

**ETHICS PROGRAM INSPECTION REPORT**

Agency: Commission to Eliminate Child Abuse and Neglect Fatalities

Report No.: 15-53I

Date: August 26, 2015

Period Covered by Review: January – December 2014

UNITED STATES OFFICE OF  
**GOVERNMENT ETHICS**

  
Preventing Conflicts of Interest  
in the Executive Branch

1.0 AGENCY DATA		
<b>EMPLOYEES</b> (as reported in the most recent Annual Ethics Program Questionnaire)		
1.1	Number of full-time agency employees	6
1.2	Number of agency special Government employees	12
1.3	Number of Presidentially appointed, Senate-confirmed (PAS) public financial disclosure reports required to be filed	0
1.4	Number of non-PAS public financial disclosure reports required to be filed	4
1.5	Number of confidential financial disclosure reports required to be filed	12
<b>ETHICS PROGRAM</b>		
1.6	Title of Designated Agency Ethics Official (DAEO)	Executive Director
1.7	Grade level of DAEO	AD/00/00
1.8	Title of Alternate DAEO (ADAEO)	Deputy Director
1.9	Grade level of ADAEO	AD/00/00
1.10	Title of the primary, day-to-day ethics program administrator	Deputy Director
1.11	Grade level of the primary, day-to-day ethics program administrator	AD/00/00
1.12	Current number of full-time ethics officials	0
1.13	Current number of part-time ethics officials	2
1.14	Average full-time equivalent (FTE) value of a part-time ethics official(s) (For example, if part-time ethics officials at the agency generally devote 10 hours per week to ethics work, the average FTE value is 25%.)	3%
1.15	Number of reporting levels between the DAEO and the agency head	1
<b>COMMENTS</b>		
None		

2.0 LEADERSHIP					
COMPLIANCE REQUIREMENT			Yes	No	N/A
2.1	OGE has received an up-to-date designation from the agency head naming the DAEO. <i>See</i> 5 C.F.R. § 2638.202(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2	OGE has received an up-to-date designation from the agency head naming the ADAEO. <i>See</i> 5 C.F.R. § 2638.202(c).	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
<b>COMMENTS</b>					
None					

3.0 ETHICS AGREEMENTS					
COMPLIANCE REQUIREMENT			Yes	No	N/A
3.1	During the period under review, all PAS officials complied with their ethics agreements. <i>See</i> 5 C.F.R. § 2634.804.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.2	During the period under review, all PAS officials complied with their ethics agreements in a timely fashion. <i>See</i> 5 C.F.R. § 2634.804.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
3.3	During the period under review, the agency notified OGE of ethics agreement compliance in a timely fashion. <i>See</i> DO-09-015.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

## ETHICS PROGRAM INSPECTION REPORT

Agency: Commission to Eliminate Child Abuse and Neglect Fatalities

Report No.: 15-53I

Date: August 26, 2015

Period Covered by Review: January – December 2014



3.4	For all officials currently in PAS positions, the agency maintains documentation of actions taken to comply with ethics agreements. <i>See</i> 5 C.F.R. § 2634.804.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	For all officials currently in PAS positions, ethics agreements are maintained with their financial disclosure reports. <i>See</i> 5 C.F.R. § 2634.805.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>COMMENTS</b>				
<u>Comment:</u> (3.1 – 3.5) CECANF has no PAS officials.				

