



Code of Conduct

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| 2.0 | 08/2022 | Refresh of previous Code of Conduct, first person language, format changed. Additional topics included. | ■ |
| 2.1 | 12/01/2023 | Removal of reference to Social media for personal use policy as policy is not yet published | ■ |
| 2.2 | 24/11/2023 | Addition of reference to Social media for personal use policy as policy has now been published | ■ |
| 2.3 | 25/07/2024 | <p>Updated to new corporate policy template and EQIA actions reviewed and updated. Standard support section wording updated.</p> <p>Equalities Section wording amended in line with other policies.</p> <p>Additional wording in Dignity at Work and Working from Home.</p> | ■ |

Why do we need the policy?

Scottish Qualifications Authority (SQA) and all employees of SQA must demonstrate high standards of corporate and personal conduct. This can be achieved by embracing and maintaining our core values, which are: Trusted, Progressive and Enabling.

Who is it for?

This document sets out the code of conduct for all employees of SQA, i.e., the standards of conduct that are expected of you as an SQA employee.

The Code of Conduct is to help each of us to make the right decisions about our conduct and behaviour every day. While it sets our general policy and guidance and highlights a benchmark for exemplary ethical behaviour, it does not cover every potential situation.

Should you experience any situations not covered by this policy, please speak to your line manager.

What support is available?

- If appropriate, your line manager
- HR support can be sought by contacting the People Operations team at peopleoperations@sqa.org.uk or by calling 6060.
- Trade union representatives can provide members with advice, help and support. Information about Unite and Unison can be found on intranet homepage under [A-Z](#).
- The wellbeing hub offers a broad range of help for social, financial, physical and psychological wellbeing and can be found on the intranet [here](#).

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1 Introduction or policy statement

The Code of Conduct does not form part of your contract of employment, it does however impose obligations on you that you must observe and comply with.

We may amend the Code of Conduct and its application at any time through consultation with our trade unions. Please ensure you are using the latest version as currently published on intranet.

The purpose of the Code of Conduct (which will be known as and abbreviated to the 'Code' for the remainder of this document) is to summarise the standard of conduct and behaviour we expect an SQA.

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 at all times.

Any breach of the Code may give rise to disciplinary action being taken against you, up to and including dismissal.

SQA is committed to equality of opportunity and to a culture that respects difference. We believe that, as an employer and public body, we can play a leading part in promoting equality, diversity and inclusion by making them an integral part of our decision making. This policy has an Equality Impact Assessment completed on it at the development stage to assess how this policy may impact on equality groups and the findings from this are reflected in this policy.

We will ensure throughout this procedure that we do not unfairly discriminate against anyone because of a protected characteristic as per our Equality, Diversity and Inclusion Policy.

For example, adapting procedures to accommodate you if required or making reasonable adjustments to procedures to ensure that we do not put anyone with a disability protected characteristic at a substantial disadvantage. This might mean allowing someone else to also attend, for example a support worker or someone with knowledge of your specific needs.

2 Key principles

Our Key Principles are based on the [Model Code of Conduct for Members of Devolved Public Bodies](#) and have been adapted to place them into the context of SQA as a workplace.

Accountability

You are accountable for your decisions and actions to SQA as your employer. SQA, in turn, is accountable to the Scottish Government. You have a duty to consider issues on their merits, taking account of the views of others and must ensure that SQA uses its resources prudently and in accordance with the law.

Duty

You have a duty to uphold the law and act in accordance with the law and the public trust placed in you. You have a duty to act in the interests of SQA and in accordance with the organisation's values to help it fulfil its core functions and duties.

Honesty

You have a duty to act honestly and to ensure the proper use of equipment, materials, and resources. In addition, you must immediately declare any private interests which might affect or conflict with your employment with SQA.

Integrity

Decisions should be based solely on SQA's best interests. It follows that you should not take decisions which will result in any financial or other advantage to yourself, your family, or your friends or another organisation.

Leadership Values

Whilst at work you should demonstrate behaviours in line with our Leadership Values [here](#) .

Objectivity

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

Openness

You should be as open as possible in all the decisions and actions that you take. You should be in a position to be able to justify all decisions that you make, and you should not restrict information unless this is clearly required by SQA policy or by the law.

Respect

You must respect fellow employees of SQA and the role they play, treating them with courtesy and dignity at all times. Similarly, you must respect members of the public when performing duties as a member of SQA and observe the principles of the Code in dealings with the public when performing your duties as an employee of SQA.

3. The Code

For ease of reference, the sections contained in the Code are shown in alphabetical order. They are all equally important.

3.1 Appointments

SQA's Recruitment and Selection Policy is built on the principle that all appointments must be made on the basis of merit. You must follow this SQA policy at all times.

If you are involved in the recruitment and selection process and have any kind of relationship which might affect your ability to be impartial, you must tell your line manager as soon as possible. Your line manager will decide whether it is appropriate for you to participate in the recruitment and selection process.

You must not solicit an SQA Board member or another colleague 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, an SQA Board member or any other person, you must report the matter to your line manager.

The same procedure must be followed in other personnel procedures such as grievance or disciplinary procedures or job evaluation.

3.2 Bribery and corruption

It is a serious criminal offence of corruption for you to receive or give any gift, loan, fee, reward, or advantage for doing (or not doing) anything, or for showing favour or disfavour to any person, in the course of your employment with SQA. If you are involved in a commercial

bid opportunity on behalf of SQA, it is a mandatory requirement that you complete the Anti-Bribery and Corruption training module on SQA Academy. The frequency of any refresher training will be determined by legislation.

3.3 Complaints

SQA, as a public body under jurisdiction of The Scottish Public Services Ombudsman (SPSO), is required to handle complaints in line with the [SPSO Model Complaints Handling Procedure](#) for the Scottish Government, Scottish Parliament and associated public authorities in Scotland.

As an SQA employee, you are required to handle complaints in line with our complaints handling procedure. You must therefore be aware of:

- [SQA's Complaints Handling Procedure](#)
- How to handle and record complaints at the frontline response stage
- Who you can refer a complaint to, in case you are not able to handle the matter
- The need to try and resolve complaints early and as close to the point of service delivery as soon as possible
- Your clear authority to attempt to resolve any complaints you may be called upon to deal with.

Training on this procedure will be part of the induction process and refresher training should be completed on a regular basis.

3.4 Conduct at social events

SQA's policy on discrimination, victimisation, harassment and bullying applies to work-related social events. Normal workplace standards of behaviour apply at work-related social events, and you should not say or do anything that could offend or intimidate another person. Swearing and inappropriate language is unacceptable at work-related social events. You must not behave at any work-related social event in any way that could damage SQA or bring it into disrepute.

It is important to note that you may face disciplinary action for misconduct or gross misconduct outside of your normal workplace or working time.

For example, if your behaviour in front of external clients at a social occasion reflects badly on us. Any action taken would depend on how serious we see the misconduct and whether it could have a detrimental effect on our reputation/business.

3.5 Conduct at work

We have a range of HR policies that you have an obligation to follow whilst in our employment. You should make yourself aware of the policies and comply with them at all times.

3.6 Conflict of interest

As an SQA employee, you must not allow any private interest to influence your decisions.

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

Circumstances may arise where you have a private interest which relates to the work of SQA. That interest could be financial, or one which a member of the public might reasonably think could influence your judgment. In addition, close family members or people living in your household may have financial interests in the work of SQA. All such interests, whether

you consider them to be relevant or not, must be declared to your line manager as soon as it is apparent that they may relate in any way to your work.

3.7 Contractors

You must be fair and impartial in your dealings with contractors, sub-contractors and suppliers.

If you are involved in advising or researching on procurement activities, you must follow SQA's procurement regulations. You must always contact Procurement (Procurement@sqa.org.uk) in the first instance before starting any procurement exercise.

If you have access to confidential information on tenders or costs, you must not disclose that information to any individual or organisation or other third party without the express authorisation of SQA.

3.8 Dignity at work

We are committed to providing a working environment free from bullying and harassment where everyone is treated with dignity and respect, and everyone takes responsibility for their actions. There is no place for any form of bullying or harassment within SQA and everyone must always adhere to our [Dignity at Work policy](#). Colleagues are encouraged to complete the [Dignity at Work SQA academy course](#) which is to identify the definition of Dignity at Work and explain how our values, culture and policies help us all to take responsibility to create and support a respectful, equal, and fair working environment.

Sexual harassment, harassment, bullying and victimisation will never be acceptable or tolerated by us and such conduct will always be addressed. We expect everyone to consistently treat others with consideration, courtesy and respect.

3.9 Disclosure of criminal convictions

At the beginning of your employment with SQA, you must disclose all criminal convictions which are not stipulated within the terms of the Rehabilitation of Offenders Act 1974.

You must also inform your line manager and an HR Advisor immediately if you are convicted of any criminal offence whilst employed by SQA. SQA will then decide whether the conviction has any bearing on your ability to do your job.

Concealment of any criminal conviction which may relate to your ability to do your job, may result in disciplinary action being taken against you, up to and including dismissal.

All information on criminal convictions may be verified by SQA and will be treated in strict confidence.

