



SCOTTISH
CHILDREN'S REPORTER
ADMINISTRATION

STAFF CODE OF CONDUCT

February 2014

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Section 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 SCRA's staff.

As an employee of the Scottish Children's Reporter Administration (SCRA), 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 or the Human Resources Team. 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. Appropriate awareness training will be provided to all staff on the provisions of this Code.

Section 2: Key Principles

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

Public Service

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

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 SCRA's best interests.

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.

Objectivity

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

Accountability

You are accountable to SCRA as your employer.

SCRA, in turn, is accountable to Scottish Ministers and to the Scottish Parliament through the Scottish Executive Education Department (SEED) and its Youth Justice and Children's Hearing Division. Details of the accountability arrangements are listed in SCRA's Management Statement and Financial Memorandum which are held by each Reporter Manager and HQ Manager.

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 SCRA policy or by the law.

Honesty

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

Leadership

If you are a manager, 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 SCRA.

Respect

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

Section 3: General Conduct

3.1 Relations with the Public

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

3.2 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.

3.3 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 the tendering process you must follow SCRA's 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.

3.4 Allowances

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

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

3.5 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 SCRA. 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 SCRA (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 SCRA pays for the costs of these visits.

You must follow SCRA's policy on declaring offers of hospitality, and follow the current procedures for having any offers authorised. The Director of Finance should be advised of any gifts or hospitality received. In addition a

register of gifts/hospitality received by staff will be maintained at SCRA Headquarters.

3.6 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 an SCRA employee, then this should be declared. While this general principle applies to all employees, it is more onerous in relation to employees in grades F or higher.

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 SCRA's policies.

You may have private interest which relates to the work of SCRA. 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 SCRA. 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 SCRA. This applies equally to memberships of clubs or organisations which are not open to the public, e.g. Freemasonry.

All staff are required to declare the following:

- a) Directorships held in private companies or PLC's.
- b) Ownership, or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with SCRA.
- c) Majority or controlling share holdings in organisations likely or possibly seeking to do business with SCRA.
- d) A position of authority in a charity or other organisation in the field of youth justice, health or social care.
- e) Any connection with a voluntary or other organisation contracting for SCRA 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 Human Resources so that any interests can be entered in the Register of Staff Interests.

In relation to members of staff also acting as Panel Members, this will generally not be permitted as there is potential for conflict of interests due to the need for a perception of separation of functions. Additionally, issues of confidentiality and role boundaries could arise, particularly where a family may move between two local authority areas.

It is not the intention of this Code to intrude into the private lives of employees. It is however about protecting children, and staff themselves, 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 SCRA 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 region or office who are required to work together and who are in a relationship where conflict could be alleged, declare this situation immediately to their Reporter Manager/HQ Manager who will consider whether operational arrangements within SCRA require revision.

3.7 Openness, Disclosure and Use of SCRA Information

To comply with the principles of the Data Protection Law and the Human Rights Act and to ensure the safe handling of all referrals and other SCRA information, staff **must not** access any RAD, other databases and/or manual records except as required for the proper conduct, and in the execution of their duties. This means that staff should only access information on individuals, whether in respect of adults (including those who may have been referred as children) or children, if it is directly related to their work. Any unnecessary surfing for information may be dealt with under SCRA's Disciplinary Policy.

SCRA's decision making process must be transparent and open. SCRA 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 SCRA's 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 SCRA into disrepute. Any misuse of SCRA information may be dealt with under SCRA's Disciplinary Policy.

3.8 Use of SCRA Resources

You must not misuse SCRA equipment, materials or resources or use them for party political or campaigning activities. All telephone calls made of a personal nature must be paid for unless specific work related issues have made it necessary.

The use of SCRA equipment for non-SCRA work related purposes must be sanctioned by a Reporter Manager, Service Development Manager or appropriate Headquarters Manager. An example would be the use of an

overhead projector for an external event. Any loss or damage must be paid for by the employee concerned.

3.9 Appointment to Partner Organisations

You may be appointed, or nominated by SCRA, 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 will assume personal responsibilities under the Companies Acts. It is possible that conflicts of interest can arise for such employees between the company and SCRA. It is your responsibility to take advice on your responsibilities to SCRA and to the company. This will include questions of declarations of interest.

3.10 Procurement of Goods and Services

SCRA operates a scheme of Delegated Purchasing Authority. If you receive a Purchasing Delegation in the course of your duties you may buy or contract for goods or services on behalf of SCRA. You must comply with SCRA's Scheme of Delegated Authority and Financial Memorandum. Purchases of goods/services with a value in excess of £5,000 are subject to competitive tendering exercises. Advice on the relevant procedure can be sought from SCRA's Procurement Manager.

3.11 Recruitment and Appointment of Staff

You must abide by SCRA's 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 HR, will then decide whether you can participate in the recruitment and selection process. The same procedure must be followed in other personnel procedures such as grievance or disciplinary procedures or job evaluation.

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.

3.12 Contacts with the Media

Where contact is made by the media, all enquiries should be notified to the Press & Communications Manager. On no account should any member of

staff engage in providing a comment to a member of the press and media without first contacting the Press and Communications 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 SCRA and SCRA's responsibility to the public, or impact upon SCRA's actions or decision-making;
- If it might be viewed as impacting upon SCRA, permission has been obtained in writing from a Senior Manager to allow the contact.

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

3.13 Fair and reasonable treatment at work

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

3.14 Political Neutrality and Activity

The public expects you to carry out your duties in a politically neutral way. You must implement the policies of SCRA 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 relevant Reporter Manager/HQ Manager.

Staff grades H - F 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. SCRA 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.

Unless otherwise provided for in an employee's individual contract of employment, staff grades A - E have standing permission to participate in national or local political activities with the exception of adoption as Parliamentary Candidate, without express permission being sought. For certain roles SCRA may require employees holding staff grades A - E to seek permission to take part in national and local political activities. SCRA will

make potential holders of such posts aware of this prior to appointment and this will be reflected in the individual's contract of employment.

3.15 Family or Associated Referrals

Where staff are aware (or become aware) that there has been a referral of a child who is a member of their family or there is some other association such as the child of a neighbour, Panel Member or colleague in a partner agency, staff must declare this to their Reporter/HQ Manager. This is to ensure privacy, perception of impartiality and the integrity of SCRA and its staff, and to ensure that SCRA meets its statutory obligations under data protection and human rights law. Priority must always be given to preserving the confidentiality of the individuals concerned.

For new referrals, the Reporter/HQ Manager will make the necessary arrangements to have the referral transferred to an alternative team or region as appropriate. Where the referral is to be dealt with by an alternative Team, the Authority Reporter will determine the investigative and decision-making process to be followed. Where the referral is to be dealt with by an alternative region, the Reporter Manager will determine the investigative and decision-making process to be followed.

3.16 Paid Employment outside SCRA

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

You must follow SCRA's 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 Reporter/HQ Manager and any fees attracted must be received by SCRA.

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.

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

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

3.18 Dress at Work

Staff are expected to dress appropriately for delivering their duties and their role.

Employee Acknowledgement Form

I acknowledge receipt of SCRA's 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.:.....

Please return signed copy to HR/OD Team, SCRA, Ochil House, Springkerse Business Park, Stirling FK7 7XE.

REGISTER OF STAFF INTERESTS

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

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 SCRA 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 SCRA; 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 SCRA, 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 organisations

**Scottish Children’s Reporter Administration
Confirmation of Independence and Declaration of Interests Form**

Name (PRINT): Employee Number:

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

Signature of Employee:

Date: