



SOUTH LANARKSHIRE Leisure & Culture

“HELP US TO GET IT RIGHT”

Code of Conduct for Employees

Revised March 2019

Version History

Ver. No	Status	Date	Description / Summary of Changes
1.0	Published	02/2011	Published version of policy
1.1	Revised	03/2019	Updated to reflect Legislative & SLLC updates and changes to registered gifts and services

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1. Introduction

This Code of Conduct has been developed to set out the minimum standards of Conduct expected from all staff.

The public expects a high standard of conduct from all local government employees. This Code sets out the minimum standards expected of all employees of South Lanarkshire Leisure and Culture. These standards will be used as a benchmark of good practice by the Local Government Ombudsman where a complaint of maladministration has been made. The Code also incorporates "The Seven Principles of Public Life" identified by the Nolan Committee on Standards in Public Life. These are listed overleaf, as slightly altered by COSLA to place them in local government context and are explained in the SLLC's approach to corporate governance.

The Code does not affect employees' rights and responsibilities under the law. Its purpose is to provide clear and helpful advice. While a breach of this Code may give rise to disciplinary action, it is designed to provide guidance on the standards of conduct expected. Any employee who has difficulty in meeting any of the standards contained in the Code, should contact their line manager, the HR section or Trade Union Official for advice.

As SLLC provides various services, some sections of the Code may be more relevant to some employees than others, but all employees must comply with the standards and principles set out in the Code.

Note: Details of how to access copies of relevant SLLC policies and codes referred to in this document are provided at the end of this document.

2. Standards in public life

2.1 The "Seven Principles of Public Life"

The "Seven Principles of Public Life" were identified by the Nolan Committee on Standards in Public Life and are set out below as adapted by Cosla.

- | | |
|------------------------|---|
| Selflessness: | You should not take decisions which will result in any financial or other benefit to yourself, your family and friends. Workplace decisions should be based solely on best interests. |
| Integrity: | You should not place yourself under any financial or other obligation to an individual which might influence you in your work. |
| Objectivity: | Any decisions which you make in the course of your work, including making appointments, awarding contracts, or recommending individuals for awards or benefits must be based solely on merit. |
| Accountability: | You are accountable to SLLC as your employer. SLLC, in turn, is accountable to the public. |

- Openness:** You should be as open as possible in all the decisions and actions that you take. You should give reasons for your decisions and should not restrict information unless this is clearly required by policy and permitted or required by the law.
- Honesty:** You have a duty to declare any private interests which might affect your work with the council.
- Leadership:** If you are a manager, or team leader, you should promote and support these principles by your leadership and set an example.

2.2 Code of good governance

2.2.1 Local Code of Good Governance

What is Corporate Governance?

South Lanarkshire Council has set the framework for strong Corporate Governance by having a clear vision to “Improve the quality of life of everyone in South Lanarkshire”.

Good Governance is about “Achieving the intended outcomes whilst acting in the public interest at all times”. This means doing the right things, in the right way, for the right people, at the right time, in an inclusive, open, honest and accountable manner.

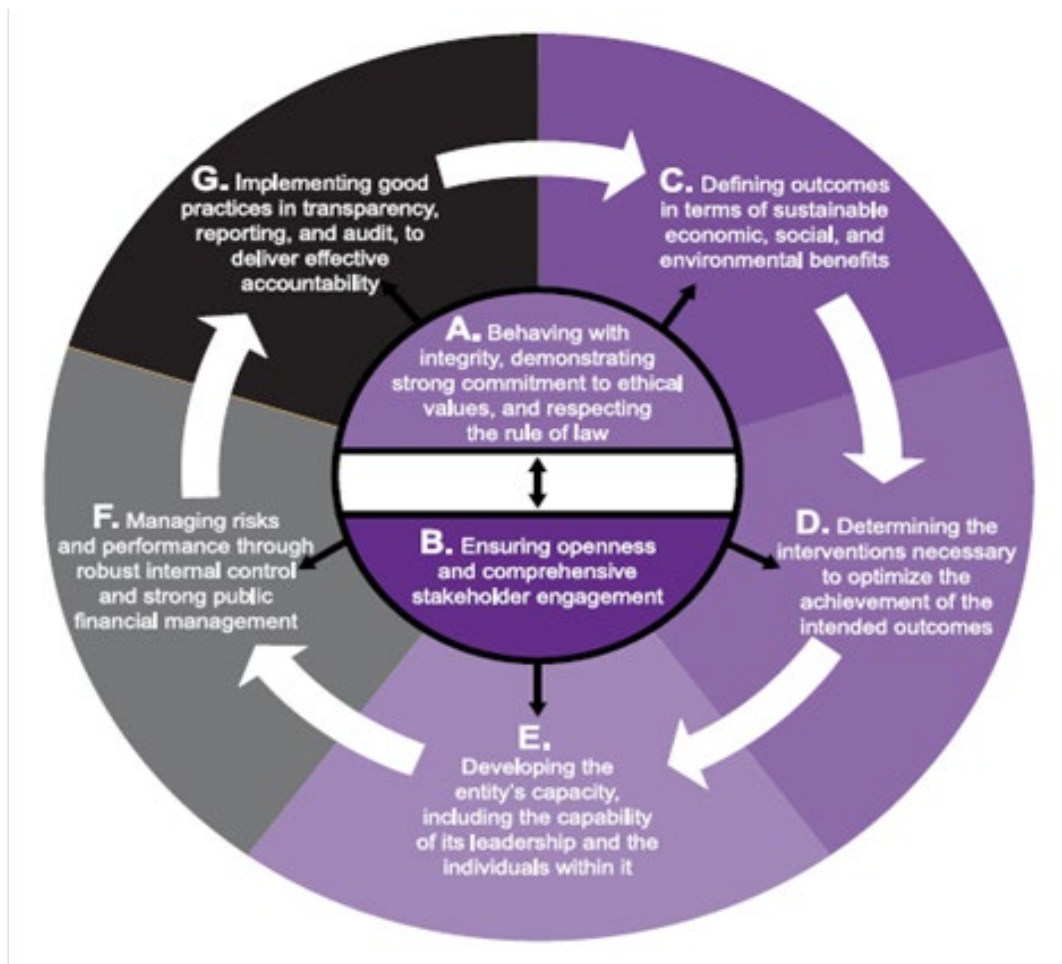
As we deliver services on behalf of South Lanarkshire Council, we adopt the Local Code for good governance.

What is the Local Code of Corporate Governance?

All public sector organisations are required to have a [Local Code of Corporate Governance](#). The Code sets out the desired actions and behaviours that should be demonstrated by everyone who works for South Lanarkshire Leisure and Culture. It is based on national guidance and contains information on the policies, procedures, behaviours and values by which SLLC is organised and administered.

The Seven Principles of Good Governance

The Local Code of Corporate Governance is underpinned by seven principles of good governance. The diagram below shows the principles and how they relate. They help to focus actions towards the good of everyone in South Lanarkshire by highlighting best practice covering a wide range of the SLLC's processes, including decision making practices, participating and engaging with the wider community, and ensuring that SLLC's procedures and policies are open and fair.



What do these principles mean for you?

The following provides examples of the desired action and behaviours that employees are expected to demonstrate in ensuring that they are following the principles of Good Governance. Full information can be found in the [Local Code of Corporate Governance](#).

- **Principle “A”** is about observing the employee code of conduct; carrying out duties in compliance with the law; following procedural documents such as the scheme of delegation whilst undertaking duties; and carrying out duties in accordance with policies and strategies.
- **Principle “B”** relates to ensuring “openness”, for example how decisions are made and communicated through Board meetings and the publication of meeting papers on the website. How the public is involved in decision making, for example through forums and consultations. Employees should also be clear on what their role is when undertaking community engagement.
- **Principle “C”** is about how the SLLC defines what it intends to achieve, for example through the Business Plan; and complying with equality duties in “working together to improve the quality of life of everyone in South Lanarkshire” by ensuring fair access to services including consultation with representative groups and through undertaking equality impact assessments.
- **Principle “D”** moves on to how SLLC delivers its outcomes, how performance is monitored and reported including how we compare against other SLLCs; following the standing orders on contracts and key strategies such as the procurement strategy; and managing risks when working in partnerships, for example through partnership Risk Registers.
- **Principle “E”** relates to how resources are managed through workforce planning. Ensuring employees have performance appraisals and the related learning and development to help them carry out their duties. Providing support to employees, for example through the “people policies” such as Employee Assistance and Healthy Working Lives. It also considers how services improve through benchmarking and self-assessment.
- **Principle “F”** is about identifying and managing risks, for example through risk registers and business continuity plans; effective monitoring and reporting of performance; using, storing and sharing customer and employee information in line with Information Management Policies and Procedures; and ensuring budgets are monitored and reported effectively.
- **Principle “G”** relates to reporting the performance of services to the public for example through the Annual Performance Report and Public Performance Reports. Reviewing and reporting on the effectiveness of governance arrangements which is done through the Annual Review of Governance Arrangements, Governance Statement and Improvement Plan and the council's Annual Accounts. Ensuring the implementation of recommendations from external reviews and inspections by regulatory bodies.

3. Personal Conduct

Employees should be aware that the way they behave during working hours also reflects the image of SLLC. Managers will explain to their employees the standards of behaviour expected of them.

Employees must not attend work under the influence either of alcohol or illegal drugs, as these may affect their ability to undertake their duties safely and effectively and may damage the public image of SLLC. The use of SLLC vehicles or equipment is prohibited while an employee is under the influence of alcohol, illegal drugs or any prescribed medication that may affect their ability to drive or operate machinery safely. Employees should refer to the employee information leaflet "Driving safely at work" for further details.

Any employee who does attend work under the influence of alcohol or illegal drugs should understand that they are likely to be liable to action under SLLC's disciplinary proceedings and this may lead to dismissal. However, SLLC has a policy to assist employees with an addiction problem and help and support is available through the HR section.

Any employee charged with, or convicted of a criminal offence or who work with children whose name is placed on the list held by the Scottish Executive of those Disqualified to Work with Children (DWCL), whether this is on a provisional basis or not, must also advise the Chief Executive immediately.

Employees, like all other South Lanarkshire residents, have a duty to make any payments due to South Lanarkshire Council in good time, and should be aware that the Council will make regular checks to ensure that employees are not in arrears with payments such as Council Tax, rent etc. Advice for South Lanarkshire Leisure and Culture employees experiencing difficulties in making payment can approach South Lanarkshire Council's various resources such as Benefits and Money Matters.

Any South Lanarkshire Leisure and Culture employee who claims benefits e.g. Housing or Council Tax benefits and discounts from this or any other Council to which they are not entitled are likely to be liable to action under SLLC's disciplinary proceedings and this may lead to dismissal.

SLLC's values are based on promoting equality of opportunity and tackling discriminatory practices and prejudice. Therefore, regardless of personal beliefs and opinions, SLLC expects all of its employees to behave positively towards one another as well as to service users. Bullying, harassing, intimidatory or discriminatory behaviour or language, in any form is unacceptable. SLLC's policy on "Dignity at Work" sets out the standards expected and the process by which employees can raise complaints.

SLLC will not tolerate any member of staff engaging in bribery and will take action against employees committing such offences. This could lead to disciplinary action and ultimately to dismissal and could also result in criminal prosecution.

Under the Code of good Governance employees are expected to take responsibility for the decisions that they may take as part of their employment. They should work within the law and be aware that the decisions they take may be scrutinised. If an employee feels that they require further training/guidance for the role they carry out, they should raise this with their line manager either directly or through the performance/staff development and review process.

4. Dress Code

Many SLLC employees provide valuable “front line” services and are in regular contact with the service users and the public. They therefore represent the “public image” of SLLC.

SLLC requires employees to adopt certain dress requirements and generally dress appropriately for the type of work they do. While recognising the diversity of cultural traditions, and what might be considered a “reasonable adjustment” in respect of any disabled employee, SLLC will advise its employees of any specific requirements with regard to appearance and dress. These standards will reflect the services provided by SLLC and the work undertaken by the employees concerned. In addition:

Unless agreed with their line manager for specific situations, Name badges, where provided, will be worn at all times. Employees should also show their SLLC ID pass as appropriate.

