

CARLISLE CITY COUNCIL

Report to:- **STANDARDS COMMITTEE**

Date of Meeting:- 4 DECEMBER 2006

Agenda Item No:-

A2

Public

Operational

Delegated Yes

Accompanying Comments and Statements

Required

Included

Environmental Impact Statement:

No

No

Corporate Management Team Comments:

No

No

Financial Comments:

No

No

Legal Comments:

Yes

Yes

Personnel Comments:

No

No

Impact on Customers:

No

No

Title:-

ETHICAL STANDARDS QUESTIONNAIRE

Report of:-

DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

Report reference:-

LDS.92/06

Summary:-

The City Council adopted the Model Code of Conduct for members on 5 March 2002. Since that time the City Council and individual Councillors have received a number of training sessions on the Code of Conduct, including the provision of a session on the Code of Conduct which is included as part of the New Members' Induction Programme.

There has, however, been no survey to gauge the level of understanding which City Councillors have on matters relating to ethical standards and compliance with the Council's Code of Conduct and the Audit Commission recommendation is that there should be one. Officers have therefore adapted a survey, based on the Audit Commission's model which, once completed, will help to identify any areas under the Code of Conduct on which Councillors may benefit from additional training/ support. There is a space for a signature at the end of the form. However, if Members would prefer to return the form anonymously, then the results would still be of benefit in identifying any future training/support needs.

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

Recommendation:-

That the survey be approved and circulated to all Members of the City Council and co-opted Members for completion so as to provide information on areas where training/support on matters relating to Ethical Standards may be improved.

Contact Officer: Ian Dixon

Ext: 7033

J Egan

Director of Legal and Democratic Services

16 November 2006

CARLISLE CITY COUNCIL

MEMBERS

ETHICAL STANDARDS AND COMPLIANCE

Code of Conduct - Compliance

For each statement/question please tick the box that most closely reflects your view.

- | | Yes | No | Don't know |
|--|--------------------------|--------------------------|--------------------------|
| 1. Has the council adopted a code of conduct for members? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 2. Has the council adopted a code of conduct for officers? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 3. Have you agreed to abide by the members' code of conduct? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | Very clear | Fairly clear | Fairly unclear | Very unclear |
|--|--------------------------|--------------------------|--------------------------|--------------------------|
| 4. How clear are you about reporting a potential breach of the members' code of conduct? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 5. How clear are the guidelines provided to members regarding their personal conduct? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| 6. How clear are you about your responsibilities under the ethical framework? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- | | Agree strongly | Tend to agree | Tend to disagree | Disagree strongly | Don't know |
|---|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 7. Members are required to acknowledge that they understand the guidance. | <input type="checkbox"/> |
| 8. Your council's approach to promoting high ethical standards is encouraging appropriate behaviour across the council. | <input type="checkbox"/> |

	Agree strongly	Tend to agree	Tend to disagree	Disagree strongly	Don't know
9. Your council's approach to promoting high ethical standards is helping to build the public's confidence in local democracy.	<input type="checkbox"/>				

10. If you become aware of any conduct by a member which you reasonably believe involves a failure to comply with the council's member code of conduct what action as an individual must you take?

	Yes	No	Don't Know
- Inform the monitoring officer?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Make a written allegation to the Standards Board for England?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Speak to the member?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Do nothing?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Standards Committee

	Agree strongly	Tend to agree	Tend to disagree	Disagree strongly	Don't know
11. There is a Standards Committee in the council.	<input type="checkbox"/>				
12. I understand the role of the Standards Committee.	<input type="checkbox"/>				
13. I believe the Standards Committee operates effectively.	<input type="checkbox"/>				
14. The Standards Committee is making a positive difference to the ethical environment in the council.	<input type="checkbox"/>				
15. The Standards Committee has a forward plan to guide its work.	<input type="checkbox"/>				
16. The work of the Standards Committee adds value to the council.	<input type="checkbox"/>				

Please give examples:

Whistle blowing

- | | Yes | No | Don't know | | |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 17. Does your council have a whistle blowing policy? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| | Very clear | Fairly clear | Fairly unclear | Very unclear | Don't know |
| 18. If yes, how clear is the policy? | <input type="checkbox"/> |

Human rights, freedom of information, data protection, equalities legislation

- | | Yes | No | Don't know |
|--|--------------------------|--------------------------|--------------------------|
| 19. Has the council begun to integrate the requirements of codes of conduct into other schemes, policies and procedures? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Training

