Code of Ethics

October 3, 2019

Simone Rede, Senior Management Auditor
Elliot Shuford, Senior Management Auditor
Background
“Metro is making a great place”

Metro’s vision

Metro is a leader in civic innovation and services at a regional scale.

Metro’s values

Public service
Excellence
Teamwork
Respect
Innovation
Sustainability
What is Metro?

- Metro Council
  - Chief Operating Officer
    - 1,600 employees
- More than regional land use planning
- Portland, Oregon metro area
Why audit Metro’s Code of Ethics?

- Policy out-of-date
- Organizational change underway
- Employees less confident
Audit approach
Ethics audits assessed climate or controls

Employee Perceptions

Policies & Procedures
“Well all I hear all day long at school is how great Marcia is at this or how wonderful Marcia did that, Marcia, Marcia, Marcia!” –Jan Brady, The Brady Bunch
Controls in place?
We found some controls in place

Preventive

• Ethics-related policies established
• Ethics training offered
• Metro Values and public service were topics at all-staff meetings

Detective

• Multiple channels available for reporting suspected issues

Corrective

• Performance management process in place
We saw signs that controls were unlikely to be effective

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<th>Preventive</th>
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<td>• Ethics-related policies used inconsistent terms</td>
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<td>• Few employees attended ethics training</td>
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<td>• All-staff meetings appeared to be held less frequently than scheduled</td>
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<th>Detective</th>
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<td>• Information not tracked or shared consistently</td>
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<td>• Performance management process indirectly addressed ethics; not required for all</td>
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Fieldwork
Fieldwork

Determine if Metro can strengthen its training and communication efforts to better prevent unethical conduct
Fieldwork

Determine the consistency of Metro’s approach to receive and act on information about potential unethical conduct
Fieldwork

Determine if more consistent controls are needed to help Metro correct unethical conduct
Fieldwork

Determine if there are barriers for employees to understand expectations for ethical conduct
Process Maps

‘User Experience’ and Analytical Tool
Process Maps

Issue selection

- Issues identified in survey
- Review of the types of Accountability Hotline cases
- Employee survey data
- Manager interviews

Narrowed to “Common” issues or questions

Selected 5 issues
Process Maps

User Experience

• Political activity
• Personal use of public resources
• Accepting a meal/gift
• Favoritism/Nepotism
• Conflict of interest
Process Maps

Example
1: I am asked to serve on an interview panel for a position at Metro. I know one of the candidates. Can I serve on the interview panel?

- Is the candidate a family member, household member, or romantic partner of mine?*
  - No: Is the candidate a friend of mine?^  
    - No: Yes, I can serve on the interview panel.
    - Yes: Am I an employee of the Council, Auditor or MERC?^  
      - No: No, I cannot serve on the interview panel because I am discouraged from creating the appearance that my friendships will result in biased decisions or disparate treatment.^
      - Yes: I’m unsure whether I can or cannot serve on the interview panel because there may be procedures for preventing favoritism or unfairness in the workplace due to personal relationships.*
  - Yes: No, I cannot serve on the interview panel because I am prohibited from participating in any official discussion or decision related to the employment of a family member, household member, or romantic partner.*
Preliminary findings and recommendations
Management Letter: Lobbying Registrations

- Lobbyist registrations online were out of date for at least 151 days three times since 2015
- Lack of clarity for roles and duties

MEMORANDUM
Date: 8/6/19
To: Andrew Scott, Interim Chief Operating Officer
From: Brian Evans, Metro Auditor
RE: Out-of-date Lobbyist Registrations – Code of Ethics Audit early communication

Summary
Stronger controls are needed to increase transparency of lobbying activity and ensure lobbyist requirements are met. Lobbyists are required by Metro Code to register with the Metro Council. We found registrations online were out of date for at least 151 days in 2015, 2017 and 2019. Metro’s role to ensure the requirements were fulfilled was not clear, and lobbyist registration duties were shared across different areas within Metro.
Preliminary Findings & Recommendations

“Stay tuned....”
Policies (preventive)
Information Tracking & Analysis (detective)
Corrective controls
Challenges and strategies
Law vs. Policy & Values
Sensitivity
Sensitive information
Self-review threat
Information asymmetry
Simone Rede
Senior Management Auditor
simone.rede@oregonmetro.gov

Elliot Shuford
Senior Management Auditor
elliot.shuford@oregonmetro.gov

@MetroAuditor (Twitter)
www.oregonmetro.gov/auditor