

## Professional Duties

### Deberes profesionales

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#### Abstract:

Competences should be considered as a part of the cognitive-behavioural adaptive capacity that is inherent to the human being, which are deployed to respond to specific needs autonomously and to be able to collaborate in a professional environment. Therefore, scientific education must be associated with moral education. Professional deontology is an applied ethic that implies a code of conduct, which determines the minimum duties required of the professions in the development of their activity.

#### Keywords:

*Competences, professional, education, moral, deontology, ethic, conduct, duties*

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#### Resumen:

Competencias deben ser consideradas como parte de la capacidad adaptativa cognitivo-conductual que es inherente al ser humano, las cuales son desplegadas para responder a necesidades específicas de forma autónoma y para poder colaborar en un entorno profesional. Por lo tanto, la educación científica debe asociarse con la educación moral. La deontología profesional es una ética aplicada que implica un código de conducta, el cual determina los deberes mínimamente exigibles a las profesiones en el desarrollo de su actividad.

#### Palabras Clave:

*Competencias, profesional, educación, moral, deontología, ética, conducta, deberes*

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### INTRODUCTION

The evolution of education has changed the paradigm of the traditional school due the models in professional competence. However, it is not enough with technical knowledge, being professional goes beyond skills, and includes attitudes, aptitudes, empathy and morality, a sense of belonging to the

union and being guided by the deontology of each profession. This document explores some of the fundamental aspects of these topics.

### METHODOLOGY

A systematic review of bibliographic sources with topics related to deontology and its relation to professional competences

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education was performed. The bibliography examined was published in the last 35 years. Subsequently, a review of its content was completed and the 20 most representative sources of information on this subject were used to write this work.

### **THE COMPETENCE**

The competences must be considered as a part of the cognitive-behavioral adaptive capacity that is inherent in the human being. They are deployed to respond to the specific needs that the people face in determinates sociohistorical and cultural contexts, which implies a process of adaptation between the subject, the demand for the medium and the needs that arise, with the determination to be able to give answers and/or solutions to the requests. These demands can have two orders: the social ones (which can be prioritized in the context that humanity deals currently) and the individual ones (García- Retana, 2011).

Competence can be defined as the acquisition of the skills and abilities that allow efficient performance on the job. A characteristic of these processes is that they can never be declare to "have or not have", rather they form a component of a process, due to their development can always be better. Thus, for example, the group that addressed competences for basic education in the European Union agreed that they will develop around eight fields: communication in the mother tongue and in foreign languages, information technology, calculation and competences in mathematics, science and technology, entrepreneurship, interpersonal and civic competences, learning to learn and general culture (Díaz-Barriga, 2006).

Competences are not acquired (or developed) in the abstract, but from precise situations, in particular spaces, with and by specific people, through "precise" activities that are part of the student's work. In this way, the acquisition of a competence is inextricably associated with obtaining a series of knowledge (abilities, values, attitudes, emotions, etc.), by the subject, which demands from him: "voluntary, conscious and rational performances reflected in attitudes that demonstrate ethical values" (Coll, 2007).

The competency-based educational approach involves the recruitment of knowledge, an integration of them in a holistic way and linked to the context, assuming that people learn better if they have a global vision of the problem they need to face. Given that the competences, by their nature, are personal and individual, it is required for their promotion from the educational system, to know and protect the metacognitive abilities of the students (Coll, 2007), which implies determining their learning styles, the most significant area of their intelligence, and approach the cognitive and intellectual processes that characterize them, through the organization of activities in an educational, conscious, creative and transforming act (García-Retana, 2011).

### **THE PROFESSIONAL COMPETENCE**

Professional competencies are all those skills and aptitudes that make the individual suitable to perform a job successfully. The competences are divided into: basic, technical and transversal competences. Possessing professional competence implies the ability to solve problems autonomously and flexibly and be able to collaborate in the professional environment and work organization (Gómez-Roldán, 2005).

Professional competencies establish three levels according to Galdeano-Bienzobas and Valiente-Barreras (2010):

- Basic competences: these are the essential intellectual capacities for learning the profession, such as the cognitive, technical and methodological ones, for example the adequate use of oral, written and mathematical language.
- Generic competences: also called transversal, they are defined as the attributes that a university graduate with autonomy in their profession must have and include the knowledge, abilities and skills that all graduates must have before entering the labor market. These in turn are divided into instrumental, interpersonal and systemic.
- Specific competences: those that future graduates must acquire during internships or professional stays. These competences include disciplinary, that is, know-how and praxis, where the individual applies knowledge in reality.

Knowledge, attitudes and skills are not developed independently, they dynamically interact in the formation of competencies based on the innate characteristics of people. The norms or standards of competences are fundamental in the design of the curricula, where the contents are derived from the professional profile that is based on studies of the profession (Gómez-Roldán, 2005).

Higher education institutions are committed to ensuring that the knowledge acquired in the classroom by students is applied in professional practice. Thus, universities occupy a preponderant role in the implementation of education based on labor competencies to respond to the needs of the productive sector of society (Galdeano-Bienzobas and Valiente-Barreras, 2010).

