

2021 ANNUAL REPORT



ETHICS DIVISION

Office of the Inspector General

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A Message From the Ethics Officer



We finished strong in 2021, and continue to build a strong, ethical culture in the City of Atlanta. Since the Ethics Division first opened in August 2003, its ethics officers have worked hard to educate city officials and employees about the city's ethical standards, increase public access to ethics disclosure forms, strengthen enforcement efforts, and assure that the City retains the trust of its citizens as a government that conducts itself in an ethical and efficient manner.

Ethics education is a key component of any ethics and compliance program, and a critical step to encouraging ethical conduct citywide. For many years, the Department of Human Resources has successfully incorporated ethics training into the orientation sessions for new employees, which accounts for at least half the workforce receiving some ethics training. The Ethics Division has also conducted targeted training for different city departments. Despite these efforts, there are significant gaps in ethics training, and the training we have offered has been widely disparate and inconsistent for many departments. We have found that training for newly hired employees and targeted sessions for departments are insufficient to provide comprehensive, citywide ethics training. Additionally, the COVID-19 pandemic brought in-person training to a halt, and the way city employees were trained in the past must change to adapt to the current and future work environment. We believe that in the remote work environment, where an employee's personal and work life may overlap, virtual training is important for the promotion and maintenance of a strong ethical culture at the City.

We have also learned that ethics training will never reach every active employee if attendance is voluntary. Moreover, the ethical standards of conduct change and will continue to evolve over the years. Periodic, mandatory training is necessary to explain, reinforce, and refresh employees' knowledge about the City's ethical guidelines. To that end, the Ethics Division proposed legislation which now mandates annual ethics training for all city employees, and the City Council and Mayor passed the new requirement into law.

Training does not prevent ethics violations. However, ethics training informs and educates officials and employees on the basic ethics laws and enables them to identify potential problems. It is critical to changing the culture and ensuring that officials and employees act in the best interests of the City.

Jabu M. Sengova

Jabu M. Sengova
City Ethics Officer

ABOUT THE ETHICS DIVISION

WHO WE ARE

The Ethics Division is an independent office within the Office of the Inspector General headed by the City Ethics Officer. The City Ethics Officer is appointed by the Governing Board of the Office of the Inspector General for a period of five years, subject to confirmation by the City Council and approval by the Mayor.

WHAT WE DO

The Ethics Division provides general and targeted ethics training to city officials, employees, and contractors on the City's Code of Ethics, provides written and oral ethics advice to city officials and employees, investigates complaints falling under the jurisdiction of the Code of Ethics, prosecutes violations of the Code of Ethics, coordinates the City's ethics and compliance hotline (Integrity Hotline), and manages the City's financial disclosure system.

2021 HIGHLIGHTS BY THE NUMBERS

ADVICE

- Provided timely ethics advice in approximately **146** requests for written and verbal advice and responded to requests for general information on ethics.
- Issued one advisory opinion
- Responded to **100** percent of all requests for advice within seven days

OPERATIONS

- Held **six** regular board meetings via zoom platform, and **one** board retreat.
- Reinstalled **one** former board member appointed by the Mayor and City Council.
- Filled vacant positions on the Governing Board of the Office of Inspector General
- Supported and assisted with the setting up of the Office of the Inspector General

2021 HIGHLIGHTS BY THE NUMBERS

OPERATIONS (CONT.)

- Assisted with the hiring of the Inspector General and staff for that office
- Created new Program Manager position and filled position
- Ethics Division staff virtually attended various professional development seminars and conferences

PUBLIC EDUCATION AND OUTREACH

- Presented at pre-bid conferences conducted by the Department of Procurement
- Created new city-wide Ethics training course module
- Distributed Holiday Gift Reminder newsletter
- Published Ethics in Action newsletter
- Sent out city-wide email blasts throughout the year to promote ethics awareness

2021 HIGHLIGHTS BY THE NUMBERS

FINANCIAL DISCLOSURE

Recorded **115** financial disclosure cases involving delinquent or late filers for which enforcement was pursued. Of 43 late filers, administrative decisions were written in each case imposing a fine according to the fine schedule located in the rules of the Ethics Division. Of 72 non-filers, administrative decisions were written in each case imposing a \$500 fine for their failure to comply with the city financial disclosure laws. Conducted appeals hearing before the Governing Board (one late filer appellant). Audited City Financial Disclosure Statements for accuracy and completeness.

