Non-Statutory Code of Practice for Investigations
Foreword

The delivery of devolved social security benefits is the largest programme of change the Scottish Government has undertaken since devolution. Social Security Scotland will eventually be making more payments in one week than the Scottish Government currently makes in one year. It will be important to ensure the right payments are made to the right people at the right time.

Social security is an investment in the people of Scotland, with the aim that the system should be efficient and deliver value for money. The Scottish Government is guided by the Scottish Public Finance Manual (SPFM) and counter fraud strategy “Protecting Public Resources in Scotland”\(^1\) on the proper handling of fraud and reporting of public funds which also underline the importance of a commitment to ethical standards in public life.

When suspicious activity is found during the processing of a claim for a benefit, or an allegation of fraudulent activity is made by a third party, an investigation may be launched. The principles underpinning the Social Security (Scotland) Act 2018\(^2\), in combination with the Social Security Charter\(^3\), will underpin the front line delivery of services to improve the everyday experiences of individuals. Therefore, like all other aspects of Social Security in Scotland, this code is intended to align with the principles and our Charter. It is designed to take a rights based approach and to ensure that people will be treated with dignity, fairness and respect throughout.

Investigations involve gathering information from a variety of sources and giving the person being investigated an opportunity to explain how the circumstances have arisen. This non-statutory code is an interim publication that sets out how Social Security Scotland will undertake investigations utilising existing powers. A final Code of Practice will be laid once the draft regulations dealing with the investigation of social security offences have been approved by the Scottish Parliament.

The publication of this code aims to ensure that, as well as meeting the legal requirements for an investigation, Social Security Scotland investigators follow best practice. It is designed to give assurances about training and accountability of staff carrying out investigations and the processes that they will be required to follow.

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\(^3\) [https://www.gov.scot/publications/charter/](https://www.gov.scot/publications/charter/)
The guidance sets out the standards Social Security Scotland should meet in its procedures and practices when investigating an allegation or suspicion of an offence. It provides information on what people should expect if they or someone else they know, or represent, is under investigation and underlines that enforcement action will not be taken lightly. It will only happen when there is reasonable suspicion that fraud has actually occurred or has been attempted by an individual, group, or organisation. Genuine errors will not be criminalised.

In line with a rights based approach, the guidance also sets out how a complaint can be raised where a person who has been investigated feels staff have fallen short of these standards. Social security tribunals, and civil and criminal courts will also have regard to this Code when deciding any question to which it is relevant.
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Introduction

1. Social security is an investment in the people of Scotland, and we start from the premise that everyone may be entitled to support. To ensure this public investment is maximised and spent appropriately, one of the key principles is that the Scottish social security system is efficient and delivers value for money.

2. The priority is to prevent social security fraud and Social Security Scotland’s systems and processes are being designed to reduce the risk of fraud and error. Social Security Scotland’s approach to prevention is set out clearly in its ‘Counter Fraud Strategy’. However, firm action is needed where deliberate attempts to defraud the social security system are made. Social Security Scotland has a duty to identify and manage risk, make sure there are whistle-blowing and reporting procedures, and effectively, professionally and sensitively investigate where there is a suspicion of fraud.

3. The Scottish Public Finance Manual (SPFM) also sets out principles to guide the Scottish Government and other relevant bodies on the proper handling of fraud and reporting of public funds. It sets out legal, parliamentary and administrative requirements and promotes good practice and high standards of behaviour.

4. The Social Security (Scotland) Act 2018 (the Act) provides the basis for claims and payments of devolved benefits and sections 71-73 set out the specific social security offences that may be committed. Where there is a suspicion that an offence may have been committed, thorough investigation to establish the facts will be needed. This is a key aspect of the Scottish Government’s counter fraud strategy “Protecting Public Resources in Scotland”.

5. Section 76 of the Act requires that Scottish Ministers publish and lay in Parliament a Code of Practice that explains how powers of investigation given by regulations made under section 75 will be used.

6. The Scottish Government consulted on a draft Code of Practice for Investigations and the information gathering powers and associated offences contained within the proposed Social Security Assistance (Investigation of Offences) (Scotland) Regulations. A number of specific points were raised by respondents to the consultation, particularly in relation to the powers contained within the draft Investigation of Offences Regulations. The Scottish Government is carefully considering the issues raised in the consultation.

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5 http://www.gov.scot/Topics/Government/Finance/spfm/Intro
6 http://www.gov.scot/Publications/2015/06/7635
Non-Statutory Code Of Practice For Investigations

7. In the meantime, the Scottish Government believes it is important to publish this non-statutory Code of Practice to set out how Social Security Scotland will undertake fraud investigations using existing powers. This will allow people to understand the standards Social Security Scotland should meet when undertaking fraud investigations and what people should expect if they are under investigation. This non-statutory Code of Practice should not be seen as fulfilling the duty under section 76 of the Act.

8. When a final draft of the Investigation of Offences Regulations have been approved by the Scottish Parliament, a final Code of Practice will be laid in the Scottish Parliament. This will explain how the powers of investigation given by regulations made under section 75 will be used. Once laid, this will meet the requirements set out in Section 76 of the Act.

9. Section 76 of the Act also sets out a duty to keep the Code under review. As recognised by respondents to the consultation, this is particularly important in relation to the first version of the Code to be published. Social Security Scotland will seek to continuously improve and update the Code at appropriate times when there is feedback and experience from a period of operations to inform changes.

10. This non-statutory Code of Practice only applies to investigation of devolved benefits paid under the Act. Fraud investigations relating to benefits that the Department for Work and Pensions (DWP) will continue to deliver in Scotland are not covered by this Code. Further information can be found online at www.gov.uk/benefit-fraud.

11. Fraud investigators, social security tribunals and civil and criminal courts should take this code into account when deciding questions to which it is relevant. However, a failure to comply with it does not of itself give grounds for any legal action.

Consultation

12. As part of a wide ranging consultation⁸ on the content of the Act carried out between 29 July and 30 October 2016, respondents were invited to express their views on issues related to fraud. Building upon this, the Scottish Government consulted on a draft Code of Practice for Investigations and the information gathering powers and associated offences contained within the proposed Social Security Assistance (Investigation of Offences) (Scotland) Regulations⁹ between 6 August and 29 October 2018.

13. The Code of Practice as consulted upon was set out in five chapters. The first chapter described how the powers in the draft Investigation of Offences Regulations would be used. The remaining chapters set out the standards Social Security Scotland should meet in its procedures and practices when investigating an allegation or suspicion of an offence. It also provided information on what people should expect if under investigation.

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14. The Scottish Government engaged KSO Research Ltd to undertake an independent analysis of the consultation responses and produce a report for publication. The analytical report and the Scottish Government response can be found on consult.gov.scot
Chapter 1
Powers to Investigate and Safeguards

Social Security Offences

15. Sections 71 to 73 of the Social Security (Scotland) Act 2018 provides for three specific types of offences that may be committed – by both individuals and organisations. These are:

- Trying to obtain assistance by deceit (through providing false or misleading information);
- Failing to notify a relevant change of circumstances without a reasonable excuse; and
- Causing another person to fail to notify a change of circumstances.

16. Section 74 of the Act provides that individuals within an organisation can be held responsible for an offence committed by the organisation, where there is active involvement or neglect by a senior member of the organisation. The offences covered here are those provided for by the Act, namely sections 71 – 73, and any that are introduced by regulations made under it.

17. Section 75 of the Act allows regulations to be made providing for the investigation of the offences set out in sections 71-74, as well as creating new offences relating to obstruction and delay of investigations. Once those regulations have been approved by the Scottish Parliament, this Code of Practice will be updated to explain how powers of investigation given by the regulations will be used.

Investigations

18. The purpose of an investigation is to gather evidence to decide whether there are reasonable grounds to conclude that an offence has been committed. Where a suspicion has arisen, counter fraud officers will in most cases need to gather evidence from a range of people and organisations to establish the facts.

19. Any investigation will be based on the principle that everything counter fraud officers do must be proportionate. They will only carry out activities that are strictly necessary to collect enough information to help them decide whether an offence has been committed.

20. Counter fraud officers can only request information within the limits permitted by law. For example, they can only do so where it is necessary for the prevention and detection of crime and the request is linked directly to the investigation. They must also ensure all the information they receive is transferred and held securely and confidentially. Information can only be disclosed where it is lawful to do so and in accordance with the Data Protection Act 2018 (DPA).
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Evidence will be gathered in the least intrusive way appropriate. There are a number of ways this might be done:

21. **Open Source** - Depending on the type of information required, counter fraud officers may be able to get what they need from open or public sources of information such as the electoral roll, Registers of Scotland or where appropriate, sources on the internet. A record will be kept of all searches undertaken and these will always be carried out in a way that provides an audit trail.