Corporate wear, where provided, will be worn as required, and maintained in a reasonable condition.

Personal protective equipment (PPE) and clothing provided for an employee’s safety will be worn as appropriate for the type of work being undertaken.

5. Relationships

5.1 South Lanarkshire Council Elected Members

Both Elected Members and employees are public servants and as such indispensable to each other. Employees are responsible to SLLC and their role is to support and give advice to Board members or Elected Members (as appropriate) and to carry out their work under the direction and control of SLLC and its Board.

Any undue familiarity between Elected Members and employees should therefore be avoided as it is inappropriate and may be perceived wrongly or be embarrassing to others.

5.2 The Public and Service Users

Employees may have contact with members of the public as users of services, or citizens and therefore should always behave in a courteous and helpful manner.

All members of the public should be treated fairly, equitably, and consistently, in accordance with the principles of SLLC's Equal Opportunities Policy.

5.3 Conduct towards Colleagues

SLLC services are best delivered by employees who work together in the best interests of service users. Employees should therefore respect each other, their beliefs and opinions, and behave in an appropriate manner at work.

SLLC’s policy on “Dignity at Work” identifies discrimination, harassment and victimisation as constituting serious misconduct, which will not be tolerated.

This policy is available on the corporate drive or by contacting the HR section.

5.4 Voluntary Bodies or Organisations

SLLC recognises the vital contribution which the voluntary sector makes to the quality of life in South Lanarkshire, and has developed a policy on volunteering to encourage its employees to volunteer.

However employees should also be aware of the possibility of a conflict of interest should they participate as a volunteer with an organisation which they might also come into contact with during the course of their work, and take appropriate steps to avoid this happening. Should such a situation arise, an employee should advise their line manager.

6. Confidentiality

See also paragraph 10 on **Disclosure of information**

6.1 General Duty

SLLC routinely handles information not only to enable services to be delivered to the public but also as part of its management system. Some of this information must be dealt with confidentially and only released to authorised individuals. For example information which may relate to service users, other employees, tenders or contracts that are to be awarded.

Releasing confidential information is a very serious matter, and employees should check with their line manager if appropriate, before giving information to a third party.

Employees should also be careful not to divulge confidential information relating to SLLC or its employees to others outside their work.

SLLC is bound by various pieces of legislation, such as the Data Protection and Freedom of Information Acts. Specific requirements and guidance are associated with legislation and employees should seek advice from their line manager. Further information is provided in paragraph 10 on disclosure of information.

6.2 Private Information Relating to Employees

Information concerning an employee's private affairs will not be supplied to any person out with the service of SLLC unless his/her consent has been obtained first. However, this does not apply where there is a statutory duty on SLLC to provide the information, or if SLLC is required to do so by a Court order or warrant, or as required by Audit Scotland as part of ongoing work on the National Fraud Initiative.

7. Political Neutrality

Employees should carry out their duties and serve SLLC and all Elected Members regardless of their political outlook in a politically neutral way.

Any employee who is asked by a South Lanarkshire Council Elected Member to provide assistance with a matter which is clearly party political, or which does not have a clear link with the work of SLLC, should politely refuse and explain that the matter has to be referred to the line manager.

8. Conflict of Interest

8.1 Private Interests

SLLC employees must not allow any private interest to influence their decisions at work and must not use their position to further their own interests, or the interests of others who do not have a right to benefit under SLLC policies.

Any interest in the work of SLLC, on the part of the employee, close family members or members of an employee's household, must always be declared. If an employee is in any doubt about the relevance of their private interests, he/she should clarify the position with his/her line manager.

The delivery of SLLC services should also not be compromised by any conflict of interest which might arise between employees and employees should therefore take steps to prevent any potential conflict of interest between their personal and professional relationships at work.

Employees should also be aware of the potential for actual or perceived conflict of interest in situations where a close personal relationship exists or develops between employees working in the same team or section, and particularly where one of the employees has a supervisory/line management responsibility for the other. In such a situation, advice should be sought as appropriate from a senior manager.

