

## CODE OF CONDUCT FOR STAFF OF NORTH STRATHCLYDE COMMUNITY JUSTICE AUTHORITY

### INTRODUCTION

Community Justice Authorities (CJA's) were established by the Management of Offenders etc. (Scotland) Act 2005 and have been operating since April 2006, with 2006/07 as a shadow year. From April 2007 they have assumed their full responsibilities. CJA's have been set up with a role which is unique in the Scottish public sector.

This Code is intended to provide guidance for the conduct required of the Chief Officer and other staff of North Strathclyde Community Justice Authority (hereinafter referred to as the Authority). This code is in addition to the Renfrewshire Council<sup>1</sup> Code of Conduct as detailed in the Schedule of Terms and Conditions of Employment, issued on behalf of the Authority by Renfrewshire Council on the offer of appointment to all staff.

### DUTIES AND RESPONSIBILITIES

1. The Authority's staff should familiarise themselves with the contents of the Code and should act in accordance with the principles set out in it.
2. Staff of public bodies have a duty:
  - to discharge public functions reasonably and according to the law;
  - to recognise ethical standards governing particular professions; and
  - to ensure that in carrying out their day to day work that they do nothing which could reasonably be construed as politically motivated.

The Chief Officer, as senior full-time official, is designated as Accountable Officer. He/she has overall responsibility, working with the Board, for propriety in a broad sense, including conduct and discipline.

### ACCOUNTABILITY

3. Staff of the Authority should be aware:
  - of their accountability to the Board of the Authority;
  - of the respective roles of the Scottish Government Justice Department (the sponsor Department) and the Authority as set out in the management statement and financial memorandum;
  - that the Scottish Ministers are responsible for the Authority and are ultimately accountable to the Parliament for its independence, effectiveness and efficiency.
4. Staff of the Authority should conduct themselves with integrity, impartiality and honesty. They should not deceive or knowingly mislead the Board, the sponsor Department, Ministers, the Parliament or the public. It is vital that staff exercise care in their day to day corporate activities to ensure that they do nothing that could reasonably be regarded as taking a political stance.

---

<sup>1</sup> Renfrewshire Council was appointed as the lead authority at a meeting of the authority on 28/04/06 and latterly at a meeting of the authority on 29/09/06 agreed to employ staff on behalf of the Authority. .

## CONFLICTS OF INTEREST

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

## INTEGRITY

6. Staff of the Authority should not use their official position to receive, agree to accept or attempt to obtain any payment or other consideration for doing, or not doing, anything or showing favour, or disfavour, to any person. They should not receive benefits of any kind from a third party which might reasonably be seen to compromise their personal judgement and integrity. Under the Prevention of Corruption Act 1916, employees of public bodies may be required to prove that the receipt of payment of other consideration from someone seeming to obtain a contract is not corrupt.

## RELATIONS WITH THE PUBLIC

7. Staff of the Authority who deal with the affairs of the public should do so sympathetically, efficiently, promptly and without bias or maladministration. Staff of public bodies should offer the public the highest standards of conduct and service.

## RESOURCES

8. Staff of the Authority should endeavour to ensure propriety and regularity in relation to public finances and to seek best value from resources.

## OFFICIAL INFORMATION

9. Staff of the Authority owe a general duty of confidentiality to their employer at common law. They are therefore required to protect official information which they have access to as a result of their employment with the Authority. Nothing in the Code should be taken as overriding existing statutory or common law obligations to keep confidential, or in appropriate cases to disclose, certain information. Subject to this proviso, staff should act in accordance with the Freedom of Information (Scotland) Act 2002 and the Publication Scheme for the Authority.

Staff must ensure that all requests from sources external to the Authority for access/disclosure to Authority information or information held by the authority must be discussed with the Chief Officer before any information is disclosed. Staff must not discuss or disclose any information held by the Authority in relation to offenders with family members, friends or any person not directly employed by the Authority or a Board member of the authority, except in the course of the normal business of the Authority. It is imperative that staff adhere to these provisions and failure to do so may result in disciplinary action and/or dismissal.

## STAFF CONCERNS ABOUT IMPROPER CONDUCT

10. If staff of the Authority believe they are being required to act in a way which:

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

They should raise the matter with the Chief Officer in the first instance. Staff should also draw attention to cases where:

- they believe there is evidence of irregular or improper behaviour elsewhere in the organisation, but where they have not been personally involved;
- there is evidence of criminal or unlawful activity by others;
- they are required to act in a way which, for them, raises a fundamental issue of conscience.

If however staff feel they cannot raise the matter with the Chief Officer they can in line Renfrewshire Councils 'Whistle Blowing' policy contact the appropriate officer who in the case of the CJA would be the Convener. In general terms this should only be used for more serious and sensitive issues.

## AFTER LEAVING EMPLOYMENT

11. Staff of the Authority should continue to observe their duty of confidentiality (see paragraph 9 above) after they have left the employment of the Authority. It is imperative that staff should be aware of and abide by any rules on the acceptance of business appointments after resignation or retirement.