

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE CITY OF ALLEN PERSONNEL POLICIES AND PROCEDURES MANUAL BY AMENDING CHAPTER ELEVEN, ADDING SECTION 11.01 F “ETHICS HOTLINE”; PROVIDING FOR A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council previously adopted the City of Allen Personnel Policies and Procedures Manual on February 4, 2004; and,

WHEREAS, the policy contemplates that from time to time revisions and amendments should be made to the manual; and,

WHEREAS, it is the responsibility of the City Council to adopt amendments to the manual.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The City of Allen Personnel Policies and Procedures Manual is hereby amended by the policy attached hereto as Exhibit “A,” and is hereby approved.

SECTION 2. The City Council directs the City Manager, or designee to codify and promulgate the revised policies set forth herein for the benefit and understanding of all City employees.

SECTION 3. All resolutions of the City of Allen, Collin County in conflict with this resolution are hereby repealed.

SECTION 4. The City of Allen Personnel Policies and Procedures Manual as amended herein shall continue in full force and effect until amended or repealed by resolution of the City Council.

SECTION 5. This resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 24TH DAY OF OCTOBER 2017.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, TRMC, CITY SECRETARY

EXHIBIT “A”

CHAPTER ELEVEN STANDARDS OF CONDUCT

11.01 F ETHICS HOTLINE

The City of Allen is committed to the highest possible standards of ethical, moral and legal business conduct. In conjunction with this commitment and the City of Allen’s commitment to open communication, this policy aims to provide an avenue for employees to raise concerns and reassurance that they will be protected from reprisals, victimization or retaliation for whistleblowing in good faith. However, if an employee feels that their anonymity is not required then they should follow the existing grievance procedure

1. **Whistleblowing Policy:** The whistleblowing policy is intended to cover serious concerns that could have a large impact on the City of Allen, such as actions that:
 - a. May lead to incorrect financial reporting;
 - b. Are unlawful;
 - c. Are not in line with the administrative directive policy, including the Standards of Conduct; or,
 - d. Otherwise amount to serious improper conduct.

Regular business matters that do not require anonymity should be directed to the employee’s supervisor and are not addressed by this policy. All employees, including directors, managers, supervisors, and representatives of the city are required to complete ethics training on a biennial basis. All agents are required to sign and acknowledge they have received this policy.

2. **Safeguards:**
 - a. **Harassment, Victimization or Retaliation** - Harassment or victimization of individuals submitting hotline reports will not be tolerated. All city employees are encouraged to report non-compliance and ethics issues without fear of retaliation.
 - b. **Confidentiality** - Every effort will be made to protect the reporter’s identity by the hotline vendor. However, the information provided in a hotline report may be the basis of an internal and/or external investigation by the city into the issue being reported. It is possible that as a result of the information provided in a report the reporter’s identity may become known to us during the course of an investigation.
 - c. **Anonymous Allegations** - The hotline allows employees to remain anonymous at their option. Concerns expressed anonymously will be investigated, but consideration will be given to:

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- i. The seriousness of the issue raised;
 - ii. The credibility of the concern; and
 - iii. The likelihood of confirming the allegation from attributable sources
- d. Malicious Allegations - Malicious allegations may result in disciplinary action

3. **Procedure:**

- a. Reporting - The whistleblowing hotline is intended to be used for serious and sensitive issues. Serious concerns relating to financial reporting, unethical or illegal conduct, should be reported in either of the following ways:
 - i. Website: <http://www.lighthouse-services.com/cityofallen>
 - ii. English speaking USA and Canada: (833) 610-00700 (not available from Mexico)
 - iii. Spanish Speaking USA & Canada: (833) 216-1288 (from Mexico user must dial 01-800-681-5340)
 - iv. E-mail: reports@lighthouse-services.com (must include ‘City of Allen’ with report)
 - v. Fax alternative for written documents: 215-689-3885 (must include ‘City of Allen’ with report)
- b. Reporters to the hotline will have the ability to remain anonymous if they choose. Please note that the information provided through the hotline may be the basis of an internal and/or external investigation into the reported issue. Anonymity will be protected to the extent possible by law. However, identity may become known during the course of the investigation because of the information provided.
- c. Reports are submitted by the hotline vendor to the City of Allen or its designee, and may or may not be investigated at the sole discretion of the City. In keeping with best practices and effective risk mitigation strategies, the City has designated the following recipients for hotline reports:
 - i. Suspected Fraud, Compliance or Ethical Reports –
 - City Manager
 - City Attorney
 - Chief Financial Officer
 - ii. Human Resources Reports –
 - City Manager
 - City Attorney
 - Human Resources Director
- d. Employment-related concerns should continue to be reported through a supervisor or Human Resources Department.

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- e. Evidence - Employees submitting reports need to demonstrate in their hotline report that there are sufficient grounds for concern
4. **How the Report will be Handled:** The action taken will depend on the nature of the concern.
- a. Initial Inquiries - Initial inquiries will be made to determine whether an investigation is appropriate, and the form that it should take. Some concerns may be resolved by agreed upon action without the need for an investigation
 - b. Feedback to Reporter – Whether reported directly to the City of Allen personnel or through the hotline, the individual submitting a report will be given the opportunity to receive follow-up on their concern:
 - i. Acknowledging that the concern was received
 - ii. Indicating how the matter will be dealt with;
 - iii. Giving an estimate of the time that it will take for a final response;
 - iv. Telling them whether initial inquiries have been made;
 - v. Telling them whether further investigations will follow, and if not, why not
 - c. Further Information - The amount of contact between the individual submitting a report and the body investigating the concern will depend on the nature of the issue, the clarity of information provided, and whether the employee remains accessible for follow-up. Further information may be sought from the reporter through the hotline vender.
 - d. Outcome of an Investigation - At the discretion of the city and subject to legal and other constraints the reporter may be entitled to receive information about the outcome of an investigation
 - e. The Human Resources Director, or designee, will be responsible for overseeing with the standards and procedures of this policy.