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USE OF CONFIDENTIAL INFORMATION BY PUBLIC RELATIONS PRACTITIONERS AND ITS REPRESENTATION IN ETHICAL CODES

Although ethical behaviour today is an essential part of Public Relations, in the short and intensive development of the profession and the period of professionalisation, Public Relations practitioners are faced increasingly with ethical dilemmas in their daily work for different organisations. At the same time, ethical behaviour is increasingly desirable and required, therefore, inclusion of practitioners in professional associations is crucial, as these have a significant impact on the actions of their members through their activities. In this study we analyse the contents of 30 national ethical codes of Public Relations associations, in order to verify how they regulate the protection and use of confidential information within their business communication. Based on the analysis of ethical codes, the paper identifies areas that relate directly or indirectly to the use and protection of confidential information of communication experts. With the substantive analysis, the definition of terms and categories, with a schematic representation, we have filled the gap in this area significantly, as the concept of confidentiality is treated holistically.

Keywords: ethical codes, confidential sources, public relations, media sources, ethics.

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INTRODUCTION

Ethical issues are among Public Relations' biggest dilemmas that practitioners face (Huang, 2001). The European Communication Monitor (2020) revealed that almost every other Public Relations practitioner faces ethical challenges in their work. Series of unethical practices have been affecting the credibility, value and public image of Public Relations for years (Ki & Kim 2009). Although decades of professional progress and development have brought a change for the better, the industry still suffers from a bad reputation (Parsons 2016; Tkalac Verčič, 2020).

With the decision of Public Relations practitioners to manage their activities without "spin", propaganda and manipulation" (Bowen, 2016), the centre of action of practitioners has changed and standards of acceptable behaviour have developed (Turney, 2012). Bowen (2004) believed that ethical behaviour belongs to the general principle of excellence in Public Relations management and communication. With ethical values becoming the core of responsible organisations, the practitioner, as an intermediate link between the organisation and its public and guardian of organisational reputation, has an even more important role, the role of ethical advisor (Grunig, 2014; Bowen, 2008; Bowen, 2016).

When facing with ethical challenges, Public Relations practitioners are relying primarily on their personal values and beliefs, while organisational guidelines and ethical codes are somewhat less, but still important to them (European Communication Monitor 2020). In general, practitioners are expressing support for a code of ethics and the association's role in promoting adherence to a code of professional Standards (CPRS, 2021).

CODES OF ETHICS AND PUBLIC RELATIONS

There are more than 70 national and international Public Relations Associations that provide training, accreditation and mentoring opportunities (Yang & Taylor, 2010). Professional associations influence the professionalisation process of their members through various mechanisms. As Yang, Taylor and Saffer (2015) wrote, cognitive mechanisms include trainings, conferences, books, magazines, and focus on their intellectual abilities. Normative mechanisms concern membership criteria, entry conditions, certificates, ethical codes and disciplinary measures, which focus on the activities of members, while symbolic mechanisms are oriented towards how the profession is viewed by the internal and external public (e.g. through the recognition of excellence), authors are adding.

Many professional associations, especially through codes of ethics, have sought to establish a system of ethical Standards and Guidelines for their members (Kim & Ki 2009). Codes of ethics set the framework for acceptable norms of behaviour (Wilcox et all., 2003), and express fundamental and specific professional values and expectations of the public and society towards professional Public Relations practitioners (Kim & Ki 2014; Yang, Taylor & Saffer 2015). They are usually voluntary, and intended only for association members (Yang, Taylor & Saffer 2015), and influence the actions of practitioners through different approaches. Some codes of ethics of professional associations are written in terms that prohibit certain activities, others advocate a set of ethical principles to be followed (Bowen, 2007). However, professional associations, with voluntary membership, do not have much room for manoeuvre in their enforcement. Therefore, their advisory, educational function and the definition of Standards of Conduct are more often emphasised in ethical codes (Wilcox et al., 2003).

Various scholars are generally in support of ethical codes, but many criticise their effectiveness. The sheer existance and adaption of an ethical code does not guarantee ethical behaviour, but its very existence often shows a desire to raise professional standards and determine behavioural criteria (Tkalac Verčič 2020). Fitzpatrick and Gaulthier (2001) acknowledged that professional associations have done an excellent job of developing codes of conduct for their members, but that these do not provide a sufficient theoretical basis for ethical decision-making.

