

# POLICY REVIEW AND COMPLIANCE MEMORANDUM



To: Mark E. Bannon, Executive Director  
From: Gina A. Levesque, Intake and Compliance Manager  
Re: A16-001 – Town of Haverhill Ethics Policy Review and Training Compliance

- **Background**

The Code of Ethics (Code) states in part under Section 2-446(a) that the county or municipal administrator shall establish by policy a mandatory training schedule for all employees and elected/appointed officials, which shall include mandatory periodic follow-up sessions. Section 2-446(b) states in part that the COE shall develop and deliver training programs and ensure that the training is delivered in a timely manner.

- **Objectives and Scope**

The objectives are:

- To provide assurance that the agency has a training policy.
- To provide assurance that the training policy includes enough specific information to officials and employees that they can determine clear parameters, including initial training with deadline and grace period defined, and retraining cycle timeline with deadlines and grace periods defined.
- To provide reasonable assurance the municipality is requiring its officials and employees to comply with the training policy.

The scope of this review focused on the policy and acknowledgement forms for officials and full-time employees within the Town of Haverhill (Town). The delivery method of the ethics training and internal tracking method of compliance was not part of the scope.

- **Approach and Methodology**

The approach included an email request to the Town Administrator for a list of the officials and employees as well as their training acknowledgement forms. A review of the training policy, a review of the list of officials and employees, and a review of the training acknowledgement forms was performed.

- **Findings**

The training policy for the Town was issued and became effective on December 13, 2012. The policy requires the completion and submission of a training acknowledgement form to the Human Resources Department subsequent to completion of training.

The policy requires that officials and employees undergo initial training and read the Code within 60 days of appointment, employment, or taking office for elected officials. The training policy also requires rereading the Code and mandatory follow-up training every 36 months for all officials and employees. There is no differentiation between employees and elected officials for the 36-month mandatory follow-up training.

The policy does not include a training deadline date for the 36-month cycle nor does it include a grace period. However, an email from the Town Administrator states the Town will undergo its training every 3 years effective January 1, 2017 with a 60 day grace period, specifically listing November 1–February 28 as the training compliance timeframe for each training cycle period.

At the time of the review, the Town consisted of five (5) elected officials, four (4) full-time employees and eleven (11) consultants, all of whom submitted a training acknowledgement form stating they read the Code of Ethics and participated in training. It should also be noted that Town officials are elected for 2-year terms on a rotating basis so that there is an election held yearly. Seats 1 and 2 are held on alternating years of seats 3, 4, and 5.

- **Recommendations**

Although state law requires that elected officials undergo four (4) hours of ethics training each year, that ethics training does not necessarily contain training provided by the Commission on Ethics for the Palm Beach County Code. Furthermore, Town policy requires participation in county ethics training every thirty-six (36) months. However, Town officials are elected on a biennial basis, which creates an arduous task for tracking purposes. Therefore, it is recommended that the language in the policy regarding mandatory follow-up training for officials be removed from the follow-up language for employees and instead be included in the language regarding initial training.

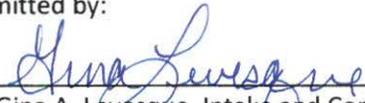
For example, the initial training for officials could be changed to include the mandatory follow-up language to read: **“Officials (elected and appointed) must participate in training within sixty (60) days of taking office upon election, reelection, appointment or reappointment.”** Further, the mandatory follow-up language for employees could be changed to read as follows: **“After initial training, periodic mandatory follow-up training is required for all employees every thirty-six (36) months.”**

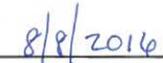
Additionally, the policy should include the language conveyed in the email by the Town Administrator that the Town will undergo training every thirty-six (36) months effective January 1, 2017 with a 60-day grace period. Further, the policy should specifically list the dates of November 1 – February 28 as the grace period compliance timeframe so that everyone affected by the policy will understand that if they read the Code of Ethics and participate in training anytime from November 1 – February 28 during the cycle year, they are in compliance with the training policy.

- **Conclusions**

The results of the review found that the Town of Haverhill is in full compliance with the ethics training requirement for all of its employees and officials. Further, the review identified two (2) areas of the policy that should be updated for practicality and so that the requirements are clear.

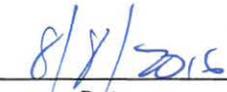
Submitted by:

  
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Gina A. Levesque, Intake and Compliance Manager  
Palm Beach County Commission on Ethics

  
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Date

Reviewed by:

  
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(Initials)

  
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Date