

Good Governance

Culture, Codes and Law

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Thoughts for the day...

- “Our deeds travel with us from afar And what we have been makes us what we are”
- The "club"
 - a purveyor of good governance
 - an enemy of good governance

Ethics Legislation

- Context
- Requirements
- Issues

Culture

- Nature
- Features
- Issues

Context for ethics legislation

- *Early 1990s*
- Semi State issues
- Beef Tribunal

Who's minding the public interest?

- *Mid/late 1990s*
- Tribunals
- Supreme Court findings

Some features of Ethics in Public Office Acts

- Annual disclosure of interests
- Prohibition on acting in conflict
- Connected persons
- Independent oversight by Commission
- Codes of Conduct

Governance described

- Corporate governance generally refers to the processes by which organisations are directed, controlled and held to account.
- It encompasses authority, accountability, stewardship, leadership, direction and control exercised in the organisation

Some Governance accessories

- Systems, procedures, processes etc
- Separation of duties
- Audit and monitoring
- Reporting requirements
- External oversight and review

Issues

- Breadth of governance v specificity of legislation
- Provision for Codes
- Legislation a significant framework
- Acts or omissions

Culture (Club)

- Group norms (standards and values that evolve)
 - Espoused values and philosophy
 - Habits of thinking, mental models and language (perceptions, thought and language)
 - Rules of the game (implicit unwritten rules for how to get/ be accepted)
 - Climate
 - Embedded skills (special competencies evident to accomplish tasks)
 - Shared meanings...
 - Formal rituals and celebrations

Human need for stability for meaning

- Culture
 - Creates stability - helps define the group, and provides meaning and predictability
 - Pervasive and influences all aspects of work.
 - Shapes behaviour through shared norms
 - Below the surface
 - Powerful in impact but largely unconscious
 - Culture is abstract - but its behaviour and attitudinal consequences tangible
(including perceptions, thoughts and feelings)

Public Service Culture

- Honest
- Impartiality
- Diligence
- Lawful
- Compliance
- Accountable

Civil Service Code

- **Principles**
 - Integrity
 - Impartiality
 - Effectiveness
 - Equity
 - Accountability

Issues arising for governance

- Culture as lifeblood of organisation
- Springs from group experience and knowledge
- Cultural rewards
- Conflict of change and culture
- Cultural competency

Governance Breakdown – Or Cultural Collision

- Major events in Public Bodies
- Administrative/local/professional versus managerial cultures
- Cultural tolerance or endorsement?
- Bureaucracy delaying cultural change?
- Competency to manage culture?
- Legislative responses largely impractical

Concluding thoughts...

- Public service marches to a different drum
- Inherent value of
 - key requirements in law
 - independent oversight and scrutiny
- Actions driven by appropriate managerial systems, competencies, codes and culture
- Cultural competency underdeveloped