

LOCAL GOVERNEMENT SCORE CARD FOR PUBLIC ETHICS

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Local Government Score Card for Public Ethics

The European Local Government Score Card for Public Ethics is **a practical tool for evaluating and improving the ethical standards of governance by local governments and the delivery of public services.**

Introduction

Democracy depends on public trust. Without the confidence of the people in the integrity of those they elect to represent them, and of those employed to deliver services to them, democratic institutions would falter. Market economies cannot flourish if corrupt governance undermines fair competition. Public power cannot be exercised effectively if it is done in self-interest. Ultimately, democracy will fail in societies that do not maintain reasonable standards of ethical behavior at all levels of public life.

Democracies across Europe are increasingly aware that standards of ethical behavior must be actively nurtured. To help do so, the Council of Europe's Centre of Expertise for Local Government Reform has developed a method to help local governments assess and, above all, improve adherence to the standards of public ethics.

Objectives of the methodology of the Score Card

- to help local governments to improve their ethical standards;
- to provide an opportunity for local governments to take responsibility for their own improvement;
- to help local governments to assess the impact of their policies in respect of improving public ethics;
- to grant the umbrella organisations of local governments the capacity to guide the ethics development process throughout the local government as a whole.

The purpose of the Score Card is to determine the extent to which the local government is dealing with issues concerning the promotion of ethics and prevention of corruption, and whether the council has established rules of conduct to promote ethics and ways to confirm that these responsibilities are being met.

Fill in the "Score" column, evaluating whether the relevant activity has been performed in your local government.

"0" means "never/not at all" and the maximum score "10" means "completely/always". The score is cognitive and depends on the extent the local government feels they have complied with the requirements.

Definitions:

Code of Conduct – written requirements for ethical conduct, which can be prepared as a code, rules of conduct, fundamental values and their description, or in any other form. It is important that the requirements of the Code of Conduct involve those issues relevant to the public ethics which are indicated in the directive.

Public ethics – a set of ethical stances and norms which are considered to be an important part of public governance under democratic rule of law and which cover ethical requirements representatives of the public authority are subject to.

Private interests – the interests of the society or community which a person is bound to represent and promote as a representative of public authority.

Relevant interests – private interests of a council member, which can be influenced by the decisions of the council or local government

Conflict of interest – conflict between private and public sector interests.

	ACTIVITY	VERIFICATION/ EVIDENCE STATEMENT	OTHER MEANS OF VERIFICATION/ EVIDENCE (PLEASE DESCRIBE)	SCORE 1- 10	COEFFICIENT/ IMPORTANCE OF STATEMENT/ PERCENTAGE	FINAL SCORE
CHAPTER A. Status of Local Elected Representatives (council and local government)						
1. General Framework						
A 1.1.	Adoption of a standard Code of Conduct, which includes clear instructions for council members as to what should be done in respect of: <ul style="list-style-type: none"> • duties and responsibilities, including service to the community and the public • mutual respect for rights and the obligation to report breaches • reporting conflicts of interest, gifts and benefits • disclosing any financial, family or other interest in any activity of the council, including appointments, dealing with officials, etc. • avoidance of possible conflicts of interest • transparent decision making • not using official resources or facilities for personal or party purposes • corruption and undue influence 	Detailed Code covering the areas indicated in the present document			10	
A 1.2	The council approves of the General Code	The Code has been created			8	
A 1.3	The Code is publicly available in booklet form and/or through the local government website	Booklet or website			7	
A 1.4	The council has designated a committee to monitor the implementation of the Code of Conduct, including the completion and publication of the declarations of interests	Committee has been designated and rules of procedure approved			10	
A 1.5	All council members are required to sign an agreement, before assuming office, agreeing to adhere to the Code of Conduct.	Signed registered agreements by the committee			10	
A 1.6	All new council members receive training in/introduction to the duties and roles of a council member, including the purpose and contents of the Code of Conduct.	Council members have been notified			8	
A 1.7	The council has integrated the principles of the Code of Conduct with its other work and internal procedure rules.	Procedures reflect principles			10	
A 1.8	In the case of all procurement and supply contracts it must be ensured that the council member's involvement at any stage of the proceedings (including evaluation, the awarding of a contract, and having involvement with the bidders) shall not serve the interest of the council member or the private interest of the persons connected to them.	Contracts and procurement documents have been analysed			10	
A 1.9	The statutes or the rules of procedure for the conducting of council and committee meetings includes a requirement to disclose any relevant interests. Any disclosure is taken down in the minutes.	Source documents reflect the requirement			8	