4.0	PUBLIC FINANCIAL DISCLOSURE (OGE Form 278, OGE Form 278-T)			
COMPLIANCE REQUIREMENT		Yes	No	N/A
4.1	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C. app. IV, § 402(d)(1).			
4.1.1	• Collection of public financial disclosure reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.1.2	• Review/evaluation of public financial disclosure reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.1.3	• Public availability of public financial disclosure reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.2	The agency can demonstrate that late filing fees are collected or, where appropriate, waivers are issued when public filers do not timely file financial disclosure reports.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.3	Public financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-1.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Public financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.603(g)(1).	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4.5	Agency ethics officials respond promptly to requests by OGE for additional information regarding PAS annual and termination public financial disclosure reports. <i>See</i> 5 U.S.C. app. IV, § 402(d)(1). <i>See</i> 5 C.F.R. § 2638.203(b)(14).	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>DATA ANALYSIS</b>		<b>%</b>		
4.6	Percentage of sampled non-PAS new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(b).	33%		
4.7	Percentage of sampled non-PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	N/A		
4.8	Percentage of sampled non-PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	0%		
4.9	Percentage of sampled non-PAS public financial disclosure reports certified timely (within 60 days of receipt or later when additional information was being sought or remedial action was being taken). <i>See</i> PA-11-04.	100%		
4.10	Percentage of sampled PAS annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(a).	N/A		
4.11	Percentage of sampled PAS termination reports filed timely. <i>See</i> 5 C.F.R. § 2634.201(e).	N/A		
4.12	Percentage of sampled PAS annual and termination reports certified timely (within 60 days of receipt or later when additional information was being sought or remedial action was being taken). <i>See</i> 5 C.F.R. § 2634.605(a).	N/A		
<b>COMMENTS</b>				
<u>Comment:</u> (4.5) CECANF has no PAS officials. (4.7) Because CECANF began primary operations in 2014, CECANF had no annual public financial disclosure filers in 2014. (4.10 – 4.12) CECANF has no PAS officials.				
<u>Concerns:</u> (4.1.1 – 4.1.3) For the period under review, CECANF had not yet established written procedures governing the collection, review/evaluation, and public availability of public financial disclosure reports. During the course of the inspection, CECANF established written procedures that fully addressed the collection, review/evaluation, and public availability of public financial disclosure reports. Therefore, OGE is not issuing a recommendation for corrective action. (4.4) Due to a records management error, CECANF was unable to locate a signed and certified copy of one public financial disclosure report.				

## ETHICS PROGRAM INSPECTION REPORT

Agency: Commission to Eliminate Child Abuse and Neglect Fatalities

Report No.: 15-53I

Date: August 26, 2015

Period Covered by Review: January – December 2014



(4.6) One new entrant public financial disclosure report due in 2014 was not received until after the filing deadline. A second new entrant report could not be located (see Concern 4.4) and timely filing could not be established by OGE.  
 (4.8) One termination public financial disclosure report due in 2014 and had not been filed as required. During the course of the inspection, CECANF contacted the former employee and collected, reviewed and certified the termination report. The late filing fee was waived due to the agency failing to notify the filer of the filing requirement.  
 (4.6, 4.8) OGE's review of CECANF's new entrant and termination public financial disclosure reports identified report entries that were incomplete under the reporting requirements of 5 C.F.R. § 2634 Subpart C. A report must be complete under 5 C.F.R. § 2634 Subpart C to allow an ethics official to certify that, on the basis of the information contained in the report, a filer is in compliance with applicable laws and regulations.

5.0 CONFIDENTIAL FINANCIAL DISCLOSURE						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
5.1	The agency has written policies and procedures in place governing: <i>See</i> 5 U.S.C app. IV, § 402(d)(1).					
5.1.1	•	Collection of confidential financial disclosure reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5.1.2	•	Review/evaluation of confidential financial disclosure reports	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
5.2	Confidential financial disclosure reports are securely maintained. <i>See</i> OGE/GOVT-2.			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	The agency's OGE-approved alternative confidential financial disclosure system complies with plans approved by OGE. <i>See</i> 5 C.F.R. § 2634.905(a).			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4	Confidential financial disclosure reports are retained in accordance with the retention requirements. <i>See</i> 5 C.F.R. § 2634.604.			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>DATA ANALYSIS</b>			<b>%</b>			
5.5	Percentage of sampled confidential new entrant reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(b).			100%		
5.6	Percentage of sampled confidential annual reports filed timely. <i>See</i> 5 C.F.R. § 2634.903(a).			0%		
5.7	Percentage of sampled confidential financial disclosure reports certified timely (within 60 days of receipt or later when additional information was being sought or remedial action was being taken). <i>See</i> 5 C.F.R. §§ 2634.605(a), 2634.909(a).			92%		
<b>COMMENTS</b>						
<p><u>Comment:</u>                      (5.3) CECANF does not use an alternative confidential financial disclosure system.</p> <p><u>Concerns:</u>                      (5.1.1 – 5.1.2) For the period under review, CECANF had not yet established written procedures governing the collection and review/evaluation of confidential financial disclosure reports. During the course of the inspection, CECANF established written procedures that fully addressed the collection and review/evaluation of confidential financial disclosure reports. Therefore, OGE is not issuing a recommendation for corrective action.                      (5.4) According to CECANF, due to a records management error ethics officials were unable to locate one annual confidential financial disclosure report and the certified copy of one new entrant confidential report.                      (5.6) Because the missing annual confidential financial disclosure report in Concern 5.4 was the only annual report due, filing timeliness for 2014 could not be established. During the course of the inspection, the filer resubmitted the annual report which CECANF reviewed and certified.                      (5.5 – 5.6) OGE's review of CECANF's new entrant and annual confidential financial disclosure reports identified report entries that were incomplete under the reporting requirements of 5 C.F.R. § 2634.907. A report must be complete under 5 C.F.R. § 2634.907 to allow an ethics official to certify that, on the basis of the information contained in the report, that a filer is in compliance with applicable laws and regulations.</p>						

## ETHICS PROGRAM INSPECTION REPORT

Agency: Commission to Eliminate Child Abuse and Neglect Fatalities

Report No.: 15-53I

Date: August 26, 2015

Period Covered by Review: January – December 2014

## UNITED STATES OFFICE OF GOVERNMENT ETHICS

Preventing Conflicts of Interest  
in the Executive Branch

6.0 INITIAL ETHICS ORIENTATION						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
6.1	All initial ethics orientation material contains: <i>See</i> 5 C.F.R. § 2638.703(a) and (b).					
6.1.1	<ul style="list-style-type: none"> <li>Current contact information of relevant ethics official(s)</li> </ul>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1.2	<ul style="list-style-type: none"> <li>Copy of the Standards of Ethical Conduct and any agency supplemental standards to keep or review; or</li> <li>Summaries of the Standards, any agency supplemental standards, and 14 Principles for employees to keep</li> </ul>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6.2	The agency can demonstrate that it has an effective process to ensure that new employees receive initial ethics orientations. <i>See</i> 5 C.F.R. § 2638.703(c).			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>DATA ANALYSIS</b>			%			
6.3	Percentage of new agency employees who received initial ethics orientation within 90 days. <i>See</i> 5 C.F.R. § 2638.703.			45%		
<b>COMMENTS</b>						
<p><u>Concerns:</u>                      (6.1.2) Initial ethics orientation provided to CECANF employees in 2014 did not fully meet the content requirements. During the course of the inspection, CECANF provided OGE with updated initial ethics orientation material that fully met the content requirements. Therefore, OGE is not issuing a recommendation for corrective action.                      (6.2 – 6.3) Having begun primary operations in 2014, CECANF had not yet established an effective process to ensure that all covered employees received initial ethics orientation, resulting in only 45% of new employees receiving initial ethics orientation within 90 days. During the course of the inspection, CECANF implemented a formal process to provide initial ethics orientation on an employee's first duty day or commissioner's first meeting, incorporate material that fully meets initial ethics orientation content requirements, and monitor completion of training. Therefore, OGE is not issuing a recommendation for corrective action.</p>						

7.0 ANNUAL ETHICS TRAINING						
COMPLIANCE REQUIREMENT			Yes	No	N/A	
7.1	All annual ethics training material contains: <i>See</i> 5 C.F.R. § 2638.704(b).					
7.1.1	<ul style="list-style-type: none"> <li>Current contact information of relevant ethics official(s)</li> </ul>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.2	<ul style="list-style-type: none"> <li>Review of the criminal conflict of interest statutes</li> </ul>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.1.3	<ul style="list-style-type: none"> <li>Review of the Standards of Ethical Conduct</li> </ul>			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7.1.4	<ul style="list-style-type: none"> <li>Review of the 14 Principles</li> </ul>			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1.5	<ul style="list-style-type: none"> <li>Review of any agency supplemental standards</li> </ul>			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2	The agency can demonstrate that it has an effective process to ensure that covered employees receive annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(c) and 705(c).			<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>DATA ANALYSIS</b>			%			
7.3	Public financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.704(a).			100%		
7.4	Confidential financial disclosure filers who completed annual ethics training. <i>See</i> 5 C.F.R. § 2638.705(a)(3).			100%		
<b>COMMENTS</b>						
<p><u>Comment:</u>                      (7.1.5) CECANF does not have agency supplemental standards.</p> <p><u>Concern:</u>                      (7.1.2 – 7.1.3) Annual ethics training materials provided to CECANF employees in 2014 did not fully meet the content requirements. During the course of the inspection, CECANF implemented a revised annual training plan and provided 2015 annual ethics training to all covered employees that fully met the content requirements. Therefore, OGE is not issuing a recommendation for corrective action.</p>						

