

Status of Action on Recommendations of the Budget & Legislative Analyst – January 4, 2021

Recommendation	Status	Notes
<p>4. Ensure adequate staffing in the Ethics Commission: that the Board of Supervisors request the Mayor’s Budget Office to (i) expedite approval of requests to fill vacant positions, and (ii) allocate Ethics Commission salary savings to the work order with the Department of Human Resources to increase Ethics Commission recruitment and hiring.</p>	<p>By Dec 31, 2020 Underway</p>	<ul style="list-style-type: none"> Hiring Plan established 10/13/2020. Requests to Fill approved by 11/18/2020. Job announcements posted Dec 10-11, 2020. Two positions filled. Five positions accepting applications.
<p>1. Produce an annual report that communicates the Department’s goals, activities, and outcomes to employees and members of the public; include specific performance measures for each function, with a focus on measures that capture outcomes, and establish goals for those measures.</p>	<p>By June 30, 2021 Underway</p>	<ul style="list-style-type: none"> Draft 2019-20 Annual report presented at 8/14/2020 Commission meeting. Final Draft 2019-20 Annual Report adopted at 9/11/2020 Commission meeting. 2019-20 Annual Report issued 9/11/2020. Draft 2020-21 Annual Report planned for July 2021.
<p>2. Formalize and document procedures to provide training on ethics laws to City employees and officials specifying (a) how training needs will be assessed; (b) training goals; (c) a process for tracking progress towards achieving training goals; and, (d) a process for routinely evaluating, updating, and revising training procedures.</p>	<p>By Dec 31, 2020 Completed</p>	<ul style="list-style-type: none"> Ethics FY21 Training Plan formalized and documented 12/24/2020.
<p>3. Direct the Audit Division to produce a summary of audit findings after each audit cycle and submit to the Director of the Engagement and Compliance Division to inform compliance efforts.</p>	<p>By June 30, 2021 Underway</p>	<ul style="list-style-type: none"> Audit Division Summary of 2018 Publicly Financed Candidate Audits provided to Engagement & Compliance 12/29/2020. Process to be formalized in Audit Workplan established following hiring of Audits and Compliance Review Manager.
<p>5. Establish overall goals for completing audits as well as goals for review of audit reports by the Executive Director, and report on results in relation to goals after completion of each audit cycle to the Ethics Commission.</p>	<p>By June 30, 2021 Planned</p>	<ul style="list-style-type: none"> To be established following hiring of Audits and Compliance Review manager.
<p>6. Approve procedures for a lobbyist audit program and conduct an initial lobbyist audit by end of FY 21.</p>	<p>By June 30, 2021 Planned</p>	<ul style="list-style-type: none"> Review pending with Executive Director; planned for completion by 1/31/2021. Initial audit targeted for completion by 6/30/2021.
<p>7. Develop an updated audit manual or standard operating procedure that provides auditors with a step-by-step guide to conduct audits.</p>	<p>By Dec 31, 2021 Planned</p>	<ul style="list-style-type: none"> To be completed following hiring of Audits and Compliance Review Manager.
<p>8. Establish a formal training program for the Audit Division, which includes: (a) identification of training needs based on discussions with the acting audit supervisor and auditors; (b) training goals for each employee; (c) A process for tracking progress towards achieving training goals; and, (d) a process for routinely evaluating, updating, and revising the training program.</p>	<p>By June 30, 2021 Planned</p>	<ul style="list-style-type: none"> To be formalized following hiring of Audits and Compliance Review Manager.

Status of Action on Recommendations of the Budget & Legislative Analyst – January 4, 2021

Recommendation	Status	Notes
<p>9. Develop a plan to: (a) increase annual case closure rate relative to the number of investigations opened, and (b) resolve open investigations that are more than two-years old; and report on progress quarterly to the Ethics Commission.</p>	<p>By Dec 31, 2020 Completed</p>	<ul style="list-style-type: none"> Established in Enforcement Division Case Closure Plan for FY21 dated 12/28/2020. Application of Plan ongoing.
<p>10. Enhance investigation case tracking and performance management by: (a) establishing Division goals for completing investigations and interim milestones, such as completing preliminary review reports; (b) tracking additional dates to capture interim milestones; and (c) monitoring performance in relation to goals.</p>	<p>By June 30, 2021 Underway</p>	<ul style="list-style-type: none"> Approach for expanded tracking of interim milestones developed.
<p>11. Continue to develop the expanded Fixed Penalty Policy, and present for consideration to the Ethics Commission by January 2021 in order to enable streamlined resolution of an expanded portfolio of investigations. The presentation should include an evaluation of the portion of investigations that would fall under the expanded Fixed Penalty Policy and the estimated reduction in case timelines in order to better understand the projected relative benefit of this change.</p>	<p>By Dec 31, 2020 Underway</p>	<ul style="list-style-type: none"> Staff proposal distributed to Interested Persons 12/15/2020. Interested Persons meetings scheduled for 1/5 and 7/2021. IP meeting update placed on 1/8/2021 Commission Agenda. Revised proposal to be presented at 2/12/21 Commission meeting, including predictive analysis of cases potentially subject to treatment under revised Fixed Fine Policy.
<p>12. Report to the Ethics Commission on the results of using the case prioritization criteria within 18 months after implementation in order to assess which types of cases are closed based on which factor(s). This review would help to ensure that the criteria are achieving the desired intent of focusing the Division’s workload on the most significant cases and that they are applied in a standardized fashion for all cases.</p>	<p>By June 30, 2021 Planned</p>	
<p>13. Formalize and document the existing training program for investigators to ensure new and existing staff have sufficient training. The documented training policy should address the following: (a) how training needs will be identified for new and existing staff; (b) the establishment of training goals; (b) a process for tracking progress towards achieving training goals; and, (d) a process for routinely evaluating, updating, and revising the training program.</p>	<p>By June 30, 2021 Planned</p>	
<p>14. Report on whistleblower retaliation case outcomes to the Ethics Commission on an annual basis to enhance transparency of these investigations.</p>	<p>By June 30, 2021 Planned</p>	
<p>15. Establish goals for completing whistleblower retaliation investigations and specify how whistleblower retaliation cases should be prioritized among other cases to ensure timely resolution (in coordination with recommendation 10).</p>	<p>By Dec 31, 2020 Underway</p>	<ul style="list-style-type: none"> Established in Enforcement Division Case Closure Plan for FY21 dated 12/28/2020. Application of Plan ongoing.
<p>16. Document specialized training for whistleblower retaliation investigations and build in mechanisms to verify that trainings occur and that they are useful and effective as needs change over time.</p>	<p>By June 30, 2021 Planned</p>	