

2023 Annual Report

Ethics Office





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A Message From The Ethics Officer



This year, we celebrated 20 years of the Ethics Office and the work of building an ethical culture in the City of Atlanta. Our celebratory event was held in September 2023 and featured key note speaker, Kedric Payne, a pivotal champion of ethics reform nationwide. Mr. Payne showed us that Ethics in Atlanta has a history that spans more than 60 years.

Mr. Payne described how the history of Atlanta ethics began in 1963 with the mayor at that time, *Ivan Allen, Jr.* Mayor Allen was thought to be a *liberal-minded and progressive leader* and credited with leading the “Forward Atlanta” campaign initiative during the 1960’s. That movement brought huge economic growth and revitalization to Atlanta by recruiting talent, attracting big businesses, and bringing major sports franchises to the city. However, due to the conviction of two city alderman for corruption, Mayor Allen was keenly aware that for his plan of economic, social, and urban growth to advance, public trust had to be a *vital key component*. Thereafter, Mayor Allen and the City Council worked together to create a robust plan of ethics reform. The plan involved strengthening the current laws and creating a mechanism that would ensure compliance with the new laws. Mr. Payne described how, from that collaboration, the Atlanta Ethics Board was born, making Atlanta one of the *first cities in the country* to establish an ethics board, even before the federal government.

Fast forward to today, good ethics will *always* be good business, and we should all aspire to be ethical. We know that this is not always easy, but we can take small steps each day to be ethical role models. We must recognize and acknowledge that ethics issues are a routine part of city business, and we each have a responsibility to stand up for what is right each day.

Finally, reaching this 20-year milestone is testament to the dedication and commitment of the Ethics Office staff. Our journey has been filled with challenges and setbacks, nonetheless, marked by our unwavering commitment to promoting ethical principles and ensuring that our City’s actions are guided by honesty, integrity, and trust. I recently celebrated 14 years with the Ethics Office, and I am immensely proud to be part of that story. We hope that the Administration and City Council continue to support the work and independence of the Ethics Office and prioritize ethics reform in the years to come.

Jabu M. Sengova

Jabu M. Sengova
City Ethics Officer

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CELEBRATING 20 YEARS of the Ethics Office



As we commemorate the 20th anniversary of the Ethics Office, we reflect on its pivotal role in upholding transparency and accountability, and fostering trust with employees and the public. Since its establishment in 2003, the Ethics Office has been at the forefront of cultivating a culture of ethical behavior within the City of Atlanta.



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ABOUT THE ETHICS OFFICE

WHO WE ARE

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

WHAT WE DO

The Ethics Office 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 phone line (Integrity Line), and manages the City's financial disclosure process.

2023 HIGHLIGHTS BY THE NUMBERS

OPERATIONS

- Organized **8** regular board meetings and one board retreat (with OIG staff)
- Ethics Office staff attended professional development seminars and conferences
- **Two** staff members received professional certifications: PHR (Professional in Human Resources), and CCEP (Certified Compliance & Ethics Professional)
- Oversaw renovation of additional space for Ethics Office staff; staff moved into new space
- Hired **three** additional staff members
- Created **three** new positions
- Received funding for **three** open positions

2023

2023 HIGHLIGHTS BY THE NUMBERS

ADVICE

- Provided timely ethics advice in approximately **175** requests for written and verbal advice and responded to requests for general information on ethics
- Amended **two** advisory opinions
- Issued **two** ethics advisory guidelines
- Issued **three** informal advisory opinions
- Responded to **90** percent of all requests for advice within seven days

PUBLIC EDUCATION AND OUTREACH

- Created and launched new city-wide online Ethics training course
- Conducted in-person training sessions for various city departments located off-site
- Sent out city-wide email blasts throughout the year to promote ethics awareness
- Published **three** Ethics in Action newsletters, including Holiday Gift Reminders
- Provided year-round program updates and ethics tips/reminders using the Ethics Office's Twitter account

2023

2023 HIGHLIGHTS BY THE NUMBERS

TRAINING

The Ethics Office provided virtual and in- person ethics training to city officials, employees, board members, vendors, and contractors.

