

**North East Derbyshire District Council**

**Standards Committee**

**20 July 2017**

**Ethical Standards Survey**

**Report of the Assistant Director of Governance and Solicitor to the Council and  
Monitoring Officer**

This report is public

**Purpose of the Report**

- To allow Members to consider whether to repeat the ethical standards survey, which was carried out in 2014, in respect of the standards of conduct being observed.

**1 Report Details**

- 1.1 In late 2013, the Standards Committee commissioned a survey to be undertaken of District Council members and officers and parish and town councillors and clerks into ethical standards. The purpose of the survey was to establish a baseline about what was known about ethical standards, to identify any training requirements and to compare attitudes between members and officers.
- 1.2 The survey ran from 16 February to 31 May 2014 and the results were reported to the Committee at various meetings in 2014. Whilst the results uncovered little evidence of hidden misconduct, fraud or corruption, they did identify a lack of training on ethical standards amongst some groups and lack of awareness of key protocols and procedures such as the Member and Officer Protocol and Members' Code of Conduct.
- 1.3 An action plan was prepared on the basis of the survey results, setting out steps to take to address the issues raised. The action plan is attached to this report for information. Some of the issues around improving the perception of the Standards Committee would only be carried through when there are cases to determine, however the action plan was signed off as completed by the Committee in December 2015. Further actions have been taken since then that continue to address some of the issues within the action plan. These actions form part of the regular work of the Monitoring Officer, the Governance Team and the Standards Committee:
  - The Annual Report of the Standards Committee is published and distributed to the town and parish councils
  - Updates on the number of complaints and the outcomes are monitored by the Strategic Alliance Management Team (SAMT) and Cabinet Members at quarterly performance meetings

- Training on ethical standards and the code of conduct is provided as part of Members' inductions and the on-going Member Development Programmes
- The Monitoring Officer provides training and guidance/advice to town and parish councils when requested
- Briefings are provided to SAMT on any changes in arrangements in decision making and reporting (such as Delegated Decisions) and training or briefings are offered to new staff
- The Whistle-blowing policy is regularly reviewed and was updated in 2016 to include a flowchart to make the procedures easy to follow
- The District, Town and Parish Council Conference will include information on the ethical standards framework as well as other governance issues.

1.4 The Committee is now asked to consider whether it wishes to repeat the survey during the municipal year 2017/18 or in a future year, if it considers the survey to be a beneficial tool in assessing attitudes to ethical standards across the District and for developing the Committee's work programme.

1.5 The previous survey was undertaken across district councillors and officers, and parish and town councillors and clerks and received the following number of responses:

District Councillors: 23 (out of 52 circulated)  
 District Council Officers: 102 (out of 482 circulated)  
 Town and Parish Councillors: 70 (out of 254 circulated)  
 Town and Parish Clerks: 11 (out of 24 circulated)

Total: 206 (out of 812 circulated)

1.6 Although the questionnaire was available both on paper and online the vast majority of those returned were completed in paper format

1.7 Carrying out the survey was a costly and demanding exercise and took a lot of officers' time to prepare and to process the results, given that four different surveys were issued to different groups. Officers would encourage the Committee to consider the added benefit to be achieved by carrying out the survey again at this time, given the actions already taken to raise awareness of the ethical standards framework and the Code of Conduct and the relatively low number of complaints that are received - 3 during 2016/17 and 5 during 2015/16, all of which resulted in no breaches of the Code of Conduct or were deemed to be outside the scope of the Code of Conduct.

1.8 If the Committee wishes to repeat the survey, it could give consideration to whether the scope should remain the same and whether one singular survey could be used to reduce processing time.

## **2 Conclusions and Reasons for Recommendation**

2.1 Standards Committee are requested to consider whether they wish to repeat the Ethical Standards Survey during 2017/18.

### **3 Consultation and Equality Impact**

3.1 Not applicable.

### **4 Alternative Options and Reasons for Rejection**

4.1 Standards Committee is asked to consider whether or not to repeat the Ethical Standards Survey, both options are open to the Committee.

### **5 Implications**

#### **5.1 Finance and Risk Implications**

5.1.1 The financial cost of running the survey could be up to £500, but the more substantial cost is in officer time, involving a significant number of days work for officers in both the Improvement Team and the Governance Team.

#### **5.2 Legal Implications including Data Protection**

5.2.1 Not applicable

#### **5.3 Human Resources Implications**

5.3.1 None arising from this report.

### **6 Recommendations**

6.1 That the Standards Committee consider whether it wishes to repeat the Ethical Standards Survey during 2017/18 and the scope that it would have.

### **7 Decision Information**

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	Demonstrating good governance

**8 Document Information**

Appendix No	Title
1	Ethical Standards Survey 2014 Action Plan
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
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AGIN 4(b) (STANDS 0720) Ethical Standards Survey/AJD

## Ethical Standards Survey 2014 – Action Plan

Issue	Proposed actions	Timescale	Lead officer	Progress
<p>Knowledge of what ethical standards is, where to find the Code of Conduct and how to report a breach</p> <p>(Mentioned by officers)</p>	<p>Council to hold briefing sessions covering ethical standards, the Code and how to report a breach</p> <p>Publish details of survey and protocols on the Intranet</p>	<p>October/November 2014</p> <p>October 2014</p>	<p>AD – Governance and Governance Manager</p> <p>Governance Manager</p>	<p>Completed. Demystifying the Constitution sessions for officers completed on 28/10 and 3/11/14. Session for SAMT on 23/1/15.</p> <p>Completed 20/10/14.</p>
<p>Standards Committee not seen as making a positive difference to ethical standards</p> <p>(Officers, parish councillors and clerks)</p>	<p>Publicise the outcome of complaints where there has been a breach of the Code</p> <p>Send a copy of Committee's annual report to all parish and town councils</p> <p>Publish a copy of the Committee's annual report on the Intranet</p> <p>Results of ethical standards survey presented at District and Parish Liaison Meeting</p>	<p>As and when</p> <p>May 2015</p> <p>May 2015</p> <p>January 2015</p>	<p>Governance Manager</p> <p>Senior Governance Officer</p> <p>Senior Governance Officer</p> <p>Governance Manager / Chair of Committee</p>	<p>No breaches of the Code under 2012 regime have yet occurred.</p> <p>Completed following publication of the annual report in May 2015.</p> <p>Completed.</p> <p>Completed 21 January 2015.</p>

Issue	Proposed actions	Timescale	Lead officer	Progress
<p>Lack of training given on ethical standards matters</p> <p>(Officers and clerks)</p>	<p>Council to hold briefing sessions covering ethical standards, the Code and how to report a breach</p> <p>Hold parish council event either before or after the elections, potentially plug into DALC seminar and SLCC event</p> <p>Make offer to clerks to attend parish and town councils to advise on standards and governance issues generally</p>	<p>October/November 2014</p> <p>Summer 2015</p> <p>December 2014</p>	<p>AD – Governance and Governance Manager</p> <p>Governance Team</p> <p>Senior Governance Officer</p>	<p>Completed on 28/10 and 3/11/14. Separate session for SAMT on 23/1/15.</p> <p>The Council held a joint session with DALC following the elections where ethical standards issues were covered.</p> <p>Completed – letter sent 11 December 2014</p>
<p>Concerns about level of clarity and accessibility of Council's complaints procedures</p> <p>(Officers and clerks)</p>	<p>Publish details of survey and protocols on the Intranet</p> <p>Hold parish council event either before or after the elections, potentially plug into DALC seminar and SLCC event</p>	<p>October 2014</p> <p>Summer 2015</p>	<p>Governance Manager</p> <p>Governance Team</p>	<p>Completed.</p> <p>The Council held a joint session with DALC following the elections where ethical standards issues were covered.</p>

<b>Issue</b>	<b>Proposed actions</b>	<b>Timescale</b>	<b>Lead officer</b>	<b>Progress</b>
	Write to all parish clerks enclosing ROI forms and copies of relevant procedures	Late April 2015	Governance Manager	Completed following the elections. All parish and town council ROIs are now displayed on the District Council's website.
Knowledge about Member/ Officer Protocol  (Officers)	Publish details of survey and protocols on the Intranet	October 2014	Governance Manager	Completed.
Knowledge of member decision making process  (Officers)	Council to hold briefing sessions covering the decision-making process	October/November 2014	AD – Governance and Governance Manager	Completed on 28/10 and 3/11/14. Separate session for SAMT on 23/1/15.
Concerns about knowledge of confidential arrangements for staff to express concerns about fraud, misconduct and corruption  (Officers)	Publish details of survey and protocols on the Intranet	October 2014	Governance Manager	Completed.
Lack of knowledge about how seriously complaints are taken by the District Council  (Officers)	Publicise the outcome of complaints where there has been a breach of the Code	As and when	Governance Manager	No breaches have so far occurred.