

UNITED STATES DEPARTMENT OF EDUCATION

Survey Report: Executive Summary

prepared by
Council of Ethical Organizations
&
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Executive Summary

Purpose of Survey Administration

As part of undertaking the Organizational Ethics Assessment and Training Project for the United States Department of Education (ED), Human Resources Research Organization (HumRRO) contracted with the Council of Ethical Organizations (the Council) to conduct a survey to assess the ethics and compliance environment of ED.

The purposes of this survey administration were to assess ED's organizational culture with respect to ethics and compliance issues to:

- provide a basis for the development and delivery of a values-based ethics training component to supplement the existing compliance-based training model, and;
- identify ways ED's ethical culture could be strengthened.

These goals are part of a broader ED strategic initiative - the *Blueprint for Management Excellence*. The aims of this initiative are to improve departmental performance, strengthen public trust in the agency, and foster a culture of excellence and accountability among all employees.

Overview of Survey Instrument

The Council used *The Ethics Compliance Survey* to conduct this assessment. *The Ethics Compliance Survey* has been administered nationally for more than a decade. General survey results have been recognized in a variety of publications, while specific results have been used by organizations in areas ranging from law enforcement and education to insurance and health services. The survey instrument was designed to determine which features or attributes of an organization are most likely to foster ethical and compliance conduct, and which factors might encourage unethical or illegal conduct. (Note: In this context, "ethical" conduct refers to behavior guided by values, moral commitments and ethical standards, and "compliant" conduct refers to abidance with organizational rules, law and regulations.)

This first administration of the survey provides a baseline against which to assess the progress of ethics and compliance efforts such as the anticipated training initiative. It also compares ED's ethics and compliance environment with that of other organizations that have participated in the survey.

Three kinds of information result from this survey administration. The first type of information (**basic scores**) is that derived from administration of the four scales (comprised of a total of twenty items) that are common to most survey administrations. This information provides insight into the general ethics and compliance environment of an organization. Basic scores are presented through a standardized scoring method that provides a benchmark with other organizations that have participated in the survey.

The second type of information (**additional information**) is diagnostic. The information is derived from “back page” items - additional items at the end of the survey form - devised specifically for this survey in cooperation with ED. This information includes demographic information intended to provide additional insight into the ethics and compliance environment at ED. This information can not be translated into standard scores but is cross indexed with basic scores to provide comparisons.

The third type of information generated through this survey administration consists of **comments** provided by respondents. While this type of information is solicited to allow participants to express viewpoints - and to allow ED to address such concerns as may be reported, it is not used to interpret survey results. An overview of types or categories of comments with illustrative examples is included at the end of this report.

Response Rate

The response rate required to ensure reliability of results is 15%, and the normal response rate is between 18% and 23% but varies widely. These rates are based on the Council’s normal survey administration protocol, which is mailing to employee home addresses with return to a PO box. The response rate for this survey administration (60.7%) is high. We attribute the high response rate to several factors, including the desire of ED employees to address the survey topics, a positive response to the survey items, and the convenience of being able to respond on-line. (Given precautions taken as part of the survey delivery methodology, we are confident that the high response rate is not attributable to duplicated responses.)

Results: Strengths and Weaknesses

ED’s over-all rating is **average to above average**. ED’s score when compared to government organizations is **above average**. Since organizations choose to participate in the survey, it is reasonable to infer that participating organizations are highly concerned with ethics and compliance. Thus, we view both these results as positive. There was also consistency in most results across offices indicating an organization with a healthy ethics and compliance environment.

A sound assessment of an organization’s ethics and compliance climate normally indicates both strengths and weaknesses. Strengths provide a foundation for change and improvement. Weaknesses suggest areas that the organization may wish to emphasize in the future. *Since analysis of strengths and weaknesses is based on the consultant’s interpretation of survey results, ED is encouraged to undertake further study of reported issues.* Due to the generally positive results achieved by ED, strengths are easier to observe and require less interpretation than weaknesses.

Strengths

- **Over-All Climate:** ED's over-all score is **average** to **above average**. Given that this survey encompasses both ethics and compliance issues and that ED is early in development of its values-based approach, this is an encouraging result. It is also important to note that organizations used in this comparison choose to participate in the survey. Thus this comparison can be viewed even more positively as it compares ED to other ethics and compliance aware organizations. The government comparison confirms this result as does the general consistency of positive scores across offices.
- **Commitment to Ethical Conduct:** Employees seem to have an above average commitment to ethical conduct and also believe that ethical conduct is important to employment success at their work location. This suggests that training and communications efforts should focus on compliant conduct (i.e., rule abidance) being emphasized as *one aspect* of ethical conduct. This result comports with the general values-based training approach anticipated by ED.
- **Common Standard of Conduct:** Employees seem to believe that a common standard of conduct applies to all ED employees to an extent that is above average. This is a positive result since employees will only respect an ethics program if they see that a single set of standards applies to all employees. Employees also seem to have confidence in managerial and professional respect for policies and ethical standards to a degree that is above average. Throughout the survey results, there are indications of consistency in the communication and application of standards across ED.
- **Interests of Constituents:** Employees seem to have above average confidence that their decisions reflect the interests of ED's constituents. This indicates confidence that decisions about constituents will stand ethical scrutiny and provides a positive premise for ethics training and communication efforts.
- **Integrity of Supervisory Direction:** Employees seem confident in the integrity of the direction given to them by their immediate supervisors. This result suggests good buy-in by supervisors with respect to ethics and compliance messages.
- **Policy Compliance:** The policy-compliance orientation of ED employees seems to be above average. Employees also believe that ED ethics and compliance policies are clear to an extent that is above average. This is a significant accomplishment given the complexity of the rules applicable to federal employees. It also suggests that policies are clearly presented in current training and communications efforts.

