

**Academic Paper**

# The systemic nature of duty of care in coaching: coach, client, customer and beyond

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## Abstract

Duty of care is part of the ethical framework of conduct in how coaches act, and whilst codes of ethics can help guide coaches, they do not address the complexity of duty of care. The executive coach's role is complicated as they operate in tripartite relationships which include the coach, the client and the customer. This qualitative research involved interviews with thirty executive coaches where duty of care in coaching was explored. This article discusses one of the practical contributions of the study, how a coach's duty of care is systemic and includes all those in the coaching relationship.

## Keywords

duty of care , coaching, executive coaching , systemic, ethics

## Article history

Accepted for publication: 16 May 2023

Published online: 01 June 2023



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Published by Oxford Brookes University

## Introduction

Duty of care is described as being part of the ethical framework of conduct in how a coach acts in relation to promoting the welfare of others (Brennan & Wildflower, 2018). It is associated with the coach's own sense of what is fair and right, both legally and ethically, connected to the coach's own principles of behaviour (Iordanou, Hawley & Iordanou, 2017). The executive coach has greater complexity in their roles due to multiple stakeholders in the coaching relationship, and duty of care is arguably of integral importance. Whilst literature discusses theoretical ethical best practice in coaching, and coaching bodies' codes offer guidance, empirical research concerned with exploring duty of care in coaching is largely absent.

The research was qualitative and inductive, using semi-structured interviews with thirty executive coaches. The findings challenge assumptions on the level of understanding of duty of care in coaching, and positions duty of care firmly in coaches' development and practice. One of the practical contributions of the research is how a coach's duty of care is systemic and includes all those in the coaching relationship, as shall be explored in this article.

## Literature Review

The literature review focussed on coaching/executive coaching and duty of care; ethical practice in coaching, coaching bodies and codes of practice. Indeed, coaching has drawn much from related 'helping' professions, consequently counselling and psychotherapy were selected as two fields from where literature was drawn. In addition, sport was included as the development of this field in relation to duty of care has seen much progress in recent years.

Search terms used included executive coaching, ethics in coaching, coach development in ethics, coaching ethics, sport ethics, care in sport, helping professions, ethics in helping professions, duty of care, making sense, sensemaking and enactment. Literature was sourced from peer-reviewed journals in relevant fields through search engines including Google Scholar, PsychINFO, ProQuest, ResearchGate, and Brookes' RADAR repository for e-theses and dissertations. Literature was also sourced from academic and practitioner textbooks on coaching, sports coaching and 'helping' professions. A further source of literature was coaching bodies' ethical codes of practice, a conversation with the ICF Ethics Independent Review Board and a report shared by them (IRB, 2021).

### Duty of care

Duty of care encompasses both ethical and legal dimensions in professional contexts and is described as being part of the ethical framework of conduct concerned with how individuals act in relation to promoting the welfare of others (Brennan & Wildflower, 2018). A duty of care applies to a coach's legal responsibilities and to their ethical and moral practice (Williams, 2006; Iordanou et al., 2017). It is associated with a coach's own sense of what is fair and right, connected to the coach's own principles of behaviour, encompassing all interactions of the coach (Iordanou et al., 2017). Evident from the coaching bodies is how there is an inherent responsibility for the coach to act in good faith, serving the needs of the client, and to operate within the laws of the country within which they practice (Wright & O'Connor, 2021). However, although the number of coaches has increased in recent years (ICF Global Coaching Study, 2020), the conversation in the literature on ethics and duty of care in coaching has not.

Duty of care covers the protection of the practitioner and their clients, morality in relation to others, safeguarding of a practitioner and others, and generally doing no harm to oneself or to others (Torda, 2005; Bond, 2015; Caplan & Parent, 2017.). Although executive coaches do not have specific laws relating to coaching, they are required to adhere to the general law of civil liability, the law of tort (Mitchels & Bond, 2010), which encompasses duty of care. Duty of care is the first of typically four elements required for a claim of negligence (Wright & O'Connor, 2021) covered under tort law. Tort is a term used for a branch of law that imposes civil liability for breach of obligations and civil wrongs, including negligence, that cause someone to suffer harm or loss (Williams, 2006). Claims of negligence encompass doing something a person who is considered to be reasonable would refrain from doing if they were in a similar, or the same, situation (Williams, 2006). Whilst principles referred to in this research related to law in the United Kingdom, interrogation of literature provides confidence 'that the legal principles underpinning the law of negligence remain largely consistent throughout the world' (Partington, 2021, p. 6). Thus, this research has relevance not just for coaching in the United Kingdom, but more broadly.

Evident from the literature is the complex nature of duty of care, and how it is rarely defined (Bond, 2015). Duty of care in coaching, specifically executive coaching, is an underdeveloped research area with only minimal texts available (Lindberg & Desmond, 2006; Williams, 2006; Wright & O'Connor, 2021). Complaints raised to coaching bodies are increasing (IRB, 2021) and the literature argues for education in ethics for coaches to be placed centrally in coaches' development

(Diochon & Nizet, 2015). Codes of ethics signpost professional best practice (Cox, Bachkirova & Clutterbuck, 2018), yet the literature does not provide sufficiently explored domains of duty of care and to whom coaches have a duty of care to. Ethical codes go some way in providing coaches with frameworks on how to manage conflicts of interest, conduct, integrity, contracting and other matters, yet the literature criticises coaching bodies for moving too far towards competence and skill bases only (Bachkirova, 2017). Furthermore, whilst coaching body codes of ethics encompass duty of care, it is not explicit, nor is it defined (GCE, ICF Code of Ethics).

It is acknowledged that coaching can have negative effects on the client and the wider system (Hawkins & Turner, 2019) in which the client operates (Schermuly & Graßmann, 2019). Indeed, O'Connor and Cavanagh (2013) show that coaching has a ripple effect, creating an impact at relational and organisational levels. Given the unregulated nature of coaching, and empirical research suggesting that coaching does have a ripple effect (O'Connor & Cavanagh, 2013), organisations could be at risk of engaging with coaches who may be incompetent or unethical (Schutte, 2019). This has relevance to the coach's duty of care in the wider system, and not only to the person they are coaching.

## **Executive coaching**

Executive coaches work with leaders from middle management upwards in one-to-one relationships (Peltier, 2010; Stokes & Jolly, 2018), through a formal engagement where the executive coach focuses on improving an individual's performance in a confidential partnership between the coach and the executive (Stokes & Jolly, 2018). Coaching association membership, or affiliation, may help increase the credibility of a coach (Iordanou et al., 2017) with ethical frameworks there to guide practitioners' ethical behaviour, as discussed previously. Yet, as with all types of coaches, executive coaches are not part of a regulated profession and largely operate autonomously, self-monitoring their ethical practice (Peltier, 2010) in an unregulated and fragmented industry (Myburgh, 2014).

Executive coaches arguably have greater complexity in their working relationships compared to other coaching disciplines because their relationships are typically three-fold, comprising the client (the coachee), the customer (the organisation) and the coach (Pliopas, 2017). The executive coach is required to 'recognise and appreciate the complex organisational dynamics in which executives operate. ... ensures a systemic approach through continual awareness of the impact of the coaching process on everyone in the system and vice versa' (Ennis, Hodgetts, Otto, Stern, Vitti & Yahanda, 2015, p. 17). Whilst literature advises the coach to have a systemic approach, literature is absent on how this relates to ethics and the coach's systemic duty of care.

## **Research Design and Methodology**

The research was concerned with exploring how executive coaches made sense of duty of care and how they enacted it, fitting with adopting a constructivist ontological stance. Similarly, coaching is an interaction between two people, ontologically constructivist. In both research and coaching, individual experience of a dialogue exchange (be it research/participant or coach/client) would be different, and what we consider to be real would be in our minds (Creswell, 2007). Ontologically, reality in these two scenarios is constructed in the minds of those involved through each experience (Lincoln, Lynham & Guba, 2011), with relativity to the individual – it lies in the minds of the actors involved. Executive coaches operate independently, and each assignment is unique. Understanding this, the constructivist stance in the research was underpinned by the assumption that there would be complexity with multiple meanings. Within constructivist research paradigms 'meanings are varied and multiple, leading the researcher to look for the complexity of views rather than narrow meaning into a few categories or ideas' (Creswell, 2007, p. 21). The aim was not to

categorise narrowly, but to have theoretical freedom to work with the data (Braun & Clarke, 2016; 2022) without the restrictions of rules and principles of positivist paradigms (Boyatzis, 1998).

The research aim supported the adoption of an inductive approach using participant interviews and thematic analysis. The inductive approach (Creswell, 2007; Lincoln et al., 2011; Bryman, 2016) anticipated that coaches' experiences would be situational, subjective, unique, and socially constructed. Using thematic analysis would give theoretical freedom and flexibility to generate rich and detailed accounts (Braun & Clarke, 2006; Braun, Clarke & Weate, 2017).

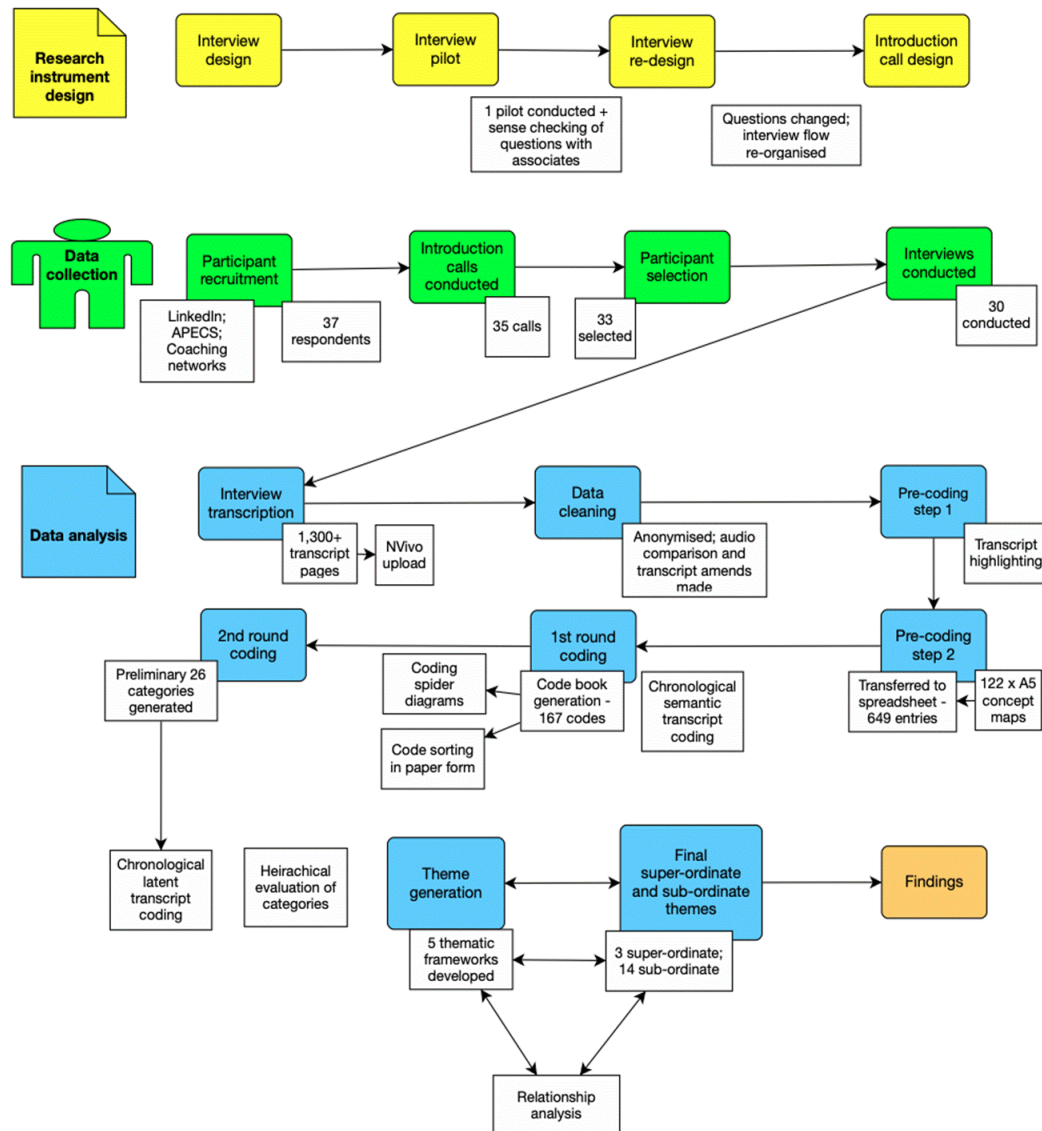
Thirty executive coaches with diverse experience, professional training, and coaching body affiliation were interviewed. The number of participants was considered appropriate to maximise the opportunity of developing concepts and themes from the data through the broadness of participant perspectives (Baker & Edwards, 2012; Corbin & Strauss, 2015). Research design, data collection and data analysis stages were conducted as is shown in fig. 1, stages of which shall now be explained.

The interviews were conducted via video on Zoom, with the audio recorded, and transcripts manually checked for accuracy and data cleaning through meticulous reading all 1,300 pages. Participant names were changed to pseudonyms to ensure anonymity and any identifiable data were redacted. Once cleaned, the first stage of pre-coding consisted of manually highlighting areas of interest in the transcripts followed by pre-coding step 2, which involved drawing mind maps of the key themes for each interview, capturing emergent thoughts and areas. This level of analysis provided a description using a semantic approach, a pitfall some researchers fall into by stopping at this point (Braun & Clarke, 2006). This level is described as a procedural step adopted by researchers to assemble and reduce the data (Braun & Clarke, 2022). Once this procedural step was completed, coding commenced.

The data were coded with an inductive approach by reading and re-reading for themes, moving beyond the semantic, into a level which would help identify underlying ideas, assumptions and conceptualisations that shaped and informed the semantic content of the data. The entire data set of thirty interviews were coded systematically, with full and equal attention given to each interview. Codes were generated from the words of the participants.

The second round of coding involved organising the hierarchy of generated codes into categories, labelling accordingly, and eliminating codes. An exercise of sorting took place here, with decisions made on which codes had relevance and which did not. Going back to the research aim guided this process, and a close check on which codes were interesting but had no relevance to the research aim. The codes were sorted and re-sorted, with a final output of 26 categories, the subordinate themes, which were condensed further, grouping into thematic networks. The final stage in analysis involved continual refinement of the specifics of the thematic networks, assessing each theme and deciding on the final superordinate themes which related to the research aim and objectives. The descriptions of each superordinate theme and subordinate theme used in the thematic networks were refined to provide a clearer representation of the data.

Figure 1: Conceptual framework of research method (Mayhead, 2022)



## Findings

### Duty of care to the client and customer

The findings suggest there was a hierarchical order in a coach's duty of care. The research found coaches had a primary and a secondary duty of care. Most coaches said they had a primary duty of care to their client, the person they were coaching, and a secondary duty of care to the customer (the organisation or the bill payer).

*I start all of my coaching relationships in the context of being there for [the client], so my role is to support, encourage, challenge, help in whatever way I can ... . Secondary interest is the organisation, ... my primary interest is the individual I'm working with (Hannah).*

With the client being the focus of the primary duty of care, Quinn saw his responsibility as enabling the client to first 'take care of themselves before they can take care of the team' (Quinn). The coach was there to give space 'to be able to be themselves and take this mask off and finally be able to say their truth – 'how am I doing right now?' (Quinn). The coach's duty of care was to the client but included thinking about the role the client had in relation to their wider team. The client brought accounts and stories to coaching sessions and the coach was:

*[...] building a trusting relationship and discussing issues that impact that individual, their life, the teams that they support, the other stakeholders in the organisation and also obviously stakeholders outside of the organisation ... they're part of this whole system (Reese).*

The system the client was in was ever moving and changing, and the coach had sight only of what the client chose to bring to coaching sessions, but the coach was consciously thinking about these additional peripheral players:

*Where it's really from in a duty of care perspective is that I'm using all the experience that I've got to support them [client] to understand themselves better, to think about the issues that they're challenged with, to think about how they can become more effective (Reese).*

Whilst coaches had a duty of care to the leaders they were coaching, the findings suggest they were not responsible for the leaders' actions. Kyle enacted his duty of care by encouraging the client to get proper feedback from their organisation, to ensure the coaching was not happening in isolation. Otherwise, the coach could be supporting negative actions, unknowingly:

*I believe very strongly in the responsibility of leaders for their direct reports and if you're coaching clients in a bubble and they are not getting proper feedback around them, then God knows what's going on back in the business that you might be you know, just supporting, ... there's a duty of care beyond the person to the system and people around them [the client] (Kyle).*

The findings show how contracting played an important part in how the coach set out to whom in the client's system, they had a duty of care to. This often included a 'tripartite relationship' (Briar) between the organisation, the coach, and the client. Yet the majority of coaches saw their duty of care responsibility was mainly to the client.

*If a client of mine told me that the company was going to lose a lot of money, because they were being stupid, my responsibility would be to the individual [...] I wouldn't dream of feeling that I had a duty of care to tell the organisation (Briar).*

In this example, the coach did not consider it was their responsibility to warn the organisation and as no laws were broken, the coach considered they were working ethically, not breaching their duty of care to the client. In this scenario the coach considered their duty of care was to the individual client only. Most coaches saw their role as enabling improvement for the client, and if the coach did not consider they could make a difference to the client, they needed to end the relationship:

*... then I need to tell the customer, if I believe I can't make a difference to the client, which is in the customer's interest. And I think I have that duty ... at the end of the day, they are paying for this (Ali).*

The customer was a factor for Ali and other coaches in how they enacted their duty of care. The findings show coaches had a 'strong responsibility to the organisation, who pays the bill and their [the organisation's] best interests must be fully reflected in the work that we do' (Mika). For these coaches, it was not acceptable to continue coaching and invoicing the customer if they considered the coaching was not adding value to the client and the customer.



Mika reasoned with whether he had delivered value to the customer, for example in coaching assignments where the goal of the organisation had not been achieved. In these circumstances, he asked himself whether the work he did was truly in the best interest of the organisation:

*I have failed if I can't put my hand on my heart and say to their boss, or the HR director, that the work we're doing together is to the organisation's benefit [...] if the only outcome I'm interested in is if the client feels more competent and more confident after the coaching, not because of me, but because of the process of being coached, then I feel I've delivered for them, and I will have delivered to the organisation (Mika).*

Though coaches, overall, put the client as the primary focus of duty of care, another view was the coach who put the organisation as the primary focus. The lone participant voice in this study, discussed how coaches were 'hiding behind confidentiality and not delivering any results for the organisation' (Ashton) and described it as 'just criminal' (Ashton). The behaviour of coaches who submit invoices when not delivering value to the organisation 'flies in the face of every dimension of duty of care' according to Ashton. He believed:

*Duty of care needs to absolutely embrace fully the organisation. And I do not support or subscribe to coaching relationships that are about a locked room where the organisation is paying [...] there should absolutely be return on investment to the organisation. And that is part of the duty of care (Ashton).*

The duty of care here was focused on measures of success and outcomes, having complete alignment with the organisation. What the findings cannot show, is the impact this approach had on the trust between the coach and the client, where the coach openly shared back with the organisation and did not hold confidentiality as core to the process.

*When you put the organisation at the centre, whoever you're there having a conversation with, I want to table the bravest conversation and make other people comfortable with being brave [...] So would I have a conversation with ... about individuals around coaching and give them some steer? Yeah, absolutely. And I would make it clear to the individual that I will be giving advice ..., about how to get the best out of that person. ... now, some people would say that was unethical. I would say that's just helpful (Ashton).*

Although Ashton had this perspective, this was not shared by the other participants. The findings showed coaches had the client as the primary focus of their duty of care and the organisation as secondary. However, coaches found themselves at times in 'some ethical issues' (Ali), such as when a client decided to leave the organisation whilst being coached. The coach was 'very clear that I'm there for the client and if the end of the coaching work is that it's far better for the client to leave the company, so be it' (Ali). It was not suggested that the coach was the reason a client left. Whilst duty of care was primarily to the client, when the question of 'what do we do when the coachee wants to leave the business?' (Charlie) arose, the coach was in an ethical dilemma. One coach responded with self-reflection and conscious decision-making on actions they might take, by challenging their own thinking in this situation. Charlie asked himself 'where is our duty of care?' 'Is it to support him or her in that move?' 'or is it a duty of care to the employer to guide them [the client] maybe unconsciously to not moving?' (Charlie). If the coach supported the client to move, 'they would be betraying the customer', and if the coach guided them to not move, 'they would be betraying the client' (Emmerson).

Coaches also experienced political challenges in their navigation in organisations with how they managed the sensitivities of stakeholder needs. At times they were 'frustrated that the organisation was checking in, wanting to know' (Anthony) what was going on, or an HR Director that was a 'quite tricky individual' (Anthony) who was trying to get the coach to 'breach confidentiality, trying to get information' (Anthony) by asking how the client was doing. Executive coaches are paid by the

organisation and the findings showed how coaches found they felt challenged when working at a deep level with the client, and the organisation pushed for information:

*Yes, I'm paid by the organisation, but, equally, this is a senior [leader] who's been working like a dog. No doubt some of the triggers and things have come from difficult things that have happened in his life and his propensity to keep working hard and feel guilty. But you know they've [the organisation] had their absolute pound of flesh from him, and I'm serving him more by just helping him recover (Anthony).*

In this scenario, the coach had been given autonomy to work with an individual enabling their return to work after a period of absence, yet the coach experienced tension with the organisation asking for information. Organisations asking the coach to break confidentiality, to provide information, was a common occurrence, with coaches describing how they deflected the issue early on in coaching relationships through contracting for what would be shared and what would not. Even so, it happened, unlike in professions where it is more commonly accepted that nothing would be shared:

*I think we have a difference in ethics than with other professions, because of the different layers of what we get into, [...] if you are a psychologist and somebody hires you [...] they know exactly that they're not going to get anything from them (Tristan).*

The acceptance of confidentiality, as Tristan pointed out, was apparent in professions such as psychotherapy, yet for coaches, they experienced a tension between managing the organisation and the client. Some operated with:

*Pretty strict confidentiality, so I would never report back to the client's organisation other than what I jokingly refer to both parties as name, rank and serial number answer 'I've seen [x] three times, we've got objectives in place and [x] fully committed to the programme' (Mika).*

Mika returned to the question of who he was serving. If it was the system, then it was not just the client. Yet how does the coach 'do that without betraying one or the other? In the end, more than the dilemma, the risk is when you discuss with one or the other, you give the impression that you are creating secrets with one or the other' (Emmerson). The findings suggest that coaches reduce the tension by openly communicating between the client and the organisation, with clear choreographed moves and always with what the client wants and permission being central:

*If the head of HR were to say 'why have you not continued with this client?'. You say I have a 'duty of care, you must ask the client'. I don't say anything to the people who are above my client [...] unless they [the client] have given me permission [...]. If it's important that some feedback should be given say to the chief executive then one has a duty of care to decide how to handle that governed by how does your client want to do it, 'do you want me to sit in with a meeting with your chief executive' [...]. You've got to explore very carefully, what the implications are that's stopping them ... and then say, 'well, if I have your explicit permission to say something, I will' (Charlie).*

When coaches were working with entire teams, this caused issues in how they revealed knowledge they had gained without breaking confidentiality:

*But there's secrecy around all of this [...] One of the challenges that we have as coaches, is the way that we operate behind a confidential boundary, behind a closed door and, therefore, how do we reveal the system to the system, and we're talking particularly here about how we reveal if you're working with entire senior leadership team, if you've got a far greater insight into that organisation than anybody, any of those individuals have ever gotten, how do you feed that back whilst holding the boundary of confidentiality? (Skyler).*



Coaches experienced a tension when working in this privileged position as knowledge was gained through working with multiple people at one time, as they were bound by confidentiality. Although coaches gained knowledge that might be helpful to the organisation, sharing it would be breaching confidentiality. This left coaches with a dilemma in how to serve the organisation, the team, and the individual.

### **Duty of care beyond the client and customer**

The findings suggest coaches' duty of care stretched further than just to their client (the coachee) but to the wider system. The system included the customer (the organisation and sponsor), for some coaches the client's family, and for some even further. When describing to whom they had a duty of care, Sam shared the following:

*[...] to the team and the organisation, to the wider society and the world, and by that I mean sustainability or those kinds of decisions if they're being made, and that an awareness, perhaps of that is brought into the conversation so that that wider perspective is there (Sam).*

However, how far that duty of care extended was questionable, as Avery described:

*So, does my duty of care extend to the frogs in the swamp that's being drained? I don't know if it does. I mean it's very interesting and that's where you get into these ethical dilemmas [...] if this is a Company that's doing something that is detrimental or something else, what is our responsibility as a coach? (Avery).*

The coach was there primarily for the client, to support their growth, development, and improved actions. However, participants saw their duty of care extending beyond just the client as the objective was to enable improvement more broadly, even though they might never meet those in the client's system:

*I believe that the value of what we do comes from improved actions of our clients. So, in a way, we have a duty of care, [...] we both have an objective of improving things for everybody else in their system (Avery).*

Where and how coaches conducted coaching sessions bore significance to their sense of duty of care to their client's well-being and this extended beyond the client and customer 'to people's families' (Nick). In one example, Finley enacted her duty of care through how she conducted her coaching sessions, explaining:

*I have a policy ... 'no coaching while you're driving your car'. But I can't tell you how many people who say, 'well I'm busy, I'm busy, the only time I can have to do a coaching session is when I'm driving home'. Then I'm not your coach ..., I have a duty of care, and I say to the person 'when you hire me, I work for your whole family too, and if there's an insightful moment or something that takes your focus away from the road and you're thinking about it and you get into a crash, where's my responsibility to your family?' (Finley).*

The coach set clear boundaries in their contracting with how and when they would conduct coaching sessions. If those boundaries did not meet the needs of the client, the coach was prepared to say, 'I'm not your coach' (Finley). A further nuance of duty of care existed for Nick with a client with children and who was trying to 'do it all'. As the coach, Nick could see the patterns and behaviours the client was demonstrating. However, as the coach, he had to be 'thoughtful about the boundaries' (Nick) and mindful of what was or was not said in a coaching session, as the coach could intentionally or unintentionally influence the client:

*I had a [client] who was trying to do it all, feeling guilty about being a [parent] [...]. I'm a parent [...] it's not my place to tell anyone how to live their lives,, but I know I have to be careful,*

*because I can influence just by what I say or don't say in a coaching session (Nick).*

Nick continued to talk about those people that the coach might never meet, yet he considered the coach had a duty of care to them, enacted through the cautiousness of the coach's actions with the client, even when the client's views might be different from those of the coach:

*... there's a larger duty of care almost to those children who we will never meet. Who's going to say to that mother or father 'actually the most important thing your kids need is presence', you know if their coach isn't going to say it? And sometimes the children are saying it, even little four year old or five year old 'mummy, mummy, mummy, why do you still have to work, mum put your phone away, put your phone away', so I think if I've got enough evidence and they're open enough, but I suppose I say explicitly 'it's not my place to tell you, you know there's no right and wrong here, I need to help you work out what's best for you and your family' [...] (Nick).*

Handling these types of scenarios was a delicate process for the coach, and they had to be careful with what they said or did not say. The coach helped the client talk about it, if that fitted with the focus of the coaching, and helped the client work through what they wanted to do. As Nick said, there was a duty of care to those children he would never meet. The coach became aware of who the client was bringing along with them into coaching sessions, 'their family, their friends, their work environment' (Taylor), and the coach had an indirect duty to them.

## Discussion

The findings from the research suggest coaches' duty of care is systemic encompassing the client, the customer and others in the client's system. 'Systemic' is a term which has become widely used in coaching over recent years, often without basis on meaning (Lawrence, 2021). Being systemic in its simplest form is to relate to or involve a whole system, with the system being elements which are inter-relational amongst themselves, and with the environment (Lawrence, 2021). To be a systemic coach means the coach pays attention and is aware of what is happening 'in the broader environment rather than focus too narrowly on the presenting issue' (Lawrence, 2021, p. 25). The coach pays attention to what is happening more broadly – the coach is not actively involved in these happenings, but they are there in the coach's peripheral vision. Indeed, to work systemically, the coach not only takes a broader view but understands what they are seeing (Lawrence, 2021), and reflects on what they are thinking.

Systemic thinking is described as seeing systems developing and changing in relation to the wider system, and beyond, and how this is a continually moving interchange (Hawkins & Turner, 2020). This description gives a sense of an ever-moving dynamic between multiple parts. This research was not concerned with exploring systemic coaching or systemic thinking (Hawkins & Turner, 2020; Whittington, 2020; Lawrence, 2021), yet participants described how they considered they had a duty of care to the wider system, not only the client they were coaching. It is evident from this research that coaches' perception of their duty of care was that it had a wider reach, and it was systemic encompassing all those in the coaching relationship, and others in the client's system.

Executive coaching relationships include the coach, the client (person being coached), and the customer (the person being coached sponsoring organisation) (Athanasopoulou & Dopson, 2018). Indeed, these three are recognised as being in the typical triangular relationship (Louis & Fatien Diochon, 2014; Athanasopoulou & Dopson, 2018; Pandolfi, 2019). Whilst this research does not contest that the triangular relationship is predominant in executive coaches' duty of care, coaches also talked of having a duty of care beyond these three. This research found that executive coaching had greater complexity in relation to stakeholders in the contemporary world these coaches were operating in. Stakeholders included the three, but also a coaching organisation if the

executive coach was sub-contracted in, the coaching field, the client's personal life, society, and the world more broadly.

Whilst the literature focuses on triangular relationship (Louis & Fatien Diochon, 2014; Athanasopoulou & Dopson, 2018; Pandolfi, 2019), not all coaches followed this principle. Some coaches considered their duty of care was only to the client, and not to the customer, yet this was not common across participants. Overall, coaches considered they did have a duty of care to the customer, and recognised they had a contractual responsibility to them (Kramer, 2003). However, most coaches argued that their primary duty of care was to their client.

For others, duty of care extended more broadly, with an awareness of the ripple effect coaching has. Executive coaching has an influence beyond the leader being coached, and an impact at relational and organisational levels (O'Connor & Cavanagh, 2013). The impact can be positive or negative, with those on the receiving end of a coachee's changed patterns of interaction finding them less favourable than previous patterns, even though the coachee might rate themselves as having improved. Reasons might vary, including there may be a lag in a leader achieving competence for example in a particular new way of interacting (O'Connor & Cavanagh, 2013).

Importantly, the data from O'Connor and Cavanagh's study showed how previously held key assumptions of positive development in a leader being experienced similarly by others are not necessarily correct (O'Connor & Cavanagh, 2013). Impact is experienced, but not necessarily positively. It is posited that it is important to consider how to support shifts in both positive and negative perspectives for those connected with a leader who is being coached, or many leaders within a system. The coach and organisational sponsors are encouraged to take a systems perspective and consider potential impact more broadly than just that between the person being coached and their manager for example, but to the wider range of people they are most connected with (O'Connor & Cavanagh, 2013).

What cannot be ascertained from O'Connor and Cavanagh's data is the type of impact outside of a client's organisational system, for example their family, as their research did not provide data on this. However, they argue that there is a wider impact (O'Connor & Cavanagh, 2013). Coaches in this study shared their sense of duty of care to those people they would never meet, such as children or partners of the client, and more broadly, society, as coaching can bring about social change (Shoukry, 2017; Shoukry & Cox, 2018).

Coaches in this research had a sense of responsibility and questioned their own actions in relation to their duty of care. They recognised how their interactions with the client could affect change in a client's interactions, which in turn could impact others, and society. They also had a sense of duty to the customer, ranging from some coaches suggesting a minimal duty of care, to one participant voice who put the organisation above the client. Literature argues that executive coaches need to manage these complexities – they are expected to 'manage their relationships with clients in the strictest confidentiality, but they must simultaneously comply with the requests of clients asking and paying for the coaching process' (Pichault, Diochon & Nizet, 2020, p. 2) a contradictory situation for coaches to be in, indeed as this research also found to be the case.

## **Research limitations and further research**

Recruitment of participants was conducted through advertising, and executive coaches were invited to respond accordingly. It could be argued that only using executive coaches is a limitation; however, as executive coaches' roles have a greater degree of complexity, there is relevance to other coaching disciplines. An additional limitation is that only the voices of the coaches were included in this study. Further research is recommended to include other participants from customers or supervisors. This research shows that a coach has a systemic duty of care; a legal duty of care to the client and to the customer and being cognisant of the ripple effect coaching has

on the wider system. To this end, further research is called for on a coach's systemic duty of care in practice, inviting researchers to investigate this from the perspectives of all those in the coaching relationship.

## Conclusion

Literature on coaches' systemic duty of care, which encompasses the client, the coach themselves, the customer, coaching, society, and beyond, is lacking. This research found that a coach has a duty of care to all these parts, varying in degree dependant on the world view of the coach. However, while duty of care is a legal term forming part of the tort of negligence, the coaches in this study related to it more as a descriptor of their enactments of responsibilities, as a coach, from a moral and ethical stance.

Ethical codes of practice focus on competencies, and cannot equip a coach with how to deal with the degrees of complexities they experience. Similarly, regarding to whom a coach has a duty of care to, writing a list of names set at the start of an engagement does not suffice. This would be a linear way of operating (Lawrence, 2021). Unless coaches move beyond reaching for a particular competency to solve an issue, or following a list, they will remain in a linear mode. A further question relates to coach neutrality, long lauded as a desired competency of executive coaches (Carey, Philippon & Cummings 2011; Cushion, 2018). Yet, in a social context of 'inequality or oppression, it is both unlikely and sometimes unethical that coaches remain completely neutral' (Shoukry & Cox, 2018, p. 4). Outside of social contexts of inequality or oppression, if a coach sees their duty of care as being primarily to one party or another in the coaching relationship, by the very nature of their position, this challenges the notion of coaches being neutral. Coaches may 'give an impression of being neutral' (Pliopas, 2017, p. 3) but the reality is they are engaged in complex triangular relationships prone to ethical dilemmas and conflicts of interest (Pliopas, 2017; Louis & Fatien Diochon, 2019). This research concurs and draws attention to the question on coaches navigating neutrality (Fatien Diochon, Louis & Islam, 2022).

## Considerations for practice

The empirical findings in this research show that a coach's duty of care is systemic, as yet not addressed in coaching literature. Coaches have a duty of care to promote the welfare of all those in the coaching relationship, including themselves, the client, and the customer. It is the coach's responsibility to ensure they clearly understand to whom they have a duty of care to, and to evaluate how they enact their duty of care to ensure the avoidance of foreseeable harm. As the research suggests coaches have a systemic duty of care, this in turn challenges coaches to reflect on their neutrality. Coaches in this study talked of being neutral in coaching relationships, an independent party. Yet this research has evidenced that coaches do have a systemic duty of care, which in turn leads to a question for coaches to challenge their own practice in how they manage perceived neutrality with their clients, and whether neutrality is even achievable.

Coaching standards do not currently reference a coach's systemic duty of care explicitly, and this research invites the coaching bodies to bring this topic to the table for exploration. Furthermore, organisations (the customers) are invited to seek understanding on the complexities experienced by coaches. This research can aid the shaping of dialogue between the coach and the customer, thus ultimately supporting the client. Providers of coach training have a responsibility in how they equip coaches to practice, and this study argues they have a duty to review their ethics' training and include the systemic nature of duty of care, explicitly.

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