

CULTURE AND BEHAVIOURS IN THE SCOTTISH GOVERNMENT: THE CONTINUOUS IMPROVEMENT PROGRAMME 2022

Update to the Finance And Public Administration Committee for activities to be completed by the end of June 2022

1. The Propriety & Ethics Directorate was established in August 2021 to provide corporate oversight of and co-ordination on sensitive and cross cutting issues affecting the Scottish Government as a whole. This flowed from our early 2021 response to the Parliamentary inquiry and associated independent reports into the highest profile harassment case.¹
2. The key project in the Continuous Improvement Programme (CIP, 'the Programme') was putting in place revised and updated procedures to handle complaints about Ministers, former Ministers and in parallel, a revised and refreshed internal process relating to complaints about staff. These are two distinct processes, both delivered in the early part of 2022. These procedures were the product of considerable engagement with staff - including those with prior experience of making a complaint - with our recognised trade unions, and with external expert advice.
3. Delivering the revised procedures were significant milestones. However, they were not in themselves intended to demonstrate the progress made in ensuring that staff who want to make a representation or complaint about behaviour can do so in the knowledge that this will be investigated fairly, swiftly and with an impartial investigation, or, in the case of Ministers, through independent investigation and decision making on the outcome.
4. The procedures can only work in the context of an organisation fully committed to living the Scottish Government vision, values, culture and behaviours as set out in '*In Service of Scotland*'. The Continuous Improvement Programme focuses on the values of kindness and integrity in promoting and ensuring the highest standard of respectful behaviour.
5. Achieving the outcomes of the programme's activities is a matter for the whole organisation and requires engagement from leaders across the board. This is especially true for building a positive working environment that people can thrive in, as well as making sure that all are aware of early intervention or mediation in resolving situations in working relationships.
6. The outcomes are co-ordinated by the Propriety & Ethics Directorate. The role and functions of Propriety & Ethics that relate to the establishment of the Continuous Improvement Programme's measures of success are:

¹ [Handling of harassment complaints - gov.scot \(www.gov.scot\)](https://www.gov.scot/handling-of-harassment-complaints)

- Responsibility for overall co-ordination and risk management in relation to emerging and potentially significant propriety and ethics issues within the Scottish Government
 - Promoting positive standards of behaviour, seeking to prevent unacceptable behaviours, and creating a safe and supportive environment to speak up.
 - Being a point of contact for propriety and ethics issues within the organisation.
7. After the launch of the updated procedure for handling complaints about Ministers in early 2022 and the staff grievance policy in April 2022, the Continuous Improvement Programme is tracking and demonstrating whether these formal procedures and the associated wraparound work are achieving tangible change - for example, to the experiences of staff and how they can engage with the wider processes as may be required. The Programme sets out a series of activities in a schematic that is submitted to the Finance and Public Administration Committee on a quarterly basis (see Annex A).

Activities completed at the end of June 2022

8. The following activities were completed by the end of June as planned (see Annex B for the Continuous Improvement Programme tracker):
- Measures of success agreed and discussed with trades unions and stakeholders and ready to implement
 - Build complaint investigation capability, to ensure confidence of those participating
 - Staff training on grievance policy and best practice refresh
 - Communications on updated Procedure and culture and behaviours
9. The measures of success were discussed with trade unions and internal and external stakeholders and are ready to be implemented. The measures will assess the impact of the Continuous Improvement Programme across Government, with the intention of shaping future considerations around the programme and possible future activity. The measures focus on staff trust and confidence in the processes that have been put in place, and attempt to assess the degree to which the Continuous Improvement Programme has contributed to an improved culture of openness and inclusion; a workplace where bullying and harassment is not tolerated; and where – when needed - our staff feel able and willing to tackle unacceptable behaviours. The measures are largely drawn from the People Survey (against 2019 results as a baseline), with the potential to supplement these with additional local surveys and qualitative assessment. The programme activities support progress towards improving measures of success. See Annex C and D for the measures of success.

