorities and officials towards citizens (...) Therefore, the cultural change referred to in this Charter will rely on public ethics as the guiding axis that links the work of public authorities and officials towards citizens, and vice versa in a virtuous way" (Centro Latinomericano de Administración para el Desarrollo, 2016, p. 20).

In this way, the integrity and ethical systems are showed by the Ibero American Open Government Charter as a guide to motivate the cultural change that the open government perspective claims.

At the same time, the idea that ethics is imperative to drive an open government strategy is based on the knowledge that it is of important value to democracy, to reestablish a new relationship between government and citizens, and to ecourage the development as is noted by Jennifer Arroyo (2018, p. 130):

> *"Given its cross-curricular nature, ethics is the basis of all the other pillars on which democratic systems are based, such as transparency, access to information, accountability, citizen participation, collaborative innovation, and creation of public value, among others. It is also the pillar for the development of the Open Government paradigm that seeks a change in the relationship between citizens and the State, where the former participate in public decision-making. Public ethics, therefore, is the indispensable budget so that the previous activities can be fully fulfilled. Additionally, it is the essential requirement for states to fulfill other commitments, such as achieving Sustainable Development Goals and guaranteeing the right to good governance on behalf of the citizens."*

If open government is envisaged for the future as a way of governing in democracy with the most potential ; public ethics would be the way to achieve this, since, as reviewed in the bibliography, notions such as transparency, citizen participation , accountability, collaboration, technology and innovation will be central concepts of the political-administrative discussions of countries, "for this reason, the cultural change referred to (…) will take public ethics as a guiding concept that virtuously links the work of public authorities and officials with citizens, and vice versa. It is then a profound change in the dynamics that defines and contributes to the improvement and professionalization of the public function and its relationship of co-responsibility with other entities in society in solving public problems" (Centro Latinomericano de Administración para el Desarrollo, 2016, p. 20).

Hence, to link Open Government and ethical systems is a challenge with multiple outcomes and requires a paradigm shift for most public administrations, since it implies that both civil officials and citizens internalize the ethical principles that must govern the public service. It is a necessary challenge, however in order to achieve the shift, because without these ethical principles it is not possible to accomplish the longed-for government opening. (Arroyo, J. 2018).

3. Methodological Aspects

3.1. Research Design

The objective of the study was to analyse the integration of open government principles: transparency, participation and accountability in anti-corruption instruments, such as the Codes of Ethics in force in public entities in Chile. To fulfill this purpose, it was required to review codes of ethics previously published as well as those that are currently in force at Ministries and Services in Chile.

Then, due to the exploratory nature of the research objective and the available literature, this study was carried out from a qualitative perspective, with the purpose to address both complex and precarious objects of study (Arroyo M., 2009), defined as the arising social relations without evidence of generalization.

3.2. Information Gathering

To comply with the research objective, a total of 40 codes of ethics of the 200[1] codes of ethics published on the website of the National Civil Service Directorate were reviewed.

The selection criteria represent all Ministries (as detailed in table Nº 1) and the number of codes published. In this way, the documents were selected until saturation of the information was achieved with, in most cases, two or three documents for each Ministry.

The information was obtained during the month of April 2019 from the website https://www.serviciocivil.cl/sistemas-de-integridad-y-codigo-de-etica/

Table 1: Codes of Ethics selected by Ministry

Area or Ministry	Number of codes by Ministry	Number of codes selected
Ministerio de Agricultura (Ministry of Agriculture)	6	2
Ministerio de Bienes Nacionales (Ministry of National Goods)	1	1
Ministerio de Culturas, Arte y Patrimonio (Ministry of Cultures, Art and Heritage)	1	1
Ministerio de Defensa (Ministry of Defense)	4	1
Ministerio de Deporte (Ministry of Sports)	2	1
Ministerio de Desarrollo Social (Ministry of Social Development)	7	2
Oficina Administrativa de la Presidencia (Presidential Administrative Office)	1	1
Ministerio de Economía y Turismo (Ministry of Economy and Tourism)	13	2
Ministerio de Educación (Ministry of Education)	10	2
Ministerio de Energía (Ministry of Energy)	4	1
Gobiernos Regionales (Regional Governments)	14	2
Ministerio de Hacienda (Ministry of Finance)	12	2
Ministerio de Interior (Ministry of Interior)	23	3
Ministerio de Justicia (Ministry of Justice)	6	2
Ministerio de Medio Ambiente (Ministry of Environment)	3	1

---

[1] Although, some documents report that 256 services participated, there are only 200 official records on the DNSC website. There is no information regarding the status of the 56 unregistered services.

