

Code of Conduct Policy

Descriptor	Changes made	Date	Version
Policy first implemented	-	Sept 2016	0.1
Review no.1	Enhanced Section 4: Dignity and Respect	01/07/2019	2.0
Review no.2	Updates to reflect change in team names and updates to policy titles	Jan 2021	3.0
Review no.3	Updates to reflect change in policy titles	March 2023	4.0
Review no. 4	Updated to reflect change in policy titles, addition of Sexual Harassment definition, Modern Slavery and PVG policy	April 2025	5.0

Name of policy being superseded (if applicable)	N/A
Related policies	Disciplinary Policy & Procedure Early Concerns & Grievance Policy Other related policies as noted at each section
Related SOPs	N/A
Related Guidance	As noted at each section
Equality Impact Assessment completed	Yes
Island Community Impact Assessment completed	Yes
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Team responsible for policy	HR
Policy owner contact details (email)	Luke.hopkin@sds.co.uk
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Policies should have a clear purpose and perform at least one of the following functions. Please identify all the functions this policy performs.	If statement applies, please mark with an X below
Outline how we allocate limited resources to deliver services or outcomes	
Outline how SDS adheres to legislation, statutory duty etc.	x
Ensure fair and consistent allocation of benefits	
Protect organisational assets, including data	X
Define expectations around the employee/employer relationship	x
Other (please specify)	

At SDS, we aim to be an employer of choice, an exemplar of fair work and an organisation which is internationally recognised for excellence, innovation, and customer-focus. In order to achieve our ambitions for SDS we need to ensure we adhere to the high standards expected of a publicly-funded body which serves the people and businesses of Scotland. This means we must ensure we all operate with honesty, integrity, openness and in line with our organisational values.

Everyone understands why such behaviours are necessary, and each of us has a personal responsibility for our own behaviour and actions. That's why it's important that we all have clarity of the specific duties and expectations placed upon us so we know how to act appropriately in a range of situations and minimise the risk of our integrity being called into question.

Our Code of Conduct is intended to help provide this clarity by bringing together in one place the essential standards of behaviour that guide our individual actions. These are wide ranging and often reflect legal obligations, so it's important that we each take the time to read and understand the Code.

The ultimate aim of the Code 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 colleagues experience any situations not covered by this policy, the simple message is to please ask your line manager.

By working together with the guidance in our Code of Conduct in mind, we can enhance the strong reputations I know our individuals and teams hold and continue to achieve our ambitions for the people and businesses of Scotland.

Damien Yeates

Chief Executive

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1 INTRODUCTION

Skills Development Scotland (SDS) is a public body funded from public resources and accountable to the Scottish Government and the Scottish Parliament. Employees of SDS should carry out their duties with integrity, impartiality and efficiency.

SDS is focused on our customers and staff and we value our people. Our success is dependent on both the quality of our services and the way in which they are delivered, and is underpinned by our values:

- We put the needs of our customers at the heart of all we do
- We continuously improve to achieve excellence
- We demonstrate self-motivation, personal responsibility and respect
- We make use of our combined strengths and expertise to deliver the best outcomes.

We expect every employee to conduct themselves according to high professional and ethical standards and in a way that maintains our values.

This Code of Conduct builds upon those values and sets out how we will behave with our customers and each other.

No policy dealing with the conduct of employees can be fully exhaustive. If you are ever in doubt about what you are about to do, and whether it could be construed as misconduct, then advice and guidance should be sought from your immediate line manager or the Human Resources (HR) department.

2 PURPOSE

The purpose of the Code of Conduct is to summarise the standard of conduct and behaviour we expect in SDS. It is also to assist us in making compliant and correct decisions in our day to day working practices. By highlighting and applying our benchmark for exemplary ethical behaviour we promote SDS's reputation for best practice, integrity and high standards of ethical conduct.

3 SCOPE & COMPLIANCE

This policy applies to all employees within SDS. Board Members comply with their own Code of Conduct.

Individuals who are seconded into SDS from another organisation (or employed through an agency) will be required to comply with this policy.

Everyone involved in SDS business, including third party contractors and Board Members, has a responsibility to familiarise themselves with this Code and the standards it sets out.

3.1 Following the Code of Conduct

In order to ensure all new employees are aware of their responsibilities under the Code of Conduct, they will be asked to confirm that they have read and understood the requirements of this policy and confirm that they will comply with it when they start working for SDS.

3.2 Failure to Follow the Code of Conduct

Failure to follow the Code of Conduct will be treated seriously and may lead to disciplinary action being taken, up to and including dismissal and in some cases summary dismissal. In any disciplinary situation SDS may involve external authorities where external regulations have been breached and/or involve the police if a criminal offence may have been committed.

A list of Disciplinary Rules can be found in the Appendix, which list examples of gross misconduct. These apply to all employees of SDS. Gross misconduct will attract the penalty of summary dismissal unless the mitigating circumstances in which the misconduct is committed are deemed to justify a reduced penalty. The list is neither exhaustive nor, does it preclude disciplinary action being taken by the organisation against an employee for misconduct of any sort. Disciplinary action will be taken in accordance with the Disciplinary Policy and Procedure.

As there may be examples of misconduct which haven't been listed, managers can highlight other examples to the Human Resources department as required. These examples may be added to the list of Disciplinary Rules.

3.3 Raising Concerns

If you believe that you or another employee's behaviour contravenes the Code of Conduct, it is vital that you raise the issue with your line manager or another senior manager.

In certain circumstances, SDS's Whistleblowing Policy and Procedure should be used to make a disclosure. For example, if during the course of your work you come across or believe that there is practice of wrongdoing which conflicts with commitments to comply with laws, statutory regulations or seriously breaches SDS policies and procedures. Employees should refer to the Whistleblowing Policy and Procedure for full information on making a disclosure and if required, obtain advice from the Human Resources department.

All concerns raised will be taken seriously. SDS will take appropriate action to maintain confidentiality and ensure that protection against victimisation is put in place where concerns are raised in good faith. Employees who raise false concerns maliciously will be subject to disciplinary action.

4 PERSONAL CONDUCT

4.1 Dignity and Respect.

SDS is committed to ensuring that a culture of dignity and respect exists within the organisation, which enables employees to reach their full potential and perform to the best of their capabilities.

All employees have the right to be treated with respect at all times and the organisation is committed to eliminating any form of bullying and harassment and any unlawful and unfair discrimination. It is our aim to provide an organisation which is free from any such unwanted forms of behaviour.

4.2 Discrimination, Harassment and Bullying

SDS adopts a zero-tolerance approach to bullying and harassment. SDS endeavours to make every effort to provide a working environment free from all forms of unlawful discrimination, bullying, harassment, victimisation and from intimidation. All employees should be treated and should treat others with respect.

Every employee is required to assist the organisation to meet its commitments to provide equal opportunities in employment and avoid unlawful discrimination. Employees can be held personally liable as can the organisation, for any acts of unlawful discrimination.

SDS is committed to equal opportunities for all and recognises the need to ensure no one is unlawfully discriminated against, bullied or harassed in recruitment or employment because of age, disability, sex, gender reassignment, pregnancy and maternity, race (which includes colour, nationality and ethnic or national origins), sexual orientation, religion or belief, or because someone is married or in a civil partnership. These are known as "protected characteristics" as defined in the Equality Act 2010. As well as the protected characteristics defined by the legislation, SDS does not tolerate bullying, harassment or discrimination based on other grounds such as gender identity/expressions, care experienced or socio-economic background.

