

Code of conduct

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1. Introduction

Purpose

Our reputation as a champion of public protection is important to us and behaving with the highest levels of integrity is fundamental to who we are.

We are a publicly funded body and are subject to public scrutiny to ensure the highest standards of service are always achieved. We expect the highest ethical standards from all our employees. This Code of Conduct (the Code) sets out those standards by which all employees are bound. It is the responsibility of all employees to familiarise themselves with the details of the Code. The Code deals with a wide variety of issues and situations relating to workplace conduct, but it is not intended to be exhaustive.

Any breach of the Code will be considered a serious matter which may result in you being subject to the [Disciplinary Policy](#).

This Code is compliant with and subject to the provisions of the European Convention on Human Rights (ECHR) as applied by the Human Rights Act 1998. The main ECHR provisions which are relevant in relation to the interpretation and application of the Code include:

- Article 8 – right to respect for private and family life.
- Article 9 – freedom of thought, conscience and religion.
- Article 10 – freedom of expression.

In line with Article 8 of the European Convention on Human Rights, we respect employees' right to respect for private and family life. We require employees to exercise this right with responsibility to ensure their private activities do not bring the work of the SSSC into disrepute.

As well as this Code all employees must comply with standards of professional conduct and practice set out by the regulatory body which applies to their professional occupation. We also expect all our employees to behave in a way, in and out of work, which is compatible with the standards expected of social service workers as set out in the [SSSC's Codes of Practice](#).

Scope

This Code applies to current but not former temporary and permanent Scottish Social Services Council employees, including the Chief Executive and Executive Management Team (EMT) members.

This policy does not apply to current or former Convenors, Council Members, agency workers, legally qualified chairs, panel members or assessors.

Council members are covered by a separate Code of Conduct which is available on the Scottish Government website.

Legislation, codes of practice, guidance

- Data Protection Act 2018
- Employment Relations Act 1999
- Employment Rights Act 1996
- Equality Act 2010
- Health and Safety at Work Act 1974
- Human Rights Act 1998
- The Management of Health and Safety at Work Regulations 1999
- The Working Time Regulations 1998
- UK General Data Protection Regulation (2016/679 EU).

Data protection

We will process any personal data collected in relation to this Code keeping to our [Data Protection Policy](#) and will record only the personal information required and keep the information only for as long as necessary.

Monitor and review

Human Resources and the Partnership Forum are responsible for monitoring this Code to make sure that we are fairly and consistently applying it and that we meet the stated principles and values. We review this Code every three years (or earlier if legislation changes) and make appropriate amendments in consultation with the Partnership Forum. We outline minor amendments in the change log and update the version control. Where there are major changes, we will consult more widely and follow the consultation cycle.

2. Principles

In operating this Code the following principles are followed:

- Our employees are our greatest ambassadors.
- We are committed to valuing diversity and improving opportunity for all.
- We maintain a safe and healthy environment for people to work in and are proactive in managing our responsibilities to the environment.
- We respect the confidentiality of personal and corporate information.
- We comply with laws, regulations and avoid conflicts of interest.
- We reject bribery and corruption and avoid being compromised by gifts.
- We support those who have any suspicions of any misconduct, malpractice, illegal or unethical behaviour and report their concerns in confidence to the appropriate channels.

Our values guide everything we do. We listen, learn and do the right thing. When applying this Code we require our staff and our managers to treat each other with dignity and respect by acting in accordance with our values.

Recognition and respect for others

- We treat each other with kindness and respect and value the contribution every member of staff makes.
- There will be no discrimination on the grounds of protected characteristics as listed in the Equality Act 2010.
- All employees will be treated fairly and consistently under this process and if any employee requires specific support and assistance due to them having a protected characteristic under the Equality Act 2010, they will be accommodated appropriately.

Working together

- We recognise the value of positive and constructive involvement and participation from the trade union. The commitment to partnership working is confirmed in the Partnership Agreement and is integral to the development and maintenance of harmonious employee relations.