\$39,950

ASSESSED IN FINANCIAL DISCLOSURE PENALTIES

Collected \$1,475 in payments to-date

87%

TIMELY FILING RATE

94 percent overall to date

3,246

REQUIRED FILERS



2021 HIGHLIGHTS BY THE NUMBERS

INVESTIGATIONS AND ENFORCEMENT

Continued investigation and enforcement of 8 open ethics matters and opened 16 preliminary investigations. Settled one ethics case and administratively closed 18 matters.

92

**INTEGRITY LINE REPORTS
RECEIVED**

53

**INTEGRITY LINE REPORTS
REFERRED TO OTHER
AGENCIES/DEPARTMENTS**

\$3,982.83

**ASSESSED IN RESTITUTION
TO THE CITY**



2021 HIGHLIGHTS BY THE NUMBERS

TRAINING

The Ethics Division provided (virtual) ethics training to city officials, employees, board members, vendors, and contractors.

611

**INDIVIDUALS
TRAINED**

291

**ETHICS PLEDGES
RECEIVED**

1917

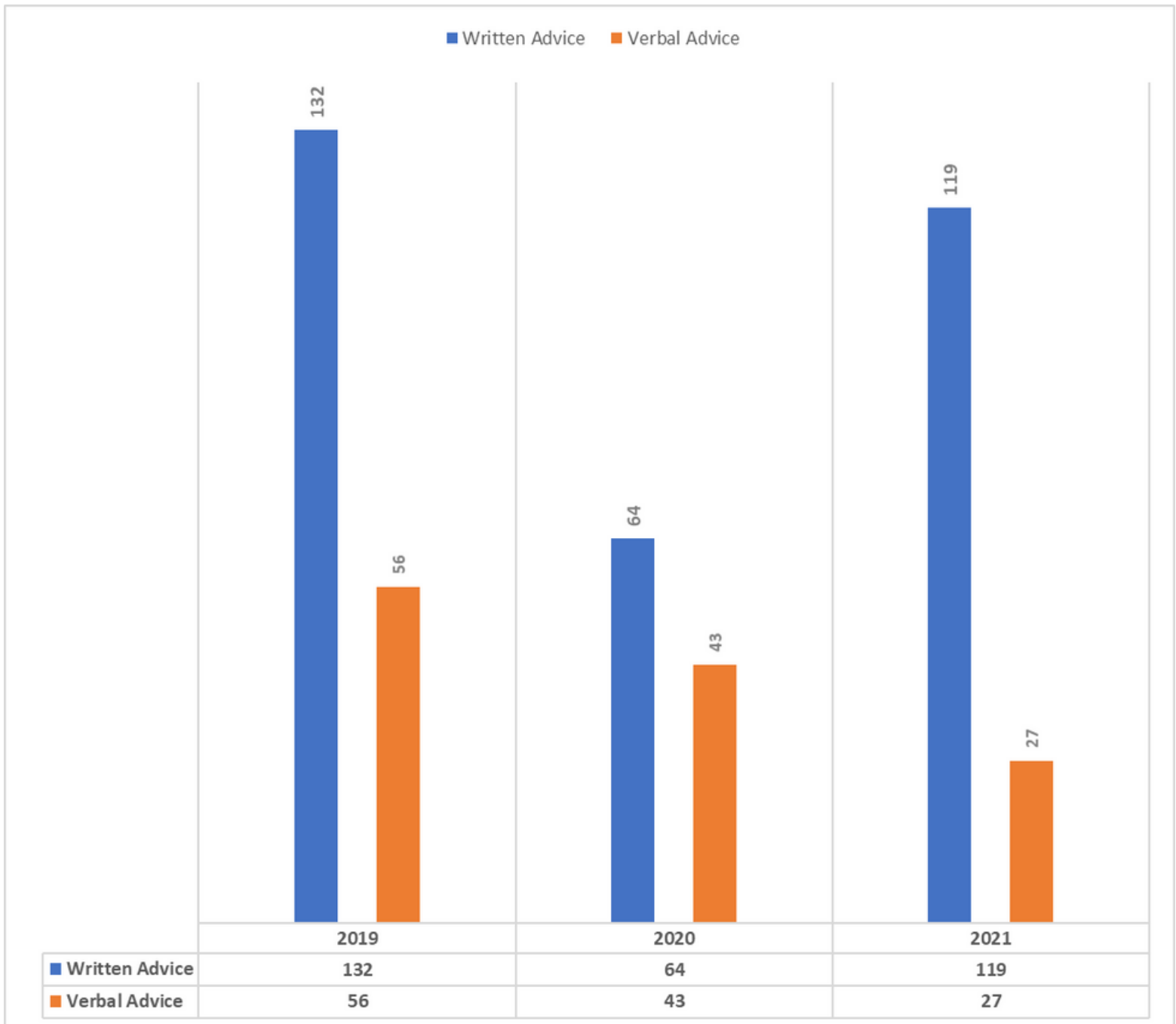
RECEIVED VIEWS

Via online ethics modules and training videos for city employees and officials provided via the Division's website and through ethics awareness email blasts



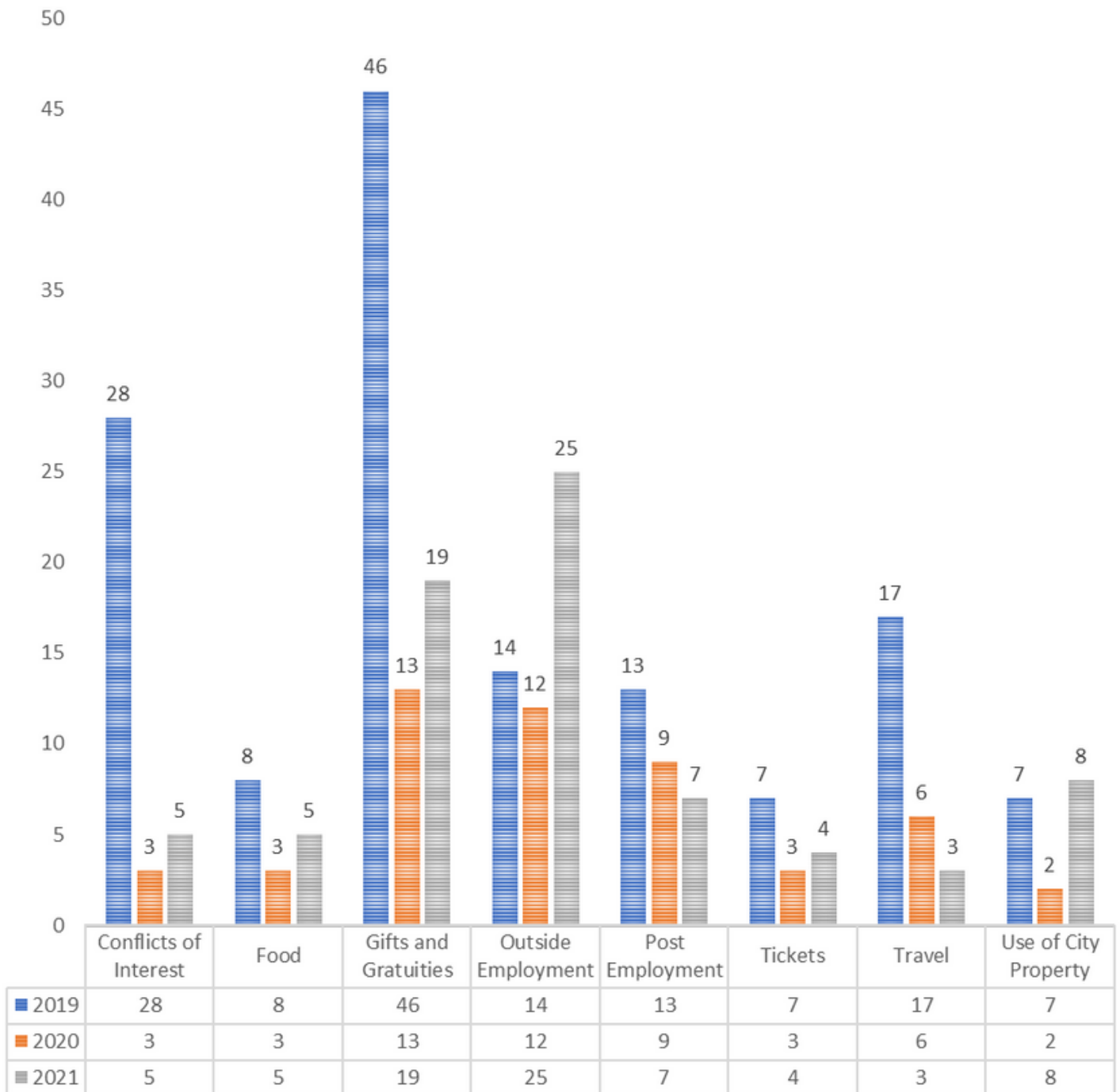
Report on Ethics Advice

WRITTEN VS. VERBAL ADVICE: 2019 - 2021



Report on Ethics Advice

TOP SUBJECTS FOR WRITTEN ADVICE: 2019- 2021



AUDITING OF CITY FINANCIAL DISCLOSURE STATEMENTS

The Ethics Division's annual auditing of financial disclosure statements continues to evolve. The Division is currently auditing City Financial Disclosure statements filed in 2020 and 2021.

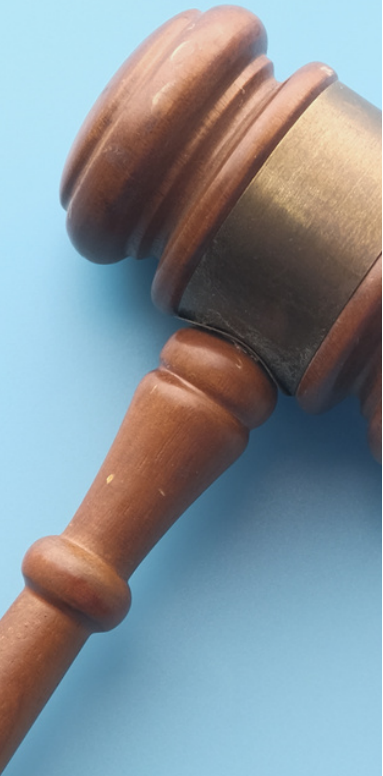
The financial disclosure statement is a means of protecting the City from potential conflicts between the City and outside personal and financial interests of city officials and employees. The purpose of auditing financial disclosure statements is to review compliance with Section 2-814 of the Atlanta City Code, Disclosure of Income and Financial Interests. During an audit, the Ethics Division administers a series of tests to a selection of submitted statements which includes reviewing the statements for completeness, comparing current and prior statements for consistency, and conducting public records searches for potential errors and omissions.

The Ethics Division has worked hard to ensure that officials and employees avoid potential conflicts and appearances of potential conflicts. We routinely provide ethics training on conflicts and consistently send out ethics messaging on conflicts and the importance of disclosing interests. Additionally, we were able to seek legislation which now mandates the signing of ethics pledges by city employees. The Ethics Pledge states in part, "To assure public confidence, I am committed to promoting integrity in city government by placing the best interest of the City above my own financial or personal interests."



