COMPLIANCE AND VALUE ORIENTATIONS AT UNIVERSITIES

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ABSTRACT

Compliance, defined as the obligation to follow particular rules[1] at the institutional level, can hardly be considered while disregarding individual actors: after all, it depends on the value orientation of their attitudes and actions.[2] Compliance with the law forms the basis for the actions of all companies, including universities. In Switzerland, most universities have no explicit compliance guides, but they often do have other guidelines that allow making statements about the identity of the institution. The Zurich University of Applied Sciences (ZHAW) has made social integration a priority for 2017/2018. Within the scope of this priority area, 13 research projects were funded; in this case, the subtopic was "work, diversity, living space and social security". In addition, the Department of Social Work provided ad hoc support for smaller projects that illustrate the aspect of social integration. Thus, this institution does not only set guidelines, but also actively promotes them. However, the question remains open as to whether the individual actors act and think in accordance with the guidelines of their institution. As part of a research project on value orientation[3]

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[1]   AMITAI ETZIONI, A COMPARATIVE ANALYSIS OF COMPLEX ORGANIZATIONS: ON POWER, INVOLVEMENT, AND THEIR CORRELATES 33 et seq. (1961).

[2]   MILTON ROCKEACH, THE NATURE OF HUMAN VALUES (1973).

[3]   Project Nr. 162380 of the Swiss National Fonds, accessible at: http://p3.snf.ch/Project-162380 (last visited Apr. 26, 2018, 01:30 PM).

funded by the Swiss National Science Foundation, ZHAW employees were selected as a reference group and asked about their value orientation. The social factor being a crucial focal point at institutions of higher education, the survey was intended to show both the heterogeneity of the group and its common ground: the values shared by all the respondent members that are instrumental in guiding their actions. The precise manifestation of the respondents' social values was also of interest.

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I.   COMPLIANCE AND VALUES: THE KNOWLEDGE BASE

Compliance, in a general sense of following certain rules, may occur in any social context in which people interact with each other.[4]

In business, compliance is understood to mean strategies that pursue the conformity to laws, as wells as regulations in the broadest sense.[5] In the following, we will refer to economics and organizational sociology; while we are aware that universities are not companies in the usual sense, they – at least the universities of applied sciences in Switzerland – are held economically accountable, being partly financed by providing services and attracting research funds. In this area, the observance of rules (even unwritten ones) is particularly important, forming as it does good scientific practice. If we take a closer look at the definitions of compliance from the perspective of economics, we see that in Roth's[6] understanding, for instance, the basis of compliance is a legal duty of companies to ensure that no violations of the law occur; however, the objective goes beyond this duty: compliance presumes not only that companies, i.e. their managers and all employees observe the laws but also that ethical standards shape the company's relationship to various stakeholder groups. In relation to economics, organizational sociology also deals with the issues of legal compliance in companies. Key issues in this context are compliance with rules as well as moral and ethical guidelines. Moral action is dictated by value orientations[7]; ethics are presently defined as principles that assume value-orientation as a norm for human action.[8]

In some cases, it is questionable whether social values agree or can be harmonized with organizational values, and how these possibly diverging values influence the actors. We may also ask whether value orientations may influence organizational goals and values. In economic processes, financial gains can often be more important than social values, and the pursuit of economic goals can lead enterprises into conflict with its declared social orientation.[9] An organisation's guidelines might also conflict with the individual values of its members. A crucial aspect of this conflict is information asymmetry: the official values of organisations are usually known; those of their members usually remain undisclosed. In the following, examples of compliance at Swiss universities will be discussed to shed light on the individual reflexive values of employees.

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4   MITAI ETZIONI, A COMPARATIVE ANALYSIS OF COMPLEX ORGANIZATIONS: ON POWER, INVOLVEMENT, AND THEIR CORRELATES 3 et seq. (1961).

5   MONIKA ROTH, COMPLIANCE – VORAUSSETZUNG FÜR NACHHALTIGE UNTERNEHMENSFÜHRUNG. EIN BRANCHENÜBERGREIFENDES UND INTERDISZIPLINÄRES HANDBUCH MIT FALLSTUDIEN 17 (2016).