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A 1.10	The statute or the rules of procedure specify the council policy on dealing with suspicions of breaches of the Code of Conduct or disclosures during council proceedings. The source documents are publicly available and also cover the procedure for making a complaint and the stipulated sanctions for breaches.	Source documents are appropriate			9	
A 1.11	The local government has designated the person responsible for resolving situations involving disclosures of relevant interests and other breaches of the Code of Conduct.	Person responsible has been designated			10	
A 1.12	Once during each election cycle, based on local needs, the council shall review the work and internal procedure rules and supplement them, if necessary.	Documents are appropriate			8	
2. Rights, obligations, and liability of elected representatives						
A 2.1	The council ensures that, in relation to their colleagues, officials and members of the public, all council members shall adhere to the following principles: <ul style="list-style-type: none"> • Work in the public interest • Avoid discriminatory conduct • Avoid unsuitable or inappropriate behaviour • Adhere to the council's Code of Conduct • Report breaches of the Code of Conduct by others • Avoid conflict of interest in relation to personal, financial, and family interests • Act transparently in making decisions • Avoid nepotism • Furnish appropriate information and avoid manipulating information • Promote anti-corruption stances within the council 	Code has been created			10	
A 2.2	Council members are aware of their accountability to voters.	Code of Conduct has not been breached			7	
A 2.3	The stated policy on remuneration and compensation of council members is fair and transparent, and the relevant information is published on the council's website.	Information is available on the website			7	
A 2.4.	Additional remuneration and other expenses of council members are approved and disclosed by the council.	Expenses are disclosed			8	
A 2.4	All council members leaving the service or employment of the council must refrain from negotiating on behalf of their new employer with former colleagues or officials in relation to any council decision or activity.	Principle is followed			6	

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	3. Training, informing and co-operating with elected representatives					
A 3.1	The council uses the local government council member handbook.	The handbook has been made available			10	
A 3.2	Council members participate in training courses on their rights, duties, and responsibilities as a council member	A training programme has been created and materials are in use			8	

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Chapter B. Funding of political posts, political associations and individual candidates at the local level						
1. General Framework						
B 1.1	Subject to either the requirements of the law or the Election Commission, the council publishes the rules and regulations on party and/or election coalition funding and election expenditures.	Information on the website			8	
B 1.2	The local government makes available public premises during the election period for the holding of meetings in all suitable locations with equality of provision and opening hours to ensure accessibility.	Information on the website			8	
2. Funding of Local Political Parties/Election Coalitions						
B 2.1	The council ensures that no money from the local budget is allocated to support or cover the activities of parties/election coalitions or associations affiliated with them.	Appropriate procedure or terms of reference			10	
B 2.2	The council avoids funding and using administrative means for campaigns, covert advertising, progress reports and such at least six months before the council elections.					
B 2.3	The council ensures that all council members are granted equal opportunity to use council rooms or facilities for the benefit of the party/election coalition.	Corresponding rules or procedure			9	