The financial disclosure statement is an annual requirement which should put filers on notice that certain business and family relationships must be disclosed pursuant to city law. Our audit results have found that many filers do not carefully review the information requested before submitting their statements. The Ethics Division continues to utilize the audit results to improve the financial disclosure filing process and to identify potential conflicts of interest.

LEGISLATIVE UPDATES



As the City of Atlanta continues to navigate the virtual workspace as an organization, the Ethics Division recognizes that the way city employees were trained in the past had to change to adapt to the current and future work environment. To achieve this goal, the Ethics Division reviewed different educational and training opportunities that could be provided to ensure city employees are properly trained on the City's Standards of Conduct (Code of Ethics) and maintain accountability for their ethical conduct.

Based on the research that we conducted, we drafted and presented legislation (Ordinance 21-O-0501) which mandates ethics training to the Atlanta City Council. On September 7, 2021, the City Council and Mayor passed the ethics legislation into law. This key piece of legislation places the City in line with best practices nationwide by mandating annual ethics training for all full-time, part-time and contract city employees. The legislation also requires all full-time, part-time and contract employees to attest to an Ethics Pledge, committing them to follow the City's Code of Ethics.

To facilitate the new annual training requirement, the Ethics Division partnered with a global leader and veteran company in government ethics and compliance training. The Division has also partnered with the City's Department of Human Resources to incorporate a citywide ethics training course into the City's learning management system, which will allow all city employees to access the course via the ATL Learning Module in the City's Oracle environment.