Ministerio de Mineria (Ministry of Mining)	3	1
Ministerio de Vivienda y Urbanismo (Ministry of Housing and Urbanism)	17	3
Ministerio de Obras Públicas (Ministry of Public Works)	14	2
Ministerio de Relaciones Exteriores (Ministry of Foreign Affairs)	5	1
Ministerio de Salud (Ministry of Health)	38	3
Ministerio de Mujer y Equidad de Género (Ministry of Women and Gender Equity)	2	1
Secretaría General de Gobierno (General Secretary of Government)	1	1
Secretaría General de Presidencia (General Secretariat of the Presidency)	1	1
Ministerio de Trabajo (Ministry of Labor)	9	2
Ministerio de Transporte y Telecomunicaciones (Ministry of Transportation and Telecommunications)	3	1
Total	200	40

Source: https://www.serviciocivil.cl (own elaboration)

3.3. Information Analysis

After the documents were selected, registered and reviewed, a content analysis was carried out. This analysis involved the encoding of every document based on the dimensions that appear as relevant given the objective of the work. Some of the dimensions used to analyze the documents were the following:

- Publication title.
- Principles recorded in the codes of ethics of each agency.
- Participants
- Incorporation of open government components, according to the OGP definition of 2019.

3.4. Validity and Reliability

Procedures recommended for this purpose were used, including parallel coding by the team.

3.5. Ethical Procedures

The information collected and analysed was of public nature. Additionally, there were no informants in the investigative process, however, the information gathering procedure conformed to ethical research standards.

4. Results

4.1. General Description of the Codes of Ethics

In a first stage, the codes were analysed in relation to the target population. In this sense, the evaluation carried out, shows that the texts of the codes of ethics are aimed at civil servants and professionals of certain disciplines. That is, the principles and values and particularly the behaviors established in the codes of ethics are directed at both public authorities and officials. The codes of ethics is a document with pedagogical purpose and does not pursue normative or prescriptive purposes, that is, it does not prohibit or mandate; instead, it guides behaviors applied to certain situations of tension, offering an action guide and applied ethics to be used in State organizations.

Regarding the denomination of the codes and the names that documents are given, it is possible to find the following denominations: "Codes of Ethics", "Codes of Ethics for the best fulfillment of the institutional function", "Codes of Ethics: ethics is nothing other than reverence for life", "Codes of Ethics for public service", "Codes of Ethics and Conduct"; and "Codes of Ethics – Values and Behaviors". In this sense, it seems relevant to point out that, although a large part of the institutions uses the same name, which is consistent with the guidelines given by the National Civil Service Directorate of Chile, other bodies seek a proper name and meaning that is representative of the work they carry out.

In relation to the administrative act that approves the codes of ethics, all texts were approved by Administrative Acts issued by the authorities of the same institutions empowered for such purposes, generally using the formula of Administrative Resolutions.

4.2. Design and Implementation of the Codes of Ethics and the Principles of Open Government

As already noted, since the Open Government Partnership (2019) it has been established that open government comprises of three specific lines of development: transparency, participation and accountability. In this sense, to fulfill the objective of this work, the process of design and implementation of the codes of ethics is analyzed in relation to these components of the construct.

4.2.1. Transparency

In this area, there was research intowhether the Codes establish (mandatory or voluntary) measures to disseminate the principles they promote or the actual codes of ethics on institutional websites for the general public. The presentation of a Glossary of Terms oriented to standardize the definition of the values and principles used in the text was also reviewed, so that anyone, regardless of their participation and knowledge of the process, can understand the meaning of the Code.

In this way, even when the analysed codes, in general, do not consider the publication of the texts on the website or the institutional intranet for general knowledge and dissemination, most of the

analysed texts include a glossary of terms that helps general readers and relevant civil servants understand the codes. The glossary, established by the National Civil Service Directorate of Chile (2015) guidelines, is presented in the following table.

Table 2: Glossary of Values

Value	Definition
Commitment	Relationship of reciprocity between the institution and officials, so that they identify and feel part of the organization, performing their public function with responsibility, professionalism and providing a service of excellence to citizens. Likewise, the institution recognizes the work done by the officials and provides them with a good working environment, protects their rights and gives them opportunities to develop further.
Trust	Protection of a pleasant and cordial work environment, in which each member of the institution performs their duties responsibly and with professionalism. In this way, officials can feel comfortable, safe, and work collaboratively in an environment of respect.
Efficiency and Effectiveness	It implies that public officials perform their work focusing on results and using only the resources (time and supplies) that are strictly necessary to fulfill the expected objective. Public officials perform their activities with excellence and quality, according to the functions established for their position. Efficiency and effectivenessare based on the understanding that the resources used in the performance of functions are of public nature and, therefore, their benefits must be optimized and maximized.
Excellence	It means that the public function is carried out efficiently and effectively, collaboratively, professionally and responsibly. The technical quality of the services delivered is rigorously protected, maintaining high standards of quality at work.
Inclusion	It guarantees equal conditions to all officials, users, beneficiaries, and the same rights and opportunities without discriminations of any kind. That is, it implies eliminating any favoritism, exclusions or preferences based on arbitrary or personal reasons, such as gender, sexual orientation, religion, race, ethnicity, nationality, and political adherence, among others. Non-discrimination must be a principle that emphasizes the institution's action, both internally and externally, and promotes equal treatment of the authority to officials, among officials and to the different external entities with whom they relate (suppliers, users, public and international organizations, etc.).
Integrity	It implies maintaining rectitude and honesty permanently in the exercise of public office, regardless of external pressures. Therefore, conduct and acting must be consistent with the ethical standards of the institution (TI 2009). This value is closely linked to probity and serves as a barrier against corruption.
Participation	Promoting dialogue, decision making and joint activities that meet the institutional challenges. It also entails promoting spaces for

	consultation about the interests and needs of the different entities with whom they interact.
Probity	Officials maintain an honest conduct. This implies that the common interest prevails over individual interest, so that officials will not use public resources or their positions to obtain personal benefits or privileges. Similarly, officials must be impartial in the exercise of their duties.
Respect	Performance of the work within the framework of cordiality, equality, and tolerance among coworkers and with citizens, recognizing at all times the rights, freedoms and quality of people.
Responsibility	Officials perform their public function with commitment and professionalism, responding in a timely manner to their duties and actions. When they do not feel able to fulfill their work properly, or have doubts about how to do it, they present the situation to their superior and their team, so that together they can find a prompt solution that does not affect the achievement of the expected objectives. Also, in case something is not right, they recognize and accept their mistakes and consequences with honesty and humility.
Transparency	It guarantees the right of citizens to know and access information about the actions and decisions of public institutions. This publicizing of the information and the visibility of the actions of officials serve as barriers to corruption.

Source: https://www.serviciocivil.cl (own elaboration)

It is important to mention that the glossary includes only certain values that make up the principles of open government, such as participation and transparency. However, the proposal does not include the principle of accountability. The reason for this is that there is no equivalent concept in Spanish, however, regardless of the reasons, this will have an impact on the development of the Codes and could eventually have an effect on the ethical behavior of public servants.

Another relevant point to highlight is that the table proposed by the National Directorate of the Civil Service does not include values that have usually been used by different administrations for the creation of these instruments such as: Impartiality, Legality, Reliability, Equal Treatment, Integrity, and Professionalism.

In this sense, following the trend of developing countries, performance-related principles are considered (Rothstein, Sorak, Rothstein, & Se, 2017).

4.2.2. Participation: the Influence on Government Work

The purpose of the review was to identify the subdimensions of the principle of participation in the Codes of Ethics, particularly in the design and drafting stage, as well as the adoption of mechanisms for participation in the governance of the ethical infrastructure of entities.

In general, the formulation processes had the participation of civil officials and workers, as evidenced in the following cases:

"This Code, which is given by the under secretariat of agriculture with the contribution and participation of its own officials, is an official and formal document that provides a perspective on relevant issues that are generated in the contexts in which officials develop" (Undersecretary of Agriculture, 2017).

"The Codes of Ethics is the product of the participatory work of officials of the under secretariat for the Armed Forces who, in a proactive spirit, have responded to the call to join in the promotion and strengthening of an ethical culture of public management, based on shared values" (Undersecretariat of Armed Forces, 2017).

"273 people participated in the process of creating this document and defining the key guidelines that make up the Codes of Ethics, which constitutes 80.5% of the people who work in the under secretariat" (Under secretary of Energy, 2017).

