

Standards of behaviour

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1. Our standards of behaviour policy

As civil servants, we are guided by and required to adhere to the principles set out in the [Civil Service Code](#), to act with integrity, honesty, impartiality and objectivity. This requirement, among others, is specifically referenced in our [terms and conditions of appointment](#).

As employer, we have a duty of care to support staff in the workplace. This means having appropriate policy and procedures that are informed by civil service requirements, employment and equality law and [our organisational values](#). It also includes ensuring staff are aware of expected standards, and how to raise concerns if they experience behaviour they feel does not meet these standards.

Everyone should feel confident to be themselves in the work environment and take responsibility to respect differences in thought, background or experience. As Scottish Government (SG) colleagues in the service of Scotland, we have a role to play in supporting each other to have a positive work experience. This means demonstrating and being role models for our organisational values, which are:

- we act with integrity
- we are inclusive
- we are collaborative
- we are innovative
- we are kind

Our values represent who we are, who we aspire to be, and what we believe in. They guide how we act, the decisions we take and how we work together, across the government, to improve the lives of the people of Scotland and help us support ministers. Find out [how we can all live our values](#).

This policy has been developed with the Council of Scottish Government Unions (CSGU).

What the policy covers

The standards of behaviour applies to all SG Main and Marine staff working in Scottish Government core, and executive agencies and non-ministerial offices that are part of the [Scottish Government Main/Marine Bargaining Unit](#).

This includes senior civil servants, civil servants in Bands A to C and special advisers, whether on permanent or fixed term contracts, and those on graduate training schemes.

The standards apply to staff regardless of length of service and continue to apply to those Scottish Government staff on secondment or loan outwith Scottish Government Main and Marine.

While this policy applies across the SG Main bargaining unit, executive agencies and non-ministerial offices (NMOs) may have local procedures in place to reflect local contact points and, for NMOs, their status as a direct employer of staff. References to Scottish Government in this policy should be read as references to individual bodies.

If you're not directly employed by, but working in or providing services to Scottish Government, for example as a contractor or on secondment to Scottish Government, we expect you to adhere to our standards of behaviour. You should however, look to your own employing organisation's policy if you wish to, for example, to raise a grievance about unacceptable behaviour.

2. Standards of behaviour policy framework and principles

All staff must act in accordance with our standards of behaviour, which is underpinned by a policy framework which aims to:

- protect the dignity of staff and provide advice, information and support
- raise awareness of standards of behaviour expected of staff and their responsibilities
- ensure policies and procedures meet legal and civil service requirements, and are consistent with [our organisational values](#)
- ensure that colleagues are aware of the detrimental effects of unacceptable behaviour on both the individual and the organisation as a whole and be aware unacceptable behaviour may be considered in line with our disciplinary policy and procedures

Policy principles

Through our standards of behaviour policy, we are committed to:

- promoting and role modelling [our organisational values and expectations](#), enabling and requiring colleagues to conduct themselves responsibly and professionally at work
- supporting staff to understand and meet the obligations of the [Civil Service Code](#) which are set out in [terms and conditions of appointment](#) or, if appropriate, the [code of conduct for special advisers](#)
- creating and supporting an environment in which colleagues are treated with consideration, dignity and respect. This includes where differences are valued and appropriate policies, procedures, learning and development activity and systems promote the dignity of staff at work
- supporting a culture where bullying, harassment, victimisation or discrimination in any form, against any member of staff, has no place. Also a culture where there is no victimisation of any colleague who has made or assisted someone else to raise a concern about unacceptable behaviour in the workplace
- setting out what behaviour is unacceptable in the workplace, with clear policy and procedure on expected standards and routes to raise concerns or allegation of inappropriate behaviour (experienced or witnessed)
- supporting colleagues where issues are raised and ensuring appropriate handling, including investigating fairly in accordance with the relevant policies and procedures

3. How we are expected to act

Our value principles describe how staff are expected to act day in, day out, as civil servants [in the service of Scotland](#).

Everyone has differences in thought, background and experience and all staff should be treated with respect, regardless of whether personalities, characters and management styles may differ. Everyone must adhere to the standards of behaviour and conduct at all times in the workplace and must not behave in a way that is in contravention of the standards of behaviour.

We all have a shared responsibility for modelling and upholding our organisational values. We want to ensure and promote an inclusive culture where people's differences are genuinely respected and people feel safe and supported.

We act with integrity

Our actions reflect the values of the Civil Service

Value principles:

- we are impartial, demonstrate high ethical standards, respect, protect and fulfil human rights and uphold the rule of law
- we speak up for what is right, even when it feels difficult
- we are evidence based, open, transparent and honest
- we build relationships based on trust

We are inclusive

We have a respectful work environment which includes everyone

Value principles:

- we listen to the voices of everyone and respect uniqueness
- we value equity and create a sense of belonging
- we continually strive to build a more diverse workforce, representative of the communities we serve

We are collaborative

We work with others to realise Scotland's full potential

Value principles:

- we work with others to improve our effectiveness and make things happen
- we share connections, ideas and knowledge across boundaries
- we actively listen and respond to the needs of our people, partners, ministers and colleagues to co-produce a healthier, safer and more prosperous country

We are innovative

We test different approaches and develop new solutions

Value principles:

- we are flexible with our approach, seeing opportunities and pursuing them
- we embrace ambiguity and uncertainty and have a positive attitude to change
- we are professional and skilled

- we are efficient with the money we spend, accountable for the decisions we make and take balanced risks

We are kind

We care and show kindness towards people and the natural environment

Value principles:

- we put the well-being of the people of Scotland and our colleagues at the centre of what we do
- we are mindful about our impact on future generations
- we treat everyone with empathy, compassion and care

4. Standards of conduct policies and guidance

Our conduct policies support the standards of behaviour and set out in more detail how colleagues are expected to conduct themselves in specific circumstances. You should familiarise themselves with these policies alongside the standards of behaviour:

- [IT Code of Conduct](#) - setting out guidance on the acceptable use of SCOTS, in particular email and use of the intranet, as well as personal use of Scottish Government IT facilities
- [propriety standards of conduct](#) - detailing the standards of propriety including the duty to ensure that no appearance of bias or misuse of position is given, or can reasonably be inferred from personal conduct. It also ensures that colleagues don't use their official position to further personal interests, or the interests of others who have no legitimate entitlement to the benefit. The standards also explain how to declare and register interests
- [gifts and hospitality policy](#) - outlining when it is appropriate to accept gifts, reward or hospitality
- [substance misuse policy](#) - setting out our policy in relation to misuse of alcohol, drugs and substances including information about support available
- [social media guidance](#) - explaining standards around the responsible and careful use of social media and the difference between official, professional and personal use
- [confidentiality and official information](#) - laying out duties of confidentiality and service and the use of official information

- [outside occupations or undertakings](#) - confirming the requirements to register outside occupations or activities
- [flexible working hours](#) - setting out flexible working rules and policy
- [diversity and equality policy](#) - setting out our organisational commitment to diversity and equality
- [trans inclusion and equality policy](#) - setting out support available for staff transitioning and our commitment to enhancing trans equality and inclusion
- [comments and moderation policy](#) – setting out expected standards of conduct when commenting on Saltire or Yammer

5. Our responsibilities

This page sets out our responsibilities under the standards of behaviour policy.

Your responsibilities

As a member of staff, you need to:

- make yourself aware of, and adhere responsibly to, the standards of behaviour, ensuring that you role model and demonstrate positive behaviours, participating in any related learning and development activity including mandatory training on inclusive cultures
- be aware of your own behaviour and the effect this may have on others around you, remembering that inappropriate behaviour is behaviour which is viewed as unacceptable to the recipient. It doesn't matter whether any perceived harassment, victimisation, discrimination or bullying is unintentional
- treat colleagues, service users and internal or external contacts with respect and dignity, carrying personal responsibility for your behaviours and actions at and away from your workplace
- understand there is no place for unacceptable behaviours in Scottish Government. Help ensure colleagues, service users and internal or external contacts don't suffer any form of unacceptable behaviour by conducting yourself in a manner that does not cause offence to others
- raise any concern using the appropriate policy and procedure noting that malicious or vexatious complaints or false allegations will be handled in accordance with [our disciplinary policy and procedure](#)
- understand that, even when a disclaimer is attached, personal views you express could be considered as a breach of standards of behaviour; be mindful of your obligations as a civil servant

