

City Commission Policy 180

Anti-Fraud

DEPARTMENT: Office of the Inspector General

DATE ADOPTED: December 8, 2021

DATE OF LAST REVISION: December 8, 2021

180.01 **AUTHORITY:** City Commission

180.02 **PURPOSE:** To affirm that the City has zero tolerance for fraud occurring within city operations and to heighten awareness of possible fraud. Additionally, to establish certain principles and expectations of the City Commission in order to prevent fraud; provide for the investigation of suspected fraud as well as provide consequences for engaging in any manner in fraud. Furthermore, it is the intent of the City to promote consistent organizational behavior by providing guidelines and assigning responsibility for the development of internal controls and conduct of fraud investigations.

180.03 **STATEMENT OF POLICY:** This policy applies to employees as well as vendors, contractors, sub-contractors, and any other parties doing business with the city and/or receiving city funds. Any investigative activity into suspected instances of fraud will be conducted without regard to the suspected wrongdoer's length of service, position, title, or relationship with the City.

The City of Tallahassee is committed to establishing and maintaining an organizational culture that will ensure fraud prevention and detection are integral parts of all activities. The Commission prohibits and will not tolerate or condone fraudulent, unethical, or dishonest activities. It is the policy of the City Commission to identify and promptly investigate suspected fraudulent, unethical, or dishonest activities; and, if substantiated, to pursue legal remedies made available under the law.

The City of Tallahassee, to achieve its goals and objectives in meeting the needs of the communities it serves, shall maintain processes designed to detect, deter, prevent, and eradicate fraud, waste, and abuse within city government operations. City of Tallahassee employees or individuals doing business with the City who detect or suspect fraudulent activities within city operations must immediately report the matter to the Office of Inspector General (OIG). The OIG will coordinate all investigations with the appropriate departments and other affected areas, both internal and external.

180.04 **DEFINITIONS:** The terms fraud, fraudulent activity, misappropriation, and other fiscal irregularities refer to, but are not limited to:

- Any dishonest or fraudulent act
- Misappropriations of funds, securities, supplies or other assets, or personnel and/or labor
- Impropriety in the handling or reporting of money or financial transactions

- Profiteering because of insider knowledge of the City of Tallahassee activities
- Forgery or alteration of any City of Tallahassee or customer document or account
- Disclosing confidential or proprietary information to outside parties for personal gain
- Accepting or seeking anything of material value from contractors, subcontractors, vendors, citizens, or any other parties doing business with the city and/or receiving city funds
- Knowingly recording inaccurate or false information in City records
- Unauthorized destruction, removal, or inappropriate use of records, equipment, furniture, and fixtures
- Any similar or related irregularity

These acts can include actions by an employee which provide a benefit to a friend, relative, or acquaintance even if the employee receives no benefit themselves. If there are any questions as to whether an action constitutes fraud, contact the OIG for guidance.

180.05

ACTION SECTIONS:

- A. **Office of Inspector General:** The Office of Inspector General has the primary responsibility for receiving and investigating complaints of suspected fraudulent acts as defined above. Upon the request of the OIG, the applicable appointed official will assign appropriate personnel to assist the OIG in the investigation. If the investigation substantiates fraudulent activity has occurred, the OIG will notify the City Commission, City Attorney, applicable Appointed Official, and appropriate law enforcement agency. Investigations conducted by the OIG will be confidential until the case is closed or no longer active as provided for in Section 119.0713, Florida Statutes.
- B. **City Officials and Staff:** Management is responsible for the detection and prevention of fraud, fraudulent activity, misappropriations, and other fiscal irregularities. Fraud detection and prevention methods are accomplished by establishing and maintaining an effective system of administrative and accounting controls. Each member of the leadership team should be familiar with the types of fraudulent activities which might occur within their area of responsibility and develop internal controls to mitigate the fraud risks as well as alert them to indicators of fraud.

Employee involvement and participation is vital to the successful implementation of an anti-fraud program and anti-fraud policy. As a result, any Appointed Official, department head, or city employee who discovers or suspects fraudulent activity within City operations shall immediately notify the Office of Inspector General. Under no circumstances should an employee, supervisor, manager, director, or Appointed Official attempt to investigate a suspected fraud without the assistance of the OIG. Individuals reporting concerns of suspected fraud to the OIG should do so without fear of being penalized or retaliated against and if appropriate provided whistleblower protections in accordance with City policy and City and State laws.

180.06

ADMINISTRATION: The Office of the Inspector General is responsible for the administration of this policy. Any substantial changes, additions, or deletions to this policy shall be approved by the City Commission.

180.07

SUNSET PROVISION: This policy is also subject to sunset review by the City Commission no later than five (5) years from the date of adoption. Subsequent reviews by the City Commission are to occur no later than five (5) years from the date of the prior review. Revisions will become effective immediately upon City Commission approval.

180.08

EFFECTIVE DATE: December 8, 2021

REVISIONS: