

## COPFS Standards and Conduct

### Expectations of Employee Conduct and Behaviour

Rules of conduct in the Crown Office and Procurator Fiscal Service are informed by two key values: "**Being Professional**" and "**Showing Respect**"

Showing respect in COPFS is about being open and sensitive to the needs and ideas of others, treating people fairly and welcoming diversity. When we talk about "being professional" we mean working with pride, always acting with integrity and taking personal responsibility to provide high standards of service.

These values are part of our everyday working lives but are particularly important when looking at the standards of conduct which apply to all employees who work for COPFS.

As employees of COPFS we are expected to go above and beyond the normal standards of behaviour. Not only must we act ethically, honestly and with integrity and treat people fairly and with dignity, we must be seen to be acting in these ways. This is in line with COPFS' values and the Civil Service Code. All employees are expected to be familiar and abide by the tenets of both the [Civil Service Code](#) and the [Rules of Conduct](#) in COPFS. Information on the positive behaviours expected of all COPFS employees can be found in the [Fair Treatment Policy](#).

### Responsibilities and Sanctions

COPFS takes a robust approach to proven allegations of a criminal nature (particularly those that relate to violence, dishonesty and drug taking) or allegations which show unethical behaviour such as corruption, malpractice or equally serious actions or omissions. These actions will likely constitute gross misconduct and will usually lead to dismissal if the allegations are upheld.

Where it is alleged that you have fallen short of the high expectations that are set for COPFS employees, a full and fair investigation will be conducted as outlined in the [Disciplinary Policy](#). The penalties appropriate to different levels of misconduct are explained fully in the [Disciplinary Policy](#).

## **Line Manager Responsibilities**

Line Managers have a specific responsibility to ensure that new employees are made aware of the standards of conduct that apply in COPFS and in the Civil Service.

It is particularly important that line managers and senior managers lead by example in demonstrating ethical and professional conduct at all times and, where necessary, positively intervene to prevent corrupt or unethical conduct. Further information on the role of line managers can be found in the [Manager's Charter](#).

Where honest mistakes and errors of judgment are made, managers must take time to reflect on what could have been done better and share learning points with other employees as appropriate.

Managers must also be familiar with action to be taken where these rules are not followed. Information can be found in the Disciplinary Policy and the information contained about the role of the Professional Standards Committee.

Support and advice on how to tackle misconduct can be sought from HR. Your HR Advisor is the best 'first port of call' and will be able to answer your query or direct you to another appropriate person in HR who will be able to advise you on how to proceed.

## **Employee Responsibilities**

Each of us has an individual responsibility to ensure that we act in a way that is professional, ethical and within the rules set by COPFS. It is your responsibility to ensure you are sufficiently familiar with these rules and bring any matter of concern to your line manager or other appropriate senior manager (such as Business Manager, Procurator Fiscal or other senior manager in your area).

The Lord Advocate is responsible to Parliament for the actions of the Service and should not be embarrassed by the actions or inactions of COPFS employees. Some of the ethical duties of legal employees of the Crown Office and Procurator Fiscal Service are owed directly to the Courts, but all employees are to a greater or lesser extent involved in work related to the prosecution of criminal cases and thus affecting the duties of legal employees. All general ethical duties thus apply to both legal and non-legal employees, permanent and temporary. It is therefore necessary that all COPFS employees are aware of them and alert to the need to maintain the highest ethical standards. Failure to meet the ethical duties required by COPFS and by the [Civil Service Code](#) may result in disciplinary action and, where appropriate, criminal proceedings. The varying levels of disciplinary action and penalties are described in the [Disciplinary Policy](#).

## **Raising concerns**

COPFS is committed to tackling all aspects and allegations of misconduct, corruption, malpractice or other unethical behaviour.

## **Through line management**

It is important that all of us are able to identify and report any misconduct or unethical conduct openly and with the support of our colleagues and managers.

You must inform your line manager or other appropriate senior manager if you know of, or suspect any wrongdoing by other COPFS employees.

Concerns will be treated seriously, and confidentiality will be maintained as far as possible in dealing with all conduct and potential disciplinary matters. Line managers may be able to resolve the situation informally or, where this is not possible, the formal COPFS disciplinary procedure will be used.

Our main focus is, of course, on preventing situations where employees may be compromised. To this end, COPFS has a [Professional Standards Committee](#) comprising the Deputy Crown Agent Operational Support, the HR Director and the Departmental Security Officer. All issues which relate to ethical or professional conduct, particularly those that relate to allegations of a criminal nature involving you, a relative or a friend must be routed via your line manager to this committee for information. Find out more in the [Criminal Convictions and Criminal Charges](#) section.

## **Whistleblowing Policy**

COPFS has a [Whistleblowing Policy](#) with which all employees should be familiar. Whistleblowing can be defined as raising concerns about misconduct within an organisation or giving information (usually to the authorities) about illegal and unethical practices.

The Public Interest Disclosure Act 1998 makes it unlawful to discipline whistleblowers, even when they are proved wrong, if their belief that something was wrong was reasonable when they disclosed it.

Disciplinary penalties, including dismissal, may be imposed where an employee makes, or causes to be made, allegations which they know to be false or malicious to an outside organisation, particularly to the media.