Unlawful discrimination against any colleague, supplier or customer is unacceptable. Where allegations of misconduct raise concerns of a potentially criminal nature, SDS may take advice from and/or report the matter to the police.

It is generally unlawful to discriminate directly or indirectly, harass or victimise a member of the public based on any of the protected characteristics in the provision of services, goods or facilities.

There are various types of unlawful discrimination, including:

Direct discrimination is defined as treating someone less favourably on the basis of a protected characteristic. The protected characteristic could be one that the individual possesses, they are perceived to possess, or a protected characteristic possessed by someone they are related to or associate with.

Indirect discrimination is defined as applying a provision, criteria or practice to all, which could lead to a disadvantage to a group of persons who share a protected characteristic. Indirect discrimination will be unlawful unless it can be objectively justified.

Victimisation occurs when someone is subjected to a detriment because they have brought discrimination proceedings, given evidence in discrimination proceedings, made an allegation of discrimination or done anything else by reference to discrimination legislation.

Harassment takes many forms and is termed as unwanted conduct which has the purpose of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment or, is reasonably considered by that person to have that effect, even if this effect was not intended by the person responsible for the conduct. Harassment will be discriminatory if it is related to a protected characteristic.

Sexual Harassment is defined by the Equality Act 2010 as unwanted conduct of a sexual nature.

Conduct may be harassment whether or not the person behaving that way intends to offend, and whether the behaviour is persistent or an isolated incident. Something intended as a joke may offend another person. Different people find different things acceptable. Everyone has the right to decide what behaviour is acceptable to them and to have their feelings respected by others.

Employees must never engage in the following conduct:

- unwanted physical contact or proximity: including but not limited to, unnecessary touching, unwelcome sexual advances, sexual assault;
- verbal conduct: including sarcastic comments, name-calling, unwelcome advances, sexual remarks, propositions, threats, lewd or demeaning comments, comments relating to a person's appearance;
- unwelcome jokes or comments about a protected characteristic or of a sexual nature or name calling related to a protected characteristic;
- Non-verbal conduct: threatening or intimidating behaviour (including aggressive body language; aggressive emails / other forms of contact, displaying or sharing sexual images or other sexual content)
- ignoring or excluding an individual because they are perceived to have a protected characteristic; or
- ignoring or excluding an individual because they are associated or connected with someone with a protected characteristic.

Some examples of harassment by perception (whether or not the individual has the characteristic) would include:

- ignoring an employee because they are thought to be of a particular ethnic background; or perceived to be gay or transgender
- the open display of particular objects with racial overtones, such as magazines or calendars, even if not directed at any particular person or relating to their actual or perceived race

Some examples of harassment by association would include:

- excluding an individual because their child is gay or, partner is black or, parent is disabled

Bullying includes offensive, intimidating, malicious or insulting behaviour and/or an abuse or misuse of power that is meant to undermine, humiliate or injure a person.

Employees must not engage in conduct that may be deemed as bullying and/or denigrates, ridicules, or is intimidating to fellow employees, such as:

- picking on someone
- isolation of a colleague
- non-cooperation at work
- exclusion including from work-sponsored social activities
- withholding information
- setting impossible objectives
- over-ruling a person's authority
- undermining skills and capabilities
- spying or abuse of powers
- unnecessary or malicious threats of formal complaints or grievances that cause intimidation
- shouting at someone, in public or private
- embarrassing or humiliating someone in front of colleagues or customers
- persistent unfounded criticism
- accusations and spreading malicious rumours
- victimising someone
- cyberbullying (explained further below)

Raising Concerns and Getting Support

Support will be provided to employees who feel they are being bullied, harassed or discriminated against. Employees are encouraged to raise any concerns with their manager, where appropriate, in the first instance, or a more senior manager to discuss the options available (including seeking to resolve the matter informally or, where appropriate, raising a formal grievance under the Early Concerns and Grievance Policy and Procedure). Employees may feel able to approach the person directly or, may seek support from their manager, a more senior manager, the Director of HR via the confidential Code of Conduct Policy v5.2025

Mailbox BullyingHarrassment&Whistleblowing@sds.co.uk or someone else in the organisation with a view to sorting the matter out informally.

If employees wish for further support to reach an informal resolution, SDS also offers an Early Concerns Facilitation and Mediation service. More information on this service can be found on Connect.

If an informal approach does not resolve matters, or the employee believes the situation is too serious to be dealt with informally, they can raise a formal grievance by using the organisation's Early Concerns and Grievance procedure.

If a colleague believes that another colleague is being harassed or bullied, victimised or discriminated against, they are encouraged to speak to them about it and highlight the options available in terms of informal and formal support.

Employees who feel that they could benefit from counselling support at any point, may contact the Employee Assistance Programme. Further information can be obtained from the HR department. Further advice and support can be obtained from the employee's Trade Union (TU) representative or the HR department.

Acts of discrimination, harassment, bullying or victimisation against employees or customers are disciplinary offences and will be dealt with under the organisation's Disciplinary Policy and Procedure.

4.3 Performance and Attendance Management

SDS prides itself on providing a range of support measures to help employees achieve an effective work-life balance and satisfactory level of attendance and performance. As such, employees are expected to attend work punctually and provide regular and effective service.

SDS is committed to maximising attendance and ensuring that all periods of absence are managed promptly, fairly, sensitively and in line with business needs. Employees are expected to work cooperatively with SDS in managing absences, following absence management procedures, and attending meetings in relation to their absence.

SDS is committed to providing investment in training and development for all employees. We fully expect employees to take responsibility for their own development needs and make use of the resources available to them in order to meet the requirements of their role.

Employees are expected to perform their role to the standards required by SDS and in line with their objectives and job description. Where performance or attendance standards fall short of expectation, we expect employees to work cooperatively with SDS to improve, as required. In these circumstances, SDS will help employees bring their attendance or performance to a satisfactory level so they can make a full contribution to the organisation and its customers.

4.4 Image and Appearance

Personal appearance can contribute to the image and reputation of SDS. You should maintain a professional image at all times and dress in an appropriate manner. Advice can be sought from your line manager if required.

SDS recognises the diversity of cultures and religions of its employees and takes a sensitive approach when this affects dress requirements. While taking into account cultural diversity, consideration will also be given to health and safety, security and other similar considerations as required.

4.5 Use of Social Media

Social media is the term commonly given to websites and online tools that allow users to share content, express opinions or interact with each other easily.

Some common examples include: blogs, wikis, social networks (e.g. X, Snapchat, Facebook, , LinkedIn, TikTok, Viva Engage), forums, podcasts and content communities (e.g. YouTube, Twitch etc.) Text messaging is also recognised as a form of social media.

All employees have a responsibility to familiarise themselves with SDS's Social Media Policy and Using SDS IT Equipment and Systems Policy. Employees who see an opportunity for positive collaboration on partner social media pages should be aware that no activity should be carried out on behalf of SDS without prior planning and approval by the Marketing and Communications Team.

Employees must have all work-related communications, including posting official work-related updates to social media sites or using marketing materials, pre-approved by a member of Marketing and Communications via marcomms@sds.co.uk. Employees who do not seek approval will be held personally accountable for the publication which may lead to disciplinary action, up to and including dismissal.

Cyberbullying through social media may involve posting or sharing inappropriate photographs, making offensive or threatening comments or sharing sensitive personal information about others without their permission. Cyberbullying is unacceptable and is as damaging as any other kind of bullying. Cyberbullying may occur even if the victim does not see the posts online, but their colleagues do, or they become aware of it by other means.

All employees must ensure that they do not use social media, whether for work or on a personal basis, to publish content that could be damaging to SDS, even indirectly. This includes any comments or views that may be considered defamatory, abusive or offensive in nature. This also includes publishing or sharing illegal materials, prohibited images, or material that may amount to discrimination, bullying or harassment.

Employees must not post comments about sensitive organisational topics, such as organisational performance, confidential information and intellectual property. Employees must not include SDS logos or other trademarks in any personal social media posting or in their profile on any social media¹.

¹ With the exception of LinkedIn profile work experience section.
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While using social media employees must not identify other SDS employees or service users, publish personal data or information about any individual without their explicit written permission, or publish any information that is not yet in the public arena unless authorised to do so.

Employees must not publish any comments or information that may undermine public confidence in SDS, or act in any way that may bring SDS into disrepute.

If SDS employees wish to participate in political activities through social media they should always make clear that any views or opinions expressed or comments made by them are entirely their own, and that they are not speaking or acting for or on behalf of SDS. Employees may also refer to section 6.4 Political Activities.

Misuse of social media is likely to lead to disciplinary action, up to and including summary dismissal. Where allegations of misuse raise concerns of a potentially criminal nature, SDS may take advice from and/or report the matter to the police.

4.6 Conduct at Social Events

SDS employees may attend work-related social events that take place away from the workplace and outside of normal working hours, including parties, leaving-do's, conferences and other events. The organisation's Code of Conduct applies to such events.

Whilst management does not wish to put a dampener on employees' enjoyment of social events, it is in everyone's interests to apply certain rules of conduct for the protection and comfort of all. Employees who attend work-related social events must adhere to the following rules and principles:

- If employees wish to consume alcohol at work-related social events, this should be undertaken responsibly and in moderation irrespective of whether the organisation provides or pays for the drinks. Employees should behave in an appropriate, mature and responsible manner. Excessive drunkenness is unacceptable
- It is strictly forbidden for any employee to use illegal drugs, including cannabis, at any work-related social event whether on organisation premises or not
- The organisation's policy on discrimination, victimisation, harassment and bullying applies to work-related social events
- Employees should not say or do anything at a work-related social event that could offend, intimidate, embarrass or upset any other person, whether as a joke or not
- Swearing and intemperate language are unacceptable at work-related social events
- Employees must not behave in any way at any work-related social event that could damage the organisation or bring it into disrepute

SDS is committed to ensuring equality of opportunity and fair treatment. Discrimination, bullying, victimisation or harassment of any kind is not tolerated by SDS at work-related events.

Inappropriate conduct outside of work may result in disciplinary action, up to and including summary dismissal, if it impacts or affects your ability to do your job or has the potential to damage the reputation of SDS.

5 HEALTH, SAFETY AND WELLBEING

5.1 Safe Working Conditions

SDS is committed to ensuring the health, safety and wellbeing of its employees, and each employee plays a critical role in ensuring the quality and safety of working conditions.

Employees are expected to adopt a pro-active approach and attitude towards health and safety and comply with all applicable policies, procedures, rules and guidelines in this area.

Employees should be aware of SDS's Health, Safety and Wellbeing Policy and their responsibilities.

SDS expects all employees and those who work in or visit SDS premises to:

- Lead by example and help promote a positive culture and a safe and healthy working environment
- Ensure that nothing supersedes safe working practices even when responding to a crisis situation
- Comply with all health and safety laws and regulations which are designed to protect your health and safety and that of your colleagues and clients
- Take responsibility for your own health and safety and the safety of others who may be affected by your actions or omissions.

All employees have individual responsibilities under the Health and Safety at Work etc Act 1974 and must never put others at risk through non-compliance with SDS's Health and Safety policies and procedures.

SDS encourages everyone to be proactive on health and safety issues and expects all individuals, including those who work or visit SDS premises, to:

- report all hazards that you cannot eliminate or control
- report all accidents, incidents or near misses
- use all work items safely and correctly (Including Personal Protective Equipment) and in accordance with any training and instructions
- attend safety training and fully co-operate with SDS to perform any duty, or to comply with any requirements arising from any Health and Safety legislation which may be in force
- seek first-aid treatment for any injury sustained at work
- cease any work activity or leave any work area that may be dangerous
- never intentionally or recklessly interfere with, or misuse equipment that has been provided for the purpose of health, safety and wellbeing
- never put others at risk through non-compliance with Health and Safety policies and procedures.

A breach of health and safety policies and procedures, rules, regulations or laws is likely to lead to disciplinary action up to and including dismissal and/or criminal liability and prosecution.

5.2 Driving Safely

SDS is committed to protecting the health and safety of all its employees whilst at work, which includes when driving on company business. SDS requires employees who drive for work to familiarise themselves and follow the organisation's Driving Safely Policy. The Policy explains employee's responsibilities and the measures that SDS will take before authorising you to drive for work and to improve your driving safety and awareness.

SDS and employees have a duty of care to each other, and employees are required to ensure they are legally fit to drive. As such, SDS is required to minimise the risks of a breach of health and safety or road traffic laws, by undertaking relevant checks.

All employees who are required to drive for SDS must undertake an approval process before driving for SDS and ensure their driving safely information is kept up-to-date.

Employees who drive for work must adhere to all driving laws and be aware that the following acts are a criminal offence and could lead to criminal prosecution. All employees should:

- never drive whilst under the influence of illegal drugs or have illegal drugs in their blood (even if the substances haven't affected their driving)
- never breach drink driving laws and be aware of alcohol limits within different parts of the UK
- never use a hand-held mobile phone or similar device whilst driving. Hands-free phones are also a distraction and there is risk of prosecution for not having proper control of a vehicle.

A criminal offence or conviction of this nature is likely to lead to disciplinary action. Where a conviction or disqualification prevents the employee from carrying out their duties or detracts from the suitability or acceptability of the employee to perform their role, this is likely to lead to termination of employment.

5.3 Smoking Restrictions

SDS is committed to providing a non-smoking, healthy and safe environment for everyone who works, visits, or has business at any of our SDS workplaces or centres.

Employees are expected to comply with the SDS Smoking Policy, which outlines the rules on smoking for employees and visitors. This includes the use of E-cigarettes, personal vaporizers (PVs), electronic nicotine delivery systems (ENDS) and any other battery-operated devices that mimic tobacco smoking and are often used as a replacement for cigarettes.

SDS prohibits smoking:

- In any of SDS's premises without exceptions
- Within the immediate or surrounding areas of front and back doors

5.4 Alcohol and Drugs

SDS is committed to ensuring the health, safety and wellbeing of its employees and those affected by its activities. It will take all reasonable steps to reduce, if not eliminate, the risk of injuries or incidents occurring due to the effects of alcohol or substance misuse

Alcohol consumption or the inappropriate use of drugs affects individuals' health and work performance in terms of safety, efficiency, productivity and attendance.

Employees must familiarise themselves with the Substance Misuse Policy and Procedure and understand their obligations and responsibilities.

