

**Office of Ken Burke, Clerk of the Circuit Court and Comptroller
Pinellas County Division of Inspector General**

INSPECTOR GENERAL CHARTER

MISSION AND SCOPE OF WORK

The mission of the Division of Inspector General (Division) is to improve government and preserve the public trust by providing independent, comprehensive audits and investigations designed to add value and improve the County's operations and contracts. We strive to educate citizens and policymakers regarding the operation of their government. The Division will conduct investigations to ensure compliance with the Pinellas County Clerk of the Circuit Court and Comptroller's Fraud, Waste and Abuse Policy and Procedures (Policy). The Policy is designed to facilitate the development of internal controls that will provide for the prevention, detection and reporting of fraud, waste and abuse directed against County government. It is the intent of the Policy to promote awareness of the potential for fraud, waste and abuse throughout the County, and to provide guidelines and assign responsibility for the development of adequate internal controls and systems.

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 of which the BCC is the ex-officio governing body. The Attorney General, in opinion No. 86-38, stated, "Until legislatively or judicially determined otherwise, the Clerk of the Circuit Court and Comptroller 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 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 Investigations Unit:

1. Has the primary responsibility for investigation of all suspected inappropriate activity as defined in the Clerk of the Circuit Court and Comptroller's Fraud, Waste and Abuse Policy and Procedures.
2. If the investigation substantiates that a fraudulent act has occurred, the Division of Inspector General will notify the Clerk of the Circuit Court and Comptroller, or County Administrator, as applicable, and such other County officials as appropriate.
3. If the substantiated fraudulent act has criminal implications, the Division of Inspector General will consult with law enforcement agencies as necessary to assist in the preparation and presentation of criminal findings in a court of law.
4. The Division of Inspector General is hereby authorized to investigate County affairs, and for that purpose may administer oaths and compel the production of books, papers, and other evidence material to said inquiry.

AUTHORITY

By authority of the Constitution of the State of Florida, Article VIII, Section 1.(d), "...the Clerk of the Circuit Court and Comptroller (Clerk) 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 of the Circuit Court and Comptroller shall have the duties quoted above.

Pursuant to the legal authority and responsibility cited above, the Clerk has established the Division of Inspector General to fulfill the responsibilities of the office as they relate to auditing 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 audits of operations of the Board of County Commissioners and the Clerk's Office.
- Report significant issues related to the processes for controlling the activities of the Board of County Commissioners' operations and the Clerk's Office, including potential improvements to those processes, and provide information concerning such issues through resolution.
- Coordinate with and provide oversight of other control and monitoring functions (risk management, compliance, security, legal, ethics, environmental, external audit) as directed by the Clerk.

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, and apply the techniques required to accomplish audit/investigative objectives.
- Obtain the necessary assistance of personnel in units of the County where they perform audits/investigations, 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.
- Direct the activities of any County employee not employed by the Division except to the extent such employees have been appropriately assigned to the Division 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 Inspector General/Chief Audit Executive, who reports functionally and administratively to the Clerk. Since the Clerk is elected, and thus responsible to the citizens and taxpayers of Pinellas County, the Clerk is considered to be independent. The Inspector General/Chief Audit Executive must communicate and interact directly with the Clerk. The Clerk, as County Auditor, communicates with the Board of County Commissioners, but this does not restrict the Inspector General/Chief Audit Executive from communicating with the Board of County Commissioners directly. The Division has no direct responsibility to, or authority over, any area subject to its audit, review, and investigation. Therefore, the Division is organizationally independent from those areas which it will be auditing, reviewing, and investigating. The Inspector General/Chief Audit Executive has the authority and responsibility to conduct audits/investigations of all agencies funded by the Clerk, the BCC, and departments under the County Administrator, and to issue reports thereon.

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 risks or control concerns identified by management, and submit that plan to the Clerk for review and approval.
- 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/investigations and assist management during the course of the year, even though the projects/items are not on the annual audit plan.
- Maintain a professional audit/investigative staff with sufficient knowledge, skills, experience, and professional certifications to meet the requirements of this charter.

- The Inspector General/Chief Audit Executive should hold at appointment, or be required to obtain within a time certain after appointment, certification as a Certified Inspector General.
- Establish a quality assurance program by which the IG/CAE assures the operations of Inspector General activities.
- 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 investigations.
- Maintain a fraud, waste and abuse hotline and conduct investigations as indicated in the circumstances.
- Investigate suspected instances of fraud.
- 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 *Definition of Internal Auditing, Code of Ethics and Auditing Standards*.
2. *Principles and Standards for Offices of Inspector General* of the Association of Inspectors General.
3. *The Florida Inspectors General Standards Manual* of the Commission For Florida Law Enforcement Accreditation, Inc.

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.


Hector Collazo, Inspector General/Chief Audit Executive


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

Dated: 5/29/15