8.2 Contracts

Employees must be fair and impartial in their dealings with contractors, subcontractors and suppliers. If an employee is involved in the tendering process, he/she must follow SLLC's Standing Orders relating to Contracts.

Employees must notify the HR manager, in writing, if it comes to their knowledge that a contract in which they have a personal pecuniary interest, whether direct or indirect, has been or is about to be, entered into by SLLC. Employees must not disclose confidential information on either internal or external contractors to any individual or organisation unless authorised to do so.

Where appropriate, SLLC will require an employee working in a particularly sensitive area to enter into a restrictive covenant i.e. a contract which binds the employee upon leaving the employment of SLLC not to act in a way which might damage the interests of SLLC.

8.3 Membership of Private Clubs/Organisations

Employees must declare any membership of a private club/organisation whether open to the public or with a restricted membership, which a member of the public may reasonably think could influence the decisions or actions the employee makes on behalf of SLLC and might result in a conflict of interest with regard to any aspect of their employment with SLLC.

8.4 Paid Work Outside SLLC

SLLC will allow employees to undertake paid work outside SLLC, unless there is a clear conflict of interest or it is likely to have an adverse effect on the work of SLLC. Any employee wishing to undertake paid work of any kind outside SLLC, must obtain prior written approval from his/her line manager or the HR section.

Employees should not seek to gain business in the course of carrying out their SLLC duties, e.g. by arranging to undertake private work, and are not allowed to use the equipment or resources of SLLC in any outside work whether paid or unpaid.

Approval to undertake other paid work will be reviewed should there be any change in the employee's working arrangements e.g. an increase in contracted hours or change of duties or post. It is the employee's responsibility to advise their line manager of any existing agreement should they move post within SLLC.

This procedure is in the interests of employees and is intended to protect them and to ensure compliance with health and safety requirements and the Working Time Regulations.

8.5 The Giving of Lectures, Broadcasts etc.

SLLC will normally allow employees to accept invitations to give lectures appropriate to their professional/occupational standing, however, an employee should first obtain approval from his/her line manager or the HR section.

Any fees received for lectures, broadcasts etc. given within normal working hours, excluding out of pocket expenses will be paid to SLLC, otherwise time taken to present the lecture, broadcast etc. must be set against the employee's annual leave entitlement. Fees may be retained for any lectures, broadcasts etc. given out with normal working hours.

9. Use of SLLC Equipment or Resources

9.1 Use for other purposes

Employees wishing to use SLLC equipment, for example to work at home, as part of their personal development or for study purposes must obtain permission from their line manager. Reasonable care must be taken with all such equipment.

Whilst employees are allowed some personal use of IT equipment at their workplace e.g. access to internet and use of e-mail, this should not adversely affect their work. Employees should be aware that telephone, e-mail and internet usage can be monitored.

Employees are not allowed to use the equipment or resources of SLLC in any outside work (see paragraph 8.4)

9.2 Security of information

If IT or communications equipment is being used at any time it is essential that any information that can be accessed using the equipment is kept secure. Advice and guidance is available in the following documents which can be accessed on the Intranet:

- IT acceptable use of policies
- The Information Security Policy User Responsibility statement
- The risk management bulletin on laptop security

10. Disclosure of Information

As previously stated in paragraph 6 on “Confidentiality”, various pieces of legislation such as the Freedom of Information (Scotland) Act and the Data Protection Act govern how information is to be managed and the circumstances under which it can be disclosed.

Employees should therefore be careful not to divulge confidential information relating either to SLLC, a service user, another employee or someone else with whom SLLC has had contact e.g. tenderers/contractors unless authorised to do so. This includes making contact with the media.

There are specific procedures to be followed and these are summarised below under the relevant piece of legislation.

10.1 The Freedom of Information (Scotland) Act 2002

The Freedom of Information (Scotland) Act (FOISA) introduced a general right of access to information held by SLLC. The right of access by someone to see, or get their own personal information is covered by the Data Protection Act (See section 10.2 below).

Employees who might receive a request for information should follow the guidance notes and the categories of information that might be requested and seek advice as appropriate from their line manager.