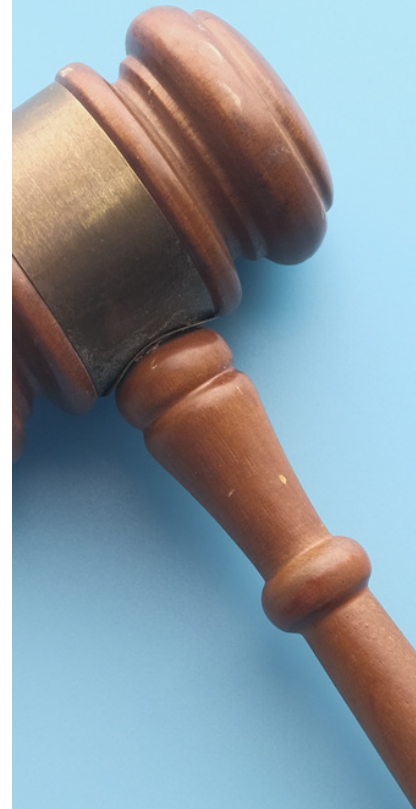
Ordinance 21-O-0501 also included legislative fixes to the financial disclosure laws and rules governing outside employment requests for high level city officials and employees. The changes sought were to improve the efficiency and administration of the annual filing of the City Financial Disclosure Statement by designated city officials and employees and update the current process for reviewing outside employment requests for city officials and executive level employees.

ORGANIZATIONAL UPDATES

In 2021, the Ethics Division embarked on an aggressive schedule to develop and enhance its programs. A few of those programs were: ethics training for city employees, financial disclosure annual filings, and the existing Ethics website. To accomplish these goals, the Ethics Division hired a program manager to oversee these projects. To date, the following programs and projects have been completed:

Ethics Training – the Ethics Division developed an interactive web-based module for all city employees. The Department of Human Resources’ Learning Management System will be used as the delivery method to reach the employee base. Those employees without access to either an office or applicable technology will be able to obtain the training in group sessions. The training launched in January 2022.

Financial Disclosure Annual Filings – the Ethics Division, working with a new vendor, created a new application to support the annual financial disclosure filing process.





The financial disclosure process is critical to the success of the Ethics Division and a key component of its mission. The newly developed disclosure application allows for increased security by applying multi-factor authentication (commonly referred to as two-factor - using a secondary device to identify a person) and enhances user experience by making it easier for the filer to complete their statement. As part of the new application, there are new administrative features that allow for individualized reporting by department or sub-department. This should allow for greater departmental controls and improve the process of holding employees who are required to file accountable. In addition, per city law, there is a 'public search' function which allows the public to review previous and current disclosure statements of city officials and employees.

Ethics Division Website - The Ethics Division website and the City of Atlanta website pages referencing Ethics did not match and contained outdated information. The Ethics Division modified both websites to ensure that the public receives the latest information and established a seamless process to maintain both sites. Additionally, working with the new **Office of the Inspector General**, an operational calendar will be created and deployed informing the public of future board meetings and other activities of interest.

These efforts represent a small portion of the programs and projects that have been completed and are underway. As we move forward, a full list of programs and projects will be listed and available on our website.



Report On The Integrity Line

The City's **Integrity Hotline (1-800-884-0911)** was established in 2006 as a vehicle to report unethical, fraudulent, or illegal activity. Hotline calls are received 24/7 by an independent third-party telephone and online reporting system and routed to the Integrity Line Steering Committee, which includes representatives from the Office of the Inspector General's Compliance and Ethics Divisions. We began using The Network as our Ethics Hotline at the end of 2005. NAVEX Global purchased the Network in 2017 and we transitioned to NAVEX/EthicsPoint in July of 2017.