## ETHICS PROGRAM INSPECTION REPORT

Agency: Commission to Eliminate Child Abuse and Neglect Fatalities

Report No.: 15-53I

Date: August 26, 2015

Period Covered by Review: January – December 2014



8.0 ETHICS ADVICE AND COUNSELING						
COMPLIANCE REQUIREMENT				Yes	No	N/A
8.1	Based on a sample collected by OGE, guidance provided by agency ethics officials to employees appears to be consistent with applicable laws and regulations.			<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
COMMENTS						
<p><u>Concern:</u> (8.1) CECANF reported retaining no records of ethics advice and counseling provided to staff and commission members in 2014. Particularly for a newly established commission like CECANF, documenting the circumstances, analysis and the resolution of ethics-related matters is appropriate and necessary for developing a record of ethics matters specific to CECANF and ensuring consistency of future advice and counseling.</p> <p><u>Suggestion:</u> (8.1) Given CECANF's recent establishment and the challenge for new, part-time ethics officials to remain proficient over the broad range of ethics laws and regulations, CECANF ethics officials should consult with their OGE Desk Officer whenever addressing potential ethics matters.</p>						

9.0 RECOMMENDATION(S)			
#	Element	RECOMMENDATION	Compliance Due
1	4.4, 5.4	<p><u>RECOMMENDATION:</u> Retain all signed and certified public and confidential financial disclosure reports for a period of six years after receipt in accordance with 5 C.F.R. § 2634.603(g)(1) and 604(a) .</p> <p><u>AGENCY RESPONSE:</u> Ethics officials will continue to retain reports until the Commission closes in March 2016.</p>	2/26/16
2	4.6, 4.8	<p><u>RECOMMENDATION:</u> Ensure public financial disclosure reports are filed timely in accordance with 5 C.F.R. § 2634.201.</p> <p><u>AGENCY RESPONSE:</u> Ethics officials have implemented measures to ensure timely public financial disclosure filing and will continue to do so through the Commission's closure.</p>	2/26/16
3	5.6	<p><u>RECOMMENDATION:</u> Ensure confidential financial disclosure reports are filed timely in accordance with 5 C.F.R. § 2634.903.</p> <p><u>AGENCY RESPONSE:</u> Ethics officials have implemented measures to ensure timely confidential financial disclosure filing and will continue to do so through the Commission's closure.</p>	2/26/16
4	4.6, 4.8, 5.5 – 5.6	<p><u>RECOMMENDATION:</u> Ethics officials should complete both public and confidential financial disclosure training provided by OGE prior to the 2016 filing cycle.</p> <p><u>AGENCY RESPONSE:</u> Ethics officials plan to complete training by December 2015.</p>	12/31/15

## ETHICS PROGRAM INSPECTION REPORT

Agency: Commission to Eliminate Child Abuse and Neglect Fatalities

Report No.: 15-53I

Date: August 26, 2015

Period Covered by Review: January – December 2014



5	8.1	<p><u>RECOMMENDATION:</u> Retain records of advice and counseling provided to CECANF staff and commission members.</p> <p><u>AGENCY RESPONSE:</u> Ethics officials have implemented measures to retain advice and counseling records and will continue to do so through the Commission's closure.</p>	2/26/16
6	8.1	<p><u>RECOMMENDATION:</u> Given the unknown range of ethics issues facing a newly established agency without the benefit of a historical record draw from, CECANF ethics officials should ensure maximum familiarity with ethics rules and laws by completing ethics training, provided by OGE, covering the criminal conflict of interest statutes and the Standards of Ethical Conduct for Employees of the Executive Branch.</p> <p><u>AGENCY RESPONSE:</u> Ethics officials will seek to schedule and attend this training.</p>	12/31/15