3.10 Duties and responsibilities

As an SQA employee, you must familiarise yourself with the contents of the Code and act in accordance with it. You must carry out your work reasonably and according to the law, and as SQA is a public body, you must always practice the public service values as described in Section 5, Key Principles.

If you are ever in doubt, seek guidance from your line manager.

3.11 Equality, diversity and inclusion

We are committed to promoting equality and diversity among our workforce. We support a culture that actively values difference, recognising that people from different backgrounds and experiences can bring valuable insights and enhance the way we work. We aim to be an

inclusive organisation, committed to providing equal opportunities throughout employment including in the recruitment, training, development and career progression of staff.

Sexual harassment, harassment, bullying and victimisation will never be acceptable or tolerated by us and such conduct will always be addressed. We believe such behaviour is not only unacceptable, but it is also contrary to our values, and we expect everyone to consistently treat others with consideration, courtesy and respect. Further, sexual harassment may amount to both an employment rights and a criminal matter. Harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

3.12 Fair and reasonable treatment at work

If you feel you have been asked or instructed by a colleague, an SQA Board member, a member of the public, or by an organisation, to act in a way which might be illegal, improper or unethical, or which is otherwise in conflict with the principles of this Code you are entitled to make use of the SQA Grievance policy and procedure for dealing with such concerns.

3.13 Gifts and hospitality

You must not accept any offer of gifts or hospitality which could give rise to real or substantive personal gain or a reasonable suspicion of influence on your part to show favour, or disadvantage, to any individual or organisation. You may keep items of token value e.g., pens, diaries, or small tokens of gratitude.

You must follow SQA policy on declaring offers of hospitality and follow the procedures for having any offers authorised. Full details can be found in the Gifts and Hospitality Policy.

3.14 Health and safety

You have an individual responsibility under the Health and Safety at Work Act for the health, safety and welfare of yourself and others, including members of the general public, who may be affected by what you do or fail to do at work. You must comply with our Health and Safety policy and procedures and cooperate with us in our compliance with legislation.

3.15 Managing records

We must comply with the requirements of the Public Records Scotland Act 2011. You must read and be aware of the records management policy, and the retention and disposal policy. You are required to do this when you join SQA and when requested by the Information Governance team. You must also refer to these policies and the associated guidance referred to with them, when necessary, in relation to your role.

3.16 Openness and disclosure of information

SQA is subject to the Freedom of Information (Scotland) Act (FOISA) 2002 and is committed to the principle of openness and transparency. You must read and comply with our Freedom of Information Policy and comply with any associated practices and training requirements.

There are some exemptions to the principle of openness, which means that disclosure may not be possible. For example, we may withhold information if its disclosure would breach the law of confidentiality.

Personal information may also be withheld under Data Protection laws. If you are in doubt about what information can be disclosed, you should contact information.governance@sqa.org.uk to seek advice and guidance.

3.17 Personal relationships

A confidential declaration must be made to your line manager where a close personal relationship exists or develops between you and a colleague, who either works in the same

department or location as you, or where one of you is in a position of managerial authority. A meeting with each of you and your line manager will be held to determine whether there is a potential or actual conflict of interest and if so, to determine what, if any, steps may need to be taken to mitigate any organisational risk or potential conflict of interest. Managers are asked to liaise with the Human Resources department in these circumstances. In the unlikely event that a risk or potential conflict is determined, we will take a consultative approach with the parties involved to reach an amicable solution that respects the employee's privacy whilst preserving SQA interests. We will explore all options such as a change in reporting structure, work or agreement to transfer one or both employees involved in the relationship to a post in another department or location. Similarly, where you form a close personal relationship with a client, customer, contractor or supplier this must be declared in confidence to your line manager. We reserve the right to take any appropriate action required to protect SQA's interest and mitigate risks. If information comes to light including, but not limited to, your outside activities, private or personal interests, or close personal relationships and SQA considers that you should have made a declaration but chose not to do so or did not fully disclose details, then disciplinary action may be taken up to and including dismissal.

3.18 Physical security

You will have access to areas of SQA buildings that are not restricted. Access to restricted areas is strictly controlled and you must not enter these areas without authorisation. When you are on SQA premises you must:

- Always wear your SQA ID badge and in a way that is visible
- Report the loss of your SQA ID badge to the reception desk and to the information governance team at information.governance@sqa.org.uk as soon as you realise it is missing
- Lock away your laptop, together with any material or device that contains confidential data, if they are to be left overnight.

3.19 Protection of information

We take information security very seriously in order to protect the confidentiality, integrity and availability of our information. Information security is the responsibility of all staff.