6   MONIKA ROTH, COMPLIANCE. IN A NUTSHELL 1-9 (2015).

7   Cf. Weber, 1922; cited after Pohlmann: MARKUS POHLMANN, SOZIOLOGIE DER ORGANISATION: EINE EINFÜHRUNG 166 (2016).

8   MARKUS POHLMANN, SOZIOLOGIE DER ORGANISATION: EINE EINFÜHRUNG 168 et seq. (2016).

9   MARKUS POHLMANN, SOZIOLOGIE DER ORGANISATION: EINE EINFÜHRUNG 168 et seq. (2016).

A. Discussing Compliance at Swiss Universities

While compliance is a central topic for business enterprises, it seems to receive less attention at universities. The scientific symposium "Compliance Management at Universities – More than Sticking to Rules" that took place in Germany in 2012 discussed this imbalance against the background of the increasingly complex regulations governing the university landscape: rules of conduct regarding such values as scientific integrity have come into focus.[10] Some universities have even published compliance concepts or guidelines. Some internal debate appears to be taking place at technical universities.[11] For Switzerland, information on compliance is only available under the heading "scientific/scholarly integrity".[12]

A detailed guideline explicitly called "Compliance Guide" can be found on the website of the Swiss Federal Institute of Technology (ETH) in Zurich.[13] The ETH Zurich defines compliance as pursuing its goals to strengthen integrity and independent action within the university. The definition also includes taking measures against all situations that could damage the reputation of ETH Zurich. The document is intended as a binding guideline for all members of the university across all departments; it relates to various areas such as finance, safety, health, the environment, research involving human subjects, etc. Normative principles such as federal laws, university ordinances and decrees as well as codes of conduct regarding values and ethics are taken into account.

In summary, it can be stated that there has been no discussion on compliance at universities to date, or at least no public discussion. While individual universities are dealing with this issue and developing tools, there seems to be no uniform concept. A striking aspect, though, are general statements of orientation that emerge as key themes or guidelines as well as codes of conduct for universities and individual departments. The importance of values is often addressed; however, the definition of these term often remains unclear.

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[10] FOM conference proceedings: Tagungsband Wissenschaftliche Fachtagung München, 22. – 23. November 2012. Compliance-Management an Hochschulen – Mehr als Regelkonformität (2013), https://link.springer.com/content/pdf/10.1007%2F978-3-658-01270-0_9.pdf (last visited Apr. 26, 2018, 10:48 AM)

[11] Some examples are RWTH in Aachen, Germany (cf. Nettekoven 2012), ETH in Zürich, Switzerland (ETH 2015) or the School of Management of Law at ZHAW, also in Zürich (ZHAW 2012, 2018); ETH Compliance Guide (2015), https://rechtssammlung.sp.ethz.ch/Dokumente/133.pdf (last visited Apr. 26, 2018, 10:45 AM), ZHAW, Code of Ethics of the ZHAW School of Management and Law (2012, unpublished), and ZHAW, *Prinzipien für eine verantwortungsvolle Managementausbildung (PRME)* (2018), https://www.zhaw.ch/de/sml/ueber-uns/prme/ (last visited Apr. 26, 2018, 02:13 PM).

[12] See, for example, Swiss Academies of Sciences, *Scientific Integrity. Compilation of codes of conduct: ZHAW, Dossier Wissenschaftliche Integritä*t (2018), https://www.zhaw.ch/de/hochschulbibliothek/schreiben-publizieren (last visited Feb. 22, 2018, 09:56 AM).

[13] ETH Zürich, Compliance Guide (2015), https://rechtssammlung.sp.ethz.ch/Dokumente/133.pdf (last visited Apr. 26, 2018, 01:23 PM).