- | | Agree strongly | Tend to agree | Tend to disagree | Disagree strongly | Don't know |
|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 20. Appropriate training is given to members on issues of conduct. | <input type="checkbox"/> |
| | | | | | |
| | Yes | No | Don't know | | |
| 21. Have you been provided with training, advice or a briefing/information on: | | | | | |
| The Human Rights Act 1998? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Freedom of Information Act 2001? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Data Protection Act 1998? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |
| Race Relations (Amendment) Act 2000? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | | |

	Yes	No	Don't know
Sex Discrimination Act 1975?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disability Discrimination Act 1995?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Conflicts of interest

	Very clear	Fairly clear	Fairly unclear	Very unclear
22. How clear are you about what a conflict of interest is?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
23. How clear are you about the differences between a personal and prejudicial interest?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Yes	No	Don't know
24. If you are appointed to represent the council on an external body whose internal rules conflicts with the City Council's Code whose prevail?			
- The City Council's code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Other organisation's code?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
- Neither?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	Agree strongly	Tend to agree	Tend to disagree	Disagree strongly	Don't know
25. A register is kept in which members are required to record any relevant interests.	<input type="checkbox"/>				
26. Members are reminded of the need to record such interests.	<input type="checkbox"/>				
27. Members are reminded of the need to record any hospitality or gifts.	<input type="checkbox"/>				
28. The hospitality or gifts register is reviewed regularly.	<input type="checkbox"/>				

Yes No Don't know

29. Must you register an interest in the members' register if:

- You have been appointed by the City Council as a representative to another body
- You have been appointed as a manager to another organisation which provides a public service

- Yes No Don't know**
- You are in a management position in a private company
 - You are in a management position in a charity
 - You are a member of a trade union or professional association
 - A person has made a payment to you in respect of your election or any other expenses incurred in carrying out your duties
 - You are a member of a church
 - You are a member of a freemasons lodge which does not have charitable status
 - You have an interest in a business or land in the council's area which exceeds the nominal value of £25,000
 - You are a partner or paid director of a company which has entered into contracts for goods, services or works with the council
 - You have a beneficial interest in land which is in the area of the council?

Yes No Don't know

30. If you have a prejudicial interest in a matter would you:

- Withdraw from the room where the meeting is being held whenever it becomes apparent that the matter is being considered?
- Not seek to influence a decision about the matter?
- Do neither?

Code of Conduct – Behaviour and Culture

Leadership

For each statement/question please tick the box that most closely reflects your view.

	Always	Usually	Sometimes	Rarely	Never	Don't know
31. Overall, members:						
- Are a focus for positive change	<input type="checkbox"/>					
- Do not interfere in operational issues	<input type="checkbox"/>					
- Listen to the advice of officers	<input type="checkbox"/>					
- Do not involve officers inappropriately in party political issues	<input type="checkbox"/>					
- Show respect to officers	<input type="checkbox"/>					
- Show respect to other members	<input type="checkbox"/>					
- Show respect to people who use council services	<input type="checkbox"/>					
- Treat fairly all users of council services and do not discriminate unlawfully	<input type="checkbox"/>					
- Treat fairly all officers and do not discriminate unlawfully	<input type="checkbox"/>					
- Treat fairly all other members and do not discriminate unlawfully	<input type="checkbox"/>					
- Perform their duties with honesty, integrity, impartiality and objectivity	<input type="checkbox"/>					
- Use public funds and council property and facilities responsibly	<input type="checkbox"/>					

Any comments?

Leadership

	Always	Usually	Sometimes	Rarely	Never	Don't know
32. Overall, senior officers...						
- Show respect to members	<input type="checkbox"/>					
- Treat fairly all users of council services and do not discriminate unlawfully	<input type="checkbox"/>					
- Treat fairly all members and do not discriminate against them unlawfully	<input type="checkbox"/>					

	Always	Usually	Sometimes	Rarely	Never	Don't know
33. Do you consider that...						
- The leader of the council is a positive role model in terms of ethical behaviour	<input type="checkbox"/>					
- The leader of the council is proactive in promoting the importance of the ethical agenda	<input type="checkbox"/>					
- The chief executive is a positive role model in terms of ethical behaviour	<input type="checkbox"/>					
- The chief executive is proactive in promoting the importance of the ethical agenda	<input type="checkbox"/>					
- Appropriate responsibilities are delegated to lead members and officers	<input type="checkbox"/>					
- The council's monitoring officer is able to carry out her/his role appropriately	<input type="checkbox"/>					
- The council seeks to meet the needs of its diverse communities (e.g. ethnic minorities, disabled people, disadvantaged people)	<input type="checkbox"/>					
- The council ensures that officers come from diverse backgrounds	<input type="checkbox"/>					

	Always	Usually	Sometimes	Rarely	Never	Don't know
- The council ensures that staff are appropriately skilled to meet the needs of its diverse communities	<input type="checkbox"/>					
- The council learns from other councils to ensure that its ethical arrangements are appropriate	<input type="checkbox"/>					

Any comments?

Communications

	Always	Usually	Sometimes	Rarely	Never	Don't know
34. The importance of high ethical standards is communicated via for example: training, meetings, newsletters, the local media and the council website to						
- Members	<input type="checkbox"/>					
- Officers	<input type="checkbox"/>					
- Local communities	<input type="checkbox"/>					

	Always	Usually	Sometimes	Rarely	Never	Don't know
35. Communication between						
- Members is open	<input type="checkbox"/>					
- Members is constructive	<input type="checkbox"/>					
- Members and officers is open	<input type="checkbox"/>					
- Members and officers is constructive	<input type="checkbox"/>					

	Agree strongly	Tend to agree	Tend to disagree	Disagree strongly	Don't know
Communication					
36. The public can easily access the members' code of conduct	<input type="checkbox"/>				
37. The public can easily access the register of member interests	<input type="checkbox"/>				
38. The public can easily access documents relating to the standards committee (for example, agendas, minutes, background papers).	<input type="checkbox"/>				

Any comments?

Relationships

	Always	Usually	Sometimes	Rarely	Never	Don't know
39. Appropriate confidences are kept by members	<input type="checkbox"/>					
40. Appropriate confidences are kept by senior officers	<input type="checkbox"/>					
41. Members trust each other	<input type="checkbox"/>					
42. Members and officers trust each other	<input type="checkbox"/>					
43. Members carry out their roles without fear of being bullied or harassed	<input type="checkbox"/>					

Always Usually Sometimes Rarely Never Don't know

44. Officers carry out their roles without fear of being bullied or harassed by members

Any comments?

Accountability

Always Usually Sometimes Rarely Never Don't know

45. Decision making by members is transparent, objective and follows agreed procedures

46. Members are accountable for their decisions and actions

47. The public has easy access to information on whom has taken particular decisions

Any comments?

Management of standards

	Agree strongly	Tend to agree	Tend to disagree	Disagree strongly	Don't know
48. There is a culture in the council which allows members to challenge decisions without fear of reprisal	<input type="checkbox"/>				
49. There is a culture in the council which allows officers to challenge member decisions without fear of reprisal	<input type="checkbox"/>				
50. There is a culture in the council which allows partners to challenge decisions without fear of reprisal	<input type="checkbox"/>				
51. There is a culture in the council which allows the public to challenge decisions without fear of reprisal	<input type="checkbox"/>				
52. The council's complaints system is clear and accessible	<input type="checkbox"/>				

	Always	Usually	Sometimes	Rarely	Never	Don't know
53. Overall, members ...						
- Take complaints from the public seriously	<input type="checkbox"/>					
- Respond positively to constructive external criticism about the council	<input type="checkbox"/>					
- Use referrals to the Standards Board for England appropriately	<input type="checkbox"/>					
- Use referrals to the Standards Board for England without fear of reprisal	<input type="checkbox"/>					

	Always	Usually	Sometimes	Rarely	Never	Don't know
54. Overall, senior officers...						
- Use referrals to the Standards Board for England appropriately	<input type="checkbox"/>					

Always Usually Sometimes Rarely Never Don't know

- Use referrals to the Standards Board for England without fear of reprisal

Whistle blowing

Always Usually Sometimes Rarely Never Don't know

55. The council's whistle blowing policy is used appropriately

56. The council's whistle blowing policy is used without fear of reprisal

Any comments?

Team working and co-operation

Always Usually Sometimes Rarely Never Don't know

57. Members work well together to achieve the council's common goals

58. Members and senior officers work well together to achieve the council's common goals

Any comments?

Partnership working

	Always	Usually	Sometimes	Rarely	Never	Don't know
59. The council works well with voluntary and community groups to achieve the area's common goals	<input type="checkbox"/>					
60. The council works well with statutory partners to achieve the area's common goals	<input type="checkbox"/>					
61. The council has positive working relationships with these partners and the wider community	<input type="checkbox"/>					

Any comments?