10. Building the complaint investigation capability to ensure the confidence of those participating is completed. Five external investigators and six external decision makers have been recruited in a public appointments process. This a group of people who have a wealth of experience in conducting workplace investigations and decision-making. All members of the group have been engaged in refining the guidance that supports the procedure. The guidance was produced in partnership with recognised trade unions. The operational protocols for each stage of the procedure are being finalised by the Propriety & Ethics Directorate.
11. Staff communications on the updated procedure and the grievance policy were published on the staff intranet and disseminated through internal communication channels. The communications underline the importance of the organisation's culture and behaviours in maintaining an inclusive and respectful working environment. A survey to gauge staff understanding will be carried out in early autumn.
12. The People Advice and Wellbeing team in HR is supporting teams with workshops on the updated staff grievance policy and will continue to deliver training beyond the end of June 2022, while also providing coaching and advice to individual managers on the process and early intervention. The team will also work with learning and development colleagues in autumn to curate and design learning resources to support staff, following the introduction of the new grievance policy.

Activities planned until December 2022

13. For the second part of 2022, the Continuous Improvement Programme will concentrate on the following activities, using the measures of success as a guide:
14. The Continuous Improvement Programme will continue with the alignment to the organisation's wider culture and behaviour initiatives, including organisational vision and values. The Programme is underpinned by the organisational values of kindness and integrity, as was the development of the updated procedure. In October, we intend further communications with staff to link the organisational vision and values with the updated procedure and Continuous Improvement Programme. This will involve demonstrating how the programme is being delivered in a way that is aligned with the organisational vision.
15. Proactive engagement with staff networks and Scottish Government offices in locations outside of the central belt will continue. These conversations are the beginning of a long-term project that will inform risk assurance and cultural improvement in the organisation. They will be carried out by the Propriety &

Ethics Directorate in order to gain a better understanding of the challenges in maintaining a safe and respectful workplace and to make progress on the measures of success. As part of this, the programme will agree the approach on these conversations with trade unions and HR and we will use appropriate improvement methodologies to underpin the work.

16. In the second half of 2022, the Propriety & Ethics Directorate will instigate the review of its process in use, to be completed by December 2022.

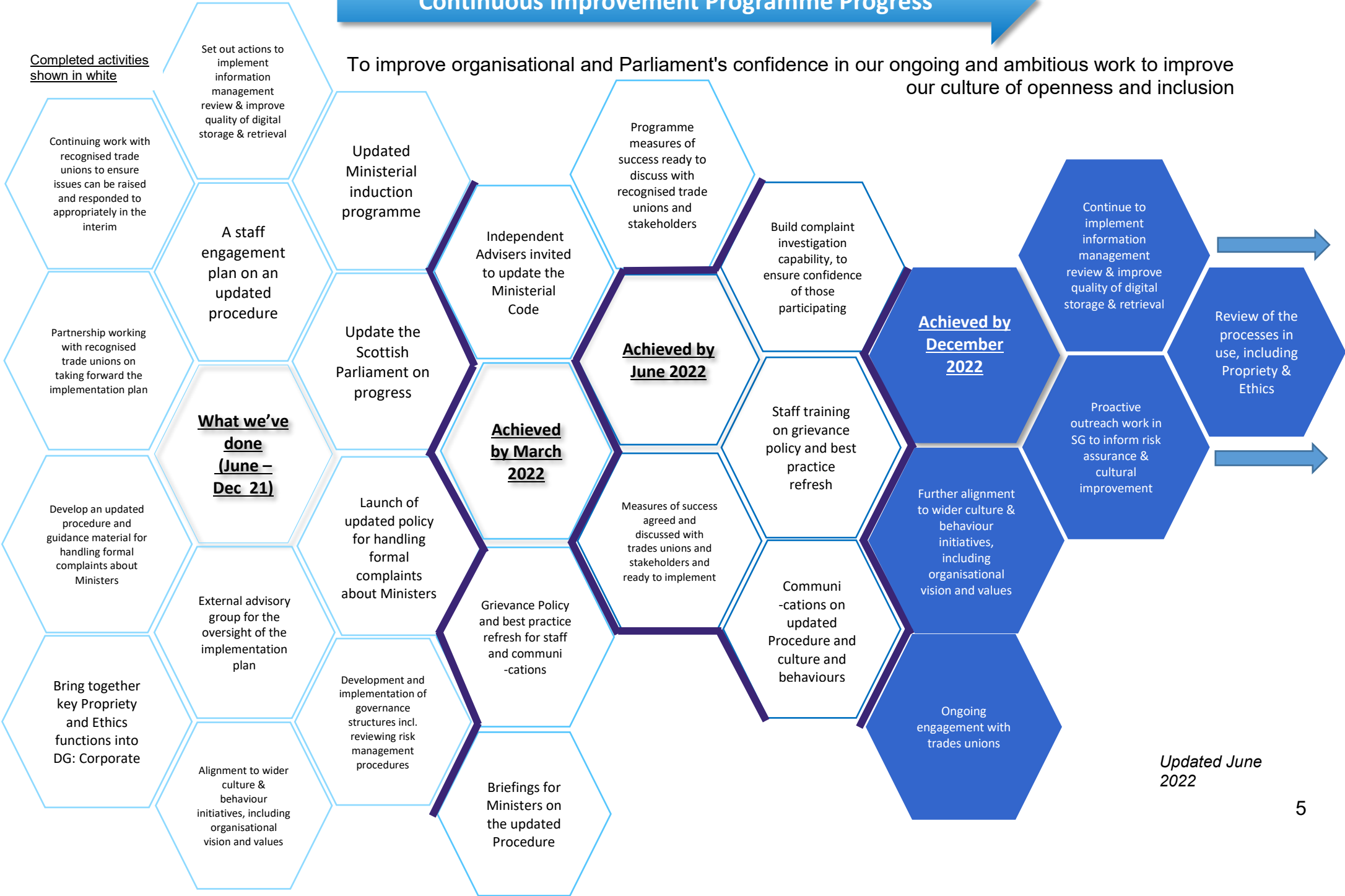
17. The Continuous Improvement Programme tracks the activity of the Information Governance Programme in its progress to implement the information management review and improve the quality of digital storage and retrieval processes. The Information Governance Programme has made proposals for the continuing measurement of the recommendations contained within the Corporate Review of Information Management report, which was published in June 2021. Most of the recommendations are now complete or underway and Information Governance programme measurements of success - which are in addition to the CIP measures in Annex C and include both qualitative and quantitative indicators - have been agreed by the Information Governance Board to keep track of the Information Governance Programme progress.

Propriety & Ethics Directorate
Scottish Government
July 2022

ANNEX A

Continuous Improvement Programme Progress

To improve organisational and Parliament's confidence in our ongoing and ambitious work to improve our culture of openness and inclusion



Updated June 2022

ANNEX B

Continuous Improvement Programme Tracker: activities ending June 2022

The updated Procedure for handling complaints about current or former Ministers is viewed within the context of a wider programme of continuous improvement to improve our culture of openness and inclusion.

This tracker sets out the actions completed by June 2022 and those that are ongoing until December 2022.

Activity in 2022	Achieved by (Owner)	Monthly Update
Communications with staff on updated Procedure and culture and behaviours	June 2022, then ongoing until December 2022	The updated grievance policy and procedure for staff came into operation on 21 April. This was featured in the staff intranet and disseminated through internal communications channels. The communications underlined the importance of the organisation's culture and behaviours in maintaining an inclusive and respectful working environment. Questions to gauge the understanding of the procedure are in development, this survey will be carried out in early autumn.
Staff training on grievance policy and best practice refresh	June 2022 (then continuing until December 2022)	Teams across the government are being supported with workshops on the updated staff grievance procedure and early intervention. Individual managers are being supported with coaching as required. Online learning for the grievance policy is also being designed.
Build the independent complaint investigation capability to ensure the confidence of those participating	June 2022 (then ongoing throughout 2022)	The Propriety & Ethics Directorate met the external pool of investigators and decision makers on 28 th June to review revised guidance to support the procedure and to review operational support to them in the event of an investigation. A process mapping exercise has been completed with the Propriety and Ethics business management team to work through the operational processes to be followed in the event of a complaint.

