



STANDARDS COMMITTEE  
3 July 2009

**Code of Conduct: Member Knowledge**

**PURPOSE OF REPORT:** to note/to decide

This report provides findings from both the Standards of Conduct survey and an Audit and Risk Assurance survey to inform Standards Committee of the state of awareness of the need for high ethical standards and of the Code of Conduct within Surrey County Council at the end of the previous Council.

**Introduction:**

1. On 13 March 2009, Standards Committee considered the results of a survey on Standards of Conduct at Surrey County Council. The survey found that the majority of Members agreed that there were areas of the Code of Conduct that Councillors do not fully understand. The Committee requested that the Monitoring Officer establish which areas of the Code of Conduct Members do not understand.
2. A recent Audit and Risk Assurance survey assessed knowledge of the Code of Conduct amongst Members. Findings from both the Standards of Conduct survey and the Audit survey are summarised below.

**Findings**

3. Understanding of the need for high ethical standards and behaviour

The Standards of Conduct survey of Members and senior officers found that 94% of respondents agreed that the majority of Members in the Council demonstrate an understanding of the importance of high ethical standards. The same percentage agreed that the majority of Members demonstrate high ethical standards in their behaviour towards others.

4. Advice and Guidance

The Standards of Conduct survey of Members and senior officers also found that 81% of respondents agreed that there is clear advice and guidance on ethical standards issues available to Members. 76% of respondents agreed that Members know where to get advice on Code of Conduct issues.

5. Register of Interests

The Standards of Conduct survey found that Members appear to have differing views about what should be included in the Register of Interests and the majority of them do not regularly review their entries on the register.

6. Taking advice

The Code of Conduct requires Members to have regard to advice from the Chief Finance (S151) Officer and the Monitoring Officer when (the officers are) acting in their professional capacity. The majority of Members responding to the Audit survey were aware of this (77% aware that must have regard to advice from the Monitoring Officer and 68% aware that they must have regard to advice from the S151 Officer). This represents an adequate response but indicates the need to raise awareness.

7. Application of the Code of Conduct

Only 41% of respondents to the Audit survey were aware that they must comply with the Code of Conduct when they act or claim to act or give the impression of acting as a Councillor. Although this is a low finding, 82% of Members believed that a higher test applies, that is *at all times* – no further action needed.

8. Gifts and Hospitality

100% of respondents to the Audit survey knew the minimum value for declaring a gift or hospitality received. However, only 77% understood that this must be registered in 28 days.

9. Training

The Audit survey found that 82% of Members have received training in the Code of Conduct. 71% do not believe they require further training. However, an issue has arisen out of a recent investigation into a complaint about the failure of Guildford Local Committee Members which demonstrates a need to train County and Borough Members on declaring interests at local committee meetings.

<b>Training of the New Council:</b>
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10. Standards Committee has raised the profile of the need for good standards with the new Council through:

- A letter from the Chairman of Standards Committee to all candidates
- A letter from the Chairman of Standards Committee to all newly appointed Members; included in signing on packs.
- The Code of Conduct; circulated in signing on packs.

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- The Chairman of Standards Committee attending the Member's Induction Day buffet lunch to help raise the profile of the Committee.

11. Training on the Code of Conduct was offered to all Members on 15 June 2009. Thirty-two Members attended. The Chairman of Standards Committee and the Monitoring Officer led the training.
12. Training is being provided to each Local Committee on the Code of Conduct as a result of recommendations from Standards Committee following investigation of a complaint.

### Conclusions:

13. The results show that the majority of Members do understand the need for high ethical standards, a reasonable majority are able to correctly answer detailed questions relating to the Code of Conduct, the majority have received training and the majority think that no further training is required. These results are backed up by a low incidence of successful complaints about Member conduct.

### Financial and value for money implications

14. A programme of training is likely to entail cost. The Committee would need to consider whether a particular programme would represent value of money.

### Equalities Implications

15. Members and co-opted Members need to be aware of their obligation under the Code of Conduct not to do anything which may cause the authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006) [paragraph 2(a)].
16. Training will need to be provided in a way that meets different requirements.

### Risk Management Implications

17. Councillors could be at risk if they have not received Code of Conduct training and similarly the Council could be at risk if it cannot prove that it has provided training.
18. The theft, loss or leaking of confidential documents, information and decisions leading to reputational and financial damage is listed as an amber risk in the Democratic Services risk register. The mitigating action is to ensure that all Members are aware of and understand the Code of Conduct and their personal responsibilities within this. Inappropriate public behaviour by members and/or staff leading to reputational damage is also a green risk.

**Implications for the Council's Priorities or Community Strategy/Local Area Agreement Targets**

19. None.

**Recommendations:**

1. The Committee consider how to provide advice, guidance and training for Members and co-opted Members on the Code of Conduct during the upcoming year.
2. A survey combining questions from the Standards of Conduct survey and the Audit survey be undertaken in 2010 to measure the effectiveness of training on the Code of Conduct.

**Next steps:**

Standards Committee to develop and lead a training programme for the new Council on the Code of Conduct.

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**Sources/background papers:**

Standards of Conduct Survey (Standards Committee, 13 March 2009, [www.surreycc.gov.uk](http://www.surreycc.gov.uk))  
Model Code of Conduct (Members) – Governance Survey (Audit and Risk Assurance)