B. Compliance and Value Orientation

In addition to the legal guidelines, compliance refers to values that are defined at a meso level by the organization; these are to be observed by the employees. As explained at the outset regarding compliance in economics, these values can be particularly relevant for behaviour in grey areas. If we define compliance as a behavioural concept and assume that employees are guided by values, the micro level also becomes relevant from the perspective of value research. After all, the individual value orientations of an organization's employees shape their attitudes and can have an impact on their behaviour. According to Rokeach,[14] values and value orientations have direct impact on behaviour; indeed, they are regarded as a motivational driving force for action. Value research shows that socialisation, value attitudes and normative orientations all influence the decision to conform to or deviate from certain values. In general, value means something desirable.[15] Individual reflexive values, the personal desires of individuals[16] shape lives and influence goals and actions.[17] Thus, values influence all aspects of action: the objectives, the means of achieving these objectives and the way in which the means are used. It is assumed that external living conditions go hand in hand with internal value orientations and behaviours.[18]

Careful consideration of employees' individual reflexive value orientations within a specific university can provide information about these orientations, the specific factors influencing them and the differences or similarities existing in the different disciplines.

C. ZHAW Guidelines

The ZHAW is a university of applied sciences in Switzerland that comprises eight departments: Applied Linguistics; Applied Psychology, Architecture, Design and Civil Engineering; Health; Life Sciences and Facility Management; School of Engineering; School of Management and Law; and Social Work. The employees work in teaching, research, development and further education, along with offering additional specialized services. ZHAW's long-term goals and annual guidelines can be cited as the documents describing the university's central values. The long-term value keywords are "knowledge-based and competence-oriented", "transformative" and "European". These goals were set for the next ten years in 2015. In addition, each year, ZHAW addresses key social challenges: for

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[14]   MILTON ROCKEACH, THE NATURE OF HUMAN VALUES (1973).

[15]   Clyde Kluckhohn, *Value and value orientations in the theory of action, in:* Toward a general theory of action 388-433 (Talcott Parsons & Edward Shils eds., 1951).

[16]   DIETER HERMANN, WERTE UND KRIMINALITÄT. KONZEPTION EINER ALLGEMEINEN KRIMINALITÄTS-THEORIE 54 (2003).

[17]   MILTON ROCKEACH, THE NATURE OF HUMAN VALUES (1973).

[18]   DANIEL SEDDIG, SOZIALE WERTORIENTIERUNGEN, BINDUNGEN, NORMAKZEPTANZ UND JUGENDDELINQUENZ 94 (2014).

2017/2018, the focus is on energy and social integration. The focus of social integration can be directly related to the organization's values. Social values are key among modern idealistic values, and thus it made sense for ZHAW to actively concentrate on this aspect in 2017/18. For instance, "Social Integration" was a conference topic at a "Retraite"[19] organized by the Department of Social Work. Its aim was to develop projects that show how the university realizes the guiding principle of "social integration". Following this event, four projects were selected and implemented with financial support. One of these promoted the work integration of persons released from prison. Even more important was strengthening the field of social integration by means of research. In 2017, a call for proposals was launched, seeking research projects focusing on work, diversity, living space and social security. The objective of this initiative was a long-term implementation of the focus. 13 projects from a wide variety of disciplines were funded.[20]

ZHAW does not provide an explicit compliance guide, but it has drawn up several codes of conduct, such as the ZHAW Code of Ethics at the School of Management and LAW, which sets out the guiding ethical values such as respect and justice, integrity and trustworthiness, transparency and confidentiality, responsibility and sustainability. These apply to all activities of the ZHAW School of Management and Law, to all its employees and students.[21] The university is also involved in the UN initiative "Principles for Responsible Management Education" (PRME). PRME is an international network of over 650 researchers and universities from 65 countries that pursues the goal of "responsible management training", considering guiding principles of sustainability and presenting regular progress reports.[22] However, the personal value orientations of university employees remain largely unknown.

