



# 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 achieved at all times. We therefore 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 applies to all employees, temporary employees, agents and contractors. 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 disciplinary matter, which could result in disciplinary action up to and including dismissal.

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.

Council members are covered by a separate Code of Conduct which is available on the Scottish Government website <https://www.gov.scot/publications/model-code-conduct-members-devolved-public-bodies/pages/1/>

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.

<https://www.sssc.uk.com/the-scottish-social-services-council/sssc-codes-of-practice/>

## Scope

This policy applies to all Scottish Social Services Council employees, including the Chief Executive and Executive Management Team (EMT) members.

Council members of the SSSC are appointed and employed by the Scottish Government Public Bodies Appointments. They are therefore bound by the Scottish Government's terms and conditions of appointment which includes "On Board – A Guide for Non-Executive Members of Public Bodies". The guide provides equivalent guidance on the Code of Conduct a Council member is expected to uphold and is provided to all Council members on appointment. Section 5 of the guide refers to Standards of Behaviour.

## Legislation

- Equality Act 2010.
- Health and Safety at Work Act 1974.
- The Management of Health and Safety at Work Regulations 1999 (this document clarifies and is more explicit in what employers are required to do to manage health and safety under the Health and Safety at Work Act).
- Human Rights Act 1998.
- Data Protection Act 2018.
- Working Time Directive 1998.

## Data protection

When dealing with any issues under the Code of Conduct, we will process any personal data collected in accordance with our data protection policy. In particular, we will record only the personal information required and keep the information only for as long as necessary.

[Link to Data Protection Policy](#)

## Monitoring and review

Human Resources and the Partnership Forum are responsible for monitoring and implementing this policy to make sure that it is being fairly and consistently applied and that the stated principles and values are being met. We will review this policy every three years (or earlier should legislation change) and make amendments as appropriate in consultation with the Partnership Forum. Minor amendments will be outlined in the change log and the version control updated. Major changes will follow the consultation cycle – Equality Impact Assessment, Operational Management Team, Partnership Forum, Executive Management Team and Council.

## 2. Principles

### **Policy specific**

In operating this policy the following principles will be followed - further detail on each key principle is included below within item 4:

- 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.

When applying this policy and procedure, we expect our employees and our managers to treat each other with dignity and respect by acting in accordance with our organisational values. We will listen, learn and do the right thing.

### **Recognition and respect for others**

- We treat each other with kindness and respect and value the contribution every employee makes.
- At every stage of the process 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 in particular 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.

### **Work together**

- We recognise the value of positive and constructive involvement and participation from the trade unions. The commitment to partnership working is confirmed in the Partnership Agreement and is integral to the development and maintenance of harmonious employee relations.
- Employees have the right to be accompanied at formal stages of the policy by a work colleague or a trade union representative. We will allow support at the informal stages where appropriate.

### **Accept responsibility and accountability**

- The timescales detailed in this procedure may be extended with the agreement of both parties and likely timescales discussed.
- Act in a fair and consistent way being open and honest about any performance issue.
- Respecting confidentiality and only sharing information, as appropriate, with relevant postholders
- Deal with issues kindly, sensitively and showing compassion
- All investigations into grievances will be carried out without unreasonable delay.

## 3. Roles and responsibilities

### 3.1 Council

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:

- approving this policy and procedure
- making sure the structure of the organisation is fit for purpose to deliver objectives
- making sure that the application of this policy 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 those policies and procedures are applied fairly and in accordance with the law.

### 3.2 Executive Management Team (EMT)

The EMT is responsible for:

- the implementation of the policy and to create a culture in which all employees 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 employees receive appropriate development, support and training to implement the policy appropriately
- making sure that the application of this policy and procedure does not breach any statutory requirement placed upon the SSSC
- ensuring 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 (OMT)

The OMT is responsible for:

- making sure their managers and employees are aware of the process to be followed regarding any breaches of the Code of Conduct
- 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:

- acting in a fair and consistent way, being open and honest
- 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
- considering any health impact and considering supports such as occupational health.