6,975

**INDIVIDUALS
TRAINED**

6,868

**ETHICS PLEDGES
RECEIVED**

40

**PRE-BID CONFERENCES
ATTENDED**

Hosted by the Department of Procurement and attended by prospective city contractors & vendors



2023 HIGHLIGHTS BY THE NUMBERS

FINANCIAL DISCLOSURE

Recorded **172** financial disclosure cases involving **150** non filers and **22** late filers for which enforcement was pursued. Administrative decisions were written in each case imposing fines according to the schedule located in the rules of the Ethics Office.

\$2,850

Collected in payments to-date

Deposited in City of Atlanta General Fund

93%

TIMELY FILING RATE

95 percent overall to date

3,693

REQUIRED FILERS

2023 HIGHLIGHTS BY THE NUMBERS

AUDITING OF THE CITY FINANCIAL DISCLOSURE STATEMENTS

2021 and 2022 City Financial Disclosure Audit reports can be found at www.atlantaethics.org

2023 Financial Disclosure Statements are currently being audited

Annual Audit Samples

- High-level employees
- Elected Officials
- Specific departments
- Filers flagged during prior audits



2023 HIGHLIGHTS BY THE NUMBERS



2021 AUDIT REPORT RELEASED IN JULY 2023

483

audited out of a total 3,256 filers
(15%)

14

filers were sent letters by the ethics
office requesting clarification

6

filers filed amendments

2022 AUDIT REPORT RELEASED IN NOVEMBER 2023

540

audited out of a total 3,426 filers
(16%)

30

filers were sent letters by the ethics
office requesting clarification

17

filers filed amendments

2023 HIGHLIGHTS BY THE NUMBERS

INVESTIGATIONS AND ENFORCEMENT

Opened **22** preliminary reviews/investigations of potential ethics matters. Referred **47** additional non-ethics matters to other agencies/departments for further review/investigation and closed **9** matters.

151

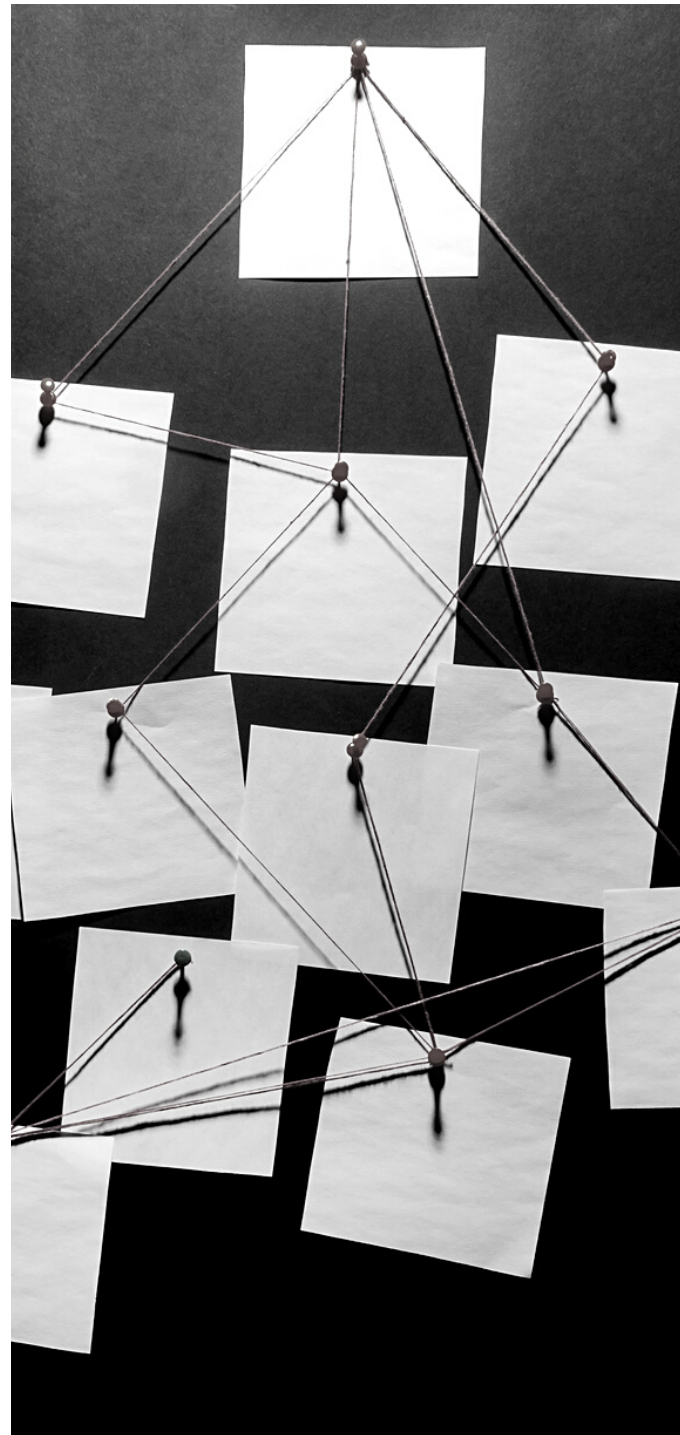
INTEGRITY LINE REPORTS RECEIVED

52

INTEGRITY LINE REPORTS REFERRED TO OTHER AGENCIES/DEPARTMENTS

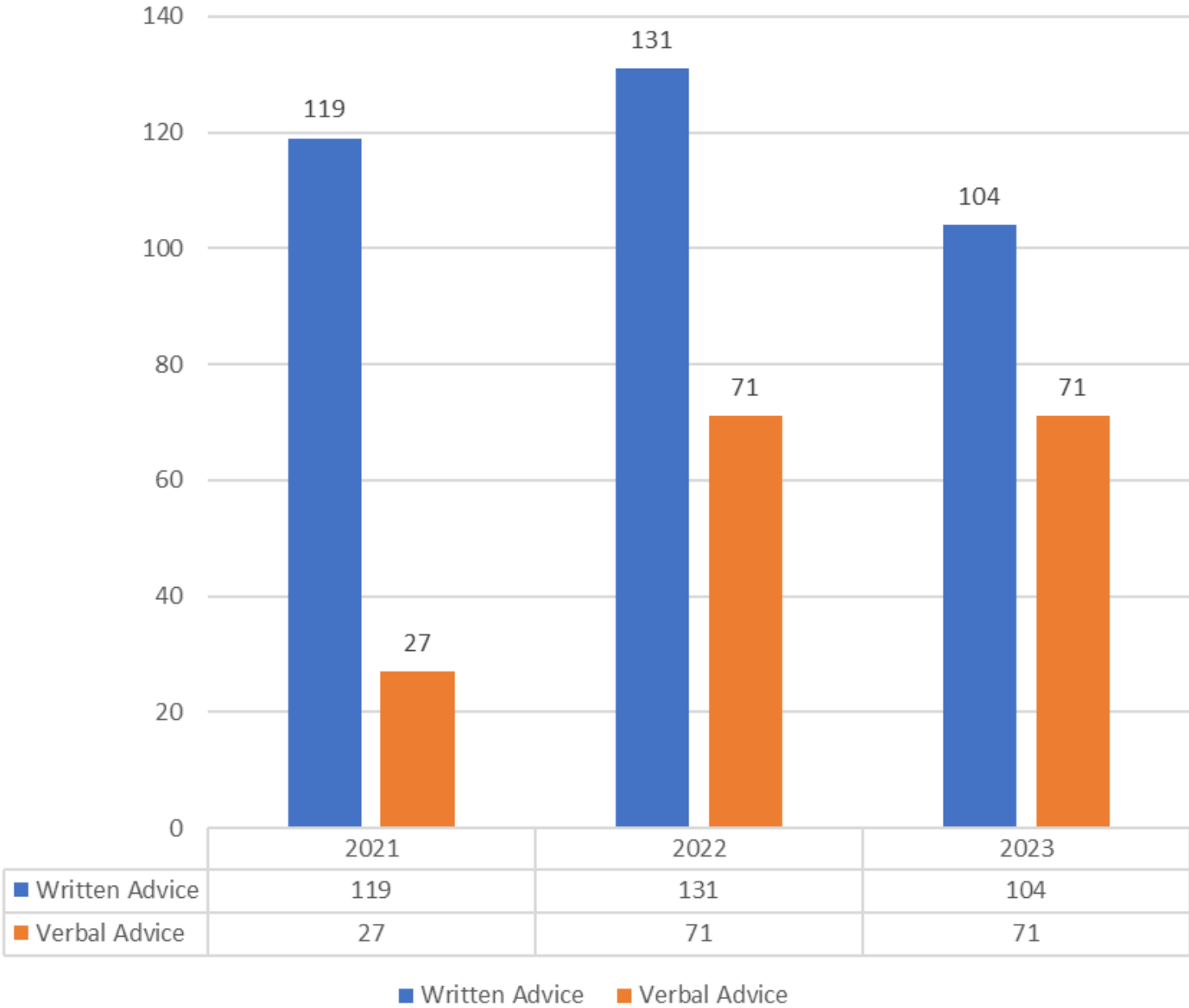
\$13,000

ASSESSED IN RESTITUTION TO THE CITY



REPORT ON ETHICS ADVICE

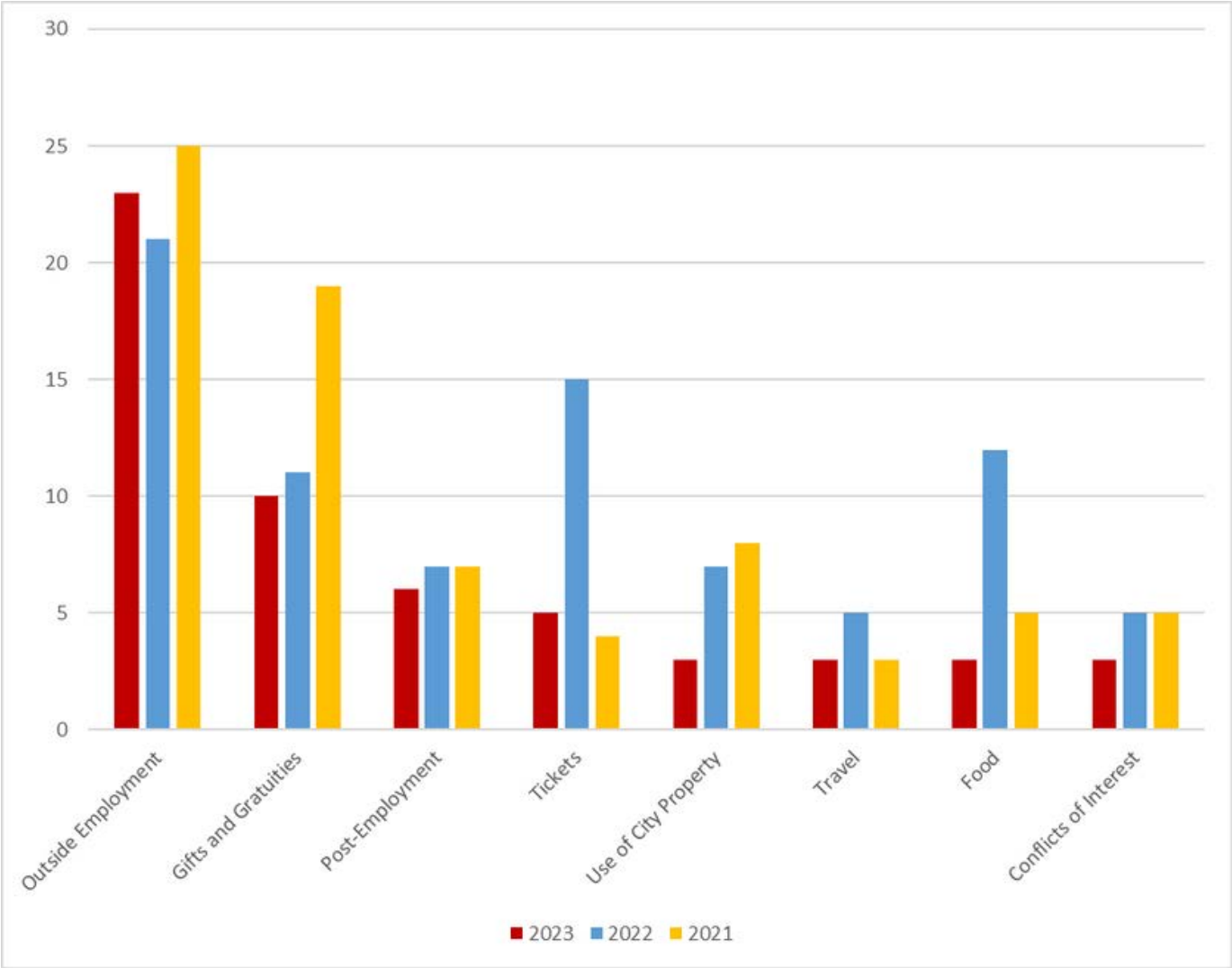
Written vs. Verbal Advice: 2021 - 2023



Note: Written advice includes both formal and informal advisory opinions and letters.