Measures of success ready to implement	June 2022	The measures of success were redrafted to focus on staff trust and confidence, and drawn from the People Survey. Internal consultation was undertaken to determine the measures with the People Advice and Wellbeing Team, Corporate Analysis Services Team; People Directorate policy teams; and Ministerial Private Office. External consultation was carried out with the Reviews Implementation Assurance Group and trade unions.
Alignment to wider culture and behaviour initiatives, including organisational vision and values, with engagement with staff	December 2022	<p>Work is ongoing to support the implementation of the <i>In the Service of Scotland</i> (ItSoS) organisational vision and values. There are two key milestones:</p> <ul style="list-style-type: none"> • August 22 – launch of next phase internal campaign with aspect of this focusing on what it means to be ‘values driven’ • October 22 – the next ItSoS all-staff conference that will be designed around the four vision priorities. <p>The aim of these organisational level interventions is to improve knowledge and understanding of the vision and values with the purpose of supporting local behaviour change.</p>
Proactive outreach work in Scottish Government to inform risk assurance and cultural improvement	December 2022	The Propriety & Ethics Directorate is working with People Directorate to take a joint approach to engagement with staff networks, satellite offices and Ministerial Private Office on the grievance policy and updated procedure for formal complaints about Ministers. The first meeting has been conducted with the Rural Payments Division as a satellite office.
Review of the processes in use, including Propriety & Ethics	December 2022	The project will begin in the second half of 2022.
Continue to implement the information management review and improve the quality of digital storage and retrieval processes	Update in December 2022	<ul style="list-style-type: none"> • The 3rd and 4th communication issued on Saltire about the reduction in the use of unstructured data repositories. These are open to all and have been attended by over 2,200 colleagues so far.

		<ul style="list-style-type: none"> • Webinar training sessions on Drive Management have been arranged throughout May, June & July to provide more detailed advice and guidance for colleagues on how to move information from unstructured data repositories to OneDrive and eRDM. • The Drive Management Project has advised teams on the removal of unstructured data repositories to assess the impact on their business and to ensure business continuity following this change. • An Information Governance Board (IGB) meeting took place on 27 April. An Information Governance Programme Delivery Group meeting took place on 23 June. • A measuring success paper specifically for the Information Governance Programme was discussed at the IGB board and approval to the draft measures is being sought from the IGB members via correspondence. • Further success measures are currently being considered with senior colleagues. • A paper was presented to the IGB for a new Information Governance Impact Assessment. The approach was approved by the board and implementation will now be progressed. • Initial analysis work has been undertaken on the responses to the Information Management Maturity Assessment and further advice and guidance has been provided. • A behavioural insights survey has been issued. The purpose of this research is to help us understand attitudes, behaviours and knowledge about record management.
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ANNEX C

Continuous Improvement Programme to improve culture and behaviour

Measures of Success

1. The following measures of success have been developed in collaboration with People Directorate and trade union colleagues, the Reviews Implementation Assurance Group, and staff networks, in order to assess the positive impact of the Continuous Improvement Programme (CIP) across Scottish Government; as well as to shape future considerations around the programme and possible future activity.
2. They are intended to focus on the extent to which our staff say that they have trust and confidence in the processes that have been put in place. They attempt to assess the degree to which the CIP has contributed to an improved culture of openness and inclusion; a workplace where bullying and harassment is not tolerated; and where – when needed - our staff feel able and willing to tackle unacceptable behaviours and understand and have confidence in the processes that are in place.
3. The primary data source is the People Survey, which provides the largest, most comprehensive and authoritative dataset, telling us about important trends in our workplace, and allowing us to understand the employee voice and experience at an organisational and local level. In certain areas we may consider supplementing People Survey data, for example to gain further insight into the headline figures, such as through the Scottish Government 'People Panel', which provides a representative sample of SG employees, and/or targeting specific groups through qualitative discussions, such as with staff networks and equality groups as part of the Propriety and Ethics Directorate's proactive outreach work to inform risk assurance and cultural improvement.
4. These types of measures, focussing on staff trust and confidence, cover a large range of factors that are likely to impact on the overall figures, including external factors (for example the implementation of hybrid working and partial return to offices following the COVID-19 pandemic). There are also limitations to the People Survey, given its large scale and the broad nature of the questions. We have attempted to mitigate these where possible, for example drawing on 'local' questions selected by Scottish Government, and, as above, considering how we can supplement these with additional local data where required.
5. Despite the challenges of measurement, we consider that these are the most appropriate measures of the success of the CIP, and that tracking the trends over time will help us to assess the impact of the CIP, as well as to identify priorities for the CIP going forward. We will continue to work closely with colleagues across SG, including in People Directorate to keep these measures under review, and to consider any additions or changes.