There are a few general principles to note:

- The only legal requirement is that the request is made in a permanent format such as writing, e-mail or fax. Anyone making a verbal request should be advised of this. Employees may not ask the applicant the reason for their request.
- Except in a small number of cases, SLLC must provide the information requested
- FOISA only applies to information that SLLC has at the time of the request. There is no requirement for SLLC to create records or carry out a specific piece of work such as analysing information, just to meet a request.

Employees should be aware that it is a criminal offence to alter, deface, block, erase, destroy or conceal information with the intention of preventing disclosure of that information after SLLC has received an FOISA request, unless permitted to do so under the provisions of the Act.

Any employee who does so is likely to be liable to disciplinary proceedings.

10.2 Data Protection Act 1998

The right of access to personal information held by SLLC whether on employees or service users, is covered by the Data Protection Act.

The Act places strict requirements on SLLC with regard to the security of any personal data held, whether this is paper based and held in a structured filing system, or in electronic format.

This means that an employee asked by an individual to provide access to personal information held by SLLC about themselves, must seek advice from their line manager and follow an agreed procedure. Generally, any requests must be made in writing, and proof of identity will be required before the access is provided.

Unless there is a statutory requirement, or a court order or warrant has been obtained, information relating to an employee's private affairs will not be released without their prior consent. Any SLLC employee wishing access to their personal file must do so by contacting the HR section who will make appropriate arrangements.

(See also paragraph 6.3 on Private Information Relating to Employees and SLLC policy on data protection).

10.3 Contact with the Media

SLLC recognises that in the course of their day-to-day work there may be occasions where employees will deal directly with the media, for example:

- Advertising or promoting SLLC services.
- Work related to Corporate Communications and Public Affairs.

However, all contact with the media (press/television/radio) regarding 'sensitive' or 'confidential' issues should be made through the Chief Executive.

Examples of these circumstances may include a request to disclose information relating to a service user or commercially sensitive information. If an employee is in doubt he/she must contact his/her line manager or the Chief Executive.

This requirement does not apply where an accredited Trade Union official contacts the media in their trade union capacity and not as a SLLC employee.

Any employee wishing to disclose information in the public interest should use the confidential reporting procedure described in paragraph 10.3 below.

10.4 Confidential Procedure for Reporting Concerns at Work

The public rightly have an expectation of high standards from SLLC, both in terms of the services provided and ethics. The Public Interest Disclosure Act 1998 provides a process whereby an employee can report concerns about serious wrongdoing or improper behaviour. This could apply to an aspect of individual behaviour or SLLC practice.

SLLC's procedure on "confidential reporting" enables employees to raise such concerns internally rather than going directly to an outside person or body. The procedure applies to the following areas:

- a possible criminal offence
- a failure to comply with a legal obligation
- a miscarriage of justice
- a danger to the health and safety of an individual

- damage to the environment
- deliberate concealment of information tending to show that any of the above matters is being deliberately concealed
- gross breach of SLLC's code of good governance
- Mis-use of SLLC assets (for example, SLLC computers or vehicles) time or other suspected fraud which may require investigation

Employees can raise their concern with their manager or a trade union representative. SLLC will ensure that any employee reporting a concern under the Act will not experience any detriment as a result. This applies, as long as the report has been made in good faith, even if following investigation, there is found to be no substance to the allegation. Only where a false allegation has been made deliberately or maliciously, will the matter be viewed seriously, and the complainant may be liable to action being taken under SLLC's Disciplinary procedures.

Any employee considering making a disclosure out with SLLC, for example to the press, should be aware that they may not automatically be protected by the Act. Before doing this, in their own interest, they should seek advice from their trade union or a legal adviser.

Full information on the procedure is provided in an employee information booklet detailing the "Procedure on Confidential Reporting" which is available from The HR team. SLLC also adopts South Lanarkshire Council's Fraud Prevention Strategy, details of which are available on SLC's Intranet under Finance & Information Resources.

11. Rights as a Citizen

11.1 Expression of Personal Views

As a citizen, an employee is entitled to express their views about SLLC. However, this does not include making use of any private information gained through their employment with SLLC. In their work capacity, employees should not criticise SLLC either through the media, at a public meeting or in any written communication with members of the public.

