

EXECUTIVE ORDER NO. 2-16

OFFICE OF THE CHIEF INTEGRITY OFFICER

WHEREAS, the citizens of Philadelphia (“citizens”) have bestowed a public trust on their government and have a right to expect that their government embodies unassailable principles of integrity, transparency and accountability; and

WHEREAS, the citizens must have confidence that their government operates, and public officials and employees act, according to the highest ethical standards and without improper influence or considerations other than the best interest of the public; and

WHEREAS, it is incumbent upon public officials and employees to avoid real or perceived conflicts of interest that could undermine the citizens’ trust; and

WHEREAS, the City of Philadelphia (“City”) must develop policies, procedures and protocols to promote integrity, transparency and accountability within government and ensure adherence to these policies, procedures and protocols by public officials and employees;

NOW, THEREFORE, I, JAMES F. KENNEY, Mayor of the City of Philadelphia, by the powers vested in me by the Philadelphia Home Rule Charter, do hereby order as follows:

SECTION 1. Chief Integrity Officer.

The position of Chief Integrity Officer (“CIO”) is hereby re-established and continued in the Office of Mayor to promote honesty, integrity, transparency and accountability throughout the Executive and Administrative Branch in the day to day operations of City government. The CIO shall report directly to the Mayor.

SECTION 2. Responsibilities.

Specific responsibilities assigned to the CIO by the Mayor shall include, but are not limited to:

(1) **Integrity of City Operations.** Monitor and review, and as necessary, create or recommend, policies and procedures to ensure that the following areas of activity in the Executive and Administrative Branch are in compliance with the law and conducted in an open, honest and transparent manner:

- (a) All aspects of City procurement and contracting;
- (b) The disposition and use of City property, facilities and equipment;
- (c) The provision of City services; and
- (d) Others at the direction of the Mayor.

When, with respect to the foregoing matters, the CIO receives a complaint or otherwise becomes aware of any conduct that is unethical, unlawful or otherwise inconsistent with the aims of this Executive Order, she or he may look into the issue and, if necessary, shall promptly refer it to the appropriate entities as prescribed in this Executive Order.

(2) **Compliance Program.** Create, support, and monitor a comprehensive program for the identification, prioritization and management of compliance risk throughout the Executive and Administrative Branch. The purpose of such program shall be to prevent potential wrongdoing, misfeasance, and other conduct that could undermine the public's trust in government, by proactively addressing and recommending strengthened City policies, procedures and protocols, and Mayor's Executive Orders, designed to promote integrity, transparency and accountability.

(3) **Advice and Support.** Serve as an advisor to the Mayor, City officials, employees, boards and commissions and vendors about applicable laws, policies, procedures and Executive Orders related to integrity, transparency and accountability within government. The CIO shall give advice and support not merely on complying with affirmative requirements, but also on conducting City business in a rigorously ethical and forthright manner that promotes public confidence.

(4) **Reporting and Oversight.** Provide oversight and support to City departments, agencies, authorities, boards and commissions regarding the City's regulatory environment to ensure that covered employees are aware of the requirements, that mandatory reporting is completed in an efficient and timely manner, and that ethical standards are adhered to.

(5) **Education and Communication.** Through trainings, internal and external communications and other methods of dissemination, increase awareness within the City's workforce and within the general public of the City's policies, procedures, protocols and Mayor's Executive Orders related to integrity, transparency and accountability.

(6) **Transparency.** Improve access to City information, promote open data initiatives and support use of City data both within City government and outside it, and engage the public in order for the City to become a model for transparent government operations.

(7) **Other Duties.** Perform such other duties as directed by the Mayor.

SECTION 3. Coordination and Cooperation.

(1) The CIO shall coordinate with City departments, agencies, authorities and boards and commissions to provide training and informal advice related to integrity, transparency and

accountability within City government. All such entities are directed to cooperate with the CIO in the performance of the CIO's duties and responsibilities hereunder.

(2) The CIO shall work in coordination and cooperation with the Office of the Inspector General ("OIG") and shall report to the OIG all matters requiring the investigation and resolution of instances or patterns of fraud, waste, corruption, misconduct or abuse of office related to the operations of City government or those who transact business with the City or receive financial benefits from the City.