## 3.5 Employees

We expect the highest standards of integrity and conduct from all employees. All 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:

- ensure behaviour (at work or outside of work) and appearance at work 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, the Executive management team, the Council, Ministers, or the Scottish Parliament



- ensure that our resources are used in the most appropriate manner as befits public money
- recognise that they are representatives of our organisation and as such their appearance contributes to an overall impression of the organisation. It is expected that all employees ensure they are dressed in a smart and professional manner while interacting with members of the public and external stakeholders. All employees should have a clean and tidy appearance while attending work and clothes worn should be appropriate for an individual's position and duties.

## 3.6 Human Resources

Human Resources is responsible for:

- updating this policy and procedure in line with the agreed schedule, or as changes occur, to comply with employment and other pertinent legislation, best practice and the SSSC people strategy
- developing this policy and procedure collaboratively to meet legal and business requirements
- developing template letters, forms and guidance if required
- offering advice on how to apply the code of conduct policy
- making sure the process is followed in line with the policy and procedure
- reminding employees and managers of their responsibilities under the policy, if required
- monitoring use of the policy and processes 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 policy.

### 4.1 Our employees are our greatest ambassadors

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 ensure 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.

## 4.2 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 adopt a zero tolerance approach towards bullying and harassment and any employee who is found to have harassed or bullied a colleague will be subject to disciplinary action.

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 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 ensure 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.

We are committed to reducing our impact on our local environment and recognise the Scottish Government's commitment to environmental sustainability. We will 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 We respect the confidentiality of personal and corporate information

All employees must respect the confidentiality of information which comes into their possession during their employment. The general duty of confidentiality is expected of all employees both in and out of work. 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 General Data Protection Regulation (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 the Head of Strategic 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 the Head of Strategic 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 IT 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 IT systems should be managed and operated to ensure we comply with its obligations in relation to IT 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 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 should 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 ensure that the best interests of the SSSC are considered at all times 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 will normally allow employees to undertake alternative, additional paid employment or work of a voluntary nature 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 paid employment while working for us then they must discuss this first with their line manager before writing to the Head of Human Resources for formal approval. This is intended to protect employees and to ensure 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 HR is obtained, can employees be involved in any other paid employment.

### **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 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 into, 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 all employees must 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 with any aspect of their employment with the SSSC, then this must be declared.
- 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 reject bribery and corruption and avoid being compromised by gifts**

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 could face a maximum 10 years' prison sentence and/or an unlimited fine.

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 encouraged to report any suspicions in this regard to their line manager in the first instance, in line with our Whistleblowing Policy.

Counter Fraud Service (CFS), in partnership with the SSSC, will work 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 available on our intranet.

[\*\*Counter Fraud, Bribery and Corruption Framework 2022\*\*](#)

### **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, and accepts, a token item with an estimated value of more than £25 they must notify the Legal and Corporate Governance team.

It is a matter for each individual employee to decide if it is appropriate to accept a personal gift, hospitality or service and to estimate its value. If there is any doubt then advice must be sought from their line manager. Frequent token items, personal gifts, hospitality or services must not be accepted from the same source.

## 4.7 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 ensure 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 (The Act) through our Whistleblowing Policy. This means employees know when and how to raise a concern regarding a work related situation which they feel may present a danger to themselves and/or others.

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**

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

- arrested
- charged with a criminal offence
- subject to a police investigation.

## 5. Further information

5.1 Guidance on the interpretation and application of this Code of Conduct can be obtained from the Human Resources team. The Code of Conduct Policy can also be accessed directly through our Intranet.

### 5.2 Sources of Support

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

- Occupational Health

## 5.3 Related Documents

- SSSC Codes of Practice
- Dignity at Work Policy
- Disciplinary Policy
- Maximising Attendance Policy
- Alcohol and Drugs Misuse
- Corporate Health and Safety
- Whistleblowing Policy
- Counter Fraud, Bribery and Corruption Framework
- Financial Crime Action Plan
- Digital team policies and procedures



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If you would like this document in a different format, for example, in larger print or audio-format, or in another language please contact the SSSC on 0345 60 30 891.

We promote equality by removing unlawful and unfair treatment on the grounds of any protected characteristic wherever possible.

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