

Accountability at S&W

An ethical framework for decision-making

"We are responsible for the commitments we make. We are accountable to our communities for human and fiscal resources entrusted to us."

(Source: "Our values," "About Sunnybrook and Womens.")

Accountability for reasonableness

There are four conditions that define a *fair* decision-making process:

Relevance: Decisions should be made on the basis of reasons (i.e., evidence, principles, values) that "fair-minded" people can agree are relevant to meeting diverse health needs under resource constraints.

Publicity: Decisions and their rationales should be made publicly accessible.

Revision and appeals: There should be opportunities for dispute resolution and to revisit and revise decisions in light of further evidence or arguments.

Enforcement: There should be voluntary or public regulation to ensure that the other three conditions are met.

Fair-minded people are disposed to seeking mutually justifiable solutions to priority setting problems. Thus, they seek solutions that are based on relevant *reasons* and they apply cooperative decision making processes that are *transparent, fair, and inclusive*.

(Source: Norman Daniels and James Sabin, *Setting Limits Fairly: Can We Learn to Share Medical Resources?* Oxford: Oxford University Press, 2002.)

Accountability at S&W

Accountability is one of Sunnybrook and Women's five values (including Excellence, Collaboration, Respect, and Empowerment). This value recognizes that as an institution, we are "responsible for the commitments we make" and "accountable to our communities for human and fiscal resources entrusted to us."

An important part of being publicly accountable is having ethical and effective decision-making processes. S&W has adopted an ethical framework called 'accountability for reasonableness' to help decision-makers throughout the organization set priorities and make decisions that are legitimate and fair.

Decision-making challenges

Decision-making about how to allocate scarce resources – time, personnel, space, equipment, money – affects patients and their families. How we make these tough decisions says a lot about who we are as an organization. We owe it to the communities we serve to ensure that the decisions we make about how to use scarce resources are of the highest caliber.

Living the value of Accountability means developing decision-making processes that are both ethical and effective. Time and again it has been found that if people know and understand *why* a particular decision was made, they will be more willing to accept the decision. This is particularly true if people feel that they have been a part of the decision-making process. Even though there may be disagreement about what the "right" decision should be, decisions can be acceptable if the decision-making process itself is inclusive, transparent, and fair.

Why 'Accountability for Reasonableness'?

'Accountability for Reasonableness' (A4R) is an ethical framework that describes the conditions of a *fair decision-making process*. It focuses on *how* decisions should be made and *why* these decisions are ethical.

In January 2001, with the support of the University of Toronto Joint Centre for Bioethics, S&W adopted this ethical framework and tested it in the 2001/02 Operating Plan process. A case study was conducted to evaluate this process and a number of areas for improvement were identified. In October 2001, senior decision-makers from both campuses (including members of Senior Management, the MAC, and other medical and operational leaders) endorsed the continued use of the ethical framework, with refinements based on the recommendations of the case study.

What's next? The next steps are to translate the ethical framework for wider use at all levels of decision-making in the organization, to continue implementing the recommendations of the case study, and to evaluate our success with a follow-up case study so that we keep improving our decision-making processes.

Accountability in action

Does your decision meet the conditions of A4R?

Before you make a decision...

Relevance condition:

- Have you identified *who* the stakeholders are and *how* you will include them in decision-making?

Publicity condition:

- Have you got a plan in place for effectively communicating the decision *and* its rationale to stakeholders?

Appeals condition:

- Is there a mechanism in place to revisit and revise decisions and to resolve disputes if they arise?
- Do stakeholders know it exists and how it works?

Enforcement condition:

- How will the fairness of the process be evaluated?

After you make a decision...

Relevance condition:

- Was a *rationale* for the decision clearly identified?
- Were any stakeholders missing from decision-making?

Publicity condition:

- Was the decision and its rationale communicated *effectively* to stakeholders?

Appeals condition:

- Were there opportunities to hear appeals and to revisit and revise decisions on the basis of new evidence or argument?

Enforcement condition:

- How could the process be *improved* to better meet these conditions?

When can this framework be applied? Who should apply it?

Generally speaking, the framework applies to any ethical decision that involves multiple stakeholders. As a rule of thumb: if someone's interests will be affected by a decision, then the ethical framework applies. This is because stakeholders deserve to know and understand why the decision is made and how they can participate in determining what the final decision will be.

This is particularly important in making resource allocation decisions. Senior management is already committed to applying the framework in its decision-making. But resource allocation decisions are made at many levels throughout the organization and not just by senior management. The ethical framework should guide decision-making about scarce resources by middle managers and clinicians as well.

Taking action: What should we do?

It is important not just to identify *what* the decision is, but also to provide an explanation of *why* the decision was made. The goal is to make reasonable decisions that are inclusive, transparent, and fair.

To do this, you should:

- **Identify** your stakeholders and **include** them in decision-making. Stakeholders may be involved as decision-makers or as consultants in decision-making. The aim is to ensure that decision-making includes a broad range of ideas and stakeholder perspectives.
- **Clarify** your decision-making procedure upfront. Decision-makers and stakeholders alike need to know and understand a) how decisions will be made and b) how and on what basis they can appeal decisions.
- **Provide** a statement of rationale for each decision. It is not enough that a decision is made. Ethical decision-making requires that reasons be given to justify each decision.
- **Communicate** the decision and its rationale to stakeholders. The key is access to information and this means *effective communication*. Knowing who your stakeholders are will help to identify how best to communicate with them (e.g., websites, email, public forums, newsletters). Better yet, ask their input on how to develop an effective communication strategy.
- **Revisit and revise** decisions on the basis of new evidence or argument brought forward either through a formal appeals mechanism or through consultation with stakeholders.
- **Evaluate** how successfully the decision-making process met the conditions of 'accountability for reasonableness'. There may be gaps between *what you do* and *what you should be doing*. To close this gap, you need to be able to evaluate your success.
- **Improve** the decision-making process to make it more ethical. The gaps you identify are areas of improvement for subsequent iterations of decision-making. Learning from experience demonstrates that you take seriously our corporate commitment to being publicly accountable and to seeking excellence in how we do business as a health care institution.