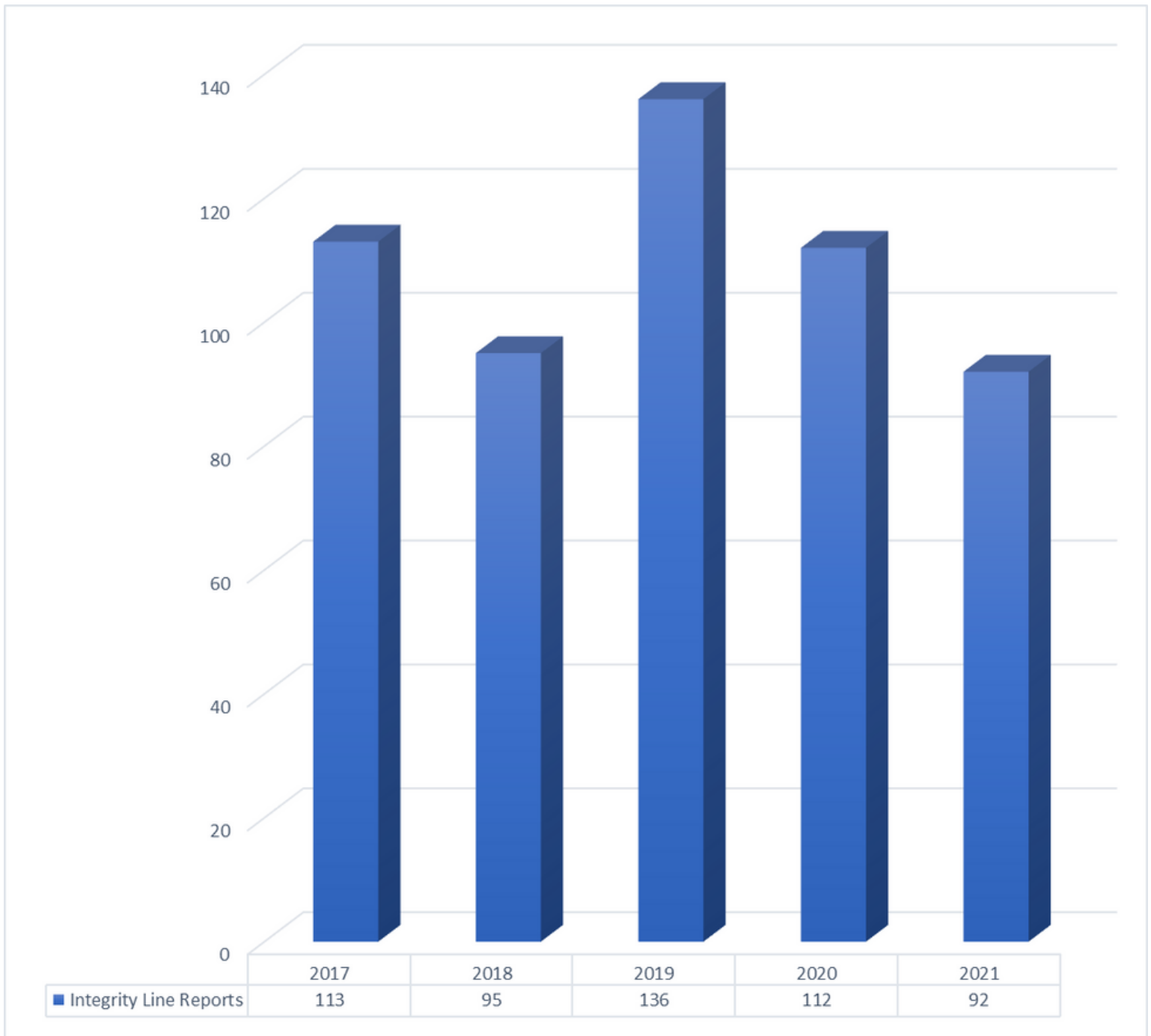
Reports received through the Hotline are initially reviewed for jurisdiction by the Ethics and Compliance Divisions and either handled by the Divisions directly or referred accordingly to the appropriate agency or department for further review and investigation, if necessary. City departments provide report backs to the Ethics and Compliance Divisions indicating whether allegations have been substantiated so the Divisions may determine whether further action is required.

With 92 Integrity Line reports received, 2021 saw a Hotline reporting volume slightly below 2020, but consistent with the past five years' average despite disruptions to in-person operations due to the ongoing COVID-19 pandemic. The reduction in reporting volume from 2020 is mostly attributed to a reduction in calls related to safety and sanitation issues reported by employees at the outset of the pandemic. The ongoing efforts of the Integrity Line Committee and city leadership to promote the Hotline continues to build employee confidence in this critical element of an effective ethics and compliance program and plays a vital role in reporting volume remaining at industry levels.

There were 92 Integrity Line Reports received by the Integrity Line Committee in 2021.