REPORT ON ETHICS ADVICE

Top Subjects for Written Advice:
2021 - 2023



AUDITING OF CITY FINANCIAL DISCLOSURE STATEMENTS

Each year, pursuant to Section 2-814 of the Atlanta Code of Ethics, city elected officials, certain employees, and members of boards, task forces and commissions, are required to submit a City Financial Disclosure Statement to the Ethics Office. The disclosure statement is completed annually and requires disclosure of outside sources of income, certain family relationships, and property ownership. The underlying purpose of the statement is to prevent and identify potential conflicts of interest.

The Ethics Office's auditing program began in 2017 with manual testing of submitted statements. The Ethics Office is working with a vendor to automate the auditing process which will enable the review of submitted disclosure statements in future years.

The Ethics Office audits approximately fifteen percent of the statements received for completeness and accuracy. During an audit, the tests administered on the submitted disclosure statements include reviewing them for completeness, comparing with prior statements for consistency, and conducting public records searches for potential errors and omissions. If a potential error or omission is discovered while testing a submitted statement, the filer is requested to file an amendment.

In 2023, the Ethics Office completed its audit of the 2022 financial disclosure filing season, in which it audited 540 out of a total 3,426 filers. As in prior years, the first tier of the 2022 audit consisted of elected officials and executive-level employees. The second tier of the 2022 audit consisted of employees in the Department of Enterprise Assets Management, Atlanta Fire Rescue Department, the Atlanta Department of Transportation, and employees who were flagged in prior audits. After the vetting and analysis of findings, 30 filers were sent letters from the Ethics Office requesting clarification of a potential error or omission, and 17 filers filed amendments to their statements. The full 2022 Financial Disclosure Statement Audit Report may be found at:

<https://atlantaethics.org/docindexer/2022%20CFDS%20Audit%20Report.pdf>.

The auditing of city financial disclosure statements should not be taken lightly. Public trust is critical and our commitment to this process demonstrates that we are reviewing the disclosure statements for potential conflicts and flagging areas of concern. More importantly, we are educating filers on this requirement which minimizes omissions and inaccuracies when they complete their statements. We have achieved broader outreach in our communications through the auditing program, and will continue to communicate this important message to the City and public as our program evolves.

ETHICS TRAINING

This year, the Ethics Office completed a critical update to the interactive online based training course that was launched for all city employees in 2022. The training primarily educates and informs employees on the city's ethical rules and culture. However, our goal for the update was to ensure that the course catered to the different learning styles of employees and increased understanding of the ethics rules presented in the course.

The Ethics Office worked closely with an experienced vendor to make the course more reader friendly without diluting the context and meaning of the ethics laws. We also added a voice-over to the entire course to create a more robust experience. The new course launched on **September 18, 2023**, and the deadline for employees to complete their training was **November 3, 2023**. The course remains available throughout the year to allow new employees to complete



the course as part of the City's required "**New Employee Orientation**" process.

To address the challenges that we experienced with providing the training to our ELA (employees with limited access) employees in 2022, we created a "movie style" version of the course. We worked closely with the Department of Human Resources as well as the designated Human Resources Business Partners (HRBPs) to provide in-person support for the training sessions conducted at the main facility locations for the departments. The movie version of the training was launched in **October 2023** with an expected completion date of **March 2024** for the ELA employees.

ETHICS TRAINING

We are pleased to report that the total number of employees who completed their ethics training for **2023** is **6,868** out of a total of **7,545** assigned employees. That represents a **91%** completion rate for all employees. The remaining **9%** are primarily ELA employees.

Along with the mandatory annual ethics training, the Ethics Office supports city agencies and departments by providing additional ethics training and creating ethics resources and materials. The training and resources are tailored based on the needs of the requesting department.