Proposed measures

6. In our view the questions from the People Survey present the most appropriate measures of the success of the CIP. We would expect to see an improvement across these measures, compared to previous years (noting the likely impact of the COVID-19 pandemic on 2021 and 2022 results):

- a. If I see or experience any form of wrongdoing in my organisation, I know how to raise a concern²;
 - b. I feel able to challenge inappropriate behaviour in the workplace;
 - c. I make a point of tackling bullying, harassment and other inappropriate behaviours when I see it happening around me;
 - d. I feel comfortable speaking to those more senior than me about their actions and impact; and
 - e. I feel confident that if I challenged someone more senior than me in my Area, Directorate or Division they would be open to receiving the challenge.
7. Additionally, we will measure Ministerial awareness of the revised procedure with the aim that:
- f. all Ministers have attended a briefing session on the revised Ministerial complaints procedure by December 2022 (to be measured through a survey of ministerial private offices).
8. We will continue to track the People Survey question “have you been bullied or harassed at work, in the past 12 months?” as a control measure (alongside our regular engagement with business areas) to understand where there may be a need for action to be taken to address areas where cases have been raised. While bullying and harassment is not tolerated, our focus is be on ensuring that, where cases arise, they can be dealt with appropriately and that staff feel confident to raise issues.
9. The 2019 People Survey will provide a baseline for measurement, allowing for several years of data, and is likely to provide the most comparable data for 2022, as the last year of pre-COVID 19 pandemic survey data. As above, we anticipate that some of the results in 2020 and 2021 may be impacted by the pandemic and shift to home working, and this is likely to be evident in 2022 results.

Propriety & Ethics Directorate
Scottish Government
July 2022

² Note that questions a, and c-e are ‘local questions’ selected by Scottish Government for inclusion in the People Survey for SG employees, in addition to the standard set of People Survey questions used across the civil service. [They are not published as part of the Cabinet Office publication].

Annex D

Table of measures showing SG People Survey results (source Cabinet Office, People Survey 2021, 2020, 2019 and Scottish Government)

	People Survey reference	People Survey question	SG score 2021	SG score 2020	SG score 2019	Notes
a.	LQB5	If I see or experience any form of wrongdoing in my organisation, I know how to raise a concern (% positive)	71	73	-	
b.	B57	I feel able to challenge inappropriate behaviour in the workplace (% positive)	69	67	66	
c.	LQB2	I make a point of tackling bullying, harassment and other inappropriate behaviours when I see it happening around me (% positive)	65	65	65	
d.	LQB3	I feel comfortable speaking to those more senior than me about their actions and impact (% positive)	54	53	51	
e.	LQB4	I feel confident that if I challenged someone more senior than me in my Area, Directorate or Division they would be open to receiving the challenge (% positive)	47	45	40	
f.	-	<i>All Ministers have attended a briefing session on the revised Ministerial complaints procedure, by December 2022 (% attendance)</i>		-	-	<i>Not part of the People Survey. To be measured through a survey of ministerial private offices.</i>
-	E03	<i>Have you been bullied or harassed at work, in the past 12 months? (% yes)</i>	7	7	11	<i>Not formally a measure of the CIP, but to be tracked</i>