Accept responsibility and accountability

- Following this code of conduct at all times
- Act in a fair and consistent way while being open and honest throughout
- Respecting confidentiality and only sharing information, as appropriate, with relevant people.
- Deal with issues kindly, sensitively and showing compassion.

3. Roles and responsibilities

3.1 Council and committee

People management policies which include any of the following are reserved for the Council:

- associated additional costs that are not contained within the current budget
- any proposed fundamental change to terms and conditions of employment
- where the Council has a clearly defined role to play.

Council is responsible for:

- following and demonstrating the behaviours described by the Code
- approving this Code of Conduct
- making sure that the application of this Code does not breach any statutory requirement placed upon the SSSC
- making sure that the Chief Executive and EMT have in place appropriate and up to date policies and procedures for the effective management of employees
- making sure policies and procedures are applied fairly and in accordance with the law
- Approving these policies:
 - [Agile Working Policy](#)
 - [Code of Conduct \(Employees\)](#)
 - [Dignity at Work Policy](#)
 - [Disciplinary Policy](#)
 - [Family Friendly Policy](#)
 - [Grievance Policy](#)
 - [Redeployment Policy](#)
 - [Retirement and Severance Policy](#)
 - [Whistleblowing Policy](#)
 - [Work Performance Policy](#)
 - [Workforce Change Policy](#)

3.2 Executive Management Team

The EMT are responsible for:

- following and demonstrating the behaviours described by the Code
- the overall implementation of the policy and to create a culture in which staff can flourish through interesting and rewarding work
- delegating responsibilities related to the policy to Operational Management Team (OMT) and line managers
- making sure that managers and staff receive appropriate development, support and training to implement the [policy / procedure] appropriately
- making sure that the application of this policy and procedure does not breach any statutory requirement placed upon the SSSC
- making sure that changes to people management policies not retained for the specific approval of the Council are reported to the Council on a quarterly basis for endorsement.

3.3 Operational Management Team

The heads of department are responsible for:

- following and demonstrating the behaviours described by the Code
- making sure their managers and staff are aware of the processes to be followed within this Code
- making sure that employees are treated consistently and fairly, being mindful of the needs of the organisation as well as that of the individual.

3.4 Line manager

The line manager is responsible for:

- following and demonstrating the behaviours described by the Code
- setting clear standards of behaviour for their teams
- acting in a fair and consistent way, being open and honest
- always acting promptly to deal with issues that arise
- dealing with issues kindly, sensitively and showing compassion
- respecting confidentiality and only sharing information, as appropriate, with relevant postholders
- considering our responsibilities under the Equality Act 2010 and, where appropriate, make reasonable adjustments for any individual who may have a disability or other protected characteristic.

3.5 Staff

We expect the highest standards of integrity and conduct from all employees. Employees must comply with this Code.

Employees have a right to:

- work free from harassment or intimidation regardless of disability, sexual orientation, sex, race, religion or belief, marriage and civil partnership, pregnancy and maternity, gender reassignment or age
- be spoken to politely and be treated with respect
- be treated fairly and courteously by colleagues and those outside the organisation
- be treated fairly in recruitment, training and promotion
- be listened to and have their point of view considered
- a private life and commitments outside of work respected
- speak out if felt to be a victim of bullying, harassment or intimidation and have this complaint taken seriously and properly investigated.

All employees are responsible to:

- follow and demonstrate the behaviours described by the Code.
- make sure behaviour (at work or outside of work) and appearance at work (which must be smart and professional) or whilst representing the SSSC, does not reflect negatively on us in a way that would bring our reputation into disrepute or cause a loss of public confidence in our work

- act professionally in dealings with colleagues - treat colleagues as individuals and show sensitivity to their needs
- treat complainants, those investigated, and other stakeholders, with fairness, courtesy and sensitivity to their needs and situation
- learn from any mistakes
- take responsibility for personal learning and development and support the learning and development of colleagues
- not discriminate unlawfully, for example, in making decisions
- not put pressure on others to discriminate unlawfully
- take action if made aware of or are witness to any improper conduct, including any act of harassment or discrimination
- not be under the influence of alcohol or illegal drugs whilst working
- not deceive or knowingly mislead others, including the public, other employees, workers, panel members, the EMT, the Council, Ministers, or the Scottish Parliament
- make sure that our resources are used in the most appropriate manner as befits public money.

