Code of Conduct
for Standards Commission Employees

October 2025

SECTION 1: INTRODUCTION

1.1 The Ethical Standards in Public Life etc. (Scotland) Act 2000 provides for Codes of Conduct for members of relevant public bodies. The principles driving that Code of Conduct – independence, confidentiality and the need to identify and declare an conflicts of interest – apply equally to employees of the Standards Commission for Scotland (SCS).

1.2 Employees must observe the rules of conduct contained in this Code. Employees must not, at any time, advocate or encourage any action contrary to the Code of Conduct.

1.3 The purpose of the Code is to set out the conduct expected of all individuals working for the SCS. This includes agency staff and staff on secondment to or from the organisation.

1.4 The Code has been developed in line with the key principles outlined in Section 2.

1.5 A failure to comply with the Code may result in formal action under the SCS's disciplinary procedures.

1.6 Section 4 of the Code applies to the Executive Director, as Accountable Officer, only.

SECTION 2: KEY PRINCIPLES

2.1 Employees of the SCS should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead SCS Members, fellow employees, the public, stakeholders, service users, Ministers or Parliament.

SECTION 3: GENERAL CONDUCT

Respect and Courtesy

3.1 Employees must treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when they are online and when they are using social media on behalf of the SCS.

3.2 Employees must not discriminate on the basis of race, age, sex, sexual orientation, gender reassignment, disability, religion or belief, marital status or pregnancy/maternity. Employees should try to advance equality of opportunity and seek to foster good relations between different people.

3.3 Employees must not engage in any conduct that could amount to bullying or harassment (which includes sexual harassment). Such conduct is completely unacceptable and will be considered to be a breach of this Code.

3.4 Employees should note that disrespect, bullying and harassment can be:
a) a one-off incident,
b) part of a cumulative course of conduct; or
c) a pattern of behaviour.

3.5 Employees should understand that how, and in what context, they exhibit certain behaviours can be as important as what they communicate, given that disrespect, bullying and harassment can be physical, verbal and non-verbal conduct.

Remuneration, Allowances and Expenses

3.6 Employees must comply with the SCS's rules and policies on the payment of remuneration, allowances and expenses.

Gifts and Hospitality

3.7 Employees should understand that they may be offered hospitality, material benefits or services ("gifts or hospitality") that may be reasonably regarded by a member of the public with knowledge of the relevant facts as placing them under an improper obligation or being capable of influencing their judgement as a SCS employee.

3.8 Employees must never **ask for** or **seek** any gift or hospitality.

3.9 Employees must refuse any gift or hospitality, unless it is:

a) a minor item or token of modest intrinsic value offered on an infrequent basis;
b) a gift being offered to the SCS;
c) hospitality which would reasonably be associated with their duties as an SCS employee; or
d) hospitality which has been approved in advance by the SCS.

3.10 Employees must consider whether there could be a reasonable perception that any gift or hospitality received by a person or body connected to them could or would influence their judgement.

3.11 Employees must not allow the promise of money or other financial advantage to induce them to act improperly in their role as a SCS employee. Employees should note that the money or advantage (including any gift or hospitality) does not have to be given to them directly. The offer of monies or advantages to others may amount to bribery, if the intention is to induce the employee to improperly perform a function.

3.12 Employees must never accept any gift or hospitality from any individual or applicant who is awaiting a decision from, or seeking to do business with, the SCS.

3.13 If an employee considers that declining an offer of a gift would cause offence, they should accept it and hand it over to the SCS at the earliest possible opportunity.

3.14 Employees must promptly advise the Executive Director or SCS Members if they are offered (but refuse) any gift or hospitality of any significant value and / or if they are offered any gift or hospitality from the same source on a repeated basis, so that the SCS can monitor this.

3.15 Employees should familiarise themselves with the terms of the Bribery Act 2010, which provides for offences of bribing another person and offences relating to being bribed.

Confidentiality

3.16 Employees must not disclose confidential information or information which should reasonably be regarded as being of a confidential or private nature, without the express consent of a person or body authorised to give such consent, or unless required to do so by law. Employees should note that if they cannot obtain such express consent, they should assume it is not given.

3.17 Employees should note that confidential information can include discussions, documents, and information which is not yet public or never intended to be public, and information deemed

confidential by statute.

3.18 Employees must only use confidential information to undertake their duties as a SCS employee. They must not use it in any way for personal advantage or to discredit the SCS (even if they consider the information should be publicly available).