II.   SAMPLE DESCRIPTION

The surveys among university employees were conducted online. ZHAW has a total of 2977 employees. The link to the online survey was sent to 1329 people; 735 of them completed the questionnaire fully or almost fully. Thus, almost 50% of the gross sample took

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[19]   In Switzerland, a "Retraite" is a form of closed meeting attended by all employees of an organizational unit. This event takes place outside the institution and deals with a key topic.

[20]   Cf. ZHAW, *Forschungsschwerpunkt Gesellschaftliche Integration*, https://www.zhaw.ch/de/forschung/forschungsschwerpunkte/forschungsschwerpunkt-gesellschaftliche-integration/ (last visited Apr. 27, 2018, 09:36 AM).

[21]   Cf. ZHAW, *Forschungsschwerpunkt Gesellschaftliche Integration*, https://www.zhaw.ch/de/forschung/forschungsschwerpunkte/forschungsschwerpunkt-gesellschaftliche-integration/ (last visited Apr. 27, 2018, 10:25 AM).

[22]   ZHAW, *Prinzipien für eine verantwortungsvolle Managementausbildung (PRME)* (2018), https://www.zhaw.ch/de/sml/ueber-uns/prme/ (last visited Apr. 26, 2018, 11:56 AM).

part in the survey, which is considered a very good result for online surveys.[23]

In addition to structural data such as gender, age and nationality, the survey queried the duration of employment, the affiliation to a subject area and the religious denomination. To measure individual value orientation, we used an adapted form of the value scale by Klages extended by criminogenic values developed by Hermann[24] based on two representative questionnaires and a survey in a prison.[25] In addition, in accordance with the prison survey, university employees were also asked questions about the judicial system and punitive behaviour in Switzerland.

For all the following information, only those who made a statement in response to the respective question were included in the evaluation. 38.5 percent of the participants were male, and 61.5 percent female. Of the total of 6 age categories (from "under 24" to "over 60"), the median was the age category "41 to 50". Of the employees surveyed, around 83 percent said they were Swiss nationals. Most of the people surveyed had a university degree (around 75 percent); 35.7 percent of the respondents were administrative and/or technical personnel.

A. Key value orientations of university staff members

Value orientations can guide action and form behavioural strategies in private life as well as at work. Through an explorative factor analysis[26] with the items of the questionnaire's value scale, the dimensions were reduced to identify the most significant value orientations for the given sample. The procedure revealed two dimensions with a declared total variance of around 91 percent. According to the survey, the key values of ZHAW staff members are "aligning my life with religious norms and values" / "believing in God" with around 58 percent declared variance, and "having good friends who appreciate and accept you" with around 33 percent declared variance. Thus, the religious value orientation and the acceptance of friends form the common orientation for the sector of the employees: Gender and age are slightly related to these two dimensions. Women tend to ascribe crucial importance to "having good friends who appreciate and accept you" more often than

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[23]   Online surveys are an effective and inexpensive way of collecting and entering data. The disadvantages are also obvious, though: we do not know if the link reached all addressees, and what the reason for non-participation or abandonment of the survey were.

[24]   Dieter Hermann, *Individuelle reflexive Werte. Zusammenstellung sozialwissenschaftlicher Items und Skalen* (2014), https://zis.gesis.org/skala/Hermann-Individuelle-reflexive-Werte (last visited Apr. 26, 2018, 01:31 PM).

[25]   The total scale contains three main theoretical dimensions: (1) traditional values, (2) modern idealistic values and (3) modern materialistic values. Cf: DIETER HERMANN, WERTE UND KRIMINALITÄT. KONZEPTION EINER ALLGEMEINEN KRIMINALITÄTSTHEORIE (2003).

[26]   Factor analysis is a method of dimension reduction. The aim is to find out which variables are central to the survey population. For the present study, factor analysis reduced the number of items to show more clearly what ZHAW employees understand by values. Main component analysis with Varimax rotation was selected for this purpose. Transverse charges were extracted if not uniquely loaded on a factor. The factor analysis procedure was carried out until a clear structure with the highest possible explanatory power emerged.

men (.149)[27], and older respondents tend to focus on "religious norms and values" more often than younger respondents (.130).