22. **Other Organisations** - As a result of the reference to the Scottish Ministers, Social Security Scotland, an executive agency, is recognised in the Data Protection Act 2018 (Schedule 7, paragraph (2)) as a ‘competent authority’ processing personal data in compliance with the law enforcement provisions under Part 3 of the Data Protection Act 2018 for the purpose of preventing, investigating, detecting or prosecuting criminal offences. Counter fraud officers may make requests to Data Controllers of other organisations to ask them to disclose information they hold where it will be used in connection with the prevention or detection of crime or the apprehension or prosecution of offenders.

23. The decision to release the information rests with the Data Controller who must satisfy themselves that there is a lawful basis to share requested information. Once released this information will be subject to the Law Enforcement Processing provisions in Part 3 of the same Act.

24. Section 85 of the Act\(^{11}\) and section 34 of the Scotland Act 2016\(^{12}\) also allow Scottish public authorities, as well as DWP, to share some types of data with Social Security Scotland to help carry out its functions, including the investigation of possible offences.

**Covert Surveillance**

25. Counter fraud officers may also seek an authorisation by the Chief Executive of Social Security Scotland to carry out directed surveillance in Scotland under the Regulation of Investigatory Powers (Scotland) Act (RIP(S)A) 2000\(^{13}\). However, there are a number of important safeguards to ensure a person is treated with dignity, fairness and respect, particularly because, by definition, covert surveillance means a person will not know it is happening.

26. RIP(S)A provides a regulatory framework which ensures that the use of those powers is compliant with the European Convention on Human Rights (EHCR). Covert surveillance will only ever be carried out as a last resort and only where it is necessary and proportionate to do so. This must be clearly demonstrated in a robust business case, where authorisation will be sought from the Chief Executive of the agency. Another important safeguard is that Social Security Scotland will be subject to independent oversight and inspection by the independent, judicially-led Investigatory Powers Commissioner’s Office.

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27. RIP(S)A also sets out that authorised surveillance has to be part of a specific investigation or operation and all surveillance will be carried out in accordance with the relevant RIP(S)A code of practice14. It provides guidance on when an authorisation may be appropriate and the procedures that must be followed before activity takes place. It also sets out on how information from surveillance should be treated, how it should be examined, retained, destroyed and how and when it can disclosed.

**Common Interest Investigations**

28. In more serious or complex cases of fraud, for example multiple benefits or organised crime, it may be appropriate to investigate with other law enforcement agencies or with other public bodies to prevent wider fraud or make sure that all of the offences are prosecuted together. These may include bodies such as DWP, Her Majesty’s Revenue and Customs (HMRC), Local Authorities, the Home Office or the Police. This may mean information gathered during an investigation will be shared between these organisations, but this will always be done in accordance with the relevant law.

29. All investigations will be undertaken in accordance with requirements set out in other relevant legislation. This includes the Criminal Procedure (Scotland) Act 1995, the Criminal Justice and Licensing (Scotland) Act 2010, the Criminal Justice (Scotland) Act 2016, the Regulation of Investigatory Powers Act 2000, the Regulation of Investigatory Powers (Scotland) Act 2000 (“RIP(S)A”), the DPA and the GDPR. All relevant Codes of Practice including this one, should be followed. Investigations must also be carried out in a way which gives effect to the requirements of the ECHR, particularly Article 6 which is the right to a fair hearing and Article 8 which is the right to respect for private and family life. All relevant legislation is listed in the Annex to this document.

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Chapter 2
Standards for Counter Fraud Officers

30. Social Security Scotland counter fraud officers investigating social security offences in Scotland will be directly employed by the public sector. This provides assurance that they will be appropriately trained, accountable for the way they treat people they investigate, and that their use of powers is closely monitored and controlled.

31. The civil service code sets out the standards of behaviour expected of all civil servants when performing their duties. They are expected to carry out their role with integrity, honesty, objectivity, and impartiality. This expectation extends to all counter fraud officers of Social Security Scotland.

32. Counter fraud officers will have to show:

- **Integrity**: putting the obligations of public service above personal interests;
- **Honesty**: being truthful and open;
- **Objectivity**: basing advice and decisions on thorough analysis of the evidence; and
- **Impartiality**: acting only according to the merits of the case.