Notwithstanding the acknowledgment of participation as a mechanism for the creation of the codes, the analysed texts, in general, do not consider a collegiate or consultative body to support the governance of organizations' ethical structure. The only exception to the above is the "National Council of Culture and Arts", whose Codes of Ethics expressly state the constitution of an Institutional Ethics Committee with roles and functions to support the political and administrative authority in charge of the Entity.

The case of the National Council of Culture is not only unprecedented in relation to participation in the management of the code, but it also stands out in that it establishes an integration system that recognizes diversity and promotes the inclusion of groups traditionally excluded from participation spaces, such as women, native peoples and the provinces, as presented in the list of its members:

> "*VI. CNCA Ethics Committee: Members and Representation*
> *National President of the Association of Culture Officials*
> *Representative of the Legal Department*
> *Representative of the Department of People Management and Development*
> *Representative of the Department of Studies*
> *Representative of the Department of Native Peoples*
> *Representative of the Regional Coordination Section*
> *Institutional Gender Equity Representative*"
> *(CNCA Codes of Ethics, p. 21).*

4.2.3. Accountability: the Ability to Hold the Government Accountable for its Policies, Services and Performance

Finally, in relation to "accountability" and its integration in the design stage of the codes of ethics, the analysed texts, in general, do not consider public accountability mechanisms regarding ethical performance. This is so because entities are not required to deliver results or measurements based on indicators such as: complaints received in a given period; cases investigated in a given period; cases closed in a given period; knowledge of the principles by officials, and appropriation of the principles, among others.

However, it is possible to point out that the principles of open government are not visible in the process of designing instruments, except for participation, as the inclusion of the latter was a requirement for design. The case of the CNCA, which does not only integrate participation in the design process but also in the implementation process, is noted, highlighting the inclusion of traditionally excluded groups.

4.3. Results According to the Most Outstanding Values, Principles, Obligations and Behaviors:

Finally, we carried out a revision of the codes in relation to the integration of the principles of open government directly into the values' obligations and behaviors. In this sense, although all the analysed codes include a list of values presented in Table Nº 2, others also state principles and obligations.

From the review made to the selected 40 codes of ethics, the values used by the services are the following: Commitment, Transparency, Probity, Efficiency - Effectiveness, and Respect.

In this sense, it is possible to point out that the most named values in the codes are those that refer to the relationship between officials and the institution in terms of work environment, such as commitment and respect. Additionally, a second group is made up by the values directly linked to integrity, such as transparency, probity and efficiency - effectiveness.

It is striking that values such as impartiality, trust, loyalty, justice, solidarity, and sustainability were scarcely named, and included in only one or two Codes of these values.

This is one of the most interesting aspects of the study, since there was no orientation for the selection of values. In this way, the services selected the values that represented them the most. For this reason, it is relevant to investigate the reasons that led to the selection of certain values over others.

Now, with respect to the main premise of this sub dimension, it is possible to point out that, regarding the principles of open government, it is only possible to see that the principle of transparency can be clearly linked to the idea of open government. However, principles such as accountability and participation do not appear clearly in the selected codes as values to be protected. Finally, values such as sustainability and solidarity, which can account for new ways of doing things between governments, administrations and communities, are left aside.

Thus, we can confirm that in general the codes do not actively integrate the principles of open government, except for participation in the design process and transparency as a value included in a large part of the codes. In general, there is no reference to accountability.

5. Conclusions and Learning

After selecting and analyzing 40 documents, it is possible to answer the question that guides the present study.

In this sense, it is important to recognize that regardless of the integration of principles, the number of elements shared by the codes (names, values, methodology) draws attention. This is mainly explained by the role of the technical counterpart in the development of this instrument. Thus, it is possible to establish that the services followed the guidelines and instructions given to them by the technical agencies. This is an advantage for the improvement process, as it is possible to think that if guidance is delivered, it will be followed. However, it may also be seen as a limitation, as the implementation of the guidelines may mean an uncritical integration of what has been accomplished.

The above is linked to another characteristic that could be observed in the analysis, which has to do with the fact that, internally, those who guided the process were mostly officials belonging to the area of human resources and people management. This is relevant, because it places the instrument within the list of instruments for the management of people and not necessarily within an anti-corruption agenda. In fact, this is reflected in the values that are selected, as many of them appeal to internal processes, such as commitment and respect.

Now, in relation to the focus of the study, it is possible to point out that the codes of ethics studied do not clearly integrate the concept of open government. Just like the values, the principles are also standardised, and the orientations are clear and detailed, which means that the services do not necessarily innovate or reproduce the values uncritically.