We do not permit you to:

- use your own equipment to access SQA systems and information
- transfer, copy or email SQA documents or data to any personal equipment or device
- store any of our information on an external hard drive or device

You should be aware of all information governance policies, comply with them at all times and protect our information from inappropriate access, abuse, loss or damage. This applies to accidental and deliberate actions. You must report any actual or suspected instance of this as quickly as possible and co-operate fully with any investigation.

You are likely to have access to information which is considered confidential. You must maintain the confidentiality of our information during your employment and after leaving SQA's service. Speak to your line manager if you are not clear whether information you have access to is classed as confidential.

Personal data is protected by data protection legislation. Under the Data Protection Act 2018, it is a criminal offence to access, use or disclose personal data without being authorised to do so by the controller, who in this case is SQA. Accessing, using or disclosing personal data for a reason other than for the purpose of your role or contract could result in dismissal and criminal prosecution.

You must comply with all requests to complete training on information security and data protection.

3.20 Public interest disclosure (whistleblowing)

SQA conducts its business with the highest standards of integrity, transparency and honesty at all times. Whistleblowing will occur if an individual feels that something is of concern, that there is wrongdoing in the workplace, and they feel that it is something which they think the organisation should know about or look into. Individuals are expected to report any wrongdoings by SQA or its employees that may fall short of these principles. For full details on Whistleblowing, please refer to the Whistleblowing Policy.

3.21 Relations with the public

You may have contact with members of the public in your role as an SQA employee. You should always be courteous and helpful. You should deal fairly, efficiently, consistently and promptly with every member of the public, offering the highest standards of conduct and service.

3.22 Return/disposal of IT equipment and SQA property

You must return all IT equipment and any SQA property provided to you when your employment or contract with SQA comes to an end. This includes portable and desktop equipment as well as printers and USB flash drives.

3.23 Secondary employment

Before commencing any secondary employment, you must request and be granted written permission by SQA. If you are starting your employment with us, you are also required, on joining us, to request written permission to continue any secondary employment in which you are engaged.

All part-time staff, regardless of whether we are your 'major' or 'minor' employer, are required to disclose any other employment held, either when you commence employment or at any point in time when you engage in other employment. You must comply with our policy and procedure on Secondary Employment and cooperate with us in relation to obligations under the Working Times Regulations 1998.

3.24 Social media for personal use

You must read the Social Media for Personal Use Policy to ensure that you are aware of SQA's requirements and expected behaviours when using social media. You will be required to read this policy when you join SQA and when requested by the Information Governance team.

3.25 Use of resources

You must not misuse facilities, equipment, stationery, telephony, computer, information technology equipment and services, or use them for party political or campaigning activities. Use of such equipment and services etc. must be for SQA purposes and in a way that ensures value for money and the use is effective, efficient, economical and proper.

3.26 Working from home

During any time when you are working from home (a house, flat, or other place of residence you designate as your home), we expect you to adhere to all SQA policies, practices and procedures, digital security and data protection as you would in the office environment. It is important to ensure that conversations cannot be overheard, confidential paperwork and screens cannot be read by others, and that mobile phones and laptops are electronically locked if temporarily left unattended. At the end of the working day, you should log out of all SQA systems and should ensure that all equipment is properly powered down and switched off. All equipment and any confidential paperwork should be kept in a safe and secure

environment when left overnight, or when you are away from home, in the same way as you would with any other valuable item in your home. Further guidance about Working from Home can be found in [SQA's Hybrid Working Guidelines](#).

4. Associated policies and documents

The following policies and Statement of Particulars of Employment are relevant to the Code of Conduct. It should be noted that they may be invoked where they are deemed appropriate to the circumstances. The HR policies and the Statement of Particulars of Employment can be found [here](#):

- [Access Control](#)
- [Addressing Financial Irregularity](#)
- [Alcohol, Drugs and other Substance Misuse](#)
- [Anti-Bribery and Corruption](#)
- [Attendance Management](#)
- [Clear Desk and Clear Screen](#)
- [Conflict of Interest](#)
- [Data Protection](#)
- [Dignity at Work](#)
- [Disciplinary](#)
- [Email](#)
- [Equality, Diversity and Inclusion](#)
- [Freedom of Information](#)
- [Gifts and Hospitality](#)
- [Grievance](#)
- [Health and Safety](#)
- [Improving Performance](#)
- [Information Security](#)
- [IT Acceptable Use](#)
- [Probation](#)
- [Procurement Incorporating Sustainability](#)
- [Records Management](#)
- [Recruitment and Selection](#)
- [Retention and Disposal](#)
- [Secondary Employment](#)
- [Social media for personal use](#)
- [Whistleblowing](#)
- [Statement of Particulars of Employment](#)