Some authors believe ethical codes have little impact on Public Relations practice (Yang, Taylor, & Saffer 2015). Wright (1993) claimed that these are most helpful to those who already act ethically and responsibly, and have only a minimal impact on those who need them. Kim and Ki (2009) argued that there is no effective method to prevent practitioners from engaging in unethical practices. Hunt and Grunig (1995)added, guidelines for ethical behaviour only indicate where the main areas of abuse are, but do not represent "a complete guide to all the nuances of fairness and justice." Bowen (2004) believed that accepted codes of ethics are helpful as general guidelines, but provide little concrete guidance, and rely heavily on individuals to interpret for themselves what individual principles require of them. Pater and Van Gils (2003) claimed that the existence of ethical codes does not affect the ethical behaviour of individuals, but training and dialogue lead to an effective ethics programme. Codes of ethics are used rarely as a disciplinary tool, which only defines them further as idealistic, perhaps even illustrative in content and use, wrote Fawkes (2012), and added that their central power was thus only manifested in the embodiment of the set concept identity in an individual and collective sense.

CONFIDENTIAL SOURCES OF JOURNALISTIC INFORMATION AND COMMUNICATION EXPERTS

This study focuses on confidential sources and their use of communication experts. Among journalists, using confidential sources remains a key part of journalistic practice, as it enables journalists to reveal the unethical or illegal actions of individuals more easily (Osifelo, 2017). Despite the criticism that accompanies them, the inclusion of confidential sources can be the only way for certain information to become public (Poler Kovačič 1997; Franklin et al., 2009).

At the same time, the practice of involving confidential sources allows individuals with different motives to use the media to achieve their goals (Fitch, 2004). Sources granted anonymity may

feel that they do not have to adhere to moral constraints, and find it easier to mislead the public with distorted truths, perhaps even for self-serving purposes (Perloff, 2020). Media reporting assumes that sources are telling the truth, as this is also demonstrated by their actions, on the basis of which they have built reputation and trust over time (Duffy & Freeman, 2011). When information turns out to be inaccurate, the credibility of the media is also at risk (Duffy & Freeman, 2011). However, since a confidential source is not bound to be responsible for the words uttered, when such information is published, it is the journalist who bears the burden of responsibility (Sigal, 1973). The promise of confidentiality and the price of pledged credibility can, thus, lead to a situation where journalists have to support such a source, even when it becomes questionable (Carlson, 2012).

Public Relations practitioners are often advised against providing confidential information (Tkalac Verčič, 2020). Some authors (Litwin, 2008; Marriot & Williams, 2009; Franklin et al., 2009) emphasised that communicators should be aware that, in a conversation with a journalist, everything is official ("On the record"), or that the journalist can use or publish all spoken words.

There is a lack of studies that try to shed light on the exchange of confidential information of communication experts. Thus, we can only assume that confidential information, especially given the nature of their work and the strategic goals they pursue, as well as the frequency of journalistic contacts, informal relations between them, also comes from the types of relations with the public. Communication professionals are expected to influence journalistic work (McCollough, 2015), and in pursuit of their own strategic goals, they try to influence the news process by providing information that journalists need (Shin and Cameron, 2020). Valentini (2009) assumed that, by investing in interpersonal relationships, communicators try to elicit gratitude, respect, positive attitude, maybe even friendship. The influence of individuals can, therefore, contribute to successful

Public Relations as a result of strong personal relationships with key stakeholders, on which the success or failure of the organisation depends (Falconi, 2011), as suggested by Grunig's personal influence model, which refers to establishing and maintaining personal relationships of communicators with key individuals with the aim of fulfilling organisational goals (Grunig, Grunig, Sriramesh, Huang, Lyra, 1995; Toth 2000). Establishing a personal relationship as a communication goal (Toth, 2000) therefore plays an important role between journalists and communicators in the gathering of information and the process of disseminating news (Shin & Cameron 2003b). With close and personal relationships, communicators can influence journalistic content more easily (Obermaier, Koch, Riesmeyer, 2018), when they get a better insight into the journalist's thinking (Malling, 2019). Through informal interactions with sources, journalists receive new information for investigative journalism or a deeper understanding of the background, and move away from the news that "everyone reports" (Malling, 2019).

MATERIALS & METHODS

In this study we undertake an analysis of the content of the national Codes of Ethics of associations of communication experts, in order to verify how they regulate the use of confidential information by Public Relations practitioners, and outline a conceptual model of the use of confidential information within ethical frameworks which would offer a comprehensive insight into the field.

A qualitative analysis was carried out to address the following research questions:

RQ1: Do association codes of ethics address the use of confidential information directly or indirectly?