B. Age and gender

As noted previously, there is a weak link between gender and value orientation, which is in line with the general tendencies known from value research;[28] however, clear-cut divergences between age groups cannot be identified from the age categories available to us: the influence is rather weak. The median age category is "41 to 50". The central value orientations following from the factor analysis suggest that religion and friends matter to almost all respondents, thus forming their common denominator. In the following, we will show the variables influenced by the gender of the respondents.
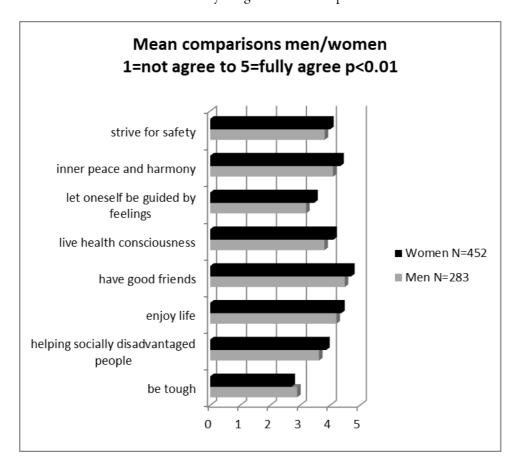

Figure 1.

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[27] The correlation coefficient is a measure of the degree of linear correlation between two at least interval-scaled characteristics. It can have values between - 1 and +1. If the value is 0, there is no connection.

[28] DIETER HERMANN, WERTE UND KRIMINALITÄT. KONZEPTION EINER ALLGEMEINEN KRIMINALITÄTS-THEORIE (2003).

The figure only shows the significant differences in value orientations differentiated by gender. According to these data, security, inner peace and health matter more to women than to men. Women are more emotionally driven than men, and friends are even more important to them than to the male respondents. It is important for women to enjoy life and to help socially disadvantaged people. The final variable was not highly significant but is included in the analysis because it suggests that women tended to be more differentiated in their responses, considering the value of individual items closely rather than simply ticking the category "very important". "Hard and tough" is one of the criminogenic values from the Hermann 2003 value scale; it tends to be preferred by men rather than women[29]. Analysing the influence of sociodemographic factors in the value orientation in youth, Pöge also concluded that gender influences value orientation.[30] Since social integration is particularly important for the institution, the variable "helping socially disadvantaged groups" is exemplarily examined in more detail. By means of a regression analysis,[31] the variability of response to "helping socially disadvantaged groups" is explained mainly by gender, followed by age and finally by profession. Comparisons of the mean values do not give a clear picture here: members of the departments of Social Work, Health and Psychology and Linguistics rate the variable "helping socially disadvantaged groups" the highest, followed by members of the departments of Management and Law, as well as Engineering – but the differences are not always statistically significant. It is remarkable that the initiatives in the framework of the social integration guideline not only come from professions that traditionally have a close connection to social engagement – rather, the topic has met with great interest in all areas.

III.   SUMMARY

In the educational field, the discussion of compliance is still in its infancy. Still, the guidelines and stated priorities of institutions merit attention: these often are de facto compliance statements in the broadest sense. ZHAW is an example of an institution whose priorities are not only well-considered but also actively implemented. The priority area "Social Integration", for instance, receives credibility and sustainability from the connection to research priorities, including the promotion of practical projects. A look at the employee level also shows considerable interest in social integration. Traditionally, such a focus is considered easier to implement in professions committed to the social realm than in the technical and other professions – however, our study shows that characteristics such as gender and age offer more explanatory power than professional self-identification.

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[29]   Melanie Wegel/Anna Isenhardt/Maria Kamenowski, *Geschlecht und Delinquenz: Die Wertetheorie und ihr Erklärungspotenzialmit Blick auf weibliche Inhaftierte*, 30 (2) NEUE KRIMINALPOLITIK, 189 – 209 (2018).

[30]   ANDREAS PÖGE, WERTE IM JUGENDALTER (2017).

[31]   The model was significant overall: Durbin Watson 1.92.