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Our ref: Constitution, Europe, External Affairs and Culture Committee: Equalities

26 November 2025

Dear Clare,

Thank you for your invitation to attend the Constitution, Europe, External Affairs and Culture Committee on Thursday 6 November 2025. At the meeting, in response to a question from Patrick Harvie MSP asking if the Scottish Government sets out proactively how it expects the Public Sector to deal with issues of racism and xenophobia, I agreed to forward to the committee the relevant guidance.

Code of Conduct for Staff of Public Bodies

All Scottish Public Bodies should have a Code of Conduct for their staff governing the behaviour that is expected of them and the values they are expected to uphold. To ensure the Code of Conduct aligns with the nine key principles of public life in Scotland, Public Bodies may adapt their Code from the Model Code of Conduct for Members of Devolved Public Bodies and the Civil Service Code.

The Model Code and Civil Service Codes provide a guide relating to the information which should be contained in a Public Body's Code of Conduct. However, no Code can provide for all circumstances and Public Bodies should have in place a Code of Conduct which is proportionate, mirrors their individual circumstances and ultimately fit for purpose. Public Bodies should have in place a regular monitoring process which will allow Codes to be updated as and when required.

HR Policies

All Scottish public bodies should have in place appropriate HR policies for their staff, which comply with current employment legislation, other relevant guidance and the standards expected of public sector employees. These should include but not be limited to: grievance procedure (including guidance on how to raise a grievance about a Board member's

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behaviour), guide to standards of behaviour, disciplinary procedures, whistleblowing, social media, IT, substance abuse, sickness absence and performance management for all staff “

Historic Environment Scotland Framework Document

The HES Framework document [Framework Document | Historic Environment Scotland | History](#) states that:

- The Chief Executive, challenged and supported by the Board, has responsibility for the recruitment, retention and motivation of its staff. The broad responsibilities toward staff are to ensure that:
- **HR policies, practices and systems comply with employment and equalities legislation, and standards expected of public sector employers.**
- **There must be code of conduct for employees.**

HES Equality and Diversity Policy

HES has also published its equality and diversity policy on its website: [equality-and-diversity-policy.docx](#)

General Equality Duty

- When we go about our business as a public body, we have to meet the general equality duty, which requires that in the execution of our duties, we take into account the need to:
- **Eliminate unlawful discrimination, harassment, victimisation and other prohibited conduct;**
- Advance equality of opportunity between people who share a relevant protected characteristic and those who do not; and
- Foster good relations between people who share a protected characteristic and those who do not.

Additionally HES published their Equalities Outcomes Report 2025-29 in March 2025: [Mainstreaming and Equality Outcomes Report 2025-29 | Hist Env Scotland](#).

I trust the Committee finds this update helpful but as I stated on 6 November, I would be very happy to hear the views and reflections of Mr Harvie and the committee on the robustness of the above.

Yours sincerely



ANGUS ROBERTSON

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