USING SURVEYS TO MEASURE/ASSESS COMPLIANCE PROGRAMS

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Our research was motivated by:

- Existing research on compliance programs is either wishful thinking or self-serving.

- Need for useful information on compliance program effectiveness.

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Most of the survey instruments used in organizations do not meet even the most minimal requirements for credibility.

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What are the requirements for credible use of a survey?

Two basic requirements:

- Reliability

- Validity

Reliability:

- If the study were completed on a different date, using different researchers, or with a different sample, the outcomes would be essentially the same - within a 5% margin of error.

EXAMPLE: Midwest Organization

Any experienced researcher can reasonably expect to get reliable results. For example, if you use a ruler that is 11 inches long on two different days you will get the same results.

Reliable but wholly inaccurate.

Validity:

- Are you measuring what you think you are measuring?

- Most folks are playing "Let's pretend".

8

- Does your company engage in unethical or illegal conduct?

- The answer is always 33% affirmative.

- But what should we conclude?

9

Degrees/Kinds of validity:

- **Face validity** - questions seem to address the right topics

- **Expert validity** - experts sort the questions according topic

- **Internal validity** - questions form factors according to intended topics (Cronbach's alpha)

- **External validity** – results match independently available information

Only external validity carries assurance that you are measuring what you want to measure.

Example: Checking your watch against the sun.

We use all four categories of validity.

If you are in the ethics and compliance business, you have to be committed to telling the truth and to using methods likely to deliver it.

The subject matter of ethics and compliance is resistant to measures.

People tend to respond with *socially desirable* answers rather than honest answers.

Consider an example:

How many of you consider yourself to be less ethical than the average among attendees?

Consider a second example:

Is it permissible to compromise on quality of care in the interests of being able to provide care to more people?

Reasonable people can differ in their response to the second question.

Every administration of our survey measures:

- responsiveness of employees to policies, including those with which they disagree

- responsiveness of employees to ethical principles in areas in which policies may not resolve an issue

- whether employees understand and accept the code of conduct

- the level of risk (by location, employee tenure, function) that employees will use external reporting mechanisms and become whistle-blowers.

Confidence of employees in the commitment to ethics and compliance by:

- their immediate supervisors

- higher level managers and executives

- the organization as a whole

- fear of retaliation for reporting legitimate concerns

- perception that ethical and legal conduct is recognized and rewarded

- employee commitment to protecting private health information

- the extent to which employees believe there is a common standard of conduct for all members of the organization

- the adequacy of policies including policies in specialized, compliance risk areas such as privacy and claims payment.

Our methodology allows genuine bench marking by:

- Size of organization

- Type of organization

- For profit / non-profit status

- Locations and positions

- Professional background

- Tenure

- Organizational level

- Familiarity with compliance program

- Other factors

- Repeated application of the survey is compatible with most quality measures.

- Strength and weakness analysis for the organization by location and function.

- Recommendations based solely on survey results

The Ethics Survey | SAMPLES

The following pages illustrate the some of the validated scales and items available as part of The Ethics Survey. Valid comparisons are available by size of organization, geographic region, and many combinations of factors. Results on items and scales are normalized for ease of interpretation. Database, comparisons and items and scales updated annually.

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I. XXX's Policies

Sample item:

N. When I need to make a quick decision, I sometimes do what the situation requires rather than following policy.

<1> Strongly agree

<2> Agree

<3> Neither agree nor disagree

<4> Disagree

<5> Strongly disagree.

II. XXX's Ethics

Sample item:

N. XXX often rewards managers or employees for doing things I regard as unethical.

      <1> Strongly agree

      <2> Agree

      <3> Neither agree nor disagree

      <4> Disagree

      <5> Strongly disagree.

III. Addressing Ethical Concerns

Sample item:

N. If someone in my work group was accused of unethical conduct, I would be comfortable assisting XXX in investigating the matter.

<1> Strongly agree

<2> Agree

<3> Neither agree nor disagree

<4> Disagree

<5> Strongly disagree.

IV. Leadership in ethics

Sample item:

N. The people who run XXX will not compromise its ethics just because the going gets tough.

        <1> Strongly agree

        <2> Agree

        <3> Neither agree nor disagree

        <4> Disagree

        <5> Strongly disagree.

V. Values

Sample item:

N. The most important thing **on a personal level** in my day-to-day work is: (Choose one)

_____   Observing laws, regulations and company policies.

_____   Meeting organizational objectives.

_____   Pay and promotion.

_____   Providing quality products/services.

_____   Satisfaction in doing my job.

VI. Change

Sample item:

N. The single thing most likely to improve ethical standards where I work is: (Choose one)

_____ Improved policies and procedures.

_____ Fairer evaluation of employees.

_____ A change in higher level management.

_____ Better oversight of professional (engineering /medical /legal /accounting) staff.

_____ Less pressure to meet objectives.