

CODE OF CONDUCT FOR THE SCOTTISH CONSERVATIVE AND UNIONIST PARTY

PART 1: CODE OF CONDUCT

Purpose of this Code of Conduct

- To set out the minimum standards of behaviour expected from any member or anyone representing the Scottish Conservative and Unionist Party (“the Party”) as an elected or appointed official or office-holder.
- To support equality of opportunity, diversity and inclusion, and the absence of any and all inappropriate behaviour, in all aspects of the Party’s activities.

This Code of Conduct sets out the framework of behaviour expected of those Party members or representatives (listed under ‘Who is the Code of Conduct for?’ below), who are required as a strict condition of their ongoing representation of the Party, membership of, engagement with and/or (in the case of any organisation which is formally recognised by the Party) recognition by the Party, to adhere to this Code of Conduct in their activities representing the Party.

Who is the code of conduct for?

This Code of Conduct is for any member or anyone who formally represents the Party as an elected or appointed official. This includes, but is not limited to: Members of Parliament, Peers, Members of the European Parliament, Members of the Scottish Parliament, Councillors and Association, area, regional, and national Party officers.

What standards are expected of individuals covered by this Code?

They should:

- follow the Seven Principles of Public Life established by Lord Nolan and the Committee on Standards in Public Life:
 1. **Selflessness** – Holders of public office should act solely in terms of the public interest.
 2. **Integrity** – Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.
 3. **Objectivity** – Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.
 4. **Accountability** – Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.
 5. **Openness** – Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.
 6. **Honesty** – Holders of public office should be truthful.

7. **Leadership** – Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs;

- lead by example to encourage and foster respect and tolerance;
- treat others with civility, courtesy and respect;
- act with honesty and probity and in a manner which upholds the reputation and values of the Party. Such duty is fundamental. Conduct which the public may reasonably perceive as undermining a representative's honesty and probity is likely to diminish trust and confidence placed in them, and the Party, by the public;
- not bully, abuse, victimise, harass or unlawfully discriminate against others (see further the interpretation annex);
- take reasonable steps to ensure that people who wish to raise concerns about bullying, discrimination, harassment and/or victimisation by others feel able to do so, and know how to follow the complaints procedure set out in this Code;

Failure to uphold the foregoing standards will be deemed to be conduct that constitutes a failure to comply with the rules of the Party or its affiliated bodies and conduct which brings or is likely to bring the Party into disrepute.

PART 2: PROCEDURE FOR ALLEGED BREACHES OF THE CODE OF CONDUCT

If any individuals wish to make a formal complaint against a member or elected representatives or officers of the Party they should email **complaints@scottishconservatives.com**. Alternatively, they can call our confidential hotline on **0131 524 0039**.

There may be instances where an individual feels able to raise the problem informally with the person responsible and explain clearly to them that their behaviour is not welcome or makes them uncomfortable. If informal steps are not appropriate or have been unsuccessful, then the following formal procedure may apply.

When we receive a formal complaint, we will investigate it in a timely and confidential manner. The investigation will be conducted by someone with appropriate experience and no prior involvement in the complaint. The investigation should be thorough, impartial and objective, and carried out with sensitivity and due respect for the rights of all parties concerned. With the exception of Members of the UK Parliament, complaints against members and representatives of the Party will be referred to the Management Board of the Party following initial investigation and may be dismissed at this stage if the complaint is considered to lack proportionality or is vexatious or frivolous. Members, elected representatives and officers of the Party may be suspended by the Management Board pending further proceedings.

If there is an allegation of criminal wrongdoing, the Party will strongly advise the complainer to report this to the relevant authority as soon as practicable. In certain instances, the Party may contact the relevant authority directly. The complaints process will be sisted pending the exhaustion of criminal proceedings.

The following process will be adopted in so far as it is reasonably practicable to do so:

Stage 1: We will notify the respondent that a complaint has been made about them. The respondent will be given the opportunity to provide any evidence or details that will help to establish their

position. The investigating officer may dismiss complaints that are obviously lacking proportionality or vexatious or frivolous.

Stage 2: The Disciplinary Committee of the Party will adjudicate upon complaints referred to it by the Management Board under the terms of the Rules of the Disciplinary Committee.

- The Disciplinary Committee may determine whether the complaint warrants further investigation and whether there is a potential breach of the Code of Conduct, or whether it is obviously lacking proportionality or vexatious or frivolous.
- If it is determined that the Code of Conduct has not been breached, and the complaint does not warrant further investigation by the Party, then the complainer will receive written notification of this, explaining the decision.
- If it is agreed that the Code of Conduct may have been breached, the respondent will be given formal notice of the process before the Disciplinary Committee. The notice will include a timetable of procedure, a copy of the rules and a copy of any documents that may be relied upon.
- Hearings will be held in private. The Disciplinary Committee may consider an application on behalf of the respondent for the complaint to be dismissed on the grounds that the complainer's case is lacking proportionality or vexatious or frivolous or for any other reason.
- The Disciplinary Committee will report its findings to the Management Board together with a recommendation for any disciplinary measures to be taken. Such measures can include, but are not necessarily limited to, suspension of membership or expulsion from the Party.
- Any removal of rights of membership will be made by the Management Board after due consideration of the recommendation of the Disciplinary Committee.

In no way should anything in this Code interfere with an elected representative carrying out his or her duties and exercising his or her judgement in relation to his or her work, nor to any individual's right to a private life within the law.

ANNEX: INTERPRETATION

Discrimination includes victimising or harassing any other person because of race (including colour, ethnic or national origin, nationality, citizenship), sex, gender re-assignment, sexual orientation, marital or civil partnership status, disability, age, religion or belief, pregnancy and maternity status.

Harassment is any unwanted physical, verbal or non-verbal conduct that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive situation or environment for them. A single incident can amount to harassment.

Harassment may involve conduct of a sexual nature (sexual harassment), or it may be related to age, disability, gender reassignment, marital or civil partner status, pregnancy or maternity, race, colour, nationality, ethnic or national origin, religion or belief, sex or sexual orientation. Harassment is unacceptable even if it does not fall within any of these categories. Victimisation provisions protect certain individuals who do (or might do) acts such as bringing discrimination claims, complaining about harassment, or getting involved in some way with another complaint (such as giving evidence).

Victimisation may therefore occur where a person subjects another person to a detriment because either that person has acted in such a way and/or is believed to have acted in such a way, or may act in such a way.

Bullying is offensive, intimidating, malicious or insulting behaviour involving the misuse of power that can make a person feel vulnerable, upset, humiliated, undermined or threatened. Power does not always mean being in a position of authority, but can include both personal strength, influence and the power to coerce through fear or intimidation. Bullying can take the form of physical, verbal and non-verbal conduct.