SDS expressly prohibits the use of any illegal drugs (including psychoactive substances, formerly known as 'legal highs') or any prescription drugs that have not been prescribed for the user while at work. It is a criminal offence to be in possession of, use or distribute an illicit substance. If any such incidents take place on the organisation's premises and/or during work hours at any time or, at a work-related event, they will be treated as serious and will be investigated. Such actions are likely to lead to disciplinary action up to and including summary dismissal and possible reporting to the police.

Employees must never work under the influence of alcohol or drugs or be under the influence whilst travelling to work.

Employees must never drive on behalf of SDS, in any capacity, whilst under the influence of alcohol or drugs. Employees must never consume alcohol during work hours, or on premises except at an approved work-related event.

The Health and Safety at Work etc Act 1974 has an over-arching requirement that employers should keep employees and third parties free from risk of harm as far as reasonably practicable. As such, SDS does not allow alcohol consumption during the working day as, Health and Safety Executive research shows that even at blood alcohol concentrations lower than the legal drink/drive limit, alcohol reduces physical co-ordination and reaction speeds and will increase the risk of an accident. It also affects thinking, judgment and mood. Therefore, employees must not drink alcohol during the normal working day, whether at home or in an SDS workplace, including lunchtime and other breaks.

Where alcohol is consumed during a work-related event out-with working time, it is expected that employees conduct themselves professionally, in accordance with the above policy on Conduct at Social Events (Section 4.6) and do not breach the SDS Code of Conduct.

SDS is also aware of its duty under the Health and Safety at Work etc Act 1974 to ensure that employees are not putting their own health and safety or, that of others in the workplace at risk. As such, employees taking prescribed medication that may affect their ability to carry out their work safely, must ensure they follow the medical instructions given and inform their manager immediately. For example, medication which causes drowsiness, will impact an employee's ability to drive safely for work. A referral to Occupational Health may be required in such circumstances to obtain further management advice on reasonable next steps.

SDS recognises the need to deal sympathetically and constructively with the issue of drug or alcohol dependency and provide reasonable support. Any employee suffering from drug or alcohol dependency should declare such dependency to their manager and SDS will apply the appropriate actions as outlined in the Substance Misuse Policy and Procedure.

6 PERSONAL INTEGRITY

6.1 Criminal Convictions

It is a condition of employment with SDS that employees inform their manager and the Human Resources department if convicted of any criminal offence, including driving offences.

Failure to disclose a criminal conviction (which includes spent convictions if an exception under the Rehabilitation of Offenders 1974 (Exclusions and Exceptions) (Scotland) Order 2013 applies to the employee's post) is considered a disciplinary offence and can be held to constitute gross misconduct.

SDS reserves the right to terminate employment, with or without notice or payment in lieu, in any case where an employee has failed to disclose a conviction prior to the commencement of, or during employment.

A criminal investigation, charge or conviction relating to conduct outside work may be treated as a disciplinary matter if we consider that it is relevant to your employment.

Where an employee is charged by the police and is the subject of any criminal proceedings, this must be disclosed to their manager as soon as possible.

6.2 Legal & Regulatory Compliance

All employees are required to comply with all applicable legal requirements and regulations relevant to the work they undertake. These can include compliance with externally set registration requirements and professional standards of conduct.

Employees in a role involving regulated work must be a member of the PVG scheme and be aware of their responsibilities as set out in the PVG policy

6.3 Secondary Employment

SDS recognises that employees may wish to undertake secondary employment on a temporary or permanent basis and does not wish to discourage anyone from doing so.

Secondary employment is any job, whether paid or unpaid, with any employer and on any type of contractual arrangement or any type of self-employment. This may include secondary employment within SDS itself, engaging in work on a voluntary, fee-paying, or recognition-in-kind basis or, engaging in any other business activity.

All employees must seek written consent from their immediate manager before assuming secondary employment by using the Secondary Employment Consent Form. Consent from SDS will not be unreasonably withheld. SDS has the right to require employees to provide details of any secondary employment/self-employment and may deny, withdraw or change the terms of consent for such activities, depending on the circumstances.

Failure to notify SDS of secondary employment, or obtain the necessary consent, may result in disciplinary action.

Where requests are granted, employees should ensure that any secondary employment activities are conducted within their own time and not during SDS working hours (including when working from home) or using SDS equipment and resources. Should it transpire that this is not the case, this may lead to disciplinary action.

Employees undertaking secondary employment must ensure it does not have an adverse effect on their ability to carry out (and/or return to) their role with SDS and that expected standards of performance in their role are maintained.

Employees must not undertake secondary employment whilst on sick leave without prior consent.

The carrying out of public duties, such as Membership of the Territorial Army or appointment as a Justice of the Peace, as defined under the Employment Rights Act 1996, does not count as a second job. The Act also covers members of the following public bodies:

- a local authority
- a statutory tribunal
- a board of prison visitors or a prison visiting committee
- a relevant health body
- a relevant education body
- The Environment Agency, the Scottish Environment Protection Agency or a relevant Scottish water and sewerage authority.

Time off for public duties is granted by SDS in line with the Special Leave Policy.

Public duties, outside interests, personal investments or being a member of a committee do not count as secondary employment.

To help SDS monitor the hours employees work and to comply with The Working Time Regulations 1998 ("the Regulations"), employees must disclose their total working hours if they have secondary employment. Where additional secondary employment will result in, or be likely to result in, a breach of the Regulations in respect of the maximum weekly working time (currently 48 hours), employees will agree to opt out of a maximum weekly working time limit.

Some secondary work does not produce an income, such as voluntary work or fundraising. This does not preclude it from the rules under The Working Time Regulations, and SDS still has a duty to manage working hours and comply with the Regulations.

Any secondary employment must not breach the duty of trust and confidence between SDS and the employee. SDS has an interest in ensuring that any secondary employment will not result in an actual or perceived conflict of interest. Where the employee is aware that there may be an actual or perceived conflict of interest arising from secondary employment, the employee is required to declare this information.

Where there may be a conflict of interest, or the possibility of an adverse effect on the work of an employee or it is otherwise likely to impact adversely on the work of SDS, then secondary employment will not be permitted.

6.4 Political Activities

It is vital that employees exercise care in their day-to-day SDS activities and ensure that they do nothing which could reasonably be regarded as taking a political stance in their work.

SDS employees are free to participate in political activities but are strongly advised to view them as a potential conflict of interest (see section 6.5 Conflict of Interest) and follow the advice provided in relation to these.

Employees who participate in political activities should always make it clear that any views or opinions expressed, or comments made by them are entirely their own and not those of SDS, and they must at all times ensure it is clear that they are not speaking for or acting on behalf of SDS. Elected trade union representatives are able to comment on political matters when representing the legitimate interests of their members, providing it is made clear that these views are being expressed in their official capacity as a trade union representative.

SDS employees should:

- Ensure that in carrying out their day-to-day work, they do nothing which could reasonably be construed as politically motivated
- Not make, copy or distribute political materials using SDS equipment or resources
- Not conduct political activities during paid working time or on SDS premises
- Not coerce any employee into any political contribution
- Not offend fellow employees with inappropriate political messages or symbols, such as flags, posters or screen savers
- Not make known publicly any confidential information about the organisation, its Board members or employees, which they may have or have access to by reason of their employment
- Take every care to avoid commenting upon, criticising or causing embarrassment to either the organisation or its activities.