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Chapter C. Control and audit of local governments						
1. External Control						
C 1.1	The local government commissions a financial audit once a year and critically reviews the expenses indicated in the audit as being detrimental to the reliability of the council.	Presence of external auditor			10	
C 1.4	In order to ensure impartiality, the changing of auditors once in two council election cycles is considered.	Competition results				
C 1.5	The council discusses all audit reports during meetings, including National Audit Office reports.	Discussions have taken place				
C 1.6	If the creation of the internal audit post is inexpedient, the local government shall commission an internal audit service at least once in an election cycle.	Audit has been carried out				
C 1.3.	When choosing an external auditor, both economic expediency and the competence of the auditor shall be considered.	Competition results				
C 1.2	A performance audit, the purpose of which is to map corruption risks, shall be carried out in the local government during the election cycle.	Performance audit has been carried out			9	
2. Internal control/internal audit						
C 2.1	The council ensures the implementation of an internal control system and the arrangement of the activity of the internal auditor. The rural municipality government or city government implements the internal control system and is liable for its performance.	Job description, Terms and Conditions of Service for post			10	
C 2.2	The rural municipality government or city government submits to the council the internal auditor's report, accompanied by the annual report. The council appoints a council committee which receives reports from the internal control department/internal auditor and then reports to the whole council.	Committee terms of reference; Report			9	
3. Judicial supervision						
C 3.1	The council implements any judicial decision on the work of the council and makes public such decisions.	Decisions are public and fulfilled			9	
4. Alternative mechanisms						
C 4.1	The representatives of the council participate in working groups to discuss problems and areas of common interest concerning local governments	Participation in working groups			6	
C 4.2	The council shall hold public meetings at least twice a year to include voters in the planning of council activities and involve them in budgetary planning.	Discussions have taken place			9	

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Chapter D. Status of rural municipality government or city government staff						
1. General Framework						
D 1.1	The local government has approved the Code of Conduct for local government employees.	Detailed Code covering all areas			10	
D 1.2	The Code of Conduct is incorporated into the work instructions of all local government employees, and the observance of the Code of Conduct is compulsory.	Work instructions are appropriate			10	
D 1.3	The Code of Conduct is publicly available and published on the website of the local government	Information is on the website			8	
D 1.4	The local government determines who is liable for dealing with alleged breaches of the Code of Conduct in accordance with the law and service or employment relationship.	Administrative Procedures or Standing Orders document			9	
2. Fulfilment of work duties						
D 2.1	The terms and conditions of work and service of all local government employees contains requirements for the declaration and resolution of conflicts of interest, including the rules for the use of information.	Terms and conditions of work and service are appropriate			10	
D 2.2	The observance of the Code of Conduct is compulsory for local government employees.	Terms and conditions of work and service are appropriate			9	
D 2.3	All new local government employees are notified of the conflict of interest, accountability and responsibility, and are informed of customer service and service delivery requirements	employees are notified			6	
3. Rights and obligations of local public servants						
D 3.1	The Code of Conduct includes rules on second jobs, dealing with business undertakings and other areas where conflicts of interest may arise (see www.korruptsioon.ee).	Code has been amended			10	
D 3.2	All local government employees participate in ethics awareness training (issues addressed include conflict of interest, gifts, ancillary activities, instructional material on ethics, decisions of the Council of Ethics of Officials).	Training attended			8	
D 3.3	The local government establishes an internal whistle-blowing policy in a manner that shall not result in disciplinary action for the whistle-blower and shall not be grounds for dismissal.	Whistle-blowing policy has been established			9	
D 3.4	The local government has established a policy on recruitment, including regulations governing where posts are advertised, the composition of selection committees, the handling of references and feedback for unsuccessful candidates.	Appropriate policy exists			8	