- **Raising Concerns:** Employees seem comfortable raising their ethical concerns with ED Ethics Division Staff. (This perception was also anecdotally indicated in preliminary focus groups.) This positive perception will assist the ED Ethics Division Staff implement the planned ethics training initiative. It also suggests that there may be value in strengthening the current role of Ethics Division Staff in providing information on ethics-related matters within ED.
- **Management Demands:** Employees do *not* seem to perceive that management where they work makes demands that can be met only by violating policies.
- **Ethics Information:** Employees report that they receive appropriate ethics information to a very high degree. Employees also have a high level of recollection of participating in ethics training. Employees who recall participating in the training give the ED ethics and compliance climate a higher rating than those who do not recall participating in the training. This suggests a positive response to the ED training initiative to date

In summary, these strengths suggest a healthy ethics and compliance climate in which improvement may be more a matter of incremental change and sustained attention than any sort of radical change in direction.

Weaknesses

While the weaknesses tend to gain more attention than strengths when reading an assessment of this type, it is important to remember that the over-all survey score is indicative of a sound ethics and compliance environment.

- **Reward System:** Employees seem to perceive that ED rewards *unethical* conduct to a certain extent. This result likely reflects the limited degrees of freedom available in compensating government employees. Perceptions in this area are important to over-all ethics and compliance climate, so it is an area worthy of further study - especially to see if informal reward systems can play a role in improving this perception.
- **Reporting Concerns:** Employees seem about average in their willingness to report ethics and compliance concerns through the line of command or other appropriate channels. Employees do seem to *fear* retaliation for reporting *managerial* misconduct to an extent that is above average. The demographic information obtained through back page items also points to fear of retaliation as a potential concern. This is a common concern across organizations and it is often effectively addressed through both policy changes and educational efforts. The focus groups conducted preliminary to this report, while providing only anecdotal information, suggested that employees may not be clear as to the correct internal mechanism to use for reporting.

- **Comparison to Agencies:** Employees seem not to perceive ED to have higher ethical standards than other Federal Agencies. This does *not* indicate that employees compare ED negatively to other Federal Agencies, but rather that they do not express above average confidence in the ethics of their own agency. Such a perception is sometimes caused by significant events that put an organization in a bad light. In such cases, and absent further events of a negative nature, perceptions normally improve with time. But this is also an area that can be addressed by emphasizing the over-all values and mission of an organization in training and communications.
- **Leadership Commitment:** Employees seem to have below average confidence in the resilience of ED leadership's commitment to ethical standards. To some extent, this may be attributed to the differential in perceptions about leadership between different groups within ED (e.g., between political appointees and career employees; between rating officials and other employees).
- **Gap in Perceptions:** Political appointees and rating officials seem to have a more positive perception of the ED ethics and compliance environment than other employees. In most organizations, higher level executives and managers rate the ethics and compliance environment higher than lower level employees. The differential indicated here seems to somewhat exceed this normal gap in perceptions. It would be a reasonable goal of the training and communications efforts to reduce this gap in the perception of the ethics and compliance environment.
- **Role of Agency Tenure:** Employees who have worked for ED the least amount of time have a slightly more positive response to the ethics and compliance environment. The greatest decline in score as tenure increases is in the area of willingness to report concerns. While this is a normal response pattern, we have seen this pattern reversed in organizations with a firm values and mission driven approach to ethics and compliance.

These weaknesses are subtle in interpretation but fairly common in organizations participating in the survey. We recommend a strategy of building on the strengths of an organization's ethics and compliance environment rather than just addressing weaknesses. This is also the core of a values-based approach to training - and to orienting the over-all ethics and compliance initiative at ED.

Recommendations

Recommendations provided in this report are intended to build on strengths while addressing weaknesses. We offer General Recommendations for strengthening ED's ethical culture and Training Recommendations for the upcoming training initiative.

General Recommendations address the role of top leadership and middle management in affirming and enhancing the values basis of ED's organizational culture. General Recommendations also focus on fostering employee willingness to report concerns, building on employees' commitment to ethics, and continuing to assess the progress of the ED ethics initiative.

Training Recommendations address the importance of involving top leadership and middle management. These recommendations also emphasize the importance of presenting a stable values framework for the training sessions. It is recommended that the training sessions incorporate realistic case scenarios, while forthrightly addressing tough issues that may affect employee acceptance of messages incorporated in the training.