INSPECTOR GENERAL CHARTER

PURPOSE AND SCOPE OF WORK

The mission of the Division of Inspector General is to promote accountability and integrity in government and preserve the public trust by providing independent and objective audits, investigations, and consultations designed to add value and improve the County's operations. We strive to educate citizens and policymakers regarding the operation of their government.

The Division of Inspector General provides risk-based and objective assurance, advice, and insight to help the County accomplish its objectives by bringing a systematic, disciplined approach to evaluate and improve the effectiveness of governance, risk management, and control processes. To facilitate the prevention and detection of fraud, waste, and abuse, the Division of Inspector General also conducts investigations, coordinating with law enforcement and other investigative agencies as warranted.

The scope of the Division of Inspector General's authority includes any operation under the direction of the Clerk of the Circuit Court and Comptroller (Clerk) or the Board of County Commissioners (BCC). It also includes other functions for which the BCC provides financial support as separate entities in its budget, or which the BCC is the ex-officio governing body.

The Attorney General, in opinion No. 86-38, stated that until legislatively or judicially determined otherwise, the Clerk, as ex-officio county auditor, is not authorized to perform post-audit functions on the records of other constitutional officers. Therefore, scope of authority does not include other constitutional officers.

The scope of the Division of Inspector General work includes, but is not limited to, the following two general areas:

A. Audit Services:

1. Review the reliability and integrity of financial and operating information and the means used to identify, measure, classify, and report such information.
2. Review the systems established to ensure compliance with those policies, plans, procedures, laws, and regulations which could have a significant impact on operations and reports. Determine whether the organization is in compliance.
3. Review the means of safeguarding assets and, as appropriate, verify the existence of such assets.
4. Appraise the economy, efficiency, and effectiveness with which resources are employed and management's operational control not strictly within the scope of financial statements.
5. Review operations or programs to ascertain whether the results are consistent with established objectives and goals and whether the operations or programs are being carried out as planned.
B. Public Integrity Unit:

1. Investigate suspected inappropriate activity as defined in the Division of Inspector General's Fraud, Waste and Abuse Policy adopted by the Clerk and Pinellas County Administrative Directive No. 19-1.
2. Notify the Clerk or County Administrator, as applicable, and such other County officials as appropriate, if an investigation substantiates that a fraudulent act has occurred.
3. Consult with law enforcement agencies, as necessary, if a substantiated fraudulent act has criminal implications to assist in the preparation and presentation of criminal findings in a court of law.
4. Administer oaths and compel the production of books, papers, and other evidence material to investigations.
5. Augment the Clerk's Probate Court Records Department Guardianship Section and the Sixth Judicial Circuit Court, Probate and Guardianship Division, by conducting audits and investigations of guardianship activities.

AUTHORITY

By authority of the Constitution of the State of Florida, Article VIII, Section 1(d), "The clerk of the circuit court shall be ex-officio clerk of the board of county commissioners, auditor, recorder and custodian of all county funds." The Constitution of the State of Florida, Article V, Section 16, also specifies that the Clerk shall have the duties quoted above. The law also confers onto the Clerk the responsibility to act as the County's auditor.

By authority of Section 744.368 of the Florida Statutes, the Clerk, “shall audit the verified inventory and the accountings. The clerk shall advise the court of the results of the audit.”

Pursuant to the legal authority and responsibilities cited above, the Clerk has established the Division of Inspector General to fulfill the responsibilities of the office as they relate to audit and investigation functions other than the pre-audit of disbursements from BCC funds. The Finance Division of the Clerk's office performs the pre-audit function. The Division of Inspector General's responsibilities include a post-audit review of that function as well.

The Inspector General/Chief Audit Executive (IG/CAE) of the Division of Inspector General, in the discharge of his/her duties, shall be accountable to the Clerk to:

- Conduct internal audits of County operations and investigations of suspected fraud, waste, and abuse directed against County government.
- Report significant issues related to the processes for controlling the activities of County operations, including potential improvements to those processes, and provide information concerning such issues through recommendations.
- Coordinate with other control and monitoring functions (risk management, compliance, security, legal, ethics, environmental, external audit).
The IG/CAE and staff of the Division of Inspector General are authorized to:

- Have unrestricted access to all functions, records, property, and personnel.
- Allocate resources, set frequencies, select subjects, determine scopes of work, apply the techniques required to accomplish audit, investigative, and consultation objectives, and issue reports.
- Obtain the necessary assistance of personnel in units of the County where they perform audits, investigations, and consultations, as well as other specialized services from within or outside the County.

The IG/CAE and staff of the Division of Inspector General are not authorized to:

- Perform any operational duties for the County.
- Initiate or approve accounting transactions external to the Division of Inspector General.
- Direct the activities of any County employee not employed by the Division of Inspector General except to the extent such employees have been appropriately assigned to the Division of Inspector General or to otherwise assist the Division of Inspector General.

INDEPENDENCE

To provide for the independence of the Inspector General activity, its personnel report to the IG/CAE, who reports functionally and administratively to the Clerk. Since the Clerk is an elected Constitutional Officer, and thus responsible to the citizens and taxpayers of Pinellas County, the Clerk is considered to be independent.

The IG/CAE must communicate and interact directly with the Clerk. The Clerk, as county auditor, communicates with the BCC, but this does not restrict the IG/CAE from communicating with the BCC directly.

The Division of Inspector General has no direct responsibility to, or authority over, any area subject to its audit, review, and investigation. Therefore, the Division of Inspector General is organizationally independent from those areas which it will be auditing, reviewing, and investigating.

RESPONSIBILITY

The IG/CAE and staff of the Division of Inspector General have the authority and responsibility to:

- Develop a flexible annual audit plan using an appropriate risk-based methodology, including any risk or control concerns identified by management, and submit that plan to the Clerk for review.
- Implement the annual audit plan, as approved, including, as appropriate, any special tasks or projects requested by the Clerk, the BCC, or the County Administrator.
- Initiate audits and investigations and assist management during the course of the year, even though the projects are not on the annual audit plan.
- Conduct audits and investigations of all agencies within the scope defined above and to issue reports thereon.
- Follow-up on audit and investigation findings and report on the status of recommendation implementation.
- Maintain a professional audit and investigative staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this charter. The IG/CAE must hold at appointment, or is required to obtain within a time certain after appointment, certification as a Certified Inspector General.
- Establish and maintain a quality assurance and improvement program to evaluate and ensure the Inspector General activities conform to professional standards.
- Perform consulting services, beyond Inspector General's assurance services, to assist management in meeting its objectives. Examples may include facilitation, process design, training, and advisory services.
- Keep the Clerk informed of emerging trends and successful practices in auditing and investigating.
- Establish and maintain mechanisms to receive reports of fraud, waste, and abuse and conduct investigations as indicated in the circumstances.
- Consider the scope of work of the external auditors and regulators, as appropriate, for the purpose of providing optimal audit coverage to the organization at a reasonable overall cost.

STANDARDS OF AUDIT AND INVESTIGATIVE PRACTICES

The Division of Inspector General will meet or exceed the following standards:

1. *International Standards for the Professional Practice of Internal Auditing* of The Institute of Internal Auditors (Auditing Standards). These Auditing Standards are part of the *International Professional Practices Framework*. This framework prescribes mandatory compliance with the Core Principles for the Professional Practice of Internal Auditing, the Code of Ethics, the Auditing Standards, and the Definition of Internal Auditing.


While this charter is not intended to fully reiterate the standards of audit and investigative practices, it is intended to be consistent with applicable standards and should be interpreted in a manner consistent with those standards. Standards not directly incorporated into this charter shall nonetheless be fully and appropriately applicable to the Division of Inspector General.

APPROVAL

Melissa Dondero, Inspector General/Chief Audit Executive

Ken Burke, Pinellas County Clerk of the Circuit Court and Comptroller

Dated: July 20, 2020