

# Code of Conduct for Staff

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## 1. Introduction

This document sets out a Code of Conduct for HIE staff and forms part of the terms and conditions of service for all staff. Some of the responsibilities set out in the Code are more fully covered in other HIE policy documents, for example:

- Conflicts of Interest Guidance
- Fraud Policy
- Customer Service Commitments
- Whistleblowing Policy
- Appointment to Third Party Organisations
- Gifts and Hospitality
- Equality and Diversity Policy
- Guidance on Political Activity
- Delegated Levels of Authority
- Freedom of Information Guidance
- Information Security Policy

Staff should, therefore, be familiar with the requirements of these various documents.

## 2. Principles

The Ethical Standards in Public Life etc. (Scotland) Act 2000 sets out nine general principles of conduct which underpin public life in Scotland. This Code of Conduct is based upon the following general principles:

- **Public Service:** You have a duty to act in the interests of HIE and in accordance with its core tasks.
- **Selflessness:** You have a duty to take decisions solely in terms of public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.
- **Integrity:** You must 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.
- **Objectivity:** You must make decisions solely on merit when carrying out public business.
- **Accountability and Stewardship:** You are accountable for your decisions and actions to the public. You have a duty to consider issues on their merits, taking account of the views of others and must ensure that HIE uses its resources prudently and in accordance with the law.
- **Openness:** You have a duty to be as open as possible about your decisions and actions, giving reasons for your decisions and restricting information only when the wider public interest clearly demands.
- **Honesty:** You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

- **Leadership:** You have a duty to promote and support these principles by leadership and example, to maintain and strengthen the public's trust and confidence in the integrity of HIE in conducting public business.
- **Respect:** You must respect fellow employees of HIE and the role they play, treating them with courtesy at all times.

### 3. Duties and Responsibilities

HIE staff should familiarise themselves with the contents of the Code and should act in accordance with the principles it sets out.

HIE staff have a duty:

- to discharge public functions reasonably and according to the law;
- to recognise ethical standards governing their organisation; and
- to ensure that in carrying out their day to day work they do nothing which could reasonably be construed as politically motivated

The Chief Executive of HIE, as Accountable Officer, has overall responsibility for propriety, including conduct and discipline. The full role of the Chief Executive is set out in the document which governs the relationship between HIE and the Scottish Government eg Framework document/Management Statement.

### 4. Accountability

Staff should be aware:

- of their accountability to the Chief Executive and Board of HIE;
- of the respective roles of The Scottish Government's Business Directorate as sponsor body and of HIE as set out in the current Operating Plan and Management Statement; and
- that the Minister responsible for HIE is ultimately accountable to the Scottish Parliament for its independence, effectiveness and efficiency.

The HIE Board has responsibilities as an employer, which are set out in the current Management Statement and in the notes of guidance for Board Members.

HIE staff should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Board, the Scottish Government, Ministers, the Scottish Parliament or the public. It is vital that staff exercise care in their day to day corporate activities to ensure that they do nothing that could reasonably be regarded as taking a political stance.

### 5. Conflicts of Interest

As outlined in the Conflicts of Interest Policy, staff should abide by the rules adopted by HIE in relation to private interest and possible conflict with public duty; the disclosure of official information; and political activities. They should not misuse their official position or information acquired in their official duties to further their private interests or those of others. Staff working on contracts should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them.

## **6. Integrity**

HIE staff should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement and integrity. Under the Bribery Act, employees of public bodies may be required to prove that the receipt of payment or other consideration from someone seeking to obtain a contract is not corrupt.

## **7. Relations with the Public**

HIE is a customer focused organisation and staff should deal with the public sympathetically, efficiently, promptly and without bias or maladministration. The public should be offered the highest standards of conduct and service in line with HIE's customer service commitments.

## **8. Use of Resources**

HIE staff should endeavour to ensure propriety and regularity in relation to public finances and to seek best value from resources.

## **9. Official Information**

Staff owe a general duty of confidentiality to their employer at common law. They are therefore required to protect official information held in confidence. Nothing in this Code should be taken as overriding existing statutory or common law obligations to keep confidential, or in appropriate cases to disclose certain information. Staff should act in accordance with the Code of Practice on access to Government Information.

## **10. Staff Concerns about Improper Conduct**

If HIE staff believe they are being required to act in a way which:

- is illegal, improper, or unethical; or
- is in breach of a professional code; or
- may involve possible maladministration, fraud or misuse of public funds; or
- is otherwise inconsistent with this Code;

they should either raise the matter with their line manager, Director, or approach in confidence to, Head of Business Improvement and Internal Audit, who is entrusted with the duty of investigating staff concerns about illegal, improper or unethical behaviour.

Detailed procedures relating to such matters are contained in HIE's Whistleblowing Policy which is intended to encourage and enable staff to raise serious concerns within HIE rather than overlooking a problem or 'blowing the whistle' outside.

## 11. After Leaving Employment

HIE staff should continue to observe their duty of confidentiality (see section 9) after they have left the employment of the public body.

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