

AMENDED POLICY REVIEW AND COMPLIANCE MEMORANDUM



Honesty - Integrity - Character

To: Christie Kelley, Executive Director
From: Abigail Irizarry, Investigator
Re: A22-009 – Town of Briny Breezes - Ethics Policy Review and Training Compliance

- **Background**

The Palm Beach County Code of Ethics states in part, under Section 2-446(a), that Palm Beach County and each municipality within Palm Beach County Commission on Ethics (COE) jurisdiction is required to maintain, by policy, a mandatory training schedule for all employees and elected/appointed officials. Additionally, each municipality also has the responsibility of overseeing participation of their own employees and elected/appointed official's Ethics Training Acknowledgment Form and ethics refresher training.

The COE is required to develop and deliver training programs. Furthermore, the COE coordinates and cooperates with the municipalities to ensure training of employees and elected/appointed officials.

The COE last audited the Town of Briny Breezes (Town) on January 2, 2015.

- **Objectives and Scope**

Objectives include:

- Ensuring the agency has an ethics training policy.
- Ensuring the ethics training policy appropriately conveys information to officials and employees so clear parameters are determined, including initial training (with a defined deadline and grace period) and retraining cycle timeline (with a defined deadline and grace period).
- Ensuring the agency is requiring its officials and employees to comply with the training policy.

The scope for this memorandum included a review of all Town employees and elected/appointed officials required to submit an Ethics Training Acknowledgment Form. Internal tracking and delivery method of ethics training compliance were not part of the scope.

- **Approach and Methodology**

On Monday, May 9, 2022, on behalf of the COE, I initiated a compliance review of the Town for ethics training compliance. In order to complete this task, I emailed Town Clerk Sandi DuBose to request the ethics training files. All ethics training records are kept in the Town Clerk's Office.

On Wednesday, May 11, 2022, I received the Ethics Training Acknowledgment Forms and ethics training records for the Town employees and elected/appointed officials. On Friday, May 27, 2022, I received additional Ethics Training Acknowledgment Forms for the remaining individuals.

Based on their Administrative Policy and Procedure, all public elected officials, non-elected officials, and employees, must take the initial Code of Ethics training within sixty (60) days of Town employment, appointment, or taking office. Additionally, mandatory follow-up training is required of all employees and officials every two (2) years thereafter.

- **Findings**

At the time of this report, the Town had two (2) active employees and thirteen (13) elected/appointed officials. Upon review of the records, all employees have completed Palm Beach County COE Ethics Training; however, one (1) employee and four (4) officials did not complete the training in the proper timeframe and as a result, they are not in compliance with their Town policy.

- **Recommendations**

After reviewing the Town's policy, the following recommendation should be implemented to provide clarification regarding the training cycle and deadlines.

1. The follow-up training for employees and elected/appointed officials should have a specific timeframe to complete ethics refresher training. For example, the suggested follow-up language for employees and elected/appointed officials could be changed to read as follows: **"After initial training, periodic mandatory follow-up ethics refresher training is required for all employees and elected/appointed officials every two (2) years during the training cycle. The two-year ethics refresher training cycle is effective January 1, 2023, and all employees who take ethics refresher training and read the Code of Ethics between January 1 – March 1, 2023 will be considered trained and in compliance with this policy."**

- **Conclusion**

The Town of Briny Breezes has trained all of their employees and elected/appointed officials; however, they are not in full compliance with Town's policy of retraining every two (2) years. Additionally, the review identified one area of the policy that may be updated for practicality, so the requirements are clear.

Submitted by:



Abigail Irizarry, Investigator
PB County Commission on Ethics

5/27/2022

Date

Reviewed by:



(Initials)

5/27/2022

Date