### **THE INTELLECTUAL COMPETENCE**

Intellectual competence is the possession of science and wisdom. This knowledge encompasses the natural sciences and wisdom includes the forms of knowledge that are part of humanistic education. In this case, scientific knowledge with humanistic education must possess a dose of informative and pedagogical value. The ability to adaptively modify behavior is what we know as learning, which is directly linked to intellectual competence, as it is based on experience, making us more efficient in our labor. On the other hand, knowledge consists of

the ability to retain information in brain regions and the ability to retrieve such remembrances is memory (Castejón et al, 2004).

Intellectual competence includes the ability to develop abstract thoughts, the aptitude to respond and adapt, therefore this competence can be defined as sensation, perception, association, memory, imagination, ability to judge and reason. Cognitive competencies include verbal conclusion, associative and figurative fluency, integrative processes, associative and visual memory, general and logical reasoning measured through psychological tests. Both are necessary to consider the individual as competent to perform a job function (Castejón et al., 2004).

### **THE MORAL COMPETENCE**

From the point of view of psychology, the concept of morality in the understanding that there is a series of cognitive, logical and rational processes, where according to genetic epistemology there is a close relationship between the logical and moral states of the subject, which They allow the construction of a moral judgment, establishing a hierarchy of judgment between the heteronomous and the autonomous (Castillo, 2015).

In working life, individual maturity is required, that is, the presence of individual autonomy through self-judgment on matters of common interest, also civic maturity is essential to make possible the organization of groups through peaceful participation, in a way they complement each other, so scientific education must go hand in hand with moral education (Meza and Guerrero, 2016).

Moral judgment is established from the hierarchies of three levels: pre-conventional, conventional and post-conventional (Castillo, 2015). Each of these levels includes different stages during childhood, and like moral education, they are located in the early development of people, but can be modeled through the assimilation of responsibilities, the discussion of problems and moral dilemmas, giving the construction of the self-concept of the individual and the development of the moral dimension when it is framed above all in the professional field. When moral training is linked to the profession, it will have an impact as it is associated with idealized visions of work practice, which are models that regulate behaviors within the work environment (Meza and Guerrero, 2016).

Moral competence is the ability to resolve conflicts based on moral principles through thought and discussion, not through violence, deception or abuse of power and it is based on moral judgment. It can be measured by means of the Moral Judgment Test developed by Lind and Wakenhut, (1985) where they have two dilemmas and the decision of the protagonist is requested to be judged. The test considers affective and cognitive aspects within moral competence and includes positions contrary to the person to activate emotionality and reasoning, coherently measuring the quality of moral arguments regardless of personal

convictions, while the cognitive aspect expresses the task demand and emotional openness to judge moral arguments as better or worse when they contradict the personal position on a controversial issue.

### **THE PROFESSIONAL SECRET**

The professional secrecy that members of certain professions have, such as health personnel, lawyers, notaries, among others, implies not disclosing the events that they have known during their work. Legal and ethical reasons are sufficient in themselves, but also, confidentiality is associated with trust in the discretion of an individual and is an indispensable tool for doing a good job, since having the vote of full confidence is possible to access to data that help situational diagnosis and to understand a certain situation in an easier way (Torregrosa, et al. 2018).

All professionals, who directly or indirectly acquire knowledge of facts or actions of which their disclosure could cause real harm or some type of displeasure to their family, friends and colleagues have the obligation to keep this confession secret. In this way, professional secrecy is an ethical obligation of the different professions, in order not to allow this information to be known during their professional practice (Fernández, 1999).

In the first place, intimacy can be conceived as an inherent right of the individual in the deepest part of the being. In this sense, intimacy is related to what is most intimate and personal, isolated from public curiosity, so that it is absolutely necessary for human development (García-Sanz, 2005).

The right to privacy has the aspect of confidentiality and inviolability in the international legal framework, as established in the Charter of Human Rights article 12, the International Covenant of San José Costa Rica and the International Covenant on Civil and Political Rights. Likewise, the right to privacy is protected in the American Declaration of the Rights and Duties of Man and in the American Convention on Human Rights (Omart, 2013).

In the health field, it is one of the basic pillars of the doctor-patient relationship, however, it also applies to other health professionals such as nurses, psychologists and nutritionists, due they have access to personal and health data belonging to the sphere intimate of the person, whose divulgance could suppose their stigmatization or discrimination. The duty of secrecy is based on ethical-corporate norms, within the framework of a deontological code, and they are exercised by juridic way since there is a legal framework (García-Sanz, 2005).

The doctrine of professional secrecy has passed through three phases, the first is discretion or stealth, not correlated with the law, the second is where secrecy is understood as a right of the consulting individual and a duty of the professional and finally

the delicacy of the information, for example, in the case of a disease where doctors need to give special protection to preserve their confidentiality (Torregrosa, 2018).

### **THE PROFESSIONAL RESPONSIBILITY**

Technical capacity or professional authorization do not, by themselves, exempt from moral responsibility for the acts performed by the professional. To maintain the opposite implies committing the naturalistic fallacy by equating technical excellence with moral quality or admitting that institutional authorization grants privileges that allow contradiction with ordinary morality. The exercise of the profession is one of the most socially delimited roles. Some professions share special public responsibilities, such as doctors, psychologists, lawyers, judges, engineers, architects. For this reason, from very ancient times, we find traditions that propose adequate procedures to guarantee good practice. Thus, for example, the Hippocratic Oath. Professional deontology occupies a first-rate place in any social organization, so that there are ethical implications from the profession, the conviction and the personal vision influenced by our religious and moral beliefs (Navarro, 2006).

Professional liability can be included in the areas of civil, criminal, administrative and labor liability. When detriments occur, the obligation appears for professionals to repair them and the injuries caused by the professional, either directly to the person affected or to their family. The damages and losses are direct consequences of the lack of compliance with the obligation or legal duty of the authorized professional for their work and there must be a relationship between causality, failure to commit and the consequences thereof (Mariñelarena, 2011).

Professional liability is defined as the crime that may be incurred during the exercise of the profession by violating any of the civil or criminal laws that regulate professional conduct. The legal principles are a consequence of the organization of the states and the rules of professional practice and only penalties for errors, negligence or for violating the rights of the consultant are considered (Tachiquín-Sandoval et al. 2014).

Professional practice can harm others, the imputation of civil, criminal, administrative, ethical-disciplinary responsibility, among others, is a guarantee for those who were detrimented, following due process to avoid violating the professional's presumption of innocence (Navarro, 2006).

### **PROFESSIONALISM AND FAMILY**

The family is the base of society, inside of it individuals are born, learn behaviors and create habits, in addition their moral conscience is developed initially in this area. The family can propel a person to become a professional. Parents are the main promoters for the individual to reach professional studies, in addition to encouraging them and cultivating their natural capacities for choosing a profession (Mariñelarena, 2011).

A professional is a human being, career or occupation are part of it, but they are not the whole individual, as a holistic human being has several dimensions. Personal development is accompanied, in many cases, by the decision to form a family once economic stability in the professional sphere has been achieved, however, reach a balance between profession and family does not it is always easy to attain, professional success is often accompanied by extra hours or weekends of work, commissions outside the city of residence, requirement of new trainings, among others, which is why the family's time together and parenting may be affected (Dorantes, 2015).

In the particular case of women, the balance between professional development and family life is even more complicated, in addition of the performing of professional duties, it is on the woman who traditionally relapse the responsibility of handling the home, housework and parenting, so the demand in these dimensions is exhausting for the professional woman in case they do not have the support of their family network or the equitable distribution of domestic tasks with the partner (Dorantes, 2015).

### **PARTICULAR DUTIES OF THE PROFESSION**

In all professions is necessary to cover characteristics that allow the development of the individual within their profession, this includes commitment, a positive attitude towards life, empathy, a balance between work and personal life, the ability to acquire new knowledge and the self-knowledge (Cuevas and Rodríguez, 2017).

The term deontology was first coined by Jeremy Bentham, who defines it as the branch of art and science whose purpose is to do what is right and appropriate each time. When this theory is applied to the strict professional field we speak of professional deontology and it is, consequently, the one that determines the duties that are minimally required of professionals at the performance of their activity. In these duties, it is common for them to be embodied in codes of ethics that govern the actions of the representatives of the profession (collegiate) in order to obtain desirable results through good work. When referring to professional ethics, it is understood as such to the criteria shared by the professional community converted into a normative text, a deontological code, that is, an ethical system of beliefs, typification of infractions, reception system, analysis and consultations or proposals and complaints, a trial procedure and finally a system of sanctions. Professional deontology is, therefore, an applied ethic, approved and accepted by the professional community, which implies a code of conduct, a typification of infractions that professionals follow by conviction and in the first instance, but also by legal obligation to belong to professional associations that are corporations under public rights, protected by law and recognized by the state (Unión Profesional, 2009).

Regardless of the chosen profession, the professional has higher duties than an artisan, and it is mandatory to consider the ideals and the code of ethics, having an honest and honorable, courteous behavior, with equity in economic remuneration, care of culture, prestige, probity, punctuality, discretion, and social and company responsibility (Shrader-Frechette, 2016).

### CONCLUSIONS

According to what has been described, a professional is a competent entity, both intellectually and technically, for the exercise of his profession, however, the cognitive issue is not the only dimension, must also have moral competence, apply professional ethics following the deontological codes that each professional guild imposes as rules to follow and being considered a member of it.

According to the profession, this professional code may have a higher degree of demand, as occurs with professional secrecy, a strict concept that even has legal consequences in case of being broken by a lack of professionalism. The professional is a moral entity, where the family dimension is an engine for their development, initially it can influence the choice of career to study by encouraging natural talents, in addition to instilling basic moral principles during upbringing. On the other hand, when the professional reaches an adequate level of development, it is common for them to choose to start their own family. The balance between professional and family life can be difficult to achieve, since professional demands often require a greater amount of time, which involves sacrificing family space, especially with women, where in addition to these two dimensions is also traditionally attributed to her the housewife role.

The professional's duty is multidimensional and complex, however, a good professional is able to strike the right balance, which allows them to feel successful in exercising their profession.

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