This year, we conducted ethics training for the **Department of Procurement** staff, the **Department of Aviation** Interns, and **Department of Watershed Management** contractors and vendors. Additionally, in partnership with the **Department of Procurement**, the Ethics Office developed an Ethics onboarding video for the Procurement supplier registration website.

The Ethics Office continues to attend pre-proposal bid conferences hosted by the Department of Procurement where an overview of the applicable ethics rules pertaining to individuals and entities that seek to do business with the City is provided. In 2024, we will continue to explore opportunities to expand our public education program and to provide tailored ethics training for city departments and boards.

ORGANIZATIONAL UPDATES

In 2022, the Ethics Office embarked on an aggressive schedule to develop and enhance its programs.

To date, the following programs and projects have been completed or are in progress:

Ethics Training – the Ethics Office developed an interactive web-based module for all city employees. The Department of Human Resources' Learning Management System (LMS) was used as the delivery method to reach the employee base. Employees without access to a physical office or applicable technology were able to obtain the training in group sessions at their on-site locations. The training launched in mid-January 2022 and was completed by September 2022. The annual ethics training was enhanced during the third quarter of 2023 to include a movie version which increases our reach to those employees without electronic technology resources.

Financial Disclosure Annual Filings – the Ethics Office, working with our current vendor, continues to enhance the applications supporting the annual financial disclosure filing (FDS) process. The FDS process is critical to the success of the Ethics Office and a key component of its mission. The enhancements provide 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. The new application has new administrative features that allow for individualized reporting by department and their divisions. This will also provide greater department level 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.

Financial Disclosure Audit – to ensure compliance with financial disclosure filings, the Ethics Office conducts an annual audit at various levels. The levels include: city officials (tier 1), specific city departments (tier 2), and a random sample of the remaining population (tier 3). Routinely, 300+ statements are audited during this process. As part of our ongoing efficient model, we will develop an automated audit process to replace the manual one in place. The Ethics Office retained a vendor to develop the automated auditing system, scheduled to be completed by May 2024. The automation will allow for the auditing of all financial disclosure statements based on specific business rules and provide unique comparison reports for a three-year period from a historical perspective. The information from these reports will be further analyzed to determine if additional actions or auditing is needed.

Ethics Office Website - The previous Ethics Office website and the City of Atlanta website pages referencing Ethics currently do not match and contain outdated information. The Ethics Office is in the process of modifying 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 Governing Board meetings and other activities that may be of interest.



Case Management System – The Ethics Office is required to investigate all reported ethics violations. There are various methods available to report potential ethics violations, such as: reporting through the *Integrity Line* or filing an ethics complaint by email or in person. The current investigative process for managing and tracking ethics matters is primarily manual. The objective of the case management program is to automate the process, tracking of interviews and reports and enhance security. The program is scheduled to be completed by December 2024.

Data Management Program – The Ethics Office was officially established twenty (20) years ago and has accumulated massive amounts of documents, data, and other information. The existing document storage application has grown and requires restructuring and reorganizing, therefore, an effective data management program is needed. The program will provide a revised data restructuring, unique naming conventions, and required information to allow for records management such as: retention, archive, and removal. The program is scheduled to be completed by December 2025.

These efforts represent an example 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 Line (1-800-884-0911) was established in 2006 as a vehicle to report suspected unethical, fraudulent, or illegal activity involving city officials, employees, or contractors. Integrity line Reports are received 24/7 by an independent third-party phone and online reporting system and routed to the Ethics Office for review and referral.

Reports received through the Integrity Line are initially reviewed for jurisdiction by the Ethics Office and handled directly by the Office or referred accordingly to the appropriate agency or department for further review and investigation, if necessary. City departments provide relevant reports to the Ethics Office indicating whether allegations have been substantiated so the Office may determine whether further action is required.

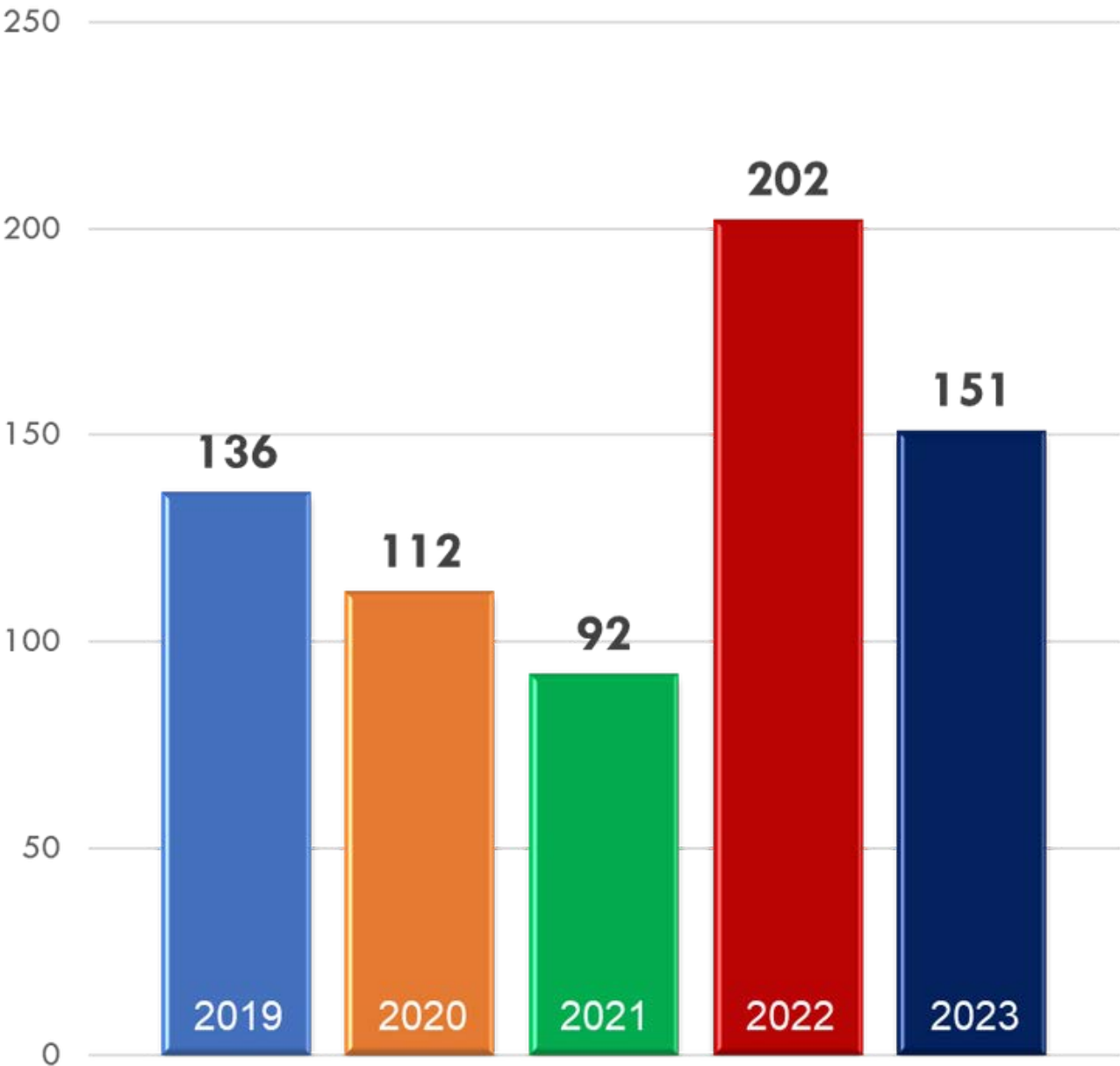
The Ethics Office received a total of **151** Integrity Line Reports in 2023, consistent with the historically high reporting volume seen in 2022. As with 2022, the steady reporting level in 2023 is most likely attributed to the Ethics Office's ongoing education and outreach efforts about the Integrity Line. These efforts were supported by the rollout of the updated version of the online ethics training course for city employees, which encourages employees to report potential violations using available reporting channels, including the Integrity Line.

Some of the ongoing challenges that we face are timely responses on referrals of matters to city departments when city personnel assigned to these matters leave the City and new personnel are assigned. The Ethics Office continues to advocate for consistent communication with city departments to ensure that integrity complaints are effectively resolved.