33. More information about the Civil Service Code can be found at the Scottish Government website\(^\text{15}\).

34. All counter fraud officers will be specially trained members of staff who have the permission, expertise and skills to use their powers effectively and lawfully to gather the appropriate evidence.

35. Counter fraud officers will be subject to civil or criminal proceedings as well as disciplinary action if they are found to be abusing these powers. In addition they will also be subject to Codes of Practice relating to the other relevant legislation listed in the annex to this document and will have regard to the principles of the Act and our Charter.

36. As public sector employees, all Social Security Scotland staff will receive mandatory data protection, equality and diversity as part of their induction and subsequent ongoing training. This will ensure that Social Security Scotland put dignity, fairness and respect at the heart of everything they do. In addition, Counter Fraud officers will also receive specialist training tailored to their role. They will also be subject to internal disciplinary action for wrong-doing and any officer that who unlawfully reveals information that they learned in the course of their work that relates to individuals under investigation may be prosecuted, whether they still work for Social Security Scotland or not.

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\(^\text{15}\) [https://beta.gov.scot/publications/civil-service-code/]
Compliance with Data Protection legislation is an important aspect of any investigation both in terms of administrative processes and the conduct of counter fraud officers. As part of their remit, the Information Commissioner is responsible for: enforcement of the GDPR and DPA; the promotion of good practice and public awareness of risks regarding the processing of personal data; and investigating breaches of the DPA. They also provide advice to government and other state bodies on their obligations on legislative and administrative measures relating to the protection of natural persons’ rights and freedoms with regard to processing personal information. Further information can be found on the Information Commissioner's Office website\textsuperscript{16}.

\textsuperscript{16} \url{www.ico.org.uk}.
Chapter 3
What to expect if you are being investigated

38. By their nature, investigations are carried out discreetly. Social Security Scotland will not normally tell a person that they are under investigation while the facts are still being established, this is to avoid prejudicing the detection, investigation or prosecution of criminal offences. It will also prevent unnecessary worry and distress to those who are found to have no case to answer.

39. As much information as possible will be gathered before the individual under investigation is informed and, where there are reasons to suspect they may have committed an offence, they will always be given an opportunity to put their side of the story and offer a reasonable explanation at an interview.

Interview under caution

What is the interview for?

40. An interview under caution is a fact finding exercise that helps the counter fraud officer understand what has happened and decide what to do next. It does not necessarily mean the individual has done anything wrong or that they will be prosecuted.

41. The interview is voluntary and is a chance to provide a reasonable explanation or to dispute or clarify any of the evidence gathered during an investigation. A person can also provide any documents that may support their explanation. Social Security Scotland will be impartial and treat that person with dignity, fairness and respect and in accordance with the law.

What happens?

42. A letter will be issued with an invitation to attend the interview. If another person such as an appointee, guardian or a person with power of attorney is acting for the person who is receiving benefit, they will normally be dealt with directly. The agency will aim to ensure accessibility and be as flexible as possible about the time and place of the interview, working with the individual to assess any reasonable adjustments that are required. For example, it may be appropriate to conduct an interview in a person’s home if they have restricted mobility, or somewhere local to their place of residence.

43. The person who received the benefit payment will usually be interviewed, but in some circumstances it may be another person, for example if it is suspected they have helped someone else to claim benefits fraudulently.
44. **The interview will be recorded and is carried out under caution.** This means the suspect does not have to say anything, but that anything that is said may be used in evidence if there is a criminal prosecution. This will always be made clear to the person being interviewed before the interview begins. Recordings will be carefully stored with a clear audit trail to show how the evidence was obtained and handled until it is either produced in court or the investigation ends. A copy of the recording may be provided to the individual who was interviewed on request. Where a case is passed to the Crown Office and Procurator Fiscal Service (COPFS), a person would also be able to obtain a copy of interview recordings through their solicitor.

45. **The person being questioned is entitled to have someone with them if they choose.** This is important in ensuring that people are treated with dignity, fairness and respect. A person can be accompanied by, for example, a friend, relative, advocate, welfare rights or legal representative, but there is no requirement in law for another person to be present. The agency will be very clear about the rights of the accompanying person in terms of what they can and cannot do during an interview, which will also be set out in a leaflet and made available in advance of the interview.