Manager or countersigning officer responsibilities

If you're a manager or countersigning officer, you need to:

- role model and demonstrate positive behaviours ensuring that your work area is supportive and respectful, valuing diverse perspectives and fostering an inclusive working environment
- make sure you and your team are familiar with and comply with the required standards of behaviour. Ensure you participate in any related learning and development activity so managers are trained and staff are aware of what is expected of them
- take appropriate prompt action to prevent and stop inappropriate behaviours that you see or are made aware of
- support anyone in your team to raise a concern
- ensure there is no victimisation of any colleague who has made or assisted someone else to raise a concern or grievance

Senior leader responsibilities

If you're a senior leader, you need to:

- role model and demonstrate positive behaviours to enable a supportive and respectful work area
- develop a team culture where everyone is treated with respect and dignity and open communication is encouraged and diverse perspectives are valued
- ensure that policies and procedures are applied consistently and fairly (with advice from HR)
- work with HR through feedback channels to continuously improve the policy and procedures

People Directorate responsibilities

The People Directorate have a responsibility to:

- provide guidance and support, where required, about standards of behaviour and ensure these are applied consistently
- engage sensitively with other corporate policy teams where appropriate
- provide guidance and support to managers where required to manage unacceptable standards of behaviour and ensure appropriate actions are taken
- monitor and review the standards of behaviour in line with Scottish Government requirements, values and any changes in employment law

Council of Scottish Government Unions (CSGU)

Trade union colleagues will:

- provide initial support should members wish to discuss standards of behaviour
- provide professional support, advice and representation with members following discussions about acceptable or unacceptable behaviours and provide continued support where appropriate
- engage with the HR People Advice and Wellbeing team to offer assistance in identifying appropriate action to resolve issues
- provide feedback to the employer on lessons learnt to work in partnership to continually improve the process and outcomes

6. Unacceptable behaviour and examples

There is no single definition of unacceptable behaviour, although it is often described as unwanted conduct affecting the dignity of people in the workplace. Within the Scottish Government, the key to establishing unacceptable behaviour is that the behaviour, actions, comments or conduct experienced is viewed as unacceptable to the recipient.

The Equality Act 2010 provides specific protection for individuals against harassment, victimisation or discrimination on the grounds of a 'protected characteristic'. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. Read more about [our equal opportunities and diversity policy](#) and protected characteristics. Harassment, victimisation or unlawful discrimination on the grounds of a protected characteristic is therefore not just unacceptable, but is also unlawful.

Everyone has a responsibility to behave appropriately and report any incidents of unacceptable behaviour, supporting colleagues who feel they have been subject to such behaviour. In certain circumstances, a failure to demonstrate appropriate standards of behaviour in the workplace may be regarded as bullying, harassment, victimisation or discrimination. It may also fall to be considered under our [disciplinary policy and procedures](#).

There are many examples of unacceptable behaviours which have a detrimental effect on both individuals and the Scottish Government as a whole. They can significantly lower morale, motivation and/or cause increased absenteeism and staff turnover. Read a list of examples of unacceptable conduct and behaviours below - this is not an exhaustive list.

What are vexatious or malicious complaints?

The presumption is that a complaint is genuine and made in good faith, even if it is not upheld. However, if a complaint is considered to be vexatious or malicious this will be handled in line with our disciplinary policy and procedure.

Examples of unacceptable behaviour

These examples describe unacceptable standards of conduct and behaviour. They are for illustration only and are not exhaustive.

<p>Complying with Scottish Government policies and procedures and those that underpin the Scottish Government terms of appointment, such as:</p> <ul style="list-style-type: none">• misuse of the flexi system• antisocial behaviour, for example smoking in a non-smoking area, being rude to a member of the public• refusing to obey a legitimate instruction• under the influence of alcohol, or use/possession of illegal drugs while at work or acting in an official capacity• deliberate damage to our property• insubordination• negligence that causes financial loss, damage to property or injury to people• misuse of our computer equipment/systems• breaches of security• theft or fraud• deliberate falsification of records• being absent/uncontactable while working remotely for long periods without explanation	<p>Upholding the Civil Service Code and acting in line with the values of honesty, impartiality, integrity and objectivity in fulfilling our official duties:</p> <ul style="list-style-type: none">• misuse of official position, for example by using information acquired in the course of one's official duties to further one's private interests or those of others• deceiving or knowingly misleading ministers, Parliament, or others• being influenced by improper pressure from others or the prospect of personal gain• ignoring inconvenient facts or relevant considerations when providing advice or making decisions• frustrating the implementation of policies once decisions are taken, by declining to take, or abstaining from, actions which flow from those decisions• acting in a way that unjustifiably favours or discriminates against
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<ul style="list-style-type: none"> • being late for work • failure to report an absence by 10am on the first day of absence if you work a standard working pattern; if you work a non-standard pattern, phone before your scheduled start time to give as much notice as possible 	<p>particular individuals or interests</p> <ul style="list-style-type: none"> • acting in a way that is determined by party political considerations, or using official resources for party political purposes • allowing one's personal political views to determine any advice you give or your actions
<p>General:</p> <ul style="list-style-type: none"> • refusing to work with, ignoring or deliberately isolating or excluding colleagues, including from social events • excessive, or inappropriate, detailed supervision • lack of supervision which leaves the individual feeling unsupported or demoralised • discouraging someone from taking advantage of relevant and suitable training on grounds of irrelevant difference • raising a malicious or vexatious complaint • undermining an individual's authority • taking credit for others' work • reducing a job to tasks inconsistent with a person's grade, skills and abilities • not taking the blame when things go wrong • unfair work allocation • unjustifiably blocking promotion or training opportunities 	<p>Verbal, written and online:</p> <ul style="list-style-type: none"> • inappropriate comments about an individual's religious or other beliefs, sexual orientation, gender identity or trans history, race (including colour, nationality, ethnic or national origins), age, disability, impairment or condition, pregnancy or maternity, marriage or civil partnership status, socio economic background or other personal circumstances, for example their trade union involvement • leering and suggestive gestures, comments or innuendo • unwelcome comments or jokes • use of offensive language, name-calling, taunts, jokes, mockery • inappropriate questions about someone's personal or sex life

<ul style="list-style-type: none"> withholding information, ostracising, marginalising, spreading rumours, etc. displaying or circulating offensive materials any sexist, racist, sectarian, homophobic, biphobic, transphobic, ageist, ableist, language or behaviour <p>Making assumptions about:</p> <ul style="list-style-type: none"> an individual's personal or social life or sexual orientation their physical or mental capability capability on the grounds of age the existence of a non-visible impairment ability or competence 	<ul style="list-style-type: none"> unwanted or derogatory comments about dress or appearance aggression, threats, shouting, swearing, abuse humiliating, ridiculing or belittling efforts in front of others or in private gossip and speculation about an individual's personal life, for example their sexual orientation or trans history any sexist, racist, sectarian, homophobic, transphobic, biphobic, ableist, ageist engagement in any conduct online that would be unacceptable in the workplace or is unlawful, including making derogatory remarks, bullying or intimidating other users, or posting hateful, threatening, discriminatory, harassing or pornographic content; this includes conduct on social media which may have been carried out using personal equipment or out of working hours depending on the circumstances or impact <p>Physical:</p> <ul style="list-style-type: none"> inappropriate physical contact, advances or propositions attacks, abuse or intimidation
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7. Reporting and further support

Everyone has a responsibility to report any incidents of unacceptable behaviour. It's best to raise any issues informally as early as possible. This can minimise the

potential for negative personal impact and reputational harm. You should raise issues with your manager in the first instance, or a more senior manager in your directorate if you can't discuss it with your manager.

There are points of contact and supporting guidance to ensure there is an escalation and reporting route available to everyone, including:

- [the Civil Service Code](#) - contact a [nominated officer](#) or [the HR People Advice and Wellbeing team](#)
- [grievance policy](#) and [procedure](#) - contact [the HR People Advice and Wellbeing team](#)
- [Scottish Government terms of appointment](#) - contact [the HR People Advice and Wellbeing team](#) who can direct you further if the concern relates to unacceptable behaviour and conduct
- harassment, including sexual harassment – contact [REDACTED] or [REDACTED] in [the HR People Advice and Wellbeing team](#)
- security concerns - read the guidance on how to [report a security concern](#)
- complaints about [ministers/former ministers](#)

Other sources of support:

- [HR People Advice and Wellbeing Counsellors](#) is an internal service offering free confidential support, advice and counselling to colleagues on a variety of personal and work-related issues
- [HR People Advice and Wellbeing team](#) provide confidential support and signposting around personal and work-related concerns. They also provide advice and guidance to colleagues and managers on all areas of health and wellbeing
- [Employee Assistance Service](#) is available 24 hours a day, 365 days a year online and on free phone 0800 032 9849. It provides professional support and guidance to colleagues employed by the Scottish Government who are experiencing emotional, practical, health and social problems from trained welfare and counselling practitioners. A wide range of counsellors are available. You can also request to be contacted by someone from a particular background or with particular experience if you have a preference
- [Council for Scottish Government Unions \(CSGU\)](#) provides support to their union members

8. Glossary of terms - different types of behaviour

This page explains some of the terms we refer to when talking about standards of behaviour.

Bullying

Bullying in the workplace does not have a legal definition. It can however be viewed as any offensive, intimidating, malicious, isolating or insulting behaviour. It can also cover abuse or misuse of authority to undermine or humiliate somebody. This behaviour can relate to the actions of a single person or a group. When considering if someone has been bullied at work, the effect of the alleged bullying as well as any intent behind, should be considered; bullying can occur even where there has been no intent to bully.

Discrimination

Discrimination can take a number of forms which include:

- direct discrimination when someone is treated less favourably than another person because of a protected characteristic they have or are thought to have (see perception discrimination), or because they associate with someone who has a protected characteristic (see discrimination by association)
- discrimination by association is discrimination against someone because they are associated with another person who possesses a protected characteristic
- perception discrimination is direct discrimination against an individual because others think they possess a particular protected characteristic. It applies even if the person does not actually possess that characteristic
- indirect discrimination can occur when an organisation has a condition, rule, policy or even a practice that applies to everyone but particularly disadvantages individuals who share a protected characteristic and there is no objective justification for it

Harassment

Harassment includes unwanted conduct which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for that individual. It affects the dignity of people in the workplace and can relate to somebody's age, disability, sex, race, gender reassignment, pregnancy and maternity, religion or belief or sexual orientation. This behaviour can take place as an isolated incident or over a period of time.

The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient. Anyone is able to complain of behaviour that they find offensive even if it is not directed at them.

Victimisation

Victimisation can occur when a person is put at a disadvantage or treated in a less favourable way because they have, or intend to, make a complaint about an incident of discrimination or harassment or other form of unacceptable behaviour. It includes situations where a complaint hasn't yet been made but someone is victimised because it's suspected they might make one.

An individual is protected from victimisation even if the allegation turns out to be wrong and is not upheld, providing that it was made in good faith.

Vexatious or malicious complaints

The presumption is that a complaint is genuine and made in good faith but if a complaint is considered to be vexatious or malicious, this will be handled in accordance with the [disciplinary policy and procedure](#).

A vexatious complaint is one that is unreasonable, without foundation and is pursued, regardless of its merits, solely to harass, undermine, annoy or subdue a colleague.

A malicious complaint is one that is made with the intention of causing harm, for example, deliberately seeking to defame a colleague or manager and raising a complaint with this intent. This could be through lying about an issue or incident in the knowledge that this will cause harm, or knowingly basing a complaint on rumour and gossip with the intention of causing harm.