RQ1.1: How do they address the field directly?

The research question explores the elements that regulate the field directly, and how they deal with the use or protection of confidential information.

RQ1.2: How do they address the field indirectly?

Which content concepts relate indirectly to, or are related to the studied topic, whereby these relate to the field indirectly:
-   in relation to other practitioners and journalists,
-   according to the standard of practice of the practitioners, i.e. expected and inappropriate, i.e. unauthorised practice,
-   in connection with the personality characteristics and values of the practitioners (when we talk about the transmission of information).

RQ2: How are individual concepts interrelated?

What kind of conceptual frameworks are formed by the indirect and direct elements within ethical codes.

In the study, professional associations are defined as organisations whose objective is to set the Standard and Guidelines for the Public Relations practice of their members.

Sampling
The sample initially included a total of 66 Public Relations Associations. We further reviewed the websites of national associations to obtain codes of ethics. In order to locate ethical codes, we translated foreign websites using an online translator. Only national associations with their own codes were included. We excluded organisations specialised in the field (such as institutes, that work primarily in the field of Education and limited geographically). A total of 30 ethical codes of Associations were obtained through association websites, all of which dealt with the use of confidential information.

The sample includes countries from five regions (Asia, Africa, Europe, the Americas, Oceania), and countries with diverse political and economic backgrounds.

In the initial phase of the analysis, which took place at the beginning of 2022, the content of the codes was analysed carefully, in order to determine whether they addressed confidential information, or the concept of confidentiality and information protection. The search included the identification of content areas of codes that related to the field directly or indirectly. Each citation was reviewed, translated and analysed to be classified.

Furthermore, we analysed the ethical codes with the help of qualitative analysis. We used ATLAS.ti for qualitative analysis, where we captured the essence of concepts and categories in the form of definitions. With the help of selective coding, we compared the obtained and defined categories with each other, and arranged them in assumed relationships (Mesec, 1998). Next, a re-examination of the codes and already formed categories and subcategories followed (e.g. renaming, transformation) with the creation of a theoretical model.

RESULTS

All the analysed Codes of Ethics (30 Codes of Ethics of Associations) dealt with the use and protection of confidential information. On average, each code contained 5 references from codes on the topic of the use and protection of confidential information, and the total number of codes was 147.

The statements in the codes were broken down into smaller units or codes, and then grouped into six categories: the concept of confidentiality, personal and professional ethics, information management, legislation and public interest.

These categories were connected, and then shown and displayed in a scheme (Scheme 1), as, based on the analysis, we found that the categories are interconnected and intertwined. We also noticed that certain information referred to the use of confidential information indirectly, and certain information directly.
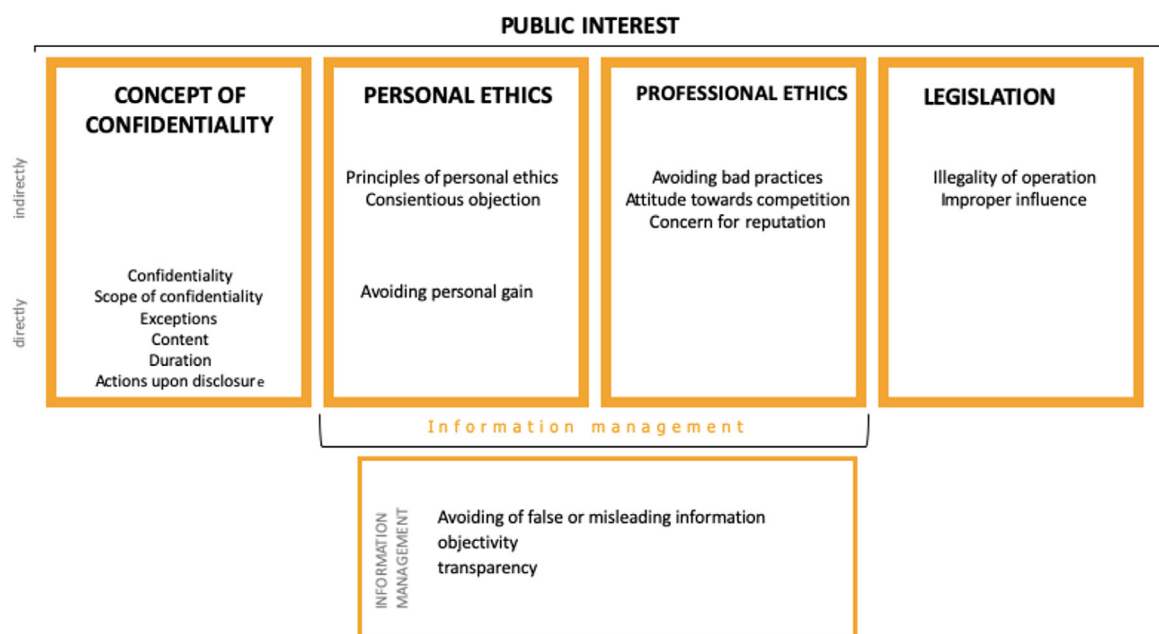
Scheme 1: Schematic representation of the field

According to the studied content of the ethical codes, the field of confidential information communication is supported by four fundamental pillars that define the Standards of the concept of confidentiality, guidelines of personal and professional ethics and legislative guidelines, considering the public interest and respecting the fundamental guidelines regarding information management that apply in the field of Public Relations.

a) Concept of confidentiality

The concept of confidentiality is mentioned in almost all codes (27 out of 30). Among the six subcategories within the concept, scope and exceptions are the most exposed subcategories.

Most of the studied ethical codes deal with and include various recommendations when they impose on members the obligation to respect and protect confidential information, or when they mention the very concept of confidentiality. In general, ethical codes impose the obligation to respect and protect confidential information (confidential and personal, private information), or to respect the principle of confidentiality of information, and they define trust as the centre of the relationship between customers and communicators.

The definition of the content of information that should be protected is, in most cases, loose and inconsistent, defined by information which originates from communication, business and operational activities. In some cases, it includes documents or information obtained through an official capacity as protected information. In another case, business information, technical methods or processes are mentioned. In the case of the Japanese Code of Ethics, in addition, personal information is also included in the commitment to protect it. Within the concept of confidentiality, measures are included upon the disclosure of confidential information. They refer to the actions of practitioners when they perceive that the information has been disclosed.

b) Personal ethics

Within the category of personal ethics, the area is addressed both indirectly (within the subcategories of principles of personal ethics and "conscientious objection") and directly (avoidance of personal gain). In one case (France), the Code of Ethics includes a "clause of conscience" that allows the practitioner to justify the refusal to provide information that is incompatible with the obligations of this code.

In a direct sense, the field is addressed by "personal gain". Statements about prohibited use of confidential information for personal benefit of practitioners appear in 5 examples of ethical codes.

c) Professional ethics

Regarding the principles of professional ethics, which deal indirectly with the studied area, we can identify three subfields.

Avoidance of inappropriate practices
The analysed statements refer mainly to the use of information for misleading and manipulative purposes, mentioning various methods or practices (such as fictitious sources of information, agreements on the dissemination of negative information with the media or other manipulations).

Concern for reputation
In various cases the codes of conduct relate to refraining from damaging the reputation of the profession or the professional reputation of Public Relations practitioners.

Attitude towards competition
The analysed Codes of Ethics deal, in particular, with the attitude towards other practitioners and other competitors - they mention above all that members must refrain from unfair competition towards other Public Relations practitioners.

d) Information management

When managing information, the studied area is treated indirectly.

Accurate, truthful and verified information
The importance of communicating accurate, true and verified information were most often highlighted in the ethical codes. Public Relations professionals must adhere to the highest ethical standards, truthfulness and accuracy. They need to disseminate reliable information, based on facts, and verifiable.

Avoiding false or misleading information
Codes of Conduct deal with deliberate deception with information, manipulation, intentional transmission of false and incorrect information. Often, any form of misleading the public is prohibited, as well as the use of false or misleading information, the dissemination of information that would be harmful to third parties, or the use of forms and methods of work that lead to this.

Objectivity of information
Objectivity of information has a special place in the analysed ethical codes, often mentioned along with honesty, accuracy and truthfulness. In Lithuania for example, objectivity is defined as disseminating known and true information, avoiding irresponsible statements and comparisons.

Transparency of information
In general, transparency of information includes clear and open communication about data, their origin, methods and connections.

e) Legality of operation

In indirect influence, the legality of the operation is mentioned, to highlight compliance with legal provisions when providing information. In one case, "improper influence" is mentioned, describing actions that would influence authorities, legislation, officials or the media unduly.

f) Public interest

Only in two cases was public interest mentioned as a contribuion to society within the studied area. In the case of Bulgaria, promoting the free exchange of reliable, accurate and timely information is essential for the public interest, when deciding on important decisions in a democratic society.

DISCUSSION AND CONCLUSION

In order to determine the extent to which existing codes address the use of confidential information, we conducted an analysis of 30 National Codes of Ethics of associations of communication professionals. Based on the analysis of ethical codes, we identified areas that relate directly or indirectly to the use and protection of confidential information of communication experts. With the substantive analysis, definition of terms and categories, and with schematic representation, we have filled the gap in this area, as the concept of confidentiality is treated holistically.

As Poler Kovačič (2015) wrote, the purpose of ethical codes is not to offer precise instructions for the use of anonymous sources, but more detailed guidelines can also be found among them. The analysed ethical codes are also similar in this respect. Most national ethical codes include general recommendations relating to the protection of confidential information, but some stand out in individual, specific definitions of undesirable or prohibited conduct.

The basic definition of protected information in the analysed Codes of Ethics usually includes information that refers to the business and operational part, or that refers to the activities of organisations (e.g. methods and technologies), and documents and the information discussed in them, and, in one case, they also highlight "personal information".

The basic definition of the protection of confidential information (scope, duration, form of information), the content of ethical codes varies, but in

the desire to define a general standard of behaviour, we suggest unification would bring general benefit to the field, having in mind special emphasis on the protection of particularly sensitive information (for example in healthcare, the judiciary, the banking sector and similar). Similly, Bowen (2017) pointed out the ethical duty to protect and use personal data and records (for example, in the databases of organisations and companies where they manage sensitive data, such as financial data, purchase history, medical data and other personal information), which must be supported by an appropriate Policy of Conduct.

In Ki and Kims (2010) study of ethical codes within Public Relations companies, they identified respect for clients and professionalism as being dominant values, while values such as reputation, independence and honesty were less important. When it comes to confidential sources and analysed codes of conduct, reputation (damage to the reputation of the profession or practitioners), honesty is in the foreground. Few individual codes of conduct stand out positively, such as the Canadian Code of Ethics, which requires practitioners also to respect the ethical codes of other professions when they work with their colleagues. Codes of Ethics generally prohibit the use of false or misleading information, or focus specifically on providing information without distortion or manipulation. The Nigerian Code goes a step further, by defining fair treatment of others by avoiding "challenging" claims and unfair comparisons and taking credit for the ideas and words of others.

Without ethics in Public Relations, a competitive race can degenerate into a race without boundaries, misinformation and aggressive tactics that can harm PR organisations as well as clients and employers, and ethical Standards in a competitive match bring application to both (GSPM). The right way to proper communication is accurate and sincere communication, based on truthfulness. Only in individual cases, however, do ethical codes define the exchange of false information and disinformation. At the time we face with examples of planned social media disinformation campaigns by unethical Public Relations agencies to create false or misleading content and spread it on social media (GSPM, 2020), as well as "astroturfing", the creation of false information, feeling of people's widespread support for certain political ideas, products or individuals (Bienkov, 2012), there is a need to rethink the Codes of Conduct content. In the reviewed ethical codes there was also no evidence of using confidential or anonymous sources as a tool for media manipulation. According to Mollica (2015), more attention should be paid to the content of information, verification of sources and accurate communication.

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KORIŠTENJE POVJERLJIVIH INFORMACIJA STRUČNJAKA ZA ODNOSE S JAVNOŠĆU I NJIHOVA PREZENTACIJA U ETIČKIM KODEKSIMA

SAŽETAK

Iako je etičko ponašanje danas bitan dio odnosa s javnošću u kratku i intenzivnu razvoju profesije i razdoblju profesionalizacije, praktičari odnosa s javnošću sve se češće suočavaju s etičkim dvojbama u svakodnevnu radu za različite organizacije. Istovremeno, etičko je ponašanje sve poželjnije i potrebnije, stoga je ključno uključivanje praktičara u strukovna udruženja koja svojim djelovanjem značajno utječu na djelovanje svojih članova. U studiji analiziramo sadržaj 30 nacionalnih etičkih kodeksa udruga za odnose s javnošću kako bismo provjerili na koji način reguliraju zaštitu i korištenje povjerljivih informacija u okviru svoje poslovne komunikacije. Na temelju analize etičkih kodeksa u radu su identificirana područja koja se izravno ili neizravno odnose na korištenje i zaštitu povjerljivih podataka komunikacijskih stručnjaka. Sadržajnom analizom, definiranjem pojmova i kategorija te shematskim prikazom značajno smo popunili prazninu u ovome području jer se pojam povjerljivosti tretira holistički.

Ključne riječi: etički kodeksi, odnosi s javnošću, medijski izvori, etika.