46. **If the person being interviewed is an adult and because of a disability they appear to be unable to understand sufficiently what is happening or communicate effectively with the investigators, arrangements must be made to ensure that a suitable person is present at the interview to provide support.**

47. **The role of an individual accompanying someone to an interview under caution, is to provide support to the person being interviewed to help them understand what is happening and to facilitate effective communication between that person and the interviewer.** They should not answer questions on behalf of the person being interviewed, but can help them or ask investigators to clarify questions during the interview. They will be given the opportunity to speak at appropriate times.

48. **The person being interviewed is also entitled to have a solicitor present during the interview or to consult with a solicitor at any time.** Although a person may choose not to exercise their right to have a solicitor present during the interview, they may change their mind at any time. If necessary, the interview should be adjourned until the person is given the opportunity to seek legal advice.

49. **A person should not be interviewed without a solicitor being present in the following situations:**
   - If the person is under 16 years old;
   - If the person is aged 16 or 17 years old, unless there is agreement from a parent or other responsible adult that the interview may proceed without a solicitor being present; or
   - If the person is an adult and, owing to a disability, they appear to be unable to understand sufficiently what is happening or communicate effectively with interviewing officers.
50. **It is the responsibility of the person to contact their own solicitor** for the purposes of any private consultation or to arrange their attendance during the interview. They will be told about this in advance of the interview taking place.

51. **The interview may be paused at any time for a break or to allow a person being interviewed to seek legal advice, and they are free to end the interview at any time.**

52. **The person being questioned can always refuse to answer a question or to say anything at all.**

53. **At least two counter fraud officers will always be present.**

54. **An interpreter will be provided where appropriate.** In accordance with section 4 of the Act, Social Security Scotland will ensure that individuals who have difficulty communicating (in relation to speech, language or otherwise) can understand questions and express themselves in ways that best meet their needs. This may be, for example, where English is not the first language, or the individual has a sensory impairment or communication difficulty. Religious or cultural sensitivities will also be taken into account where officers are aware of them.

**Documents**

55. If information or documents are needed from the person being interviewed to help with the investigation, the reason they are needed will be explained and they will be asked to provide them voluntarily. A reasonable amount of time will be given to provide them, but if the time given is not long enough, the person under investigation should contact Social Security Scotland to explain how much more time they need and why.

56. If the request is reasonable, more time will be allowed. But if it is not deemed to be reasonable, or more time cannot be given, this will be explained. If the person being investigated has any difficulty getting the information and documents requested, they should make contact immediately to discuss how they will get it.
Chapter 4
Outcome of an investigation

57. When an investigation is completed there are a number of possible outcomes:

No case to answer

58. Where there is no case to answer and the person under investigation was not aware that an investigation had been taking place, the investigation will be closed down with no further action. If the person was aware of the investigation, or had already been interviewed, this will always be confirmed in writing and where necessary in an appropriate format.

Evidence suggests a determination of entitlement is wrong

59. If the evidence gathered shows that a current or past determination of entitlement is likely to be wrong, the counter fraud officer will pass the information to a person trained to administer the specific benefit, or benefits, that have been paid. With the new information they have been given, that decision maker will decide whether it was paid correctly or incorrectly. Correctly means that an individual was entitled to receive the benefit at the level at which it was paid; incorrectly means they were not entitled to receive it at all, or, alternatively, that they were not entitled to receive it at the level at which it was paid.

Benefit was paid correctly

60. If the decision maker decides that the benefit was paid correctly, no further action will be taken and the investigation will be closed. Social Security Scotland would then communicate with the person to confirm this.

Benefit was paid incorrectly

61. If benefit was paid incorrectly, the decision maker will also consider whether or not Social Security Scotland should ask for the money to be paid back, in accordance with the relevant overpayment liability provisions in sections 63-69 of the Act. The individual would then be notified in writing of the outcome.

62. If the decision maker confirms that the benefit was paid incorrectly and the facts of the case and evidence suggest an offence has been committed, the counter fraud team may also decide that it should be reported to COPFS. COPFS is Scotland’s independent prosecution service and is responsible for all prosecutions in Scotland.

63. Part of their role is to consider whether the evidence presented in a report from the police or other reporting agency is sufficient and capable of proving beyond reasonable doubt that an offence has been committed. If so, COPFS will decide
what action if any it is appropriate to take in the public interest. More information about the role of COPFS can be found on their website\textsuperscript{17}.

64. If a decision is taken to report a case to COPFS, Social Security Scotland would then write to the person to confirm this and to let them know that the investigation has concluded.