(3) The CIO and OIG shall jointly develop and implement training programs to correct systemic problems and prevent future misconduct within City government.

(4) The CIO shall work in coordination and cooperation with the Philadelphia Board of Ethics ("BOE") and shall report to the BOE whenever the CIO determines that a violation of the City's Ethics Code, Lobbying Code, Campaign Finance Law, and Home Rule Charter restrictions on political activity, gratuities and interests in certain City contracts may have occurred.

(5) The CIO shall work with the BOE to jointly develop and implement appropriate training programs and other communications with public officials and employees within the jurisdiction of the CIO and with businesses that are seeking or doing business with the City that support and reinforce the mission and goals of the CIO set forth in this Executive Order.

(6) The CIO shall work in coordination and cooperation with the Law Department to report all matters in which the City may appropriately seek redress for damages or loss caused by unlawful or unethical conduct by any person or entity for such action as the City Solicitor may deem appropriate.

(7) The CIO shall conduct all activity in a manner that does not interfere with the performance of the duties of the OIG, BOE or Law Department or other law enforcement authorities.

SECTION 4. Deputies.

Subject to the advance approval of the Mayor, the CIO may hire deputies and assistants to aid in carrying out the CIO's responsibilities herein.

SECTION 5. Rescission of Existing Executive Orders

Executive Order 2-08 (Relating to Office of Chief Integrity Officer) is hereby rescinded.

SECTION 6. Effective Date.

This Order shall take effect immediately.

Date

1/4/16

James F. Kenney, Mayor

AMENDMENT TO EXECUTIVE ORDER NO. 2-16

Office of The Chief Integrity Officer

Section 2(1), (2), (3) of Executive Order No. 2-16 are amended¹ to read as follows:

SECTION 2. Responsibilities.

Specific responsibilities assigned to the CIO by the Mayor shall include, but are not limited to:

(1) **Integrity of City Operations.** ~~Monitor and review, and Monitor;~~ *review; investigate, if appropriate; and*, as necessary, create or recommend, policies and procedures to ensure that the following areas of activity in the Executive and Administrative Branch are in compliance with the law and conducted in an open, honest and transparent manner:

- (a) All aspects of City procurement and contracting;
- (b) The disposition and use of City property, facilities and equipment;
- (c) The provision of City services; and
- (d) Others at the direction of the Mayor.

When, with respect to the foregoing matters, the CIO receives a complaint or otherwise becomes aware of any conduct that is unethical, unlawful or otherwise inconsistent with the aims of this Executive Order, she or he may ~~look~~

¹ Matter added by amendment is in *italics*.
Matter deleted by amendment is in ~~strikethrough~~.

~~into~~ *investigate* the issue and, if necessary, shall promptly refer it to the appropriate entities as prescribed in this Executive Order.

(2) **Compliance Program.** Create, support, and monitor a comprehensive program for the identification, prioritization and management of compliance risk throughout the Executive and Administrative Branch, *including conducting investigations related to the program, as necessary.* The purpose of such program shall be to prevent potential wrongdoing, misfeasance, and other conduct that could undermine the public's trust in government, by proactively addressing and recommending strengthened City policies, procedures and protocols, and Mayor's Executive Orders, designed to promote integrity, transparency and accountability.

(3) **Advice and Support.** Serve as an advisor to the Mayor, City officials, employees, boards and commissions and vendors about applicable laws, policies, procedures and Executive Orders related to integrity, transparency and accountability within government. The CIO shall give advice and support not merely on complying with affirmative requirements, but also on conducting City business in a rigorously ethical and forthright manner that promotes public confidence. *The CIO shall keep all records related to such advice confidential to the extent permitted by law including, but not limited to, the identities of individuals who seek such advice, provided that the CIO may share such information internally within the City as the CIO deems appropriate to fulfill the obligations under this Executive Order.*

* * *

This Amendment shall take effect immediately.

1/10/17
DATE

James F. Kenney
James F. Kenney, Mayor