

ETHICAL GOVERNANCE SURVEY RESULTS

Report of the Director of Legal and Democratic Services

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 4 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 at a time when the Committee thinks appropriate (before election?)

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 2019.
3. Between 25th August 2022 and 5th October 2022, responses were collected via an online multiple-choice survey from Members, the Leadership Group, and Heads of Service.

Commentary on the Responses

4. There was a total of 46 responses to the survey, of which 32 were Councillors and 14 Officers, and overall, the response rate was about 60-65% which is a similar figure to the response at the last survey in 2014. More than half of the total number of members responded (about 53%) which is slight improvement on figures from last time. The survey was also emailed to the Leadership Group and their Heads of Service to respond. It doesn't appear that any other officers, outside of Directors or Service Heads, filled in the survey. This might be something the Committee wish to address for the next survey.
5. A detailed summary of responses is contained within the Appendix.

6. Asked about engagement with democracy and the local community (question 3 in the survey), nearly 74% of respondents felt the Council made information easily available about matters considered by the Cabinet and other committees. This is positive but it is a reduced figure compared to the 92% generated from 2019.
7. However, when asked whether members and officers were trusted by the local community, somewhat worryingly, the responses about members were only 43.5% for yes and 32.6% for officers. With only a multiple-choice response to this, it might be felt a good idea to explore this further to understand people's views and whether actions can be taken to improve this.
8. It appears from the response regarding communication of the Council's value to local residents, that more progress is needed in this area as only 37.8% believed this was adequately achieved.
9. On a more pleasing note, on question 4 about ethical standards and expectations, more than 76% felt the Council has a culture which allows Members to challenge Council decisions without fear or reprisal. However, when asked the same question in relation to officers, the figure dropped to a more disappointing 47.8%. It might be decided that this warrants further examination.
10. More positive feedback was obtained regarding clear lines of accountability and responsibility for both officers and members, with a yes response of about 70%. Confidence around the content of the Code of Conduct and how it applies to people came out at 54% which suggests that more work is needed and possibly refresher training.
11. With regard to procedures, relating to ethical standards, the results were somewhat pleasing with more than 71% agreeing the Council has a clear and relevant constitution, and nearly 78% feeling there were, clear and easy to follow rules in relation to declaring interests, claiming expenses and being offered hospitality and gifts. Asked about familiarity with Annual Reports of the Standards Committee, the Audit Committee and the Annual Governance Statement and this figure dropped to 47.8% suggesting that better promotion of these items is required, and consideration might want to be given on how to achieve this.
12. For question 6, when asked about training received relating to the Code of Conduct, whilst around 46% respondents answered yes, nearly 29% answered a slightly more confusing 'to some extent'. However, this backs up the response regarding confidence in this subject area and commentary in paragraph 10.
13. Particularly positive is the almost 85% yes response that considered ethical conduct and high standards as an important component of the Council's vision for the future. Asked about receiving regular examples of good practice concerning ethical governance and over 65% said they would like these. Thought might need to be given on how to do this if this has not already been considered.
14. Members of the Standards Committee are also invited to review the qualitative responses given under question 9. This appeared to give some reassurance in terms of good standards of Governance with only 11 comments received. 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;

14.1 There were 5 responses that said 'No' or 'not really'.

- 14.2 It was suggested that more could be done to look at accessibility for people with a range of disabilities.
 - 14.3 A further comment said improvements in language should be made, and consideration given to the impact and reducing the negative effect of this on members and officers, with challenges to inappropriate behaviour and language.
 - 14.4 There were a few comments on member training and development, ranging from providing more opportunities for both members and officers, refresher training for members, and providing more specific and compulsory training or re-training.
 - 14.5 Finally, there were a couple of comments around Code of Conduct and Standards Complaints, asking about publishing findings both against and in favour of members and feeling further improvements on the standards process was needed, citing more training in this area was required for officers and standards panels. Concerns were raised about lack of transparency and accountability.
15. There were no comments on this question from officers.
16. The issues and suggestions contained within paragraphs 4 - 14 above could be explored at future refresher briefings.

Conclusion

- 17. 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.
- 18. 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.

[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). 	73.9%	21.7%	2.2%	2.2%
<ul style="list-style-type: none"> • promotes involvement in the decision-making process (through scrutiny, webcasts, budget exercises and other consultations) 	73.9%	23.9%	-	2.2%
<ul style="list-style-type: none"> • Members are trusted by the local community. 	43.5%	50%	-	6.5%
<ul style="list-style-type: none"> • Officers are trusted by the local community. 	32.6%	60.9%	-	6.5%
<ul style="list-style-type: none"> • Communicates the Council's Value to local residents 	37.8%	48.9%	8.9%	4.4%

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 	67.4%	23.9%	2.2%	6.5%
<ul style="list-style-type: none"> • communicates the Council's values to Officers 	60.9%	17.4%	-	21.7%
<ul style="list-style-type: none"> • communicates the Council's values to partners 	43.5%	32.6%	-	23.9%
<ul style="list-style-type: none"> • has clear lines of accountability and responsibility for Members. 	67.4%	23.9%	4.3%	4.3%
<ul style="list-style-type: none"> • has clear lines of accountability and responsibility for Officers. 	73.3%	8.9%	4.4%	13.3%
<ul style="list-style-type: none"> • has a culture which allows Members to challenge Council decisions without fear of reprisal. 	76.1%	6.5%	4.3%	13%
<ul style="list-style-type: none"> • has a culture which allows Officers to challenge Council decisions without fear of reprisal. 	47.8%	21.7%	4.3%	26.1%
<ul style="list-style-type: none"> • Officers treat each other and people who use the Council's services fairly. 	65.2%	23.9%	2.2%	8.7%
<ul style="list-style-type: none"> • Members treat each other and people who use the Council's services fairly. 	63%	28.3%	2.2%	6.5%
<ul style="list-style-type: none"> • People are confident about how the content of the code of conduct applies to them 	54.3%	32.6%	6.5%	6.5%

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 	71.7%	21.7%	2.2%	4.3%
<ul style="list-style-type: none"> • makes full, accurate and clear policies, guidance and advice on ethical issues and procedures available to everyone 	63%	26.1%	6.5%	4.3%
<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. 	77.8%	17.8%	2.2%	2.2%
<ul style="list-style-type: none"> • operates clear, easy-to-follow procedures to deal with inappropriate behaviour 	73.9%	17.4%	4.3%	4.3%
<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? 	47.8%	30.4%	15.2%	6.5%

Q6. Ethical Conduct	Yes	To Some Extent	No	Don't know
• I have received training relating to the code of conduct.	46.7%	28.9%	17.8%	6.7%
• I know where to go to go for advice and support on conduct and ethical issues	78.3%	15.2%	4.3%	2.2%

Q7. Ethical Conduct	Yes	To Some Extent	No	Don't know
• Members perform their duties with honesty, integrity, impartiality and objectivity.	64.4%	26.7%	2.2%	6.7%
• Officers perform their duties with honesty, integrity, impartiality and objectivity.	78.3%	17.4%	2.2%	2.2%
• encourages, develops and maintains high standards of conduct by training and supporting Members.	71.7%	21.7%	2.2%	4.3%
• encourages, develops and maintains high standards of conduct by training and supporting Officers.	65.2%	15.2%	2.2%	17.4%
• has a positive attitude towards and is willing to act on criticism	69.6%	21.7%	6.5%	2.2%
• considers ethical conduct and high standards as an important component of the Council's vision for the future	84.4%	6.7%	4.4%	4.4%

Q8. Would you welcome receiving regular examples of good practice concerning ethical governance?

Yes	No
30	16
(65%)	(35%)