As with past years, ongoing efforts by the Ethics Office to promote the reporting of suspected unethical behavior continue to help build employee confidence in this *critical* element of an effective **ethics and compliance program**. These efforts have played an important role in reporting volumes remaining at historically high levels.

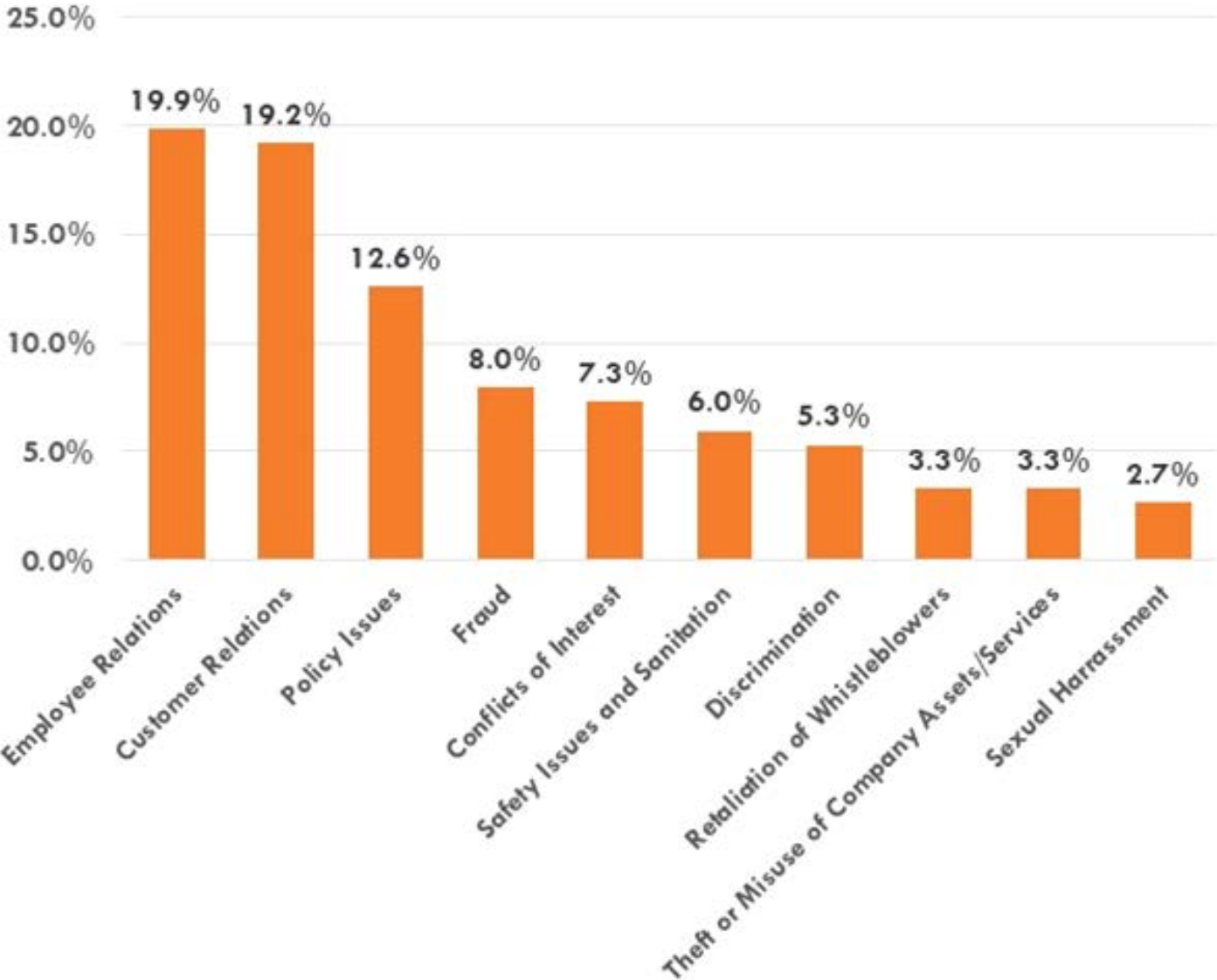
REPORT ON INTEGRITY LINE

Integrity Line Reports Received
2019 - 2023



REPORT ON INTEGRITY LINE

2023 Top Reporting Categories
by Primary Issue Type (%)



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Ethics In Action



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