3.19 Employees should note that these confidentiality requirements do not apply to protected whistleblowing disclosures made to the prescribed persons and bodies as identified in statute.

Use of SCS Resources

3.20 Employees should only use the SCS's resources, including its facilities, stationery and IT equipment, for carrying out duties on behalf of the SCS, in accordance with its relevant policies.

3.21 Employees will not use, or in any way enable others to use, the SCS'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.

Dealing with the SCS and Preferential Treatment

3.22 Employees must not use, or attempt to use, their position or influence as an employee to:
a) improperly confer on or secure for themselves, or others, an advantage;
b) avoid a disadvantage for themselves, or create a disadvantage for others or
c) improperly seek preferential treatment or access for themselves or others.

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

SECTION 4: REGISTRATION OF INTERESTS

4.1 The Executive Director must register their registrable interests within one month of being appointed and thereafter must register any changes within one month of any changes having occurred. The interests which they are required to register are those set out in the following paragraphs. Other than as required by paragraph 4.23, it is not necessary to register the interests of any spouse or cohabitee.

4.2 **Category One: Remuneration**
The Executive Director will register any work for which they receive, or expect to receive, payment. The Executive Director has registrable interest where they receive remuneration by virtue of being: a) employed; b) self-employed; c) the holder of an office; d) a director of an undertaking; e) a partner in a firm; f) appointed to a public body; or g) engaged in a trade, profession or vocation or any other work. The amount of remuneration does not require to be registered. The Executive Director must register any allowances they receive in relation to membership of any organisation under Category One. When registering employment as an employee, the Executive Director must give the full name of the employer, the nature of its business, and the nature of the post they hold in the organisation. Registration of a pension is not required.

4.3 **Category Two: Other Roles:** The Executive Director will register any unremunerated directorships where the body in question is a subsidiary or parent company of an undertaking

in which they hold a remunerated directorship. The Executive Director will register the registered name and registered number of the subsidiary or parent company or other undertaking and the nature of its business, and its relationship to the company or other undertaking in which they are a director and from which they receive remuneration.

4.4 **Category Three: Contracts:** The Executive Director has a registrable interest where they (or a firm in which they are a partner, or an undertaking in which they are a director or in which they have shares of a value as described in paragraph 4.6 below) have made a contract with the SCS: a) under which goods or services are to be provided, or works are to be executed; and b) which has not been fully discharged.

4.5 **Category Four: Houses, Land and Buildings:** The Executive Director has a registrable interest where they own or have any other right or interest in houses, land and buildings, which may be significant to, of relevance to, or bear upon, the work and operation of the SCS. In deciding whether or not they need to register any interest they have in houses, land or buildings, the test to be applied is whether a member of the public, with knowledge of the relevant facts, would reasonably regard the interest as being so significant that it could potentially affect their responsibilities to the SCS and to the public, or could influence their actions or decision-making.

4.6 **Category Six: Interest in Shares and Securities:** The Executive Director has a registrable interest where: a) they own or have an interest in more than 1% of the issued share capital of a company or other body; or b) where, at the relevant date, the market value of any shares and securities (in any one specific company or body) that they own or have an interest in is greater than £25,000. This is only in circumstances where they are significant to, relevant to or bear upon the work or operation of the SCS.

4.7 **Category Seven: Non–Financial Interests:** The Executive Director must register any non-financial interests (such as membership or holding office in other public bodies, companies, clubs, societies and organisations such as trades unions and voluntary organisations) if they are one that members of the public with knowledge of the relevant facts might reasonably think could influence their actions, or decision-making as a SCS employee.

4.8 **Category Nine: Close Family Members:** The Executive Director must register the interests of any close family member who has transactions with the SCS or is likely to have transactions or do business with it.

SECTION 5: DECLARATION OF INTERESTS

Stage 1: Connection

5.1 For each particular case in which an individual is involved as a SCS employee, they must first consider whether they have a connection to the case.

5.2 A connection is any link between the case being considered and the employee, or a person or body with whom they are associated. This could be a family relationship or a social or professional contact.

Stage 2: Interest

5.3 An employee's connection is an interest that requires to be declared where the objective test is met – that is where a member of the public with knowledge of the relevant facts would reasonably regard the employee's connection to a particular case as being so significant that it

would be considered as being likely to influence their discussion or decision-making as a SCS employee.

Stage 3: Participation

5.4 Employees must declare such interests as early as possible and should not take part in any discussions, consideration of, or decision-making on, the case.