3.6 Human resources (HR)

HR are responsible for:

- following and demonstrating the behaviours described by the Code
- updating this Code in line with the agreed schedule, or as changes occur, to comply with employment and other pertinent legislation, best practice and the people strategy
- developing this process and procedure collaboratively to meet legal and business requirements
- developing template letters, forms and guidance
- offering advice on how to apply this Code
- making sure the process is followed in line with the Code
- reminding employees and managers of their responsibilities under the Code, if required
- monitoring use of the Code and reporting any non-compliance to heads of department / directors.

4. Policy

We expect the highest standards of integrity and conduct from our employees and these standards are set out within this document. All employees are required to treat each other with dignity and respect by acting in accordance with our values, as outlined throughout this Code.

4.1 Our greatest ambassadors

Our employees are our greatest ambassadors. As such, all employees are expected to comply with all SSSC policies and procedures at all times during their employment. Employees must act in good faith at all times and make sure that their conduct or professionalism is without question.

As citizens, employees are entitled to express their personal views about the SSSC. However, as an employee, they must not criticise the SSSC through words or actions via the media, at a public meeting, through any form of social media or in any written communication with members of the public which could bring the SSSC into disrepute. This includes using private information gained through working for the SSSC.

Social media

All accounts created for use by SSSC staff for SSSC business, including individual accounts and themed accounts, should reflect the values and promote the business of the SSSC and the social service sector.

Our main corporate social media accounts and those used by individuals on behalf of the SSSC, must reflect the role and personality of the SSSC. If you share SSSC content or comment on the content using your personal accounts, be aware that other people may scan your accounts and this may have an impact on your reputation and that of the SSSC.

4.2 Opportunity for all

We are committed to valuing diversity and improving opportunity for all. We aim to be an exemplar employer; people want to work at the SSSC. All employees have the right to expect fair and reasonable treatment at work and we are committed to ensuring that all our employees and managers receive appropriate training in this area. Our Public Sector Equality Duty requires us, in all that we do, to consider the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

All employees have a personal and professional responsibility to ensure that, through their actions, they meet the legal duties on equality. We do not allow bullying and harassment and will treat seriously any employee who is found to have harassed or bullied another (in accordance with our [Dignity at Work](#) and [Disciplinary policies](#) where applicable).

Our [Dignity at Work Policy](#) aims to ensure that all employees are treated with dignity, respect and courtesy whilst at work and to feel able and supported to meet their full potential through working in a non-threatening environment free of bullying, harassment, discrimination and victimisation.

4.3 A healthy environment

We maintain a safe and healthy environment for people to work in and are proactive in managing our responsibilities to the environment. We are committed to applying the highest standards of health, safety and wellbeing at all levels of the organisation and to make sure that health and safety is an integral part of the organisation's culture. All employees will demonstrate and promote a positive attitude towards health, safety and wellbeing, everyone working within the SSSC shares in this responsibility. Further information on this, guidance and access to our Learning Management System can be found on the intranet.

We are committed to reducing our impact on our local environment and recognise the Scottish Government's commitment to environmental sustainability. We comply with environmental requirements in areas such as procurement, business travel, and office equipment and we recognise the contribution that public bodies can make to meeting environmental objectives. Employee awareness and participation is crucial to helping reduce the environmental impact of our business.

4.4 Respect confidentiality

We respect the confidentiality of personal and corporate information. All employees must respect the confidentiality of information which comes into their possession through their work. The general duty of confidentiality is expected of all employees both in and out of work. Employees must only access or share data where they have a legitimate work reason (related to their role) to do so. If an employee has any doubts about disclosing information to a third party, they must refer the matter to their line manager for guidance.

We register with the Information Commissioner's Office (ICO) and have a legal duty to protect data we hold. This means we will process the data we hold lawfully and securely. We hold this information to help us carry out our responsibilities. Under UK General Data Protection Regulation (UK GDPR) this is called carrying out a public task. We will retain information for as long as we consider necessary to support our statutory functions and to satisfy any legal, accounting, or reporting requirements. At the end of this period the information will be deleted or destroyed in line with our retention schedule.

Contact with the media

When writing or speaking publicly (either via the internet, in a formal speech or informally at a meeting) all employees should be aware that they are representing SSSC. Even where there is an understanding that only personal opinions are being expressed, employees should err on the side of caution and refrain from passing comment on any aspect of the SSSC's work, which could bring our reputation into disrepute. Speeches or articles, which relate to SSSC work, should be cleared with Communications before entering the public domain.

Employees should not make direct contact with the media or respond to media enquiries unless it has been agreed in advance that they should do so. All media enquiries should be directed to Communications in the first instance.

Digital security

We use a large amount of information to operate effectively and the majority of this information is in digital format and held in digital systems. It is essential that this information is managed effectively so that it remains secure, accessible to authorised users and its integrity is protected. Our digital team sets standards outlining the way digital information and digital systems should be managed and operated to ensure we comply with its obligations in relation to digital security.

All employees are responsible for following our digital security standards and for keeping safe any equipment issued to them as well as taking all reasonable steps possible to prevent its theft or damage. On leaving the SSSC, employees must return all items to our digital team.

4.5 Compliance

We comply with laws, regulations and avoid conflicts of interest. The Scottish public has a high expectation of public bodies and the way in which they conduct themselves in undertaking their duties. All employees must meet those expectations by ensuring that their conduct is above reproach.

During employment, all employees must make sure that the best interests of the SSSC are always considered and that they are mindful not to allow any private interests to influence their decision making. It is the responsibility of individual employees to judge whether an interest is sufficiently relevant to require declaration and employees are advised to err on the side of caution. Should there be any doubt as to whether an interest should be declared, employees should liaise with their line manager in the first instance.

Secondary employment

We normally allow employees to undertake alternative, additional paid employment or work of a voluntary nature (eg board member) unless there is a clear conflict of interest or it is likely to have a negative effect on their work for us. The exception to this is where the SSSC is, or could be, involved and / or where the work in any way affects our interests as an organisation.

If any employee wishes to carry out other employment while employed by us then they must discuss this first with their line manager (and any subsequent line manager) before requesting in writing to Human Resources for approval. This is intended to protect employees and to make sure that a consistent approach is taken across the organisation and appropriate advice is given in relation to the Working Time Regulations. Only when written approval from Human Resources is obtained, can employees be involved in any other paid employment.

The employee is required to notify Human Resources where there is a change in the secondary employment as originally set out, where their role with the SSSC changes or where they change job. Human Resources will review any previous consent for the secondary employment and whether this can continue. Any decision will be confirmed in writing.

Declaring interest

It is important that the public can have confidence that decisions made by the SSSC are not influenced by personal interests. All employees are required to declare interests which could be in conflict or be perceived by the public to be in conflict, with their duties as a SSSC employee.

Employees must not allow any private interests to influence the decisions they make in relation to work or use their position to further their own interests or the interests of others who do not have a right to benefit under our policies.

Employees must declare in writing to their line manager any private interests which a stakeholder or member of the public might reasonably believe could influence their judgement in their role with the SSSC. Any interest in our work that an employee has, or a close family member or member of their household has, must be declared to their line manager.

Commercial interests

All employees must be fair and impartial in their dealings with contractors, sub-contractors and suppliers. They must notify the Chief Executive in writing if it comes to their knowledge that the SSSC has entered or is about to enter a contract in which they have a personal financial interest either directly or indirectly.

Other conflicts of interest which must be declared

- Before engaging in any political activity (eg standing for election, being involved for canvassing, raising money for a political party, being on a local party management committee) employees must, to avoid any potential conflict of interest, first obtain written permission from their line manager. Employees must discuss their intentions with their line manager to jointly determine if there are any implications for their role with the SSSC or for the organisation itself.
- If any employee is a member of a club, organisation, private or otherwise, or work with a voluntary group which might result in a conflict of interest, especially those that employee registrants, with any aspect of their employment with the SSSC, then this must be declared. eg school boards, charity board, afterschool clubs.
- Complaints have been received from any individual known personally by the employee.
- Any personal relationship with another employee, or potential employee, where either party are asked to participate in a decision-making process (e.g. recruitment, discipline, control of resources etc) which affects the other person.

4.6 We act with integrity

We reject bribery and corruption and avoid being compromised by gifts. We act with integrity at all times. A bribe is a financial or other advantage in connection with a person performing a function improperly (where a person fails to meet the expectation that they will act in good faith, impartially or in accordance with a position of trust). Any individual found guilty of bribery will be reported to the Police by the decision maker.

We are committed to preventing any acts of bribery or corruption involving or affecting the organisation and will co-operate fully with any legal investigation into alleged activity. Employees are required to report any suspicions in this regard to their line manager or

head of department in the first instance or to follow the provisions of our [Whistleblowing Policy](#).

The SSSC works actively to promote an anti-fraud culture, the aim being that employees, contractors, consultants and others will come to regard fraud as unacceptable. Further information can be found in the [Counter Fraud, Bribery and Corruption Framework](#) and the Financial Crime Action Plan (under review) available on our intranet.

Acceptance of gifts and hospitality

Employees must not accept personal gifts, tokens, hospitality or services from anyone which would, or might appear to, place them under any obligation. If any employee is presented with or offered a personal gift, token, hospitality or service with an estimated value of more than £25 they must promptly notify the Legal and Corporate Governance team in writing.

Frequent personal gifts, tokens, personal gifts, tokens, hospitality or services must not be accepted from the same source.

Where circumstances are such that an employee may or will receive any of the above and they consider it would be against the interests of the SSSC to refuse it, the employee must declare this in writing to the Legal and Corporate Governance team who will make a final determination as to whether it can be accepted or not.

4.7 We support those who raise concerns

We support those who have any suspicions of any misconduct, malpractice, illegal or unethical behaviour and report their concerns in confidence to the appropriate channels. It is the responsibility of all employees to make sure that SSSC processes and procedures are applied properly, and in line with this Code. No one should be asked to do something which they believe to be:

- illegal, improper or unethical
- in breach of a professional code
- maladministration, fraud or misuse of public funds
- inconsistent with the Code.

We support any employee to raise a qualifying disclosure under the Public Interest Disclosure Act 1998 through our [Whistleblowing Policy](#). This means employees know when and how to raise a concern.

Employees may also have concerns regarding professional misconduct or financial malpractice which they believe may put colleagues or the organisation itself at risk.

We are committed to creating an environment in which employees feel they can raise concerns at an early stage when still a concern rather than feeling that they must wait for proof of wrongdoing before being able to raise the issue. By doing this, issues can be resolved swiftly and any damage to individuals or the organisation kept at a minimum.

Contact with the Police or regulatory bodies

Employees must advise line managers as soon as practicable, should they be:

- under investigation by their regulatory body

- suspended by their regulatory body
- deregistered by their regulatory body
- detained by the police
- arrested
- charged with a criminal offence
- subject to a police investigation.

5. Further information

5.1 Learning and development

To support the fair and consistent application of this Code, we will make sure there is a full awareness and understanding of the issues relating to this code for managers and employees by making training available to all.

5.2 Sources of support

- ACAS
- Employee Assistance Programme
- Human Resources
- Occupational Health
- Unison or other trade union representative

5.3 Related documents

- [Alcohol and Drugs Misuse Policy](#)
- [Corporate Health and Safety Policy](#)
- [Counter Fraud, Bribery and Corruption Framework](#)
- [Digital Security Policy](#)
- [Dignity at Work Policy](#)
- [Disciplinary Policy](#)
- [Maximising Attendance Policy](#)
- [SSSC Codes of practice](#)
- [Whistleblowing Policy](#).



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