It is specifically imperative for SDS employees who are involved in political activities that they must not comment on any Government policy or any political party's policy, relative to any SDS activity.

Employees should not, as representatives of SDS, attend conferences, seminars, or such like which have been convened by or, connected with any political party or concerning a national or local political controversy, unless it is considered that SDS should be represented at such conferences.

If there is any doubt, employees should contact Marketing and Communications at marcomms@sds.co.uk before participating in any political activity.

6.5 Conflict of Interest

We must be alert to any situation that might erode our reputation or cause others to doubt the fairness or impartiality of SDS or its decision-making process. Conflict of interest describes circumstances that would cast doubt upon our ability to act with objectivity and independent judgment in pursuing SDS's best interests.

In considering potential conflicts of interest an employee should ask themselves whether others, including a member of the public, acting reasonably would think the interest was close enough to influence their actions and decisions.

A conflict of interest can occur where you have access to SDS information and use it or could be perceived as using this information for personal gain or advantage.

Employees must never misuse their position, or any information obtained in the course of employment to further their own interest or the interests of others such as relatives, external organisations or personal contacts who then gain, or could be perceived to gain an advantage or benefit by receiving this information. Personal contacts should be taken in its widest sense and could include someone you play sport with, someone who is a member of the same club as you or even a close personal relationship with a colleague. Such misuse may result in disciplinary action, up to and including dismissal and in certain circumstances constitute a criminal offence.

If there is thought to be a conflict of interest, employees have an obligation to notify their immediate manager and the Board and Committee Team to declare their interest.

6.5.1 Examples of Conflicts of Interest

An employee must draw a clear distinction between any private interest and their duty to SDS, which requires impartial judgment, and seek to promote the best interest of the organisation regardless of personal attachments, feeling or views.

Private interests need not necessarily be a business or financial one. Kinship, friendship, membership of an association or society or club, trusteeship and many other kinds of relationship can sometimes influence judgment or **give the impression** that they might do so.

Some examples of where a conflict of interest could arise are provided below:

- If it is part of your job to advise on the appointment of other staff, suppliers or consultants, or you are involved in making a procurement decision, you should not allow any personal or other preference to influence your judgment but should recommend the person or firm that will best serve SDS

You should not canvass the support of colleagues for any candidate and should resist any attempt by others to canvass your support. All employees involved in the appointment of staff, suppliers or making a purchasing or procurement decision should highlight any possible conflicts of interest to their line manager, at an early stage so appropriate action is taken to resolve them.

The duties of the budget holder and purchaser involved in a procurement process should be separated and not be performed by the same individual. Employees involved in these duties should follow the Procurement Policy to ensure that conflicts of interest are avoided and safeguards against impropriety or unethical practice is maintained. If a possible conflict of interest is discovered only after the contract or other matter is in progress, this should be highlighted to immediate manager and the Board and Committee Team.

No contract will be awarded to an employee of SDS or to an organisation of which the employee is closely connected, without the prior permission of the relevant functional

director. For the purposes of this policy 'closely connected' includes:

- A partnership of which the employee is a member, a company in which they are a director (except as a nominee of SDS) and a company of which they are the beneficial owner of 5% or more of the issued share capital
- Businesses as above where the direct contact is through an employee's spouse or partner or other immediate family member, business associate or friend

Other examples of conflicts of interest include:

- You are involved in voluntary work for a charity which may benefit financially or otherwise be affected by a decision or recommendation that you are involved in making in the course of your work for SDS
- You are involved in conducting or making decisions relating to a disciplinary or grievance, promotion or grading, or payment of additional expenses/overtime where you are related to the employee or, have a close personal relationship

6.5.2 Registration of Interests

It is the responsibility of all employees to declare any **actual** or **potential** conflicts of interest. If you are in doubt about whether an actual or potential conflict of interest exists, then speak to your line manager.

If you consider there **may** be an actual or potential conflict of interest, you should firstly speak to your manager and then register the potential conflict by completing a Register of Interests Form available from the intranet or by contacting the Board and Committee Team. A Register of Employee Interests will be retained by the Board and Committee Team. The requirement to declare interests on this central register applies to all SDS employees regardless of grade or seniority.

A declaration should be made in writing to your manager as soon as it is known that a conflict of interest may exist. This may be on joining SDS or assuming a different position to that previously contracted or when the interest materialises.

By doing so, this will safeguard you from the possibility of future criticism and allow your manager to plan your work accordingly to avoid actual or potential conflicts of interest arising which could negatively impact SDS and potentially result in disciplinary action being taken against you.

Similarly, if a manager becomes aware of an actual or potential conflict of interest which an employee appears not to have raised, they should raise the matter with the employee and take appropriate action. The manager may wish to take advice from the Board and Committee Team in the first instance.

Employees will be notified in writing by the Board and Committee Team in line with procedural guidance of any further proportionate actions that an employee will be required to undertake regarding any conflict of interest.

6.5.3 Personal Relationships

SDS recognises that employees who work together may form personal friendships and, in some cases, close personal relationships. SDS acknowledges that personal relationships are a normal part of working life, and it does not wish to interfere with the personal lives of

its employees. However, it does encourage employees to be open and honest about them for the protection of the employees themselves and the organisation.

Whilst SDS does not wish to prevent or deter personal relationships at work, the organisation is required to protect its interests and minimise any risks. For example, there may be a potential for a conflict of interest including favourable treatment where there is a manager and direct report relationship, or unfavourable treatment where a relationship breaks up.

SDS is also required to minimise the risk of any breach of trust and confidentiality or fraudulent activity where the individuals have access to confidential information and there may be a risk of this being revealed.

The following principles apply to all employees regardless of their job or level of seniority:

A confidential declaration must be made by each employee to their respective line managers where such a close personal relationship exists or develops between employees who either work together in the same department or location or, where one employee is in a position of managerial authority.

A meeting with each employee and their 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, SDS will take a consultative approach with the parties involved to reach an amicable solution that respects the employee's privacy whilst preserving SDS interests. SDS will explore all options such as a change in reporting structure, work or agreement to transfer one or both of the employees involved in the relationship to a post in another department or location.

Similarly, where an employee forms a close personal relationship with a client, customer, contractor or supplier this must be declared in confidence to their line manager. SDS reserves the right to take any appropriate action required to protect its interest and mitigate risks.

6.5.4 Consequences of non-declaration

If information comes to light including, but not limited to, outside activities of an employee, private or personal interest, or close personal relationship and SDS considers that the employee 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.

6.5.5 Review of Approval

Where an employee has declared a conflict of interest, this should be reviewed by their line manager on an annual basis to ensure that any action taken remains appropriate and proportionate. The Board and Committee Team will also issue a reminder to employees at the start of each business year to consider refreshing their declaration of interests.

If there are any material changes which affect a declared conflict of interest you have made in the interim period, this should be reported immediately to your line manager and to the Board and Committee Team.

7 FINANCIAL INTEGRITY

7.1 Bribery, Gifts and Hospitality

Bribery is defined under the Bribery Act 2010 as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or, to reward that person for having already done so. Bribery occurs when you offer, pay, seek, or accept a payment, gift, offer of hospitality or favour to influence a business outcome which may include showing favour or disfavour to any person in their official capacity. Bribery and corruption can be direct or indirect through third parties.

