

Colleague Conflict of Interests Policy

Policy document

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1. Purpose

The purpose of this policy is to work with colleagues to uphold Ofcom's stringent impartiality, integrity and reputation as an independent regulator through effective management of colleague conflicts of interest and ensure appropriate use of the sensitive and confidential data we hold. The policy describes what may constitute a real or perceived conflict of interest and sets out what colleagues should do to raise, avoid or manage any such conflicts arising.

As the communications regulator, and as a public body, our independence, impartiality and integrity related to appropriate use of the sensitive and confidential data we hold is central to the work that we do. Many of our decisions and information we hold have economic and /or social impacts and it's vital we ensure colleagues at Ofcom are able to undertake their roles in an environment without concern about conflicts of interests or improper influence.

It is also important that Ofcom is able to attract talent globally and has colleagues with knowledge of the sectors we regulate. We need to be able to pro-actively and sensibly manage, using appropriate and proportional action, potential conflicts of interest colleagues may have or that may arise from time to time. It is a privilege to do the work we do, and we must be able to publicly defend the actions of those who work for us in relation to this Policy to prevent any reputational damage.

The purpose of this policy is to describe what may constitute a real or perceived conflict of interest and to set out what colleagues should do to raise, avoid and /or to manage any such conflicts arising.

This guidance provides a framework for colleagues to determine whether there are any risks associated (and the level of any risk) with existing or potential relationships, roles and / or assets.

1.1 Scope

This Policy applies to all colleagues employed by the Office of Communications ('Ofcom').

1.2 Principles

When undertaking roles at Ofcom, we expect all colleagues to:

- Always act with honesty and integrity. Be open about the relationships and personal interests or circumstances that could be seen by others as influencing your independent judgment.
- Not seek a profit (or avoid a loss) for yourself or others by making personal use of information acquired during your duties and/or through your security status.
- Ensure you do not leave yourself open to (real or perceived) improper influence through the acceptance of gifts and hospitality, or otherwise. Always alert your line manager to any actual or potential conflict of interests and agree with them how they should be best managed. Declarations should be made on appointment and as and when they arise throughout the year.
- Take any advised action in an appropriate timeframe.

1.3 Risks to be Managed

The processes and controls associated with this Policy are designed to prevent:

- loss of public confidence that our decision-making is objective, impartial and independent and use of confidential data is appropriate;
- colleagues failing to recognise, declare and manage any potential conflict of interests in a timely way; and
- colleagues acting in a way that breaches this Policy.

2. Conflicts of Interest

A conflict of interest arises when your work could be affected by your personal financial matters, a close personal relationship or through circumstances in which you or others could seek to improperly benefit from the information or influence you hold because of your role at Ofcom. It could also arise if your work could be affected by a personal interest held by either you or one of your close family or any other close individual personal relationship (defined as spouse/partner, parents, siblings, children or dependents). It becomes significant if any person, internally or externally, might reasonably believe there is a risk of your actions, or those of a personal associate, being inappropriately influenced.

A conflict of interest, or a perceived conflict of interest, may arise in various ways, such as:

- a) a direct or indirect financial interest;
- b) a direct or indirect financial interest held by a commercial undertaking you are connected to;

- c) a personal association or relationship with those affected, or likely to be affected, by the information or issue in question;
- d) an expectation of a future interest (e.g., future employment);
- e) a previous association with a person affected or likely to be affected by the information or issue in question;
- f) an interest arising from a common interest group, such as a political body, trade association or other public or private society;
- g) accepting gifts and/or hospitality;
- h) a previous or current relationship with a contractor or potential contractor for Ofcom; and
- i) an interest as described in (a)-(h) above of a close family member.

This list is not exhaustive, nor will all the examples give rise to a conflict of interest or the perception of one. If you are unsure of whether a conflict has arisen or may arise in future, please consult your Senior People Business Partner or the People and Transformation Director.

2.1 Financial Interests

Your savings, investments and borrowings sometimes give you a personal interest in decisions. It is important to show that your personal decisions are not influenced by information that you know because of your work, which is often not in the public domain.

There are numerous individual organisations in the UK communications, media, online services and postal sectors. Many are subsidiaries of other companies, often with diverse interests.

To preserve your integrity and protect yourself and us, you must disclose certain financial relationships. You must also avoid some transactions altogether.

The financial transaction requirements apply to:

- a) your own financial relationships and transactions; and
- b) any financial relationships or transactions for another individual or organisation you direct or advise on, including when acting as an executor, trustee, director, shareholder or under a power of attorney.

In the case of colleagues in SMS positions, these restrictions also apply to their spouse, partner, dependent children¹ and other dependents. Other colleagues should declare if their spouse, partner, dependent children¹ and other dependents hold such direct financial interests.

For the purpose of this policy, there are two categories of relevant company:

¹ Dependent children are those up to the age of 16 or in full time education higher education.

Category A	<p>Companies which provide an Ofcom-regulated service (excluding those companies which require solely a Wireless Telegraphy Licence to operate).</p> <p>These may be companies whose Ofcom-regulated business is based predominantly in the UK (such as ITV plc, STV Group plc, Royal Mail plc, BT plc, Tesco plc, Manchester United plc) or companies which form part of wider international groups which are active in and regulated by Ofcom in the UK (such as Vodafone Group plc, Liberty Global Inc., Telefonica S.A., Amazon.com Inc.).</p> <p>Further providers of online services, including Alphabet Inc. (whose subsidiaries include Google and YouTube), Meta Platforms Inc. (whose subsidiaries include Facebook, Instagram and Whatsapp), Twitter Inc., will in due course fall into this category as Ofcom’s regulatory remit expands.²</p>
Category B	<p>Other companies not included in Category A above, but which are involved in the communications, media, online services or postal sectors e.g. a publicly quoted independent producer.</p>

Colleagues are not permitted to hold (or manage on behalf of others) a direct financial interest (e.g. shares) or an indirect financial interest (e.g. a trustee of a blind trust) in Category A companies.

With permission from the People and Transformation Director, based on an assessment of risk, colleagues may be permitted to hold a direct financial interest in Category B

Notwithstanding the above, colleagues are permitted to hold an indirect financial interest in any Category A or Category B company that is beneficially owned through an investment vehicle or other intermediary when the colleague, their partner, dependent children or other dependents does not control the intermediary and does not have the authority to supervise or participate in the investment decisions of the intermediary. Examples of this include a Master Trust pension.

Colleagues should also note that the provisions above apply only in relation to financial interests which have vested. Colleagues who hold interests which have not yet vested (for example previous employer share options, LTIP shares) will need to declare the provision but the policy will not apply to those provisions until the point their relevant interests vest.

You should also disclose any protracted dispute you have with a relevant Category A or B organisation over the provision of products or services and any other financial relationship if it could reasonably be considered a potential conflict of interest. This includes deferred remuneration arrangements.

² These rules will apply in respect of providers of regulated online services (which are not already regulated video sharing platforms) from the date the Online Safety Bill receives Royal Assent. In the interim, colleagues are required to declare direct or indirect holdings in Category A companies which are likely to fall within Ofcom’s remit under the Online Safety Bill, and Ofcom will consider whether any measures are necessary in the meantime, on a case by case basis.

Colleagues on fixed term contracts under one year will need to declare any financial interests and this will be subject to risk assessment by the People & Transformation Director in relation to any financial interests held in Category A and Category B organisations.

2.2 Personal Relationships

You are required to disclose close personal relationships (inside or outside Ofcom) which could create or be perceived to create a conflict of interest, influence or unfair advantage. As well as declare the below situations, you should notify your manager of each of the following close personal relationships, and update them of any pertinent changes in relation to:

- any close family member (spouse or partner, parent, sibling or child or dependent):
- working at Ofcom;
- working in any firm regulated by Ofcom;
- working in financial, economic or political journalism;
- working in a firm holding or tendering for a contract with Ofcom;
- holding a national elected public office (MPs, the Scottish or Welsh Parliament, the London or Northern Ireland Assemblies); and/or
- any other close personal relationship with an individual, or an organisation, that could reasonably give rise to an actual or perceived conflict of interests in relation to:
 - > a specific decision in which you are involved;
 - > your work more generally, given your role and that of the individual; or - the organisation in question.

Please contact your Senior People Business Partner if you need further guidance on whether a close family relationship or close personal relationship should be declared. If you cannot reasonably be expected to know the situation of a close family member or close personal relationship, the People and Transformation Director may allow an exception to the disclosure requirement.

2.3 Discussions on prospective employment with Ofcom regulated firms or suppliers or organisations with whom we engage on work related matters

Actual or potential conflicts of interests may arise when in discussion with a prospective new employer with whom we engage on work-related matters. You are reminded of the terms and conditions of your employment contract in relation to Confidentiality. The People and Transformation team can help determine whether your line manager needs to be alerted to mitigate such risks.

For SMS colleagues, you must immediately advise the People and Transformation Director and/or the relevant Senior Management Team (SMT) Member for your work area if you have accepted an offer of employment with a new prospective employer with whom we engage on work-related matters. For SMT colleagues, you must immediately advise the People and Transformation Director and/or the Chief Executive. It is appreciated if you can advise ahead of this point, if you deem appropriate - this will help us manage any perceptions of conflict while you are considering any prospective employment. This information will be held in the strictest confidence by the People and Transformation Director and/or the Chief Executive and will only be shared more widely if the risk is

such that it warrants action to mitigate it. No detriment will follow as a result of this information being shared.

For all other colleagues, in the event of your having concluded negotiations regarding the acceptance of an offer of employment with any organisation that is regulated by Ofcom or an organisation that you have contact with as a supplier, you must make your Senior People Business Partner and/or your line manager aware.

The People and Transformation team / others referred to above, will maintain the confidentiality of the information you provide, unless the nature of the conflict(s) identified makes disclosure more widely unavoidable. That would be discussed fully with you in advance.

2.4 Accepting gifts and hospitality

While working for Ofcom, you may develop contacts with external parties. It is important for our employees to know the industries and stakeholders with which we interact, so we encourage networking to improve stakeholder relations. This may involve the giving and receiving of hospitality, and occasionally, we may be offered gifts.

As a public body, we must observe high standards of ethical behaviour. When following the rules, common sense needs to apply about whether gifts or hospitality should be accepted. We should also consider the accumulative effects of gifts and hospitality on individuals or areas. If acceptance of gifts and hospitality were challenged, it would be necessary to show that acceptance was lawful, appropriate and consistent with our rules and that personal judgment or integrity had not been compromised.

UK legislation on bribery applies to all employees. Under the Bribery Act 2010, it is an offence for any of our employees to offer, promise or give a bribe to another person, or to request, agree to receive or accept a bribe from another person, and individuals may be subject to prosecution.

2.5 Hospitality

Colleagues should take care when offering and accepting lunch or dinner invitations with stakeholders. Particular circumstances may mean that a lunch or dinner with a stakeholder is inappropriate (for example, if Ofcom is considering a policy matter which may affect the stakeholder, or if we are considering a complaint against them).

Ofcom must always be seen as an unbiased and independent regulator. If colleagues are unsure whether to make or accept an invitation, they must obtain guidance from the relevant SMS member or the Corporation Secretary.

Colleagues should pay careful attention to the advice set out in the following paragraphs in determining whether or not to accept offers of hospitality. There should be a presumption against accepting offers of hospitality from those organisations that Ofcom regulates. The burden falls to the colleague to explain why an offer of hospitality should be accepted. Colleagues should consider the following broad guidelines which may be of help in assessing the relative merits of accepting an invitation:

- a) Category 1: Event-based hospitality that presents networking opportunities with Ofcom's stakeholders, and which might therefore inform or promote the work of Ofcom, may be acceptable. An example would be attendance at an industry awards dinner.

- b) Category 2: Work-related hospitality from a single stakeholder or licensee is acceptable where it can clearly be seen to be of value to Ofcom's work and to the wider industry in question. A working lunch may be an example.
- c) Category 3: Hospitality that benefits the recipient personally should be politely declined if it is difficult to justify the benefit to Ofcom, or if there is a risk of perceived bias or malign comment. An example would include invitations by Ofcom stakeholders to cultural or sporting events, such as the offer of tickets to the BBC Proms, or to the FA Cup final, or to a concert at the O2 Arena.

Entertaining received and given on behalf of Ofcom must be recorded in the Gifts & Hospitality Register which can be found on the [REDACTED]

Colleagues may entertain stakeholders and guests only where it is within budgetary limits and is a justifiable legitimate business purpose. Working lunches at Ofcom offices or the offices of the stakeholder need not be registered on the Gifts and Hospitality Register.

Colleagues should not allow themselves to enter into situations where they subsequently feel obliged to return an invitation.

Subject to these constraints, colleagues may claim reasonable and appropriate entertaining expenses up to the ceilings noted in Ofcom's Expenses policy.

2.6 Gifts

It is Ofcom policy not to accept, provide or receive gifts either from an individual or an organisation. Under no circumstances should gifts of any value be accepted from regulated entities.

In the event that any non-regulated individual or organisation insists on making a gift and its value is greater than £10, it should be donated to a charity of Ofcom's choice. Gifts of less than £10 in value may be accepted by colleagues.

All gifts with a retail value of more than £10 must be declared and recorded on the Gifts and Hospitality Register which can be found on the [REDACTED]

Promotional gifts such as pens, mugs, mouse mats with a value of less than £10 in value do not require declaration and may be accepted by colleagues.

Under no circumstances should gifts be accepted by:

- Colleagues working in the Commercial team;
- Colleagues involved in any tender exercise;
- Colleagues involved in a license awards process; and
- Colleagues involved in putting into practice or discussing policy or making a decision which might affect the individual or organisation concerned.

If a colleague has any uncertainty regarding the Gifts and Hospitality guidelines, they should contact the Governance and Accountability team for further guidance.

It is not our policy to charge a fee for providing a speaker at a dinner or conference and, if you are invited to speak, it should be made clear that no payment is expected or required.

The principles above apply to all gifts you may receive when giving a speech on our behalf. The principles above also apply to hospitality you may receive as a speaker.

2.7 Bribery

Ofcom strictly prohibits the offering, giving, solicitation or acceptance of any bribe, whether financial or other inducement, with the intention of inducing improper behavior or to gain any personal, pecuniary, commercial or contractual advantage.³

An advantage can include money, gifts, loans, fees, hospitality, entertainment, expenses, services, discounts, the award of a contract or anything else of value, including a favorable regulatory decision and/or any decision relating to any potential or actual investigation.

Corruption is the abuse of entrusted power or position for private gain.

Bribery is a criminal offence. Individuals found guilty can be punished by up to 10 years' imprisonment and/or a fine. If we fail to prevent bribery as an employer, we can face significant damage to our reputation.

We do not tolerate any form of bribery or corruption, and we will uphold all laws relevant to countering bribery and corruption.

All reported incidents of actual or suspected bribery or corruption will be promptly and thoroughly investigated and dealt with accordingly. You must never:

- give, promise to give or offer any payment, gift, hospitality or other benefit in expectation that an advantage will be received in return;
- accept any offer from a third party that you know, or suspect was made with the expectation that we will provide an advantage for them or anyone else;
- do anything, directly or indirectly, which may suggest to a third party that they could receive an advantage in return for an offer of any payment, gift, hospitality or other benefit;
- give or accept a gift or hospitality during any commercial negotiations or tender process if this could be perceived as intended or likely to influence the outcome; or
- give or offer any payment (sometimes called a 'facilitation payment') to a government official, regulator, law enforcement agency or other authority in any country to facilitate or speed up a routine or necessary procedure, including, but not limited to, the processing of visas, the provision of information and cooperation in any potential or actual investigation or proceedings.

Preventing, detecting and reporting bribery and other forms of corruption is the responsibility of all those working for Ofcom. If you are offered a bribe, or asked to make one, or if you suspect that any bribery or corruption has occurred or may occur, you must notify your manager immediately. If this would be difficult for any reason – for example, if you are concerned that your manager is involved – you should raise your concern in accordance with the Whistleblowing Policy.

Additionally, all concerns relating to bribery and/or corruption must be reported to the Corporation Secretary. If you are unsure about whether a particular act constitutes bribery or corruption, you should consult with the Corporation Secretary.

We aim to encourage openness and will support anyone who raises genuine concern in good faith, even if they turn out to be mistaken. It is essential that all employees are able to report their

³ See Ofcom's [Anti-Bribery Policy](#)

concerns promptly and without fear of reprisal or victimization and are aware of the means to do so. The Whistleblowing Policy underlines our commitment and support for those who raise concerns.

3. Roles and Responsibilities

3.1 Policy Owners: People and Transformation Director and Corporation Secretary

The Corporation Secretary, is responsible for:

- setting organisational policy, standards and expectations for managing conflict of interests which is aligned with Board Member conflict of interests' requirements; and
- making decisions, as required, and as set out within this policy.

The People and Transformation Director is responsible for:

- providing and implementing clear processes;
- providing tools for the organisation (e.g. training and awareness materials) to make compliance transparent and roles clear;
- providing support for all aspects of conflicts of interest, including on appointment and change of role, at the time of annual declarations/attestations and on an ongoing basis;
- monitoring the application of the Policy and determining cases (with support from the Corporation Secretary) where there is a real or perceived conflict of interest;
- ensuring records are kept up to date and only accessible should they be legitimately required;
- ensuring any breaches of the policy are fairly investigated through the Disciplinary Policy; and
- making decisions, as required and as set out within this policy.

3.2 Chief Operating Officer

Any conflicts of interest declared by the Corporation Secretary and the People and Transformation Officer (as joint owners of the Policy) should be reviewed by the Chief Operating Offer and the other relevant policy owner to demonstrate independence and an appropriate segregation of duties.

3.3 Colleagues

All colleagues are required to meet the requirements of this Policy and follow the underlying processes. The policy applies to all colleagues and covers anyone employed by Ofcom, including permanent, fixed term and temporary/casual employees. Compliance with this Policy is mandatory. If you feel compliance with this Policy is not possible, you should raise this with your manager or Business Partner and seek approval from the People and Transformation Director.

To fully comply with this policy, you must:

- proactively seek to understand all the provisions of the policy and to raise questions if you have any doubts as to the scope of the policy and how it relates to your personal circumstances;
- escalate any issues you consider appropriate to your manager or Business Partner;

- inform your manager immediately if there is a change in your personal circumstances which could lead to a conflict of interest in relation to your personal relationships, financial relationships or financial matters;
- make full, timely and accurate disclosures throughout the year, as described in this Policy; and
- confirm annually that you have read, understood and complied with this Policy.

To support colleagues, line managers must:

- know and understand this Policy and speak to the People & Transformation Team / Governance & Accountability Team if you need clarification or advice, as well as escalate any issues you consider appropriate;
- hold regular conversations with employees who report to you in order to identify any potential conflict of interest in relation to their personal relationships, financial relationships or financial matters; and
- ensure that employees who report to you know, understand and comply with this Policy.

3.4 Procedure for disclosure of interests

3.4.1 Onboarding and appointment

Before joining Ofcom new colleagues' potential conflicts of interests arising from personal relationships are considered during the onboarding process. This also applies to existing roles a candidate may hold (such as directorships, relevant community or charity roles, other employment or relevant political activities). If you have any concerns, please contact the People and Transformation Team.

When you begin work with us, you must complete a Disclosure of Interests form and declare details of potential conflicts of interest including:

- Personal relationships;
- Financial relationships, including the names of Category A or Category B organisations which supply you with products and services;
- Any post, other employment or fiduciary positions that you hold, or have held in the past 5 years, with a relevant organisation or an organisation that, to your knowledge, has a regulatory or contractual relationship with Ofcom;
- Any of the above interests of your close family or any other close personal relationship, to the extent to which you are aware of the interest(s); and/or
- Any involvement in active politics in support of a registered Political Party.

3.4.2 Ongoing obligations

Colleagues must immediately notify their manager and / or the People and Transformation Team following any changes in the information originally declared. If your role changes, including through promotion or secondment, you should discuss your declaration and interests with your new line manager.

You must immediately declare to your manager, and others as appropriate, any potential conflict of interest that arises over the course of your work – e.g. at meetings or during discussions.

Annually attest that you are aware of the policy and have no known (or have declared and are managing) any real or perceived conflicts of interest.

If you are unsure about any aspect of this Policy and how it applies, please seek guidance from your manager or the People and Transformation Team before making a declaration.

3.4.3 Compliance and breaches

We have an individual and shared responsibility to protect ourselves, our colleagues and Ofcom by identifying and promptly reporting breaches of this Policy. If you are aware of breaches of this Policy, you must inform the correct parties, as specified in this guidance, or otherwise your line manager or Business Partner, making any declaration with full details as quickly as possible.

You should report any conflict of interest as soon as you become aware of it and, where required, put in place as soon as possible any actions to manage such conflict(s). Actions will be proportionate to the risk and may include, but are not limited to, asking you to avoid certain decisions or involvement in decisions, removal or avoidance of certain projects or areas of work, appending certain conditions to your terms and conditions of work, temporary removal of your post and / or gardening leave, if appropriate.

You are required by your employment contract to comply with this Policy, and breaches or insufficient or untimely action may result in disciplinary action up to and including dismissal, under Ofcom's Disciplinary Policy.

3.4.4 Recording-keeping

Colleagues should be aware that the declared interests will be stored in a central password protected register held securely by the People and Transformation Team and accessed only by colleagues maintaining the register. In addition to current disclosures, historical disclosures will be kept for the period of a colleague's employment with Ofcom and for 6 years afterwards to provide an accurate record, which can be referred to in case of queries. It is recommended that colleagues keep a personal record of any disclosures made.

Line Managers may access, or be advised of, their employees' disclosure records in line with the above timelines. Generally, this information will be kept confidential and only made available where there is:

- a requirement for disclosure for the purposes of managing a potential or actual conflict of interest;
- a requirement for disclosure for the purposes of disciplinary proceedings; and/or
- any legal or regulatory obligation to disclose the information.

4. Other Matters

4.1 Conduct and the seven principles of public life

It is essential that both individual Colleagues and Ofcom maintain a reputation for impartiality, integrity and high professional standards. There should never be any legitimate reasons for external observers to question that our advice or decisions might be influenced by the private interests, or political interests or opinions, of Colleagues, or that Colleagues might be able to profit from information available to them through their work.

The 7 principles of public life apply to anyone who works as a public office-holder. This includes people who are elected or appointed to public office, nationally and locally, and all people appointed to work in:

- the civil service
- local government
- the police
- the courts and probation services
- non-departmental public bodies
- health, education, social and care services

The principles also apply to all those in other sectors that deliver public services. They were first set out by Lord Nolan in 1995 and they are included in the [Ministerial code](#).

For further information on the 7 principles and the work of the Committee on Standards in Public Life, visit the Committee's [website](#) and [blogsite](#).

Colleagues must ensure that their conduct accords with the [7 principles of public life annexed to this Code](#).

4.2 Political activities

To comply with Ofcom's status as an independent and impartial regulator, it is inappropriate for any colleague to engage in active politics or to serve as an elected councillor above parish/community council level, whether in support of a registered political party or as an independent.

Active politics includes standing as a candidate for political office at a national, regional or local level⁴ (whether in support of a registered political party or as an independent), active and visible political campaigning in support of a political party or an independent candidate, and making a donation or donations to a political party in a calendar year in excess of £7,500. For those colleagues who are on a career break, working full time for any Central Government department or as an official in the civil service (including in the devolved nations) or for local government is also not acceptable. However, secondment opportunities in a Central Government department, civil service or local government may be permissible, subject to prior approval by a colleague's line manager and the People & Transformation Director.

Political party membership is not prohibited. In addition, lower profile political activities or campaigning, such as leafleting, going door to door, volunteering for a political party or an independent representative in an administrative capacity may be permitted; however, please consult your Group Director beforehand for guidance. Colleagues should also refer to Ofcom's Social Media Policy and exercise their judgement when using social media to reflect their personal political views. Any political activity must be carried out in a colleague's personal time, subject to consultation first with their Group Director.

Colleagues should not agree to participate in public events organised to influence elections, given Ofcom's political impartiality. Colleagues should also take additional care to ensure that they avoid commenting on election issues in any speaking engagements during a pre-election period. In any cases of doubt, you should check with the Public Policy Team before accepting invitations.

⁴ In accordