

ETHICAL GOVERNANCE SURVEY RESULTS

Report of the County Solicitor

Recommendations

(a) that the Standards Committee consider the responses to the Ethical Governance Survey and its implications for the improvement of the Council's ethical or corporate governance frameworks, if any;

(b) that the Standards Committee consider the issues and suggestions referred to in paragraphs 5 to 14 and that those issues and suggestions should be explored at future refresher briefings;

(c) that the Monitoring Officer be asked to continue to provide regular refresher briefings on the Council's Ethical Governance Framework as appropriate; and

(d) that a further self-assessment survey be undertaken by Members, the Leadership Group, Heads of Service and their direct Reports in four years' time (mid-point between Election cycles) in 2023;

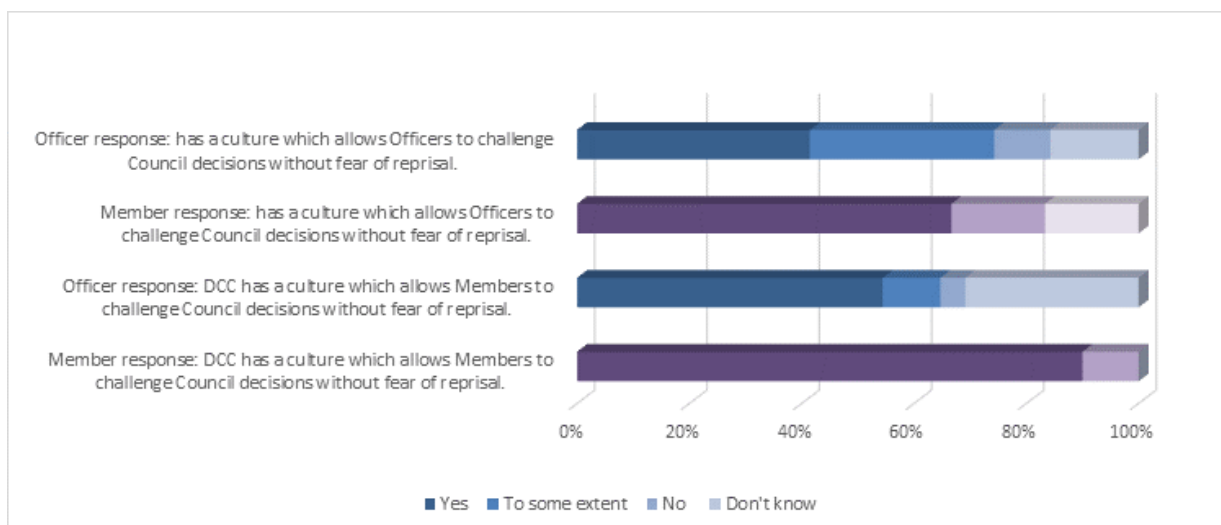
Introduction

1. Ethical governance refers to the processes, procedures, cultures and values which ensure high standards of behaviour. Those relate to the principles which underpin the way Members and Officers interact with each other and others, how they conduct themselves and how they act out those values as part of their day-to-day functions in public life. How this is perceived by colleagues, the public and the media all impact on Members' and Officers' ability to represent Local Government and the communities they serve.
2. The Council last tested its approach to ethical governance, the code of conduct and compliance with ethical standards in 2014.
3. Between 27 August 2019 and 20th September 2019, responses were collected via an online multiple-choice survey from Members, the Leadership Group, Heads of Service and their direct reports, known as LG80.

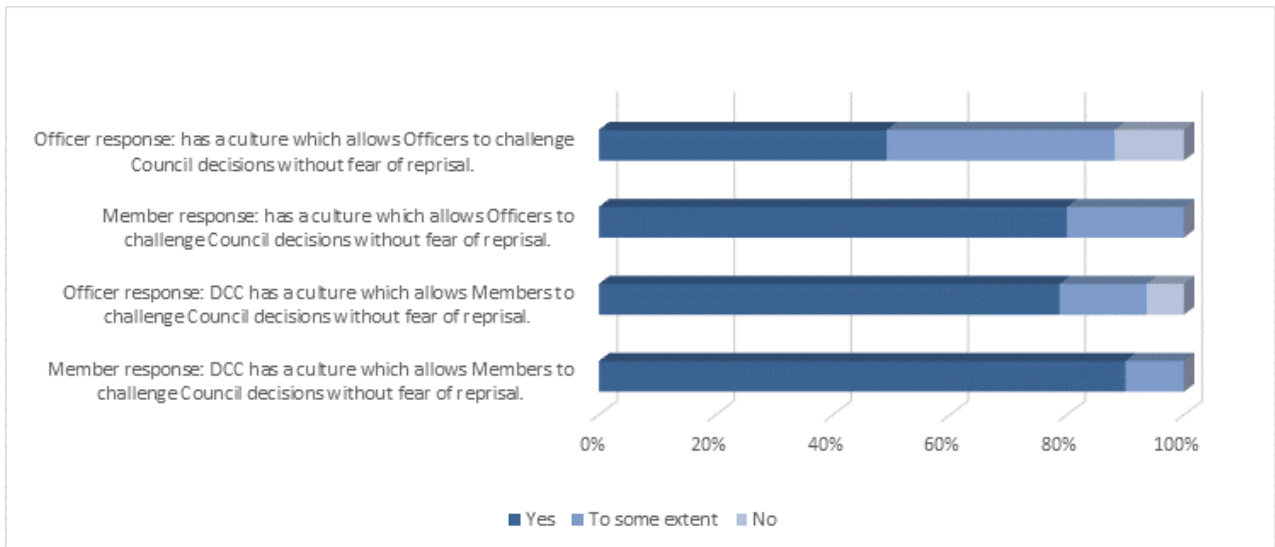
Commentary on the Responses

4. The overall response rate to this year's Ethical Governance Survey of all invited participants was pretty positive in the region of 60-65% which is an improvement on the rate of 59.5% in 2014. In total, 47% or 28 out of the 60 County Councillors responded. 63 Officers responded to the survey (which would be in the region of 75%). When sending out the survey, we asked Leadership Group and their Heads of Service to respond and asked them to forward the survey to their Senior Officers and Direct Reports. This would be approximately 80-90 Officers across the organisation, but difficult to quantify the exact numbers who received the survey. This might be something to do differently next time to ascertain the exact number of recipients so the response rate could be measured more accurately.

5. A detailed summary of responses is contained within the Appendix.
6. While it is reassuring that the majority of responses to each question were positive, it was particularly pleasing that in relation to engagement with democracy and the local community, respondents believed that the Council made information easily available about matters to be considered by the Cabinet and other Committees, the figure being some 92% of respondents.
7. Also enlightening was that 90% of both Councillors and Officers felt that the Council considers ethical conduct and high standards as an important component of its vision for the future.
8. While much of the survey was positive, as already mentioned, the responses to question 6 in terms of training on the code of conduct, highlighted in the Appendix, might warrant further attention. Some 34% of respondents said they had not received any training. This warranted further analysis in terms of Member and Officer responses. On further review, only 1 Councillor said they had not received any training, notwithstanding the regular sessions that have been delivered over the last two years. Three further Members said they had received training 'to some extent', so there might be more work to do in this regard. On a more positive note, 86.7% of respondents felt they knew where to go for advice and support.
9. Also worthy of note is the response to the statement that Officers treat each other and people who use the Council's services fairly, with some 93.4% responding positively.
10. In 2017, there was a large piece of work undertaken on the Constitution in terms of its accessibility on the website. This appears to have resulted in an increase of both Officers and Members feeling that the Council has a clear and relevant Constitution. 87.8% responding favourably when compared to 80% in 2014.
11. One point of note is the difference between the responses relating to the Council having a culture which allowed Members and Officers to challenge Council decisions without fear of reprisal. In terms of Members, some 65.6% of respondents felt they could and 10% to some extent (only 3.3% of Members said no to this question). The Council's robust Scrutiny processes may account for this position. For Officers, the responses showed a much lower rate of 48.4% and 28.6 to some extent. It was again felt this issue was worthy of a further breakdown between Member and Officer responses and this is shown below.



If the 'don't know' category is removed from the calculation, the responses are shown below, which highlights that only a small number of Officers felt there wasn't the appropriate culture. All Members felt there was a culture where challenge without reprisal happened.



12. Members of the Standards Committee are also invited to review the qualitative responses given under question 9. This appeared to give reassurance in terms of good standards of Governance. The question posed was whether there was anything else the Standards Committee and/or the Monitoring Officer could do to maintain or improve standards of conduct within the Council?

In terms of responses / comments from Councillors;

- 12.1 There were six responses that said 'No'.
- 12.2 One said they were currently satisfied with Standards and their application and another said they were proud to be a small part of Devon County Council.
- 12.3 A further comment said that the Monitoring Officer was very good, communicative and appreciated.
- 12.4 In terms of improvement, one suggested to impose greater adherence to rules or review rules and another felt that new Members needed to be fully aware of the need to follow the Constitution and referred to a couple of instances at Council where they felt Members had tried to ignore or abuse the procedures.

Comments from Officers highlighted that;

- 12.5 There should be wider communications to highlight this area including good practice / information sharing opportunities and a second suggestion of publishing vignette cases that enabled people (Members, Staff and the Community) to see the issues were being tackled and the impact of action.

13. Almost half of Members who responded would welcome receiving regular examples of good practice concerning ethical governance, compared to just 40% of Officers who responded. Conversely, the same number of Members didn't feel they needed this, so it was an even split for Councillors, but 60% of Officers said they didn't need anything further in this vein.

14. More than three quarters of respondents are familiar with the Annual Report of the Standards Committee, the Annual Report of the Audit Committee and the Annual Governance Statement. While this figure seems encouraging, it means also that approximately one in five respondents are not aware of these reports or simply did not know.
15. The issues and suggestions contained within paragraphs 5 - 14 above could be explored at future refresher briefings.

Conclusion

16. The Ethical Governance Survey provides a valuable snapshot of respondents' understanding of the ethical or corporate governance frameworks of the County Council and raises a couple of questions which might help improve the frameworks as determined by the Standards Committee.
17. It is important, too, to understand the Ethical Governance Survey as a means to continue to raise awareness among Members – and the public – to the importance the Council attributes to this area of its business.

JAN SHADBOLT

[Electoral Divisions: All]

Local Government Act 1972: List of Background Papers

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<u>Background Paper</u>	<u>Date</u>	<u>File Reference</u>
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Nil

ETHICAL GOVERNANCE SURVEY QUESTIONS AND RESPONSES

Q3. Engagement with democracy and the local community. I believe that Devon County Council.....	Yes	To Some Extent	No	Don't know
<ul style="list-style-type: none"> • makes information easily available about matters to be considered by the Cabinet and other Committees (e.g. the Forward Plan of key decisions, Scrutiny work programmes). 	69.2%	23.1%	3.3%	4.4%
<ul style="list-style-type: none"> • promotes involvement in the decision-making process (through scrutiny, webcasts, budget exercises and other consultations) 	58.2%	31.9%	6.6%	3.3%
<ul style="list-style-type: none"> • Members are trusted by the local community. 	35.2%	49.5%	4.4%	11%
<ul style="list-style-type: none"> • Officers are trusted by the local community. 	27.8%	65.6%	1.1%	5.6%
<ul style="list-style-type: none"> • Communicates the Council's Value to local residents 	37.4%	46.2%	7.7%	8.8%

Q4. Ethical Standards and Expectations. I believe that Devon County Council....	Yes	To Some Extent	No	Don't know
<ul style="list-style-type: none"> • communicates the Council's values to Members 	59.3%	23.1%	-	17.6%
<ul style="list-style-type: none"> • communicates the Council's values to Officers 	62.6%	33%	1.1%	3.3%
<ul style="list-style-type: none"> • communicates the Council's values to partners 	34.1%	44%	3.3%	18.7%
<ul style="list-style-type: none"> • has clear lines of accountability and responsibility for Members. 	60.7%	20.2%	2.2%	16.9%
<ul style="list-style-type: none"> • has clear lines of accountability and responsibility for Officers. 	81.1%	15.6%	1.1%	2.2%
<ul style="list-style-type: none"> • has a culture which allows Members to challenge Council decisions without fear of reprisal. 	65.6%	10%	3.3%	21.1%
<ul style="list-style-type: none"> • has a culture which allows Officers to challenge Council decisions without fear of reprisal. 	48.4%	28.6%	6.6%	16.5%
<ul style="list-style-type: none"> • Officers treat each other and people who use the Council's services fairly. 	70.3%	23.1%	1.1%	5.5%
<ul style="list-style-type: none"> • Members treat each other and people who use the Council's services fairly. 	53.9%	31.5%	1.1%	13.5%
<ul style="list-style-type: none"> • People are confident about how the content of the code of conduct applies to them 	41.8%	41.8%	5.5%	11%

Q5. Awareness of procedures relating to Ethical Standards. I believe that Devon County Council....	Yes	To Some Extent	No	Don't know
<ul style="list-style-type: none"> • has a clear, relevant constitution 	75.6%	12.2%	2.2%	10%
<ul style="list-style-type: none"> • makes full, accurate and clear policies, guidance and advice on ethical issues and procedures available to everyone 	61.5%	24.2%	3.3%	11%
<ul style="list-style-type: none"> • operates clear, easy-to-follow rules in relation to declaring interests, claiming expenses and being offered hospitality or gifts. 	78%	15.4%	1.1%	5.5%
<ul style="list-style-type: none"> • operates clear, easy-to-follow procedures to deal with inappropriate behaviour 	71.1%	20%	3.3%	5.6%
<ul style="list-style-type: none"> • Makes everyone familiar with the Annual Report of the Standards Committee, the Annual Report of the Audit Committee and the Annual Governance Statement? 	42.9%	27.5%	17.6%	12.1%

Q6. Ethical Conduct	Yes	To Some Extent	No	Don't know
• I have received training relating to the code of conduct.	36.7%	22.2%	37.8%	3.3%
• I know where to go to go for advice and support on conduct and ethical issues	66.7%	20%	10%	3.3%

Q7. Ethical Conduct	Yes	To Some Extent	No	Don't know
• Members perform their duties with honesty, integrity, impartiality and objectivity.	57.1%	28.6%	1.1%	13.2%
• Officers perform their duties with honesty, integrity, impartiality and objectivity.	82.2%	16.7%	-	1.1%
• encourages, develops and maintains high standards of conduct by training and supporting Members.	60.4%	20.9%	1.1%	17.6%
• encourages, develops and maintains high standards of conduct by training and supporting Officers.	59.3%	29.7%	1.1%	9.9%
• has a positive attitude towards and is willing to act on criticism	54.9%	36.3%	1.1%	7.7%
• considers ethical conduct and high standards as an important component of the Council's vision for the future	71.1%	18.9%	-	10%

Q8. Would you welcome receiving regular examples of good practice concerning ethical governance?	Councillor		Officer	
	Yes	No	Yes	No
	13 (46%)	13 (46%)	25 (40%)	37 (59%)