11.2 Access to Elected Members/Board Member

As an individual citizen or service user, an employee can raise a complaint about the services of SLLC with his/her Elected Member or Board Member.

However, any complaint relating to the employee's work with SLLC, should be taken up through the appropriate complaints procedure e.g. the policy on Dignity at Work or grievance procedures.

12. Register of Gifts, Hospitality and Services

SLLC has established a policy on the declaration of gifts, hospitality and services. Generally, no employee should accept gifts, gratuities etc. from any customer or service user other than a token item and frequent personal gifts or services should

not be accepted from the same source. The main points of the policy are outlined below:

- Employees should not accept hospitality under any circumstances.
- Employees should not accept personal gifts or services from anyone, which would, or might appear to place that individual under any obligation. Frequent personal gifts or services should not be accepted from the same source.
- Should an employee be offered a personal gift or services which they estimate is more than a token gesture, they should discuss the matter with their line manager. Any decision to accept an offer must be authorised by the employee's line manager who will countersign the pro forma.
- All offers of personal gifts, hospitality or services which have an estimated value of more than £25 should be registered, whether accepted or not, as this provides a record of the offer having been made. Those which have an estimated value of £25 or less do not need to be registered.
- Completed and signed proformas must be returned to Caroline Dibb, Administration Officer who holds the register of personal gifts, hospitality or services. An employee can see the entries recorded against their name at any time.

13. Operation of Policies

13.1 Recruitment

All appointments to SLLC will be made on the basis of merit and in line with SLLC's recruitment policy. Any employee who participates in the recruitment process must immediately disclose any relationship, or other interest, known to exist between themselves and any of the applicants to the Chair of the Selection Panel or a senior manager. A decision will then be made as to whether it is appropriate for the employee to continue in the recruitment process, either as a member of the selection panel or in any other role e.g. in administering a test.

Any canvassing by employees of SLLC, either directly or indirectly, with regard to recruitment, will immediately disqualify a candidate; however, this does not preclude them from acting as a referee where appropriate.

13.2 Operation of Human Resources Policies

Managers and supervisors involved in the operation of SLLC's employment policies, for example "Maximising Attendance", Scheme of Special Leave, Discipline or Grievance Procedures, must do so fairly and equitably.

As described above, any personal interest or relationship must be declared to a senior manager who will decide whether the individual should continue to be involved in the process.

14. Equal Opportunities

SLLC is committed to ensuring that equality considerations are central to all that it does. This includes tackling all forms of discrimination, promoting equality of opportunity and removing the barriers that some groups and individuals might experience in accessing employment or SLLC services.

SLLC's policy on equal opportunities identifies the following grounds on which people might experience discrimination or less favourable treatment:

Age
Disability
Gender or gender identity
Race, colour or ethnic origin
Caring responsibilities
Sexual orientation
Employment status
Ex-offender status
Religion or belief or none
Trade Union activity.

SLLC has developed a range of employment policies and employee benefits intended to attract, retain, develop and support the diverse workforce it requires to deliver services to the people of South Lanarkshire. As part of this commitment to a positive working environment, any instances of discrimination, harassment or victimisation at work will be viewed as a serious matter and dealt with appropriately.

Any employee who feels that they have been the victim or witness of unfair treatment can raise a confidential complaint using the procedure set out in the Policy on "Dignity at Work". Support and advice will be available from the HR team.

Relevant Policies and Codes

Employment policies:

A copy of these can be obtained by accessing the corporate I:drive or by contacting the HR Helpdesk Tel.01698 476209.

Employee Information

Policy on Equality and diversity
Policy on Dignity at work
Grievance procedures
Disciplinary procedures
Recruitment and selection policy
Confidential procedures for reporting concerns at work
IT Acceptable use policies

A copy of the following documents can be obtained via South Lanarkshire Council's intranet.

Disclosure of information

Fraud prevention strategy
Data protection policy
Information security policy

Corporate Standards

Code of good governance
Employer liability insurance cover
Managers' handbook on corporate standards