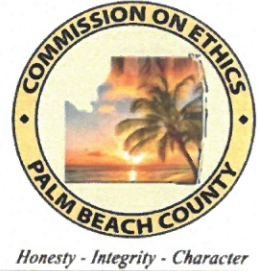


POLICY REVIEW AND COMPLIANCE MEMORANDUM



To: Mark E. Bannon, Executive Director
From: Abigail Irizarry, Investigator
A18-012 – Lake Worth Advisory Boards
Re: Ethics Training Compliance and Policy Review

- **Background**

The Palm Beach County 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 or 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.

The Commission on Ethics is required to develop and deliver training programs and to coordinate and cooperate with the municipalities to ensure effective and meaningful training of elected/appointed officials and employees. For verification, each municipality should maintain a training acknowledgment form for each full-time employee and elected or appointed official.

- **Objectives and Scope**

The objectives are:

- To provide assurance that the City of Lake Worth (City) has a training policy.
- To provide assurance that the training policy includes enough specific information for officials and employees to determine clear parameters, including initial training and retraining deadlines and grace period definitions.
- To provide reasonable assurance the City is requiring its officials and employees to comply with the training policy.

The scope of this review focused on the policy and proof of training for City appointed officials. The delivery method of the ethics training and internal tracking method of compliance were not part of the scope.

- **Approach and Methodology**

City Clerk Deborah M. Andrea is responsible for tracking and maintaining all information for appointed officials. Initially, a review was completed on October 18, 2018, over 75% of the appointed officials either did not have a training acknowledgement form completed or did not have one completed within a two-year timeframe. By November 30, 2018, the total percentage of appointed officials that have not completed Ethics Training within two years was decreased to approximately 39%.

- **Findings**

The City's training policy was issued and became effective on May 1, 2013.

The policy entitled "Conflict of Interest and Code of Ethics" in the City Human Resource Policy and Procedure Manual addresses requirements for the ethics training. The "Ethics Training" section requires that training is mandatory for all employees, whether initial or follow-up. The City also requires follow-up training every 18-24 months.

The training section does not require anyone read the Code, nor does it provide for any deadlines, grace periods, or reporting requirements. Furthermore, the training section of the manual does not include appointed officials. However, appointed officials are under the jurisdiction of the Commission on Ethics regarding the Code.

At the time of the review, there were 12 audited boards¹ with approximately 69 appointed positions. Of the 69 appointed positions, 27 did not complete the training policy within two years.

- **Recommendations**

According to the Palm Beach County Code of Ethics §2-446(a), *Officials and employees shall be informed of their ethical responsibilities at the start of their public service, and shall receive updates and training materials on ethics issues throughout the span of their public service... The county administrator or municipal administrator as applicable shall establish by policy a mandatory training schedule for all officials and employees, which shall include mandatory periodic follow-up sessions.* In accordance with these mandates, the COE recommends incorporating the language recommended in the Employees and Elected Officials Compliance Review (File Number A18-005).

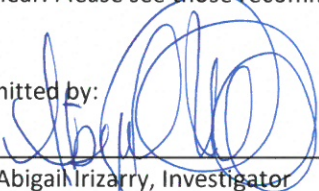
- **Conclusions**

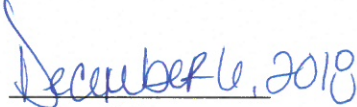
Although the City does not have a policy pertaining to the appointed officials, a significant number of appointed officials did not complete training or follow-up training.

In addition, §2-446(a) of the Code requires that the policy specifically addresses appointed and elected officials as well; however, the City's policy does not. Therefore, the City's policy does not fulfill the requirements set forth by the Code.

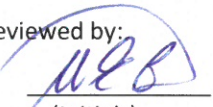
Further, the review identified areas of the policy that should be updated for practicality and so that the requirements are clear. Please see those recommendations in Policy Review and Compliance Memorandum A18-005.

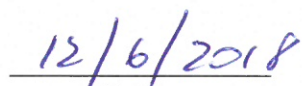
Submitted by:


Abigail Irizarry, Investigator
Palm Beach County Commission on Ethics


Date

Reviewed by:


(Initials)


Date

¹ Three boards (Police Pension Trust Fund, Police Retirement System and Community Redevelopment Agency) have been excluded from consideration for this review.