

## **Bountiful City Fraud Hotline Administrative Policy (approved June 4, 2020)**

The Bountiful City Fraud Hotline (Hotline) provides an avenue for citizens, employees, and vendors/contractors, to report improper governmental activities including:

- Violations of a law, rule, regulation, or policy applicable to the City
- Theft or fraud
- Abuse of authority
- Unethical conduct
- Gross mismanagement
- Waste or misuse of public funds, property, or manpower

Individuals wishing to submit a tip/complaint regarding any of the above listed items are provided the following methods:

- Hotline email: [fraudhotline@bountiful.gov](mailto:fraudhotline@bountiful.gov)
- City employees are welcome to use either of the above or report the tip/complaint in accordance with Personnel Policy section *508 Reporting Employee Fraud or Abuse*

Tips/complaints regarding regular City operations that do not involve the bulleted items above should not use the hotline email. Those types of tips/complaints should be communicated directly to the responsible City department.

### **Submitting a Tip/Complaint**

Tips/complaints should be submitted with sufficient information to allow a proper investigation. This should include any evidence that supports the tip/complaint. Essential information includes specifics on 'who, what, where, when' as well as any other details that may be important such as information on other witnesses, documents, and pertinent evidence.

Due to limited resources, the City is unable to accept and investigate complaints that are not supported by evidence or a means to investigate the problem further.

Anonymous tips/complaints will be considered; however, the City may not begin an investigation based on an anonymous tip/complaint due to the fact that evidence will be difficult to obtain and verify, and it will be impossible to assess the complainant's credibility. It is preferable that the complainant provide their name and contact information to allow for follow-up questions and reporting the results back to the complainant, if requested and deemed appropriate.

### **City Processing of a Hotline Complaint**

1. After receipt of the tip/complaint, the City Attorney will review the allegation and any evidence provided by the complainant. If the City Attorney or any of his or her staff are the subject of the complaint the City Manager will immediately be informed and take over processing responsibilities. The list below represents some of the factors that are considered during the screening and prioritization process.
  - a. Does the complaint involve actions by a person subject to the City's authority?

- b. Does the complaint pertain to improper governmental activities described in this policy? Disagreements with management decisions or actions taken by elected officials that are within the law and will not be investigated.
  - c. Has the complainant taken appropriate steps to resolve the issue with the City? If the City is not responsive, the concern relates to top management, or the complainant desires anonymity, consideration will be increased.
  - d. What is the timing and frequency of alleged improper activity? Allegations of improper activities that are recent and/or on-going may receive a higher priority.
  - e. Can the complaint be efficiently and effectively investigated? Overly broad or vague complaints or complaints where evidence is unavailable may be declined or receive a low priority.
2. The City Attorney will provide to the City Manager or his or her designee:
  - a. The allegation of the complaint
  - b. Any facts supporting or refuting the complaint
  - c. His or her recommendation based upon preliminary inquiryIf the City Manager or designee is the subject of the complaint they may not be included in this process. In that specific instance, the City Attorney will inform the City Council.
3. The person investigating will determine the appropriate next action:
  - a. Discontinue the investigation
  - b. Continue with the investigation
  - c. Refer the investigation to an outside entity
4. If the investigation continues, the person investigating sets the following:
  - a. Time and resource budget
  - b. Scope of the investigation
5. The person investigating and the City Attorney, if not the subject of the complaint, shall provide a report on their findings to City management who will take any necessary action on the report findings.
6. City management will provide a report of the investigation and results to the City Council. Information will also be provided to the complainant if requested.

### Whistleblower Protection

The City will not take an adverse action against employees for reporting in good faith fraud or abuse of public funds. An employee is presumed to have communicated in good faith if they have given written notice or otherwise formally communicated the issue to the person in authority.

### Confidentiality

The identity of the complainant is considered protected information under the Utah Government Records Access and Management Act (GRAMA) and will be kept confidential to the fullest extent possible (See *Utah Code* Section [67-3-1\(15\)](#)).