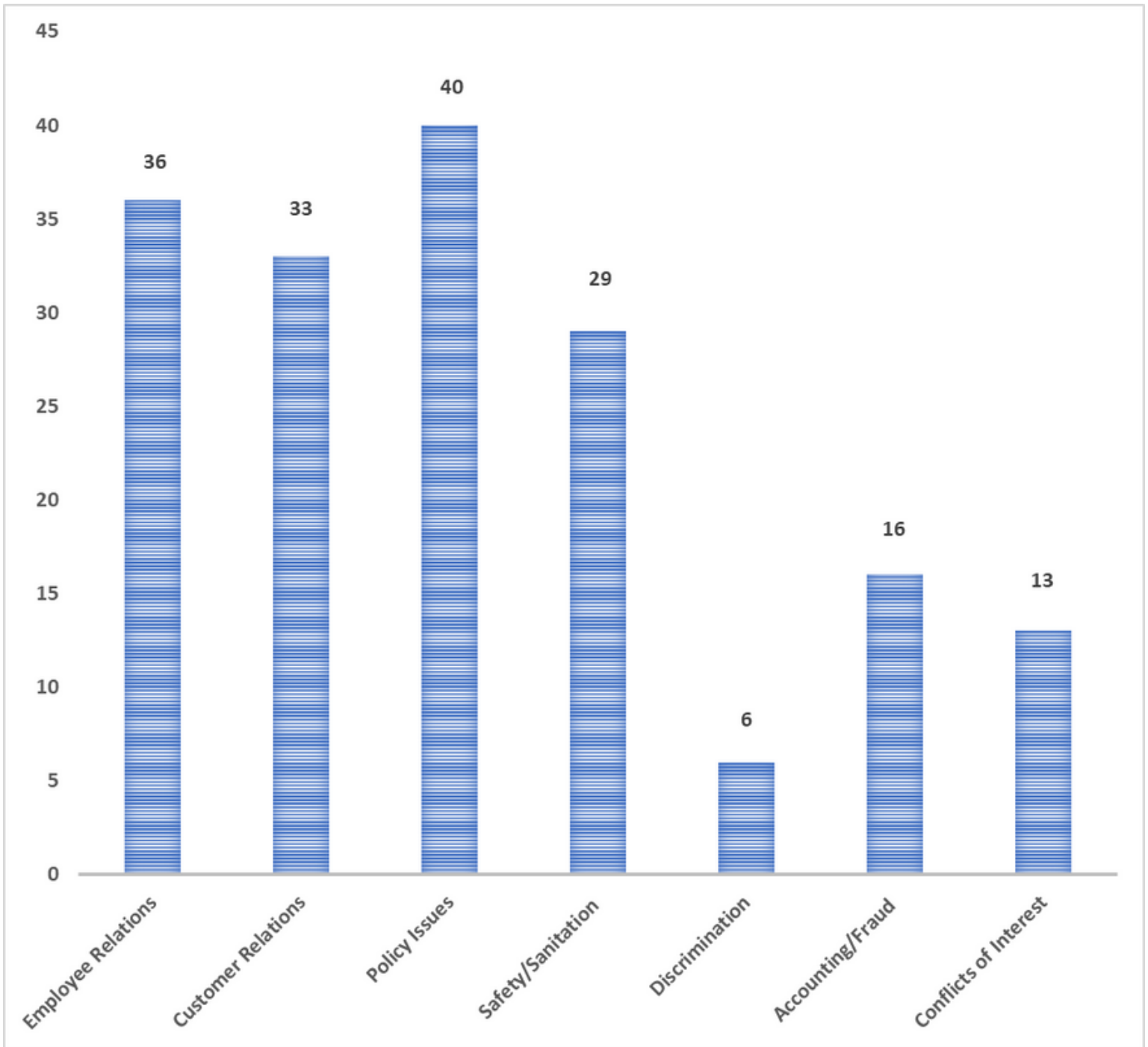
This chart reflects the overall change in reporting volume for the past five years.

INTEGRITY LINE REPORT 2017 - 2021



This chart reflects the number of Integrity Line Reports received by report category.

TOP REPORTING CATEGORIES: 2020 - 2021



**Note: Only the top seven overall Integrity Line reporting categories are included in the above chart.*

Ethics In Action



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