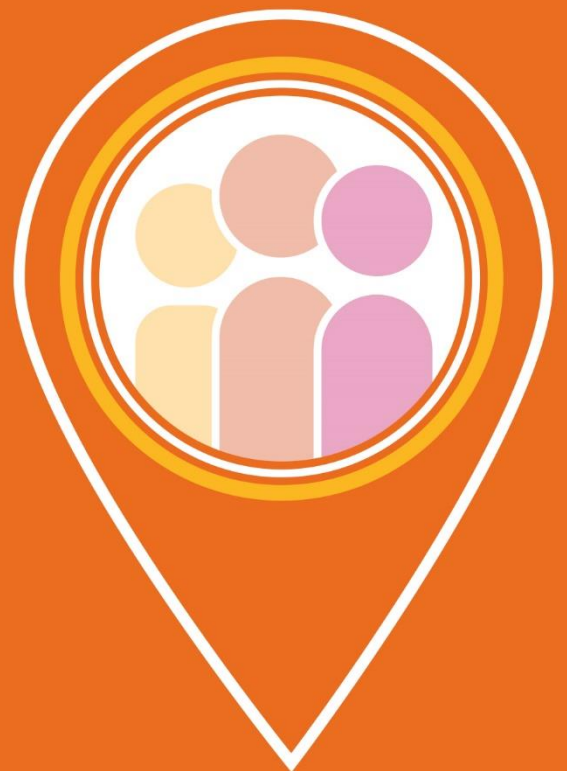




children's
hearings
scotland

CHS Employee Code Of Conduct



Review Schedule

Document Name/Title	CHS Employee Code of Conduct
Document Type	HR Policy
Document Owner	HR/OD
Approving Body	Remuneration and Appointments Committee
Summary of Changes	<p>Addition of sections 3.1 and 3.2 in line with the CHS Board Code of Conduct.</p> <p>Correcting job titles such as removing reference to Chief Deputy Executive Officer.</p> <p>Refreshing section 3.10 in relation to use of CHS resources.</p> <p>Other minor changes throughout</p>
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CONTENTS

Section 1: Introduction

Section 2: Key Principles

Section 3: General Conduct

- 3.1 Relations with the Public
- 3.2 Relations with Employees and Board Members
- 3.3 Relations with Suppliers/Contractors of Goods and Services
- 3.4 Allowances
- 3.5 Gifts and Hospitality
- 3.6 Conflict of Interests
- 3.7 Openness, Disclosure and Use of CHS Information
- 3.8 Use of CHS Resources
- 3.9 Appointment to Partner Organisations
- 3.10 Procurement of Goods and Services
- 3.11 Recruitment and Appointment of Employees
- 3.12 Contacts with the Media
- 3.13 Fair and Reasonable Treatment at Work
- 3.14 Political Neutrality and Activity
- 3.15 Paid Employment outside CHS
- 3.16 Contacts with Members of Parliaments, Members of the Scottish Parliament and Professional Bodies

Appendix A: Employee Acknowledgement Form

Appendix B: Confirmation of Independence and Declaration of Interests Form

1. Introduction

The Scottish public has a high expectation of those who work for public bodies and the way in which they should conduct themselves in undertaking their duties for the public body. The purpose of this code is to provide clear and helpful advice to you about the standards of behaviour expected of you as a member of Children's Hearings Scotland (CHS) employees.

As an employee of CHS, it is your responsibility to make sure that you are familiar with, and that your actions comply with, the provisions of this Code of Conduct. Additionally, you must not at any time advocate or encourage any action contrary to the Code of Conduct. A serious breach of the Code may give rise to disciplinary action.

No Code can provide for all circumstances and if you are uncertain about any aspect you should seek advice from your manager. A separate code of conduct is available for Board members.

When you receive your copy of the Code you will be asked to confirm that you have read it and understand the requirements contained within it. Awareness training will be provided to employees on the provisions of this Code as appropriate.

Key Principles

Public Service

Selflessness

Integrity

Objectivity

Accountability

Openness

Honesty

Leadership

Respect

2. Key Principles

The general principles upon which this Code of Conduct is based are as follows:

1. Public Service

You have a duty to act in the interests of CHS of which you are an employee.

2. Selflessness

You should not take decisions which will result in any financial or other benefit to yourself, your family, or your friends. Decisions should be based solely on CHS' best interests.

3. Integrity

You should not place yourself under any financial, or other, obligation to any individual or organisation that might reasonably be thought to influence you in the performance of your duties. In addition, you must comply with recognised ethical standards governing your profession.

4. Objectivity

Any decisions which you make in the course of your work with CHS, including making appointments, awarding contracts, or recommending individuals for rewards or benefits, must be based solely on merit.

5. Accountability

You are accountable to CHS as your employer.

CHS, in turn, is accountable to Scottish Ministers and to the Scottish Parliament through their Scottish Government Sponsor Division. Details of the accountability arrangements are listed in CHS' Management Statement and Financial Memorandum which are held by members of the Senior Leadership Team.

6. Openness

You should be as open as possible in all the decisions and actions that you take. You should give reasons for your decisions and should not restrict information unless this is clearly required by CHS policy or by the law.

7. Honesty

You have a duty to act honestly. You must declare any private interests which might affect your work with CHS and take steps to resolve any conflicts arising in a way that protects the public interest.

8. Leadership

You should promote and support these principles by your leadership and example, to maintain and strengthen the public's trust and confidence in the integrity of CHS.

9. Respect

You must respect colleagues within CHS, Board members, volunteers, employees of other agencies and members of the public, treating them with courtesy at all times. CHS' Dignity at Work Policy should be adhered to at all times.

General Conduct

You must not use your position to further your own interests or the interests of others who do not have a right to benefit under CHS policies.

If an employee has an interest which could be in conflict or be seen to be in conflict with their duties as a CHS employee, then this should be declared.

Employees must not access CHS databases and/or manual records except as required for the proper conduct, and in the execution of their duties.

The public expects you to carry out your duties in a politically neutral way. You must implement CHS policies irrespective of your personal views

3. General Conduct

3.1 Courtesy

You will treat everyone with courtesy and respect. This can include in person, in writing, when at meetings, when I am representing my public body and when you are online using social media.

3.2 Discrimination and Bullying

You will not discriminate unlawfully on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity; you will advance equality of opportunity; and will seek to foster good relations between different people.

You accept that disrespect, bullying and harassment can be a one-off incident, part of a cumulative course of conduct, or a pattern of behaviour. You understand that how, and in what context, you exhibit certain behaviours can be as important as what you communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.

You accept that it is my responsibility to understand what constitutes bullying and harassment (including sexual harassment) and you will utilise resources, including the Standards Commission's guidance and advice notes, your public body's policies and training material (where appropriate) to ensure that your knowledge and understanding is up to date.

You will not engage in any conduct that could amount to bullying or harassment (including sexual harassment). You accept that such conduct is completely unacceptable and will be considered to be a breach of this Code.

3.3 Relations with the Public

You may have contact with members of the public as users of CHS services, partners and volunteers. You should always be courteous and helpful. You should deal fairly, equitably and consistently with each member of the public, and you must follow CHS' equal opportunities policy.

3.4 Relations with Colleagues and Board Members

You should treat colleagues and Board Members with courtesy and respect. It is expected that they will show you the same consideration in return.

3.5 Relations with Suppliers/Contractors of Goods and Services

You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers. If you are involved in a procurement process you must follow CHS' Procurement Policy and Procedures about tenders and

contracts. If you have access to confidential information on tenders or contracts you must not disclose that information to any unauthorised individual or organisation.

3.6 Allowances

You must comply with CHS' financial instructions and guidance notes regarding remuneration, allowances and expenses.

If you are using your car for CHS business, you must ensure you are appropriately insured.

