

CIVIL SERVICE CODE

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Presented to Parliament pursuant to section 5 (5) of the *Constitutional Reform and Governance Act 2010*

Presented to the Scottish Parliament pursuant to section 5 (6) of the *Constitutional Reform and Governance Act 2010*

Civil Service values

1. The statutory basis for the management of the Civil Service is set out in Part 1 of the Constitutional Reform and Governance Act 2010.

2. The Civil Service is an integral and key part of the government of the United Kingdom¹. It supports the UK Government and Devolved Administrations of the day in developing and implementing their policies, and in delivering public services. As a civil servant, you are accountable to Scottish Ministers, who in turn are accountable to the Scottish Parliament².

3. As a civil servant, you are appointed on merit on the basis of fair and open competition and are expected to carry out your role with dedication and a commitment to the Civil Service and its core values: integrity, honesty, objectivity and impartiality. In this Code:

- ‘integrity’ is putting the obligations of public service above your own personal interests;
- ‘honesty’ is being truthful and open;
- ‘objectivity’ is basing your advice and decisions on rigorous analysis of the evidence; and
- ‘impartiality’ is acting solely according to the merits of the case and serving equally well Governments of different political persuasions.

4. These core values support good government and ensure the achievement of the highest possible standards in all that the Civil Service does. This in turn helps the Civil Service to gain and retain the respect of Ministers, Parliament, the public and its customers.

¹ This Code applies to all civil servants working for the Scottish Executive and its Agencies. Other civil servants have their own separate versions of the Code. Similar Codes apply to the Northern Ireland Civil Service and the Diplomatic Service.

² Civil servants advising Ministers should be aware of the constitutional significance of the Scottish Parliament and of the conventions governing the relationship between the Scottish Parliament and the Scottish Executive.

5. This Code³ sets out the standards of behaviour expected of you and other civil servants. These are based on the core values which are set out in legislation. The Scottish Executive's Aim, Vision and Values and individual Agencies' own separate mission and values statements are based on the core values, and include the standards of behaviour expected of you when you deal with your colleagues.

Standards of behaviour

Integrity

6. You must:

- fulfil your duties and obligations responsibly;
- always act in a way that is professional⁴ and that deserves and retains the confidence of all those with whom you have dealings⁵;
- carry out your fiduciary obligations responsibly (that is make sure public money and resources are used properly and efficiently);
- deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively, to the best of your ability;
- keep accurate official records and handle information as openly as possible within the legal framework; and
- comply with the law and uphold the administration of justice.

7. You must not:

- misuse your official position, for example by using information acquired in the course of your official duties to further your private interests or those of others;

³ The respective responsibilities placed on Scottish Ministers and special advisers in relation to the Civil Service are set out in their Codes of Conduct: www.scotland.gov.uk/Publications/2003/08/17996/25268 and www.cabinetoffice.gov.uk/propriety_and_ethics. Special advisers are also covered by this Civil Service Code except, in recognition of their specific role, the requirements for objectivity and impartiality (paras 10-15 below).

⁴ Including taking account of ethical standards governing particular professions.

⁵ Including a particular recognition of the importance of cooperation and mutual respect between civil servants working for the Scottish Executive and the UK Governments and other devolved administrations, and vice-versa.

- accept gifts or hospitality or receive other benefits from anyone which might reasonably be seen to compromise your personal judgement or integrity; or
- disclose official information without authority. This duty continues to apply after you leave the Civil Service.

Honesty

8. You must:

- set out the facts and relevant issues truthfully, and correct any errors as soon as possible; and
- use resources only for the authorised public purposes for which they are provided.

9. You must not:

- deceive or knowingly mislead Ministers, Parliament or others; or
- be influenced by improper pressures from others or the prospect of personal gain.

Objectivity

10. You must:

- provide information and advice, including advice to Ministers, on the basis of the evidence, and accurately present the options and facts;
- take decisions on the merits of the case; and
- take due account of expert and professional advice.

11. You must not:

- ignore inconvenient facts or relevant considerations when providing advice or making decisions; or
- frustrate the implementation of policies once decisions are taken by declining to take, or abstaining from, action which flows from those decisions.

Impartiality

12. You must:

- carry out your responsibilities in a way that is fair, just and equitable and reflects the Civil Service commitment to equality and diversity.

13. You must not:

- act in a way that unjustifiably favours or discriminates against particular individuals or interests.

Political impartiality

14. You must:

- serve the Government, whatever its political composition, to the best of your ability in a way which maintains political impartiality and is in line with the requirements of this Code, no matter what your own political beliefs are;
- act in a way which deserves and retains the confidence of Ministers, while at the same time ensuring that you will be able to establish the same relationship with those whom you may be required to serve in some future Government; and
- comply with any restrictions that have been laid down on your political activities.

15. You must not:

- act in a way that is determined by party political considerations, or use official resources for party political purposes; or
- allow your personal political views to determine any advice you give or your actions.

Rights and responsibilities

16. The Scottish Executive and its Agencies have a duty to make you aware of this Code and its values. If you believe that you are being required to act in a way which conflicts with this Code, the Scottish Executive, or the Agency in which you work, must consider your concern, and make sure that you are not penalised for raising it.

17. If you have a concern, you should start by talking to your line manager or someone else in your line management chain. If for any reason you would find this difficult, you should raise the matter with a nominated officer who has been appointed to advise staff on the Code.

18. If you become aware of actions by others which you believe conflict with this Code you should report this to your line manager or someone else in your line management chain; alternatively you may wish to seek advice from your nominated officer. You should report evidence of criminal or unlawful activity to the police or other appropriate regulatory authorities. This Code does not cover HR management issues.

19. If you have raised a matter covered in paragraphs 16 to 18, in accordance with the relevant procedures⁶, and do not receive what you consider to be a reasonable response, you may report the matter to the Civil Service Commission⁷. The Commission will also consider taking a complaint direct. Its address is:

3rd Floor, 35 Great Smith Street, London SW1P 3BQ.

Tel: 020 7276 2613

email: info@civilservicecommission.org.uk

If the matter cannot be resolved using the procedures set out above, and you feel you cannot carry out the instructions you have been given, you will have to resign from the Civil Service.

20. This Code is part of the contractual relationship between you and your employer. It sets out the high standards of behaviour expected of you which follow from your position in public and national life as a civil servant. You can take pride in living up to these values.

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⁶ The whistleblowing legislation (the Public Interest Disclosure Act 1998) may also apply in some circumstances. The Directory of Civil Service Guidance and the Civil Service Management Code give more information: www.cabinetoffice.gov.uk/conduct-ethics/civil-service.aspx.

⁷ The Civil Service Commission's Guide to Bringing a Complaint gives more information, available on the Commission's website: www.civilservicecommission.org.uk.