According to what has been analysed, this represents one of the most relevant challenges, since not integrating the values of open government leaves us with an instrument that basically regulates behaviors, but does not consider ethics as a framework to move forward in a new relationship between officials and recipients.

The importance of assuming this challenge is that the use and application of the Codes of Ethics is enhanced. A concrete way to move forward in this respect is that the Codes of Ethics is managed not only by human resources offices, because although it is very important that people management is linked to ethics (thinking about the potential of an organizational change), the codes of ethics exceed the scope of human resources.

Regardless of the above, it is also possible to conclude that in Chile this preventive instrument is developed in a cross-curricular way in the central State institutions, which promotes a joint development with a participatory methodology.

So far, this provision does not only entail significant changes for the general public, but it also paves the way for further information and transparency. The codes of public ethics are found in the central pages of the institutional websites, where the importance of integrity is emphasized. However, these are only glimpses of greater transparency for citizens, which in the near future should have an even clearer role.

In addition, this provides public officials with a tool that reflects the cultural idiosyncrasy of their institutions and identifies concrete examples of public integrity, which helps them feel more represented. However, it is possible to get confused with statements of principles that, although contain the general dimensions of Ethics; on their own do not help strengthen the behavior carried out by

conviction, motivation and organizational ethical criteria. The examples and experiences of officials, as well as the importance of some issues over others and their constant updating, can strengthen confidence in the use of principles.

It is also necessary that the codes of ethics turn into a dynamic process that remains and is sustained over time and, above all, whose effects generate an impact. They are the channels of denunciation and consultation, the organization's adhesion to a formal structure and especially the impetus of the head of the service or director, as they are the ones who fulfill "first hand" the conventions of the codes, and support their insertion in the public organizational culture.

5.1. Future Lines of Research and Practical Implications

Based on the results and the bibliography consulted, it is possible to establish important practical implications regarding the design and application of a key instrument for the installation of integrity systems.

Potential issues in human resources: first, it is important to acknowledge the relevance of promoting the delivery of information and training for public officials on ethical issues: i) Develop a training and dissemination program of the Codes of Ethics aimed at increasing the level of knowledge, mastery and appropriation of its content by civil officials; In addition, ii) Carry out induction sessions for new workers with emphasis on content and ethical behavior; iii) Include verifiers of ethical behaviors in recruitment and selection processes; iv) Develop and disseminate a glossary of concepts in matters of ethics and integrity.

Potential issues in Internal Control and Audit matters: in addition to the above, the results allow us to establish the importance of including internal control and audit processes as tools that favor the creation of an ethical infrastructure, with the understanding that the Codes of Ethics was formally approved by administrative acts of the authorized authorities, and thus, they can constitute a concrete strategy to move forward in the implementation of the codes. Indeed, the general objectives of internal control include both the detection of individual irregularities, violations of standards, including corruption, fraud, the identification of sources of irregularities and system weaknesses. In addition, internal control analysis advises future improvements to the systems through specific recommendations. However, it should be noted that ethical audits arise as an opportunity and key tool to respond to the growing public demand for openness, transparency, probity and anti-corruption practices in the daily exercise of state work.

Potential issues in public procurement and contracting matters: it is also relevant to generate specific measures in traditional administrative management processes of public entities, such as the management of public procurement and contracting: i) Begin to use the information available through Linked Open Data on the portals of www.infolobby.cl and www.infoprobidad.cl to maintain a permanent monitoring of compliance; ii) Use the Open Data made available by the Public Procurement System to verify efficiency and concentration of suppliers; iii) Develop and maintain a system of indicators and ability to report that accounts for objective and comparable measurements between the different units of the organization and the organization with its peers.

Potential issues in matters of Social Control: an important aspect to project actions regarding the work of the codes of ethics is the role of social control and its logic of participation linked to open government. In this sense, incorporating the Civil Society Councils within the scope of the Institutional Codes of Ethics is a great way to make progress in the installation and consolidation of the codes of ethics. Therefore, in each public body in Chile there must be a legally registered body called the Civil Society Council, which stands as a proposal to grow towards linking the codes of ethics with the principles of open government, so that they are incorporated within the scope of the application of the codes in two central dimensions: i) that the members of the Civil Society Councils of each body fully adhere to the Institutional Codes of Ethics, and also ii) that the bodies account for the management of ethics and integrity to these collegiate organizations.

This is also an opportunity to incorporate the results of the integrity management process and official ethics into the accountability processes of authorities. Public entities must annually perform public and participatory accountability processes, reporting on relevant aspects of annual management such as achievements in matters of policies, plans, programs, and performance in budgetary matters, among others. However, it is proposed that the performance of ethical and integrity management systems is integrated into these areas.

References

Arroyo M., M. (2009). Cualitativo - Cuantitativo: la integración de las dos perspectivas (79–88). In A. Merlino (Ed.), Investigación Cualitativa en Ciencias Sociales (1st ed.).

Arroyo, J. (2018). Avances y desafíos de la gestión de la ética pública en América Latina. Revista Española de La Transparencia, 106–133.

Carrizo, D. (2017). El proceso de implementación de códigos de ética pública y el comienzo del sistema de integridad chileno. Líneas de reflexión hacia el futuro. R.I.T.I., 5, 1–8.

Carrizo, D., & Silva, F. (2017). Chile en la Implementación Transversal de Códigos de Ética pública: Una Metodología a Participativa. Dirección Nacional Del Servicio Civil, Ministerio de Hacienda. Santiago de Chile.

Centro Latinoamericano de Administración para el desarrollo (CLAD), Carta Iberoamericana de Gobierno Abierto (CIGA), 8 de julio de 2016, Bogotá, Colombia. Retrieved Sept. 20, 2019 from https://www.clad.org/images/declaraciones/CIGA-Octubre-2016.pdf

Centro Latinoamericano de Administración para el desarrollo (CLAD), Carta Iberoamericana de los Derechos y Deberes del Ciudadano en Relación con la Administración Pública, 10 de octubre de 2013, Caracas, Venezuela. Retrieved Sept. 20, 2019 from http://old.clad.org/documentos/declaraciones/Carta%20Iberoamericana%20de%20los%20deberes%20y%20derechos%20-%20documento%20aprobado.pdf/view

Consejo Asesor Presidencial contra los conflictos de interés, el trabajo de influencias y la corrupción. (2015). Informe Final. Retrieved Sept. 20, 2019, from www.consejoanticorrupcion.cl/informe

Cortina, A. (1996). El estatuto de la ética aplicada. Hermenéutica crítica de las actividades humanas. Isegoría (13), 119–127.

Cruz-Rubio, C. N. (2015). ¿Qué es (y que no es) gobierno abierto? Una discusión conceptual. Eunomía. Revista En Cultura de La Legalidad No, 8, 37 – 53.

Dirección Nacional del Servicio Civil de Chile. (2015). Orientaciones y lineamientos generales para la elaboración de códigos de ética en el sector público. Retrieved Sept. 20, 2019 from https://www.ser-viciocivil.cl

Garcia-Sanchez, I. M., Rodriguez-Dominguez, L., & Gallego-Alvarez, I. (2011). Effectiveness of ethics codes in the public sphere: Are they useful in controlling corruption? International Journal of Public Admin-istration, 34(3), 190–195.

Grundstein-Amado, R. (2001). A strategy for formulation and implementation of codes of ethics in public service organizations. International Journal of Public Administration, 24(5), 461–478.

Open Government Partnership. (2019). Glossary | Open Government Partnership. Retrieved May 12, 2019, from https://www.opengovpartnership.org/glossary

Orellana Vargas, Patricio (2002), "Apuntes de Ética Pública", Universidad Central, Santiago, Chile.

Organization for Economic Co-operation and Development. (2000). Confianza en el Gobierno. Retrieved Sept. 20, 2019, from https://www.serviciocivil.cl

Ponce, J. (2017). Los jueces, el derecho a una buena administración y las leyes de transparencia y buen gobierno. España. Retrieved from http://laadministracionaldia.inap.es

Rothstein, B., & Sorak, N. (2017). Ethical Codes for the Public Administration. A Comparative Survey. QOG Working Paper Series. (12) 53. 52

About the Authors

Magdalena Calderón-Orellana

Magdalena Calderón-Orellana is an Adjunct Assistant Professor at School of Social Work of Pontificia Univer-sidad Católica de Chile. Her main research interests are human resources management in social services and participation in social policies.

Rafael Araya-Bugueño

Rafael Araya-Bugueño is Public Administrator and Master in Politics and Government He has 20 years of experience in public management. Currently, he works as Head of Audit Office at Secretary of cultures, arts, and heritage. He has lead teams in planning, public policy monitoring. participation, transparency, and public innovation.