3.7 Gifts and Hospitality

You must never canvass or seek gifts or hospitality.

You are responsible for your decisions connected with the offer or acceptance of gifts or hospitality and for avoiding the risk of damage to public confidence in CHS. As a general guide, it is usually appropriate to refuse offers except:

- isolated gifts of a trivial character or inexpensive seasonal gifts such as a calendar or diary, or other simple items of office equipment of token value;
- normal hospitality associated with your duties and which would reasonably be regarded as inappropriate to refuse (for example a business lunch with a partner organisation); or
- gifts received on behalf of CHS (for example an organisational award).

You must not accept any offer by way of gift or hospitality which could give rise to a reasonable suspicion of influence on your part to show favour, or disadvantage, to any individual or organisation. You must not accept repeated hospitality from the same source.

If you are making a visit to inspect equipment, vehicles, land or property, then as a general rule you should ensure that CHS pays for the costs of these visits.

You must follow CHS' policy on declaring offers of hospitality, and follow the current procedures for having any offers authorised. The Chief Executive should be advised of any gifts or hospitality received. In addition a register of gifts/hospitality received by employees will be maintained by the Chief Executive Officer.

3.8 Conflict of Interests

The general principle behind this policy is that if an employee has an interest which could be in conflict or be seen to be in conflict with their duties as a CHS employee, then this should be declared.

You must not use your position to further your own interests or the interests of others who do not have a right to benefit under CHS policies.

You may have private interests which relate to the work of CHS. That interest may be a financial one or one which a member of the public might reasonably think could influence your judgement. In addition, close family members or people living in your household may have financial interests in the work of CHS. You may have an interest which is not a financial one. For example, you may be a member of an organisation or a club, and membership might result in a conflict of interest in relation to an aspect of your work with CHS.

All employees are required to declare the following:

- Directorships held in private companies or PLCs.
- Ownership, or part-ownership of private companies, businesses consultancies likely or possibly seeking to do business with CHS.
- Majority or controlling share holdings in organisations likely or possibly seeking to do business with CHS.
- A position of authority in a charity or other organisation in the field of youth justice, health or social care.
- Any connection with a voluntary or other organisation contracting for CHS services.

You must declare all such financial and other interests to your line manager. In addition you must complete a confirmation of independence and declaration of interests form and pass it to your line manager so that any interests can be entered in the Register of Staff Interests which will be maintained by the Chief Executive Officer.

It is not the intention of this Code to intrude into the private lives of employees. It is however about protecting employees from possible and avoidable allegations of conflicts of interests. It is not unusual for people working together to form a relationship, or be related. However, in some circumstances in CHS a conflict of interest could possibly affect, or be seen to affect, your ability to undertake the duties and responsibilities of your post. It is important therefore that any two people based within the same office who are required to work together and who are in a relationship where conflict could be alleged, declare this situation immediately to the Chief Executive Officer who will consider whether operational arrangements within CHS require revision.

3.9 Openness, Disclosure and Use of CHS Information

To comply with the principles of the Data Protection Act and the Human Rights Act and to ensure the safe handling of all CHS information, employees **must not** access CHS databases and/or manual records except as required for the proper conduct, and in the execution of their duties. This means that employees should only access information on individuals, if it is directly

related to their work. Any unnecessary surfing for information may be dealt with under CHS' Disciplinary Policy.

CHS' decision making process must be transparent and open. CHS must provide the public with clear and accessible information about how it operates. It must also ensure that there is an effective complaints procedure in place for the public to use when things go wrong. But there are exceptions to the principle of openness where confidentiality is involved, and information may be withheld if, for example, it would compromise a right of personal or commercial confidentiality. This does not apply where there is a legal duty to provide information.

You must follow CHS' Information Governance policy on making information available to the public, and you must not break the law in this area. Information should never be used for the purpose of personal or financial gain, or as in such a way as it is likely to bring CHS into disrepute. Any misuse of CHS information may be dealt with under CHS' Disciplinary Policy.

3.10 Use of CHS Resources

I will only use my public body's resources, including employee assistance, facilities, stationery and IT equipment for carrying out duties on behalf of the public body, in accordance with its relevant policies.

I will not use, or in any way enable others to use, my public body's resources:

- (a) imprudently (without thinking about the implications or consequences);
- (b) unlawfully;
- (c) for any political activities or matters relating to these; or
- (d) improperly for private purposes.

I will avoid any action which could lead members of the public to believe that preferential treatment or access is being sought.

The use of CHS equipment for non-CHS work related purposes must be sanctioned by your line manager. An example would be the use of an overhead projector for a private external event. Any loss or damage must be paid for by the employee concerned.

3.11 Appointment to Partner Organisations

You may be appointed, or nominated by CHS, as a member of another body or organisation. If so, you are bound by the rules of conduct of these

organisations and should observe the rules of this Code in carrying out the duties of that body.

Employees who become directors of companies or registered charities will assume personal responsibilities under the Companies Acts. It is possible that conflicts of interest can arise for such employees between the company and CHS. It is your responsibility to take advice on your responsibilities to CHS and to the company. This will include questions of declarations of interest.

3.12 Procurement of Goods and Services

CHS operates a scheme of Delegated Purchasing Authority. If you are nominated as a Delegated Purchaser in the course of your duties you may buy or contract for goods or services on behalf of CHS. You must comply with CHS' Scheme of Delegated Authority and Financial Memorandum. Purchases of goods/services of high value are subject to a competitive procurement exercise. Advice on the relevant procedure and thresholds for competitive exercises can be sought from shared services procurement provider or internally through Senior Management Team.

3.13 Recruitment and Appointment of Employees

You must abide by CHS' Recruitment and Selection Policy which is based on relevant employment legislation and best practice. All appointments must be made on the basis of merit.

If you are involved in the recruitment and selection process, and have any kind of relationship which might affect your ability to be impartial, that relationship must be declared to your line manager. Your line manager, in consultation with CHS' HR/OD team member, will then decide whether you can participate in the recruitment and selection process. The same procedure must be followed in other human resources procedures such as grievance or disciplinary procedures.

You must not lobby any colleague or Board Member either directly or indirectly to secure your own appointment or promotion, or the appointment or promotion of another person. If you have been lobbied by an applicant, another colleague or any other person, you must report the matter to your line manager.

3.14 Contacts with the Media

Where contact is made by the media, all enquiries should be notified to the Communication and Engagement Manager. On no account should any employees engage in providing a comment to a member of the press and media without first contacting the Communication and Engagement Manager for guidance on how the specific enquiry should be handled.

In addition, contact on a personal basis with the media should only take place where:

- A member of the public acting reasonably might consider that the contact would not affect your responsibilities as an employee of CHS and CHS' responsibility to the public, or impact upon CHS' actions or decision-making;
- If it might be viewed as impacting upon CHS, permission has been obtained in writing from a Depute Chief Executive to allow the contact.

You should not, in your work capacity, criticise CHS either through the media or at a meeting attended by non-CHS employees, or in any written or verbal communication with members of the public or partner organisations or on social media.

3.15 Fair and reasonable treatment at work

If you have particular grievances or concerns in connection with your employment with CHS, or relating to any potential illegal, improper or unethical act, you should refer to CHS' recognised Grievance or Whistleblowing Policies which have been drafted in accordance with the Public Interest Disclosure Act (1998) and other relevant legislation.

3.16 Political Neutrality and Activity

The public expects you to carry out your duties in a politically neutral way. You must implement the policies of CHS irrespective of your personal views.

You must not take part in any political activity when on duty or on official premises, or attend in your official capacity, outside conferences or functions convened by, or under the aegis of, any party political organisation, unless permission is given by the Depute Chief Executive.

Employees must seek permission to take part in national and local political activities. All applications will be considered on their merit and where permission is granted it will be subject to the general rules set out above. CHS reserves the right to withdraw permission at any time, without prior warning, if there is a change in relevant circumstances. This will be reflected in employees contracts of employment.

3.17 Paid Employment outside CHS

You will normally be allowed to undertake paid employment outside CHS unless there is a clear conflict of interest or it is likely to have an adverse effect on the work of CHS. If you want to undertake paid employment outside CHS you must first obtain CHS' approval through your Line Manager. This procedure is in your interests and will protect you. You are not allowed to use the equipment and resources of CHS in any outside employment.

You must follow CHS' policy about fees which you may receive for a publication, broadcast, speech or lecture where you have used official information or your own work experience. Where this is undertaken (including all preparation) outside working hours, any fees may be retained. Where undertaken during working hours, prior permission must be sought from your Line Manager and any fees attracted must be received by CHS.

If you participate in community emergency services e.g. retained firefighters, lifeboat crew etc. you will be granted paid leave of absence to attend emergencies which occur within normal working hours.

3.18 Contacts with Members of Parliaments, Members of the Scottish Parliament and Professional Bodies

Where contact is made by a Member of Parliament, Member of the Scottish Parliament or other professional body, all enquiries should be notified to the Communication and Engagement Manager, who may provide guidance on how the specific enquiry should be handled or responded to.

All employees are required to declare the following:

- **Directorships held in private companies or PLC's.**
- **Ownership, or part-ownership of private companies, businesses consultancies likely or possibly seeking to do business with CHS.**
- **Majority or controlling share holdings in organisations likely or possibly seeking to do business with CHS.**
- **A position of authority in a charity or other organisation in the field of youth justice, health or social care.**
- **Any connection with a voluntary or other organisation contracting for CHS services.**

If you acquire any new personal interests during your employment at CHS that are related to your work, please inform the HR/OD team or your line manager as soon as possible.

Appendix A

Employee Acknowledgement Form

I acknowledge receipt of CHS' Staff Code of Conduct and that I have read, understood and agree to abide by the terms of the Code.

Signed:..... Date:.....

Print Name:..... Staff No.:.....

This schedule sets out the following interests and descriptors, which must now be registered by all employees:

REGISTERABLE INTEREST	DESCRIPTION OF INTEREST
Gifts and hospitality	A description of any gifts or hospitality received
Remuneration	<p>A description of</p> <p>(a) remuneration received by virtue of being:-</p> <ul style="list-style-type: none"> i) employed by someone other than CHS or self-employed; ii) the holder of an office; iii) a director of an undertaking; iv) a partner in a firm; and v) involved in undertaking a trade, profession, vocation or any other work; <p>(b) any allowance received in relation to membership of any organisation;</p> <p>(c) the name, and registered name if different, and nature of any applicable employer, self-employment, business, undertaking or organisation;</p> <p>(d) the nature and regularity of the work that is remunerated; and</p> <p>(e) the name of the directorship and the nature of the applicable business.</p>
Related undertakings	A description of a directorship that is not itself remunerated, but is of a company or undertaking which is a parent or subsidiary of a company or undertaking which pays remuneration.
Contracts	<p>A description of the nature and duration, but not the price of, of a contract which is not fully implemented where :-</p> <ul style="list-style-type: none"> (a) goods and services are to be provided, or works are to be executed for CHS; and (b) any responsible person has a direct interest, or an indirect interest as a partner, owner or shareholder, director or officer of a business or undertaking, in such goods and services.
Non-financial interests	<p>A description of such interests as may be significant to, of relevance to, or bear upon, the work or operation of CHS, including without prejudice to that generality membership of or office in:</p> <ul style="list-style-type: none"> (a) other public bodies; (b) clubs, societies and organisations; (c) trades unions; and (d) voluntary organisation

Children's Hearings Scotland Confirmation of Independence and Declaration of Interests Form

Name:

REGISTERABLE INTEREST	DECLARATION
Gifts and hospitality	
Remuneration	
Related undertakings	
Contracts	
Non-financial interests	

Signature of Employee:

Date: