



CITY OF ATLANTA ETHICS DIVISION OFFICE OF THE INSPECTOR GENERAL

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Overview of Ethics Function

- The Ethics Officer reports to a nine-member citizen board whose members are nominated by legal, business, civic, accounting, certified fraud examiners and educational organizations.
- The Ethics Division is an (11) person office headed by the Ethics Officer.
- The staff provides ethics training to city officials, employees and vendors, gives advice on conflicts of interest and gift rules, investigates ethics complaints, prosecutes violations of the Code of Ethics, manages the financial disclosure process, and maintains an ethics and compliance hotline.

Ethics Division

Advise, Educate & Enforce

Who's covered? The Ethics Division has jurisdiction over city officials, employees, contractors and vendors.

The *Standards of Conduct* cover the following matters:

- **Gifts and gratuities**
- Participation in contracts
- **Use of city property**
- Representation of private interests
- Solicitations
- Confidential information
- Outside employment
- Doing business with the city
- Post-employment
- **Financial disclosure**

Seven Steps for Effective Ethics Programs*

- **Tell the rules**
- Assign high level independent personnel to oversee ethics program
- No authority given to unreliable persons
- **Train & educate**
- **Audit & monitor**
- Discipline violators
- **Fix problems**

* Federal Sentencing Guidelines



Requested Charter Amendments:
22-O-1823

*Separation of Ethics
function from IG function*

Separation of Ethics from IG function

- Independence of Ethics Office is critical
 - Current structure interferes with the independence of the Ethics Office
 - The IG function should not serve as the gatekeeper over the Ethics function

Separation of Ethics from IG function

- ❑ The regulatory and advisory function of Ethics must be independent from any city office, including the IG
 - Ethics must be independent from the broad investigatory authority of the IG
 - Potential issues could arise where Ethics may be advising an official or employee that may be under investigation by the IG
 - Public trust rests in a truly independent and autonomous ethics function

Separation of Ethics from IG function

- ❑ **Potential for conflicts - IG may investigate Ethics and vice versa**
 - Any investigations of either office should not arise from political pressure
 - The two functions must be separate as the ability to investigate each other creates potential conflicts

Separation of Ethics from IG function

- **Budgetary and administrative challenges**
 - Combined budgets have created challenges for both offices
 - Personnel related transactions have created challenges for both offices
 - Separation is warranted and would ensure operational efficiency for both offices

Jurisdictional Authority and Collaboration

Audit	IG/Compliance	Ethics	Joint Jurisdiction (includes HR referrals)
<ul style="list-style-type: none"> Accounting & Audit irregularities 	<ul style="list-style-type: none"> Fraud Waste Abuse Sexual Harassment Substance abuse Workplace Violence or Threats 	<ul style="list-style-type: none"> Conflicts of Interests Gifts and gratuities Misuse of City Property and Confidential Information Financial Disclosure 	<ul style="list-style-type: none"> Falsification of city records Fraud Sexual Harassment Fraudulent insurance claims Kickbacks Misuse of city credit cards Policy issues Release of confidential information Retaliation against whistleblowers Theft of cash Theft of goods and services Theft of time Wage & hour issues

Coordination and Collaboration between Ethics and IG offices

- **Defined duties and responsibilities** will provide clarity on jurisdiction of each office
- Establish standard procedures/ guidance for officials, employees and the public to minimize confusion and overlap of responsibilities
- Engage in joint reviews/ investigations to strengthen coordination and collaboration



FINAL THOUGHTS

- The IG and Ethics function are **equally** important to maintain a strong ethical culture at the City
- Ethics has demonstrated its commitment to integrity and transparency since 2003
- Separation of both functions serves the City best and will lead to operational efficiency
- The City must have an entirely **independent and autonomous ethics function**

Ethics Division

Questions?