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D 3.5	All documents adopted by the local government can be filled in without breaching the principles of the Code of Conduct.	Decisions and regulations are compliant with the Code of Conduct			10	
4. Recruitment, remuneration, working conditions and career development of local public employees and servants						
D 4.1	The local government has clear recruitment procedures based on merit	Appropriate policy exists			8	
D 4.2	Precedence is given to public competitions over internal ones.	Percentage of public competitions			7	
D 4.3	The creation of all posts is justified and each post is accompanied by a specific job description, including qualifications and experience required	Job descriptions and posts are compliant with the Code of Conduct			7	
D 4.4	All posts are publicly advertised in the local media and on the local government website; all available public service posts are published at www.avalikteenistus.ee .	Information is public			10	
D 4.5	The local government documents the selection process, including references and confirmation of qualifications.	Selection processes are documented			8	
D 4.6	Where there is a formal examination process, the government documents the process to deal with complaints.	Process to deal with complaints has been documented			7	
D 4.6	The local government subject to national requirements, publishes salary scales and grades associated with all official posts.	Annual local government structure chart, with numbers, types of post and associated salary grades, are available in report or on website			7	
D 4.7	The terms and conditions of work and service for local government employees provides clear guidance on eligibility for expenses and allowances.	Instructions are available			9	
D 4.8	The local government has a clear set of instructions concerning job descriptions, criteria for promotion, promotion procedures and appeals against failed promotions.	Instructions are available			6	
D 4.9	The local government publishes an annual list of claimed expenses and allowances, with explanations of the amounts and purposes.	Information is available in annual report and on website			6	
D 4.10	The terms and conditions of work and service require that all transfers and other movements of employees are made on clear and transparent grounds.	Decisions involving personnel are justified			9	

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D 4.11	The Code of Conduct states that any proven allegation of discrimination, notably on the ground of age, disability, sex, marital status, sexual orientation, race, colour, ethnic or national origin, social background, political or philosophical opinions or religious beliefs will be treated as a disciplinary offence.	The Code of Conduct has been amended accordingly			10	
D 4.12	An immediate superior performs an annual appraisal in order to assess the competences, resources and training requirements of staff to undertake work.	Assessment has been carried out			7	
D 4.13	Administrative Procedures and Standing Orders contain requirements that all local government employees, upon leaving the service or employment, must refrain from working on behalf of their new employer when negotiating with former colleagues or council members in relation to any local government decisions or activities.	Requirements have been established			10	
5. Training, information, co-operation and transparency						
D 5.1	The local government has an annual training programme covering the entire government	Training programme has been created; Training responsibilities in job description			8	
D 5.2	The annual training programme includes an ethics module, during which representatives from agencies responsible for the promotion or investigation of ethical conduct and misconduct are trained.	Training programme has been supplemented accordingly			8	
D 5.3	The local government is seeking opportunities to conduct joint annual trainings with neighbouring local governments	Training programme and materials			7	
D 5.4	The local government covers training activities in the annual report	Information reflected in the annual report			7	
D 5.5	The local government regularly shares information with the local media	Confirmation by local government press officer or another responsible person, and by local media			5	

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Chapter E. Transparency, administrative procedures, anti-corruption campaigns and evaluation						
1. Transparency and access to information						
E 1.1	The local government has a code or principles governing service delivery, on access to and use of information, and on data protection and complaint resolution procedures. The appropriate information is available on the local government website.	Code or principles are public			8	
E 1.2	The agendas/times of council meetings are made public, and the information is accessible to the public.	Information is available and access is granted			10	
E 1.3	All official documents meant for public use, including committee and council agendas and minutes, and procedures for all departments, are publicly available on the local government website.	Official documents are available			10	
E 1.4	Information involving the council is clearly discernible on the local government website, and a responsible official has been designated to maintain it.	Information on the local government website is up-to-date			7	
E 1.5	All services provided to the public include a service delivery charter or procedure, made available on the website.	Rules or procedure are public			9	
2. Anti-corruption campaigns and policies						
E 2.1	The local government has adopted a proactive stance concerning corruption, and council members, members of the local government, public servants and citizens are included in corruption prevention activities.	Local government procedures and documents, transparency of decisions, and availability of information			10	
E 2.2	There is an anonymous and easily accessible system for providing notice and processing cases of misconduct. The received information is used to improve the rules of conduct and other documents.	System existence and accessibility			9	

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Chapter F. Local governments' relations with the private sector						
1. Public contracts concluded by local governments						
F 1.1	The local government has a sustainable procurement policy, annual procurement plan, clear rules of procedure, and necessary documents for conducting various types of procurements with different values.	Systematic reviewing of procurements			10	
F 1.2	The local government has a procurement unit or designated official who is responsible for the compliance of procurements with ethical requirements and who will liaise with the internal control on procedures.	Unit terms of reference; Job descriptions			8	
F 1.3	Each procurement has clear evaluation criteria for the selection procedure: purpose, timeframe, duration, risks and other important criteria for the local government. The evaluation criteria are public and available on the website.	Evaluation criteria have been established			9	
F 1.4	The local government exercises due diligence concerning the persons involved with the bidders (owners, sub-contractors, etc.).	Due diligence is exercised			10	
F 1.5	All tender evaluations require that the due diligence of bidders (previous compliance of the bidder with ethical requirements) be taken into consideration, while also weighing the involving of independent experts in the evaluation process of as many cases as possible.	Tender evaluation procedures are appropriate			9	
F 1.6	All unsuccessful bidders are notified in writing as to the reasons why they were not selected.	Notification process works			8	
F 1.7	A public consultation must always precede any planning decisions which may have an impact on the public.	Consultations have taken place			9	
F 1.8	Persons involved in the carrying out of procurements must follow the rules below: <ul style="list-style-type: none"> any involvement of council members and officials in bids is made public in order to avoid the possible risk of corruption confidentiality on the part of council members and officials concerning the possession and use of information is required council members and officials are barred from accepting any benefits and gifts from existing or prospective contractors and suppliers 	Rules are followed			10	
2. Delegation of public services to the private sector						
F 2.1	In case public services are outsourced, information associated with the service provider, such as the name of the service provider, important contract terms, cost, etc., is disclosed on the website.	Information is on website			8	

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F 2.2	The local government decides on any delegation and concludes a contract that specifically addresses: <ul style="list-style-type: none"> • supervision arrangements to protect the public's rights • clear and detailed funding, risk-sharing and delivery protocols • specified reporting arrangements and performance indicators • clauses to cover pricing and the level and range of delivery 	Requirements reflected in the contract			8	
F 2.3	All contracts include the option to withdraw, if the provision of the service fails to conform to the agreed upon terms and conditions or the fees exceed the agreed upon amount.	Contract form			8	
F 2.4	The local government seeks to participate in long-term partnership projects with neighbouring local governments.	Existence of long-term partnership projects			7	
3. Transfer of public services delivered by local governments						
F 3.1	The local government has established a policy on transferring public services to the private and non-profit sectors and on monitoring the quality of service.	Principles are followed			9	
F 3.2	Control over the quality of service is carried out at least once a year.	Principle is followed			8	
F 3.3	The local government follows the guiding principles on the funding of the non-profit sector (https://www.siseministeerium.ee/sites/default/files/dokumendid/yhenduste_rahastamise_juhendmaterjal_parandatud.pdf) and/or has created detailed procedures based on them.	Principles are followed			8	
F 3.4	Due diligence inspection of the association is carried out prior to a decision being reached, including an analysis of its earlier performance of the diligence obligation.	Due diligence is carried out			8	
F 3.5	Local government policy indicates where conflicts of interest may arise when council members and officials participate in the work of the funded associations.	Principle is followed			10	
4. Issuing licences/permits and certificates						
F 4.1	Unambiguous and clear local government service delivery charters are adopted and published.	Terms and conditions for service delivery have been adopted and are public			9	
F 4.2	There are official forms that state the office/official responsible, time of the decision, and reasons for the decision.	Application forms are available			9	

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F 4.3	Planning decisions are published in local media or on the local government website and are available for inspection in the document register.	Decisions are available			9	
5. Management of municipal assets						
F 5.1	The local government has a full inventory of assets, and the relevant information is available upon request.	Information available upon request			10	
F 5.2	An official responsible for managing assets is designated	Job description, Terms and Conditions of Service for post			7	
F 5.3	A policy on the use and disposal of assets has been adopted and published.	Policy is public			10	
F 5.4	The public is included in the process of amending the procedure for the use or disposal of community-relevant assets.	Community is included			7	
F 5.5	Annual inspection of inventory of assets is performed	Annual report submitted to council or committee			6	
F 5.6	Annual audit confirmation of the use of and income from assets is effected. A statement on the use (sale, rent, income) of assets is compiled.	Annual report submitted to council or committee			7	