



### Agenda Item Details

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| Meeting            | Dec 08, 2021 - City Commission Meeting   |
| Category           | 13. POLICY FORMATION AND DIRECTION   |
| Subject            | 13.05 Whistleblower and Anti-Fraud Policies -- Reese Goad, City Manager and Dennis Sutton, Inspector General   |
| Access             | Public   |
| Type               | Action   |
| Fiscal Impact      | No   |
| Budgeted           | No   |
| Recommended Action | Option 1: Adopt a Whistleblower Policy that recognizes and affirms the City's commitment to preventing retaliation against employee(s) who report unlawful activity, misfeasance, malfeasance, gross waste of public funds, gross neglect of duty, or gross mismanagement.<br><br>Option 2: Adopt an Anti-Fraud Policy affirming the City has zero tolerance for fraud and will promptly investigate suspected fraudulent, unethical, or dishonest activities; and, if substantiated, pursue remedies without regard to the suspected wrongdoer's length of service, position, title, or relationship with the City. |
| Goals              | Public Trust   |

### Public Content

For more information, please contact Dennis R. Sutton, Inspector General, 850-891-8397.

### Statement of Issue

The City of Tallahassee is committed to conducting its operations in an ethical manner. To further those efforts the Office of the Inspector General conducted an audit of the City's ethical culture (Audit Report #2103). In that audit, it was noted the City had implemented many components recommended for a strong ethics and compliance program. Those components include a code of ethics, oversight and compliance for ethical behavior, ethics training, processes for reporting violations of the City's Ethics Code, and annual reviews of the City's Ethics Code and critical policies. However, it was noted the City had not established and implemented Whistleblower or Anti-Fraud Policies which are also important elements of a strong ethics and compliance program. Accordingly, it was recommended such policies be adopted by the City Commission.

Implementation of a Whistleblower Policy will recognize and affirm the City's commitment to protecting individuals and not dismiss, discipline, or take any other adverse action against those individuals who, in good faith, report unlawful activity, misfeasance, malfeasance, gross waste of public funds, gross neglect of duty, or gross mismanagement. Additionally, this policy clearly states it is the responsibility of all employees to report known or suspected instances of such behavior or activities.

Implementation of an Anti-Fraud Policy will further the City's efforts to prevent and eradicate fraud within City government by affirming that the City has zero tolerance for fraud and that the City will investigate and address such behavior in a consistent manner without regard to the wrongdoer's length of service, position, title, or relationship with the City. Additionally, the policy will heighten awareness as to the possibility for the occurrence of fraud. The policy assigns the Inspector General responsibility for receiving and investigating complaints of suspected fraudulent acts and management responsibility for the prevention of fraud, misappropriation, and other fiscal irregularities.

Together, the Whistleblower and Anti-Fraud Policies will be considered part of the City's "critical policies" thereby ensuring all employees are aware of the policies and further the City's efforts to enhance the public trust through ethical business practices and transparent governance.

### Recommended Action(s)

Option 1: Adopt a Whistleblower Policy that recognizes and affirms the City's commitment to preventing retaliation against employee(s) who report unlawful activity, misfeasance, malfeasance, gross waste of public funds, gross neglect of duty, or gross mismanagement.

Option 2: Adopt an Anti-Fraud Policy affirming that the City has zero tolerance for fraud and will promptly investigate suspected fraudulent, unethical, or dishonest activities; and, if substantiated, pursue legal remedies available without regard to the suspected wrongdoer's length of service, position, title, or relationship with the City.

### Fiscal Impact

None

### Department(s) Review

Office of the Inspector General, City Attorney's Office, City Manager's Office

### Options

1. Adopt a Whistleblower Policy that recognizes and affirms the City's commitment to preventing retaliation against employee(s) who, in good faith, report unlawful activity, misfeasance, malfeasance, gross waste of public funds, gross neglect of duty, or gross mismanagement.

2. Adopt an Anti-Fraud Policy affirming the City has zero tolerance for fraud and will promptly investigate suspected fraudulent, unethical, or dishonest activities; and, if substantiated, pursue remedies without regard to the suspected wrongdoer's length of service, position, title, or relationship with the City.

3. Do not adopt the policies and provide further direction.

### Attachments/References

Attachment 1 - Proposed Whistleblower Policy

Attachment 2 - Proposed Anti-Fraud Policy

[Proposed Whistleblower Policy.pdf \(237 KB\)](#)

[Proposed Anti-Fraud Policy.pdf \(236 KB\)](#)