**Data**

65. Article 5(1)(e) of the GDPR\textsuperscript{18} and the fifth principle\textsuperscript{19} of the Law Enforcement Processing provisions of the DPA require that personal data is not kept longer than is necessary. Regular reviews will be conducted to ensure that data is stored only for as long as it is needed. When the investigation and all related action has concluded, the documents and evidence gathered will be retained and destroyed in line with Social Security Scotland’s data retention policy which is published separately.

\textsuperscript{17} http://www.copfs.gov.uk
\textsuperscript{18} https://gdpr-info.eu/art-5-gdpr/
\textsuperscript{19} http://www.legislation.gov.uk/ukpga/2018/12/section/39/enacted
Chapter 5
Complaints

66. If a person is unhappy with the way they have been treated during an investigation or believe Social Security Scotland has fallen short of the standards set out in the Code of Practice they can make a complaint:

- By Freephone: 0800 182 2222
- In writing: Social Security Scotland
  PO Box 10304
  Dundee
  DD1 9FZ

67. Social Security Scotland processes have been designed to make sure that all feedback will be valued and acted on. All feedback provided to Social Security Scotland will help it to improve and learn as an agency, and make the service better. Where possible, a complaint will be resolved quickly.

68. Complaints will always be independently and thoroughly investigated without prejudicing any other on-going claim to benefit a person may have. Individuals will be notified who is dealing with their complaint and this will always be someone from a team that is not linked to either fraud or benefit processing, and who has had no prior involvement in the case.

Our complaints handling procedure has three stages:

Stage One - Frontline resolution

69. Social Security Scotland aims to resolve complaints quickly and close to where the service was provided. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem. A decision at stage one will be given in five working days or less, unless there are exceptional circumstances.

70. If the complaint can't be resolved at this stage, this will be explained. If an individual is still dissatisfied, they can ask for the complaint to be investigated further through stage two. This can be done immediately or sometime after the initial response is received.

Stage Two – Investigation

71. Stage two deals with two types of complaint: those that have not been resolved at stage one and those that are complex and require detailed investigation.

72. Social Security Scotland will:

- Acknowledge receipt of your complaint within three working days;
- Discuss the complaint with to understand why the individual remains dissatisfied and what outcome is sought; and
• Provide a full response to the complaint as soon as possible and within twenty working days.

73. Where an investigation will take longer than twenty working days, the individual will be informed. Revised time limits will be agreed and updates on progress provided.

**Stage Three – Independent Investigation**

74. After Social Security Scotland has fully investigated, if a complaint is still not resolved the individual will have the option of asking the Scottish Public Service Ombudsman (SPSO) to investigate. The Ombudsman will normally only be able to act if stages one and two of the complaint procedure has been completed.

75. Contact the SPSO:

• In person: **4 Melville Street, Edinburgh, EH3 7NS**
• By Freephone: **0800 377 7330**
• Online: [http://www.spso.org.uk/contact-us](http://www.spso.org.uk/contact-us)
• By post: **Freepost SPSO** (this is all you need to write on the envelope, and you don’t need to use a stamp)

**Complaints about Surveillance**

76. If a complaint is about Social Security Scotland’s use of surveillance powers, information can be found about how to complain to the Investigatory Powers Tribunal in the RIP(S)A Code of Practice[^20]

77. For more information about this publication, contact: [SSDCounterfraudpolicy@gov.scot](mailto:SSDCounterfraudpolicy@gov.scot)

Annex

Relevant legislation

- Social Security Scotland Act 2018
- Criminal Procedure (Scotland) Act 1995
- Criminal Justice (Scotland) Act 2016
- Criminal Justice and Licensing (Scotland) Act 2010
  - Criminal Justice and Licensing (Scotland) Act 2010 (Section 164) Code of Practice - Disclosure Of Evidence In Criminal Proceedings
  - Covert surveillance and covert human intelligence sources codes of practice
- Regulation of Investigatory Powers (Scotland) Act 2000 (“RIP(S)A”)
  - RIP(S)A: Covert Surveillance and Property Interference Code of Practice
  - RIP(S)A Covert Human Intelligence Sources Code of Practice
- Data Protection Act 2018
- General Data Protection Regulation
- Human Rights Act 1998
- Proceeds of Crime Act 2002
- Data Sharing Code of Practice \(^{21}\)

\(^{21}\) The Data Sharing Code of Practice is currently subject to review by the ICO.