Similarly, if a person with whom you have a close personal relationship or a personal contact receives a payment, gift, offer of hospitality or favour from a contractor, client or partner organisation of SDS, this could be perceived as being capable of influencing your actions and may be perceived as constituting a bribe. You, or a person you have a close relationship with, or a personal contact should never accept or offer a bribe or any form of inducement which may influence or appear to influence your actions.

There are four possible offences under the Bribery Act 2010:

- Bribing another person
- Being bribed
- Bribing a foreign public official
- Failure to prevent bribery

SDS is committed to the highest standards of ethical conduct and to a culture where bribery is never acceptable. SDS does not tolerate bribery of any form by, or of, its employees, agents or consultants or any person or body acting on its behalf.

Any form of bribery is likely to constitute disciplinary action including dismissal, legal proceedings and possibly imprisonment if you are involved in bribery and corruption. It may also cause serious damage to the reputation and standing of the organisation.

Failure by the organisation to prevent bribery carries an unlimited fine. The organisation may also face criminal liability for unlawful actions taken by its employees or associated persons under the Bribery Act 2010.

SDS will seek, wherever possible, to recover any losses suffered as a result of an act of bribery or corruption.

7.1.1 Reporting suspected bribery

The success of the organisation's anti-bribery measures depends on all employees and those acting for the organisation to play their part in helping to detect and eradicate bribery. Turning a blind eye to suspicion of bribery or corruption can result in liability for SDS and potentially for the employee.

Therefore, all employees and others acting for, or on behalf of, the organisation are encouraged to report:

- any suspected bribery
- concerns that other employees or associated persons may be being bribed

- concerns that other employees or associated persons may be bribing third parties, such as clients, contractors, consultants or government officials.

SDS encourages honest communication and any reporting of the suspicion of bribery will be treated in the strictest confidence. Employees must bring concerns to the attention of their line manager or the Director of Finance, Information Governance, Resilience and Risk.

If an employee or associated person, is in any doubt as to whether or not a potential act constitutes bribery, the matter should be referred their line manager and the Director of Finance, Information Governance, Resilience and Risk.

Concerns should be disclosed in line within the provisions of the Whistleblowing Policy and Procedure and the organisation will support any individual who raises a concern in good faith.

SDS will ensure that the employee is not subject to detrimental treatment because a report has been made. Any instances of detrimental treatment will be treated as a disciplinary offence.

An instruction to cover up wrongdoing is itself a disciplinary offence. Employees and associated persons will be required to assist in any investigation into possible or suspected bribery.

If advised not to raise or pursue any concern, even by a person in authority, employees and associated persons should speak out and contact the Director of Finance, Information Governance, Resilience and Risk.

7.1.2 Receiving gifts and hospitality

In certain limited circumstances, and in connection with your contractual employment duties, it may be appropriate for you to offer or receive hospitality, gifts of limited value or small tokens of gratitude. It is not the intention of SDS to prevent employees accepting normal courtesy hospitality e.g. business lunches or attendance in an official capacity at a public function, but care must be taken to ensure that whenever outside hospitality is accepted, no obligation to the person offering this hospitality is created.

Gifts should not be accepted with the exception of promotional items intended as advertising material which are of value less than £50. Where you receive gifts in excess of this you should draw them to your manager's attention, with the presumption being that they will be raffled for charity.

You should not accept a gift unless you can be satisfied that to do so would not lead to your actions as an employee being called into legitimate question.

If you are unable to seek advice from your manager at the time the gift is offered, you should err on the side of caution and never accept any benefit which even remotely might lead to suspicion of impropriety. The test is whether you would be happy for any action you take to be known publicly.

Other than the promotional items which are less than £50 in value, all offers of gifts and hospitality, whether refused or accepted, should be recorded in line with the Register of Gifts or Register of Hospitality form available online from the Board and Committee Team.

Training courses to support understanding of your responsibilities in relation to bribery are available and for more information, you should contact your local Organisational Development representatives.

7.2 Awards and Prizes

SDS recognises that employees may be given prizes or awards by outside organisations for their work and achievements. Retention of an award or prize will normally be permitted however, SDS needs to ensure that it is in recognition of a personal achievement and cannot be construed as a gift, inducement or payment for a publication or speech. If you are approached by an outside organisation about the offer of an award or prize connected with your role you should speak to your manager.

7.3 Expenses and Appropriate Use of Resources

Loss, destruction or improper use of SDS resources can increase operating costs, expose SDS to potential legal liabilities and ultimately make it less efficient.

SDS expects employees to use SDS assets in a responsible and ethical manner and employees should observe scrupulously the rules relating to claiming allowances for performing approved duties and repayment of expenses incurred for travel and subsistence while doing business on behalf of SDS.

Employees must ensure that all expenses are claimed only for proper business purposes subject to approval by your manager.

Employees must not use SDS procurement cards, supplier contracts or expenses for personal, non-business or non-approved use.

Employees must use SDS resources such as materials, services, and supplies for permitted SDS purposes only.

7.4 Fraud

Fraud is commonly used to describe a wide variety of dishonest behaviour such as deception, forgery, false representation and concealment of material facts. It is usually used to describe the act of depriving a person or organisation of something by deceit, which may involve the misuse of funds or other resources, or the supply of false information.

All employees must be familiar with and follow all expenses and flexitime recording procedures.

You should be aware of SDS's Fraud & Financial Irregularity Policy and report signs of fraud, theft or corruption to your line manager, the SDS Fraud Response Coordinator, as detailed in the Fraud and Financial Irregularity Response Plan, or by using SDS's Whistleblowing Policy and Procedure. SDS is committed to the prevention, detection, reporting and investigation of fraud. SDS will take action to recover losses resulting from fraud and will take action against those who commit or attempt to commit fraud.

All cases of actual, suspected or attempted fraud will be promptly investigated and appropriate action will be taken, which may include informing Police Scotland. In addition, Code of Conduct Policy v5.2025

disciplinary action will be considered against those assessed as having committed or attempted to commit fraud and also against managers whose negligence is assessed as having facilitated the actual or potential fraud. Both categories of offence can be held to constitute gross misconduct and lead to disciplinary action up to and including summary dismissal.

7.5 Modern Slavery

SDS is committed to preventing the risk of instances of modern slavery and human trafficking taking place in any part of our operational activities or within our supply chains. You should be aware of the Prevention of Modern Slavery in Procurement Policy and if you discover any possible instances of modern slavery, you should immediately report it to the Procurement department if this relates to a supplier and the HR department if this relates to an employee. In addition, the Modern Slavery helpline on 0800 0121 700 allows anyone who thinks they may have come across an instance of modern slavery or may be a victim to call for more information and guidance on what to do next.

8 SECURITY AND CONFIDENTIALITY

8.1 Confidentiality

Those who fall within the scope of this policy have a duty to protect the interests of SDS. This includes maintaining the security of the organisation's assets and any official information which is the property of SDS by carrying out all proper instruction and observing SDS's policies and procedures. These are laid down to ensure efficient working and to protect both employees and the public.

The misuse of information, which is confidential to SDS, its clients or partner organisations may be deemed as gross misconduct and result in dismissal.

To meet confidentiality requirements of service users, stakeholders and employees of SDS, the following framework of policies and associated guidance must be observed (this list is not exhaustive):

- SDS Safeguarding Policy
- Data Protection Policy
- Freedom of Information Policy
- SDS Policy on the Use of Protective Markings
- Using SDS IT Equipment and Systems Policy
- SDS Employee Privacy Notice
- Records Management Policy
- Whistleblowing Policy and Procedure.

Employees throughout SDS have a responsibility for maintaining the confidentiality of service users, stakeholders and other members of staff. All employees should be aware of how the content of the above policies, procedures and processes affect their actions on a day-to-day basis.

During the course of your work, you are likely to have access to information which is private or confidential to SDS, fellow employees, customers or suppliers. Such information may be held on electronic office equipment or in manual paper files. You must

ensure that confidential information is only made available to those authorised to access it for carrying out SDS's work and that it is never disclosed to anyone else, whilst in employment and after leaving SDS's service.

If you have any doubt as to whether a person is entitled to confidential information you must first check with your immediate manager. Never give confidential information or sensitive personal data over the telephone or by electronic means unless the person requesting the information is known to you and they are entitled to access that information. If in doubt, you should ask the person for contact details and check before getting back to them. Ensure you follow appropriate procedures particularly within the Data Protection Policy and SDS Policy on the Use of Protective Markings.

It is a serious breach of trust, and a breach of your contract of employment to use confidential information for your personal advantage or that of anyone known by you. It is also a breach of your contract of employment to make unauthorised comments on SDS's service or prospects which may bring the organisation into disrepute or, be in breach of the law.

Some information which relates to identifiable individuals such as employees or customers is classed as personal data and covered by The Data Protection Act 2018. This obligation applies to you even after you leave SDS employment for as long as the information remains confidential and is not generally available to the public.

Negligent handling of information leading to the loss or unauthorised exposure of confidential information, in particular personal information, has serious consequences for SDS and may lead to disciplinary action up to and including dismissal.

8.2 Media, Speaking Engagements & Public Discussions

Employees may not, without the express permission of SDS, publish any matter or deliver any lecture or address about the organisation or its business. If invited to do so, advance approval must be sought from Marketing and Communications via marcomms@sds.co.uk.

Contact from the media, including requests for interviews, should in the first instance be referred to the Marketing and Communications Team.

Any employee receiving a fee in respect of a publication, broadcast, speech or lecture when based on SDS information and experience, is free to retain the fee subject to the provision that the receipt of any such fee is reported to the Marketing and Communications Team. The employee must ensure that such fees are declared for tax purposes.

Employees must avoid inadvertent disclosure of confidential information in public forums. Employees must not respond to questions from a representative of the media about SDS, or take part in interviews (TV, radio, newspapers) without firstly referring the matter to the Corporate Affairs department as to the purpose and ensure that briefings, rehearsals and training is given where appropriate.

Employees must also not comment to anyone outside SDS, including family members on any litigation in which SDS may be involved.

8.3 Employees Leaving Employment

Employees should continue to observe their duties of confidentiality after they leave the employment of SDS. Employees are reminded that they must honour their contractual Code of Conduct Policy v5.2025

commitments after leaving SDS with regard to confidentiality of information and intellectual property. All documents, materials and property of SDS must be returned when leaving the service of SDS.

Employees must not deal with the award of a tender or contract, or the negotiation of a contract, if at the same time they are having discussions with that organisation on possible employment. To maintain public confidence in SDS' propriety and integrity, it is imperative that any prospective movement to employment that might arouse criticism is intimated to the immediate manager.

8.4 Records Management

All SDS information in any form constitutes a record, as defined within the Records Management Policy. All employees should familiarise themselves with the policy and processes. This policy creates a framework to ensure the efficient management of records and to enable SDS to deliver compliance with the Public Records (Scotland) Act 2011 (PRSA), the Freedom of Information (Scotland) Act 2002 (FOISA) and the Data Protection Act 2018.

The Records Management Policy also sets out elements of best practice for creating, using, retaining and disposing of records. It is intended that SDS ensure compliance with all applicable legislative requirements towards better monitoring of public services, maintenance of accurate records of the circumstances and experiences of individuals and safeguard the records of vulnerable people.

An unmanaged record system makes the performance of employee duties more difficult, costs SDS time, money and resources, and could leave SDS vulnerable to security breaches, prosecution and embarrassment.

All employees have a responsibility for all records that they use, manage, receive and dispose of and must ensure they follow the Records Management Policy and the Retention Schedule and SDS policy on the Use of Protective Markings.

SDS is committed to maintaining appropriately completed and accurate reports and records. Employees should not make an inaccurate report, keep an inaccurate record, destroy, deface or amend a document to avoid disclosure requirements. Employees must also never amend or alter a document for the purposes of distorting its contents.

Employees must maintain strict accountability for all SDS revenues, expenses, assets and liabilities and properly report and record all transactions, funds, assets, receipts and disbursement of SDS. Employees must never permit the distortion of financial data or issue misleading reports or statements. Employees must not take steps to alter or, destroy a document (whatever the retention period) that could be relevant in a judicial, administrative, or regulatory proceeding that is ongoing, pending or threatened or that could contain information which has been requested under the Freedom of Information (Scotland) Act 2002.

Documents must never be post-dated or pre-dated other than for a lawful purpose having obtained consent from the Corporate Legal Team.

Breach of these rules may lead to disciplinary action up to and including summary dismissal.

Any request for recorded information that is not routine business should be considered a Code of Conduct Policy v5.2025

Freedom of Information request and should be referred immediately to the Freedom of Information Team in Corporate Affairs.

8.5 SDS IT Equipment and Systems

SDS information and information systems are essential to the organisation's operations and must be safeguarded against any misuse that could result in damage. Employees are responsible for handling all equipment, information, and data with the highest level of care and attention.

Employees have responsibility for the care of mobile IT equipment allocated to them and must take reasonable measures to ensure that it is protected from physical damage, loss and theft. Employees should familiarise themselves with the guidelines for use of smartphones referenced in the Using SDS IT Equipment and Systems Policy.

Employees are provided with reasonable personal use of any IS equipment as outlined in the Using SDS IT Equipment and Systems Policy and must follow the guidance provided. In order to protect business interests, SDS will monitor its electronic communications.

You should use such equipment only as and when authorised to do so and for authorised purposes. You should not alter, copy or disclose any information or programs, other than as authorised, nor use Internet and e-mail facilities in a way in which contravenes the organisation's Using SDS IT Equipment and Systems Policy.

In particular, you must not intentionally obtain unauthorised access to a computer or, gain access to restricted areas of the network, or to any password-protected information whether to commit or facilitate the commission of criminal offences or otherwise.

You must not attempt to alter the configuration of SDS issued IT equipment in any way. This includes, but is not limited to, interfering with, or overriding, anti-virus protection, encryption, Lock Screen/Screen time out settings or using non-standard virtual private network (VPN). You must not attach a device or other equipment to an SDS system unless pre-approved by EIS.

You should not attempt to circumvent or interfere with security and safety measures designed to protect equipment and information, obtain, or reveal details about them, other than as authorised or, fail to comply with SDS's Using SDS IT Equipment and Systems Policy.

You must not take any action which constitutes an offence under the following Acts as listed under the Using SDS IT Equipment and Systems Policy:

- The Computer Misuse Act 1990
- The Data Protection Act 2018
- Regulation of Investigatory Powers Act 2000
- Copyright, Designs and Patents Act 1988
- The Digital Economy Act 2010.

Improper or careless use of, or interference with such equipment or with software, may seriously impede the organisation's activities and is a breach of your contract of employment.

The creation, viewing, accessing, transmitting, or downloading of any inappropriate materials or non-permitted software, as listed under SDS's Using SDS IT Equipment and

Systems Policy, is prohibited. Examples include but are not limited to, offensive, obscene, or discriminatory material, confidential information, online gambling, chain letters or material in breach of copyright. Employees are not permitted to download software from the internet without prior authorisation by EIS, as this could constitute a serious breach of conduct leading to disciplinary action up to dismissal and could potentially be a criminal offence. EIS will run programmes to detect the downloading and transmission of unsuitable material and software.

8.5 General Security

The key to effective security is a proactive approach and security is the responsibility of all of us. SDS is committed to providing a safe and supportive working environment for all employees and visitors to our sites.

SDS therefore requires that all employees, contractors and consultants are aware of the organisation's Health and Safety policies and procedures and carry out their duties in a way that provides and maintains a safe and secure working environment for all colleagues, customers, suppliers and the public.

Employees, including those seconded from other organisations and agency workers, must comply with Health and Safety legislation, the organisation's Health and Safety policies and procedures, rules and guidelines and be aware of their responsibilities. All other workers have a responsibility to familiarise themselves with this Code and the standards it sets out.

All employees are asked to:

- Wear an identification pass on SDS premises and challenge any person not wearing a pass
- Escort visitors around SDS premises at all times
- Follow evacuation procedures when instructed to do so
- Safeguard the assets of SDS from misuse, damage and theft
- Ensure that equipment, information or software is not taken offsite without prior authorisation from their line manager
- Report any suspicious behaviour at or near SDS premises
- Be aware of suspicious packages received at SDS
- Ensure that all suspicious circumstances, phone calls, e-mails, contacts, or other communications are reported
- Report any threatening phone calls
- Be aware of terrorist and other threats to security including bomb threats.

It is recognised that any individual at SDS can come across a potential or actual breach of security. If this is the case, you should report the incident immediately to your line manager in the first instance.

Any serious breach or disregard of SDS policies or procedures, or any refusal to comply with a reasonable management instruction in connection with safety and security policies may lead to disciplinary action up to and including summary dismissal.

Appendix

1 Review of policy

The HR Department is responsible for reviewing the policy as a minimum every two years or, at times of significant legislative or organisational change.

2 Examples of Gross Misconduct

The following rules apply to all employees of SDS and comprise a list of examples of gross misconduct.

Gross misconduct will attract the penalty of summary dismissal unless the circumstances in which the misconduct is committed are deemed to justify a reduced penalty. The list is neither exclusive nor exhaustive and does not preclude disciplinary action being taken by SDS against an employee for misconduct (or gross misconduct) of any sort as reasonable and appropriate.

Further examples may be added to the list where appropriate.

Disciplinary action will be taken in accordance with the Disciplinary Policy and Procedure.

Examples:

1. Unauthorised use or possession of the organisation's property or, of written, electronic, or oral information which might be damaging to the organisation or its interests if passed to a third party or, anyone in the organisation not authorised to use it.
2. Unauthorised use or possession of, or access to the property of a third party while acting or purporting to act on behalf of the organisation.
3. Theft of the property of any fellow employee whilst on the organisation's premises or during the hours of duty.
4. Unauthorised use of the organisation's property and equipment, including computer resources. This includes the use of property or equipment for activities which waste time and resources or breach specific policies for their use.
5. Serious negligence or deliberate misuse of the organisation's equipment or property, whether or not resulting in damage or injury. Misuse includes use of equipment or property for illegal or wrongful purposes, for example, fraud, defamation, libel and obscenity.
6. Dishonesty or deception of any kind in the submission of information or completion or amendment of SDS records including, for example, timesheets, time recording information systems, financial transactions and expenses forms.
7. Unauthorised absence without due cause or persistent poor time keeping and abuse of SDS sick pay or leave schemes.
8. A criminal offence or conviction, whether or not relating to the organisation, which by its nature detracts from the employee's suitability/acceptability to carry out their duties, or where the penalty imposed by a court of law for any offence makes it impossible or, impractical to continue employment.
9. Assault on any person while acting or purporting to act on behalf of the organisation.
10. Wilful damage to any property belonging to the organisation, customers, fellow employees or any third party.

- 11.** Misbehaviour at work, such as consuming alcohol,, drug abuse, indecency or insulting behaviour, including any serious breach of SDS's policies on Substance Misuse and SDS's Code of Conduct
- 12.** Misbehaviour at work, which may threaten the health and safety and wellbeing of fellow employees, customers, or any other third party, the security of the organisation's equipment and assets or information which is the property of SDS including any serious breach of SDS's policy on Health and Safety.
- 13.** Unfair discrimination against or harassment of existing or prospective employees which constitutes a breach of current legislation and serious breach of SDS's Code of Conduct
- 14.** Serious breach or disregard of SDS rules, requirements, policies or procedures.
- 15.** Refusal to comply with a reasonable management instruction, including an instruction in connection with SDS policies and procedures and safety and security.
- 16.** Breach of the SDS Health, Safety and Wellbeing Policy which includes the Smoking Policy and the Driving Safely Policy.
- 17.** Serious breach or disregard of SDS's Social Media Policy includes, but is not limited to posting social media comments that cause reputational damage to SDS, which are considered abusive, defamatory, discriminatory, offensive or obscene.
- 18.** Serious breach or disregard of the rules and policies governing the integrity or security of information technology and the use of electronic communications equipment, including laptops, tablets such as iPads, mobile phones (both basic and smart) and data and software. This includes but is not limited to: failure to take reasonable precautions to protect SDS's computer network; interfering with, or overriding anti-virus protection and data encryption; failure to report a virus; unauthorised entry; viewing or use of another user's account or another system; any activities which are liable to cause a disruption or denial of service to other users; unauthorised use of external drives and devises or breaches of SDS policy as defined in the Using SDS IT Equipment and Systems Policy .
- 19.** Breach of copyright legislation, particularly in relation to copying and distribution of software or any other copyrighted reports.
- 20.** Submission of false information, or failure to disclose information, in order to obtain promotion or an appointment within the organisation.
- 21.** Failure to disclose unspent criminal convictions and failure to disclose both spent and unspent where the post is one covered under the Exceptions Order.
- 22.** Breach of the Bribery Act 2010 which includes but is not limited to; offering, paying, seeking, or accepting a payment, offer of hospitality or favour to any person in their official capacity to influence a business outcome.
- 23.** Holding and failing to declare to the appropriate manager, any financial, personal, or family interest which might affect, or reasonably be interpreted as affecting, impartiality of judgement in carrying out responsibilities to the organisation. This applies to interests in matters of official business, including any transaction, contract, or appointment, and to interests in other companies and organisations.
- 24.** Breach of SDS's Code of Conduct.

Code of Conduct Policy

Policy jointly agreed:

SDS		
Print Name	Signature	Date
Carolyn Anderson		23 April 2025

Unison		
Print Name	Signature	Date
Lorraine Wilson		23/04/2025

PCS		
Print Name	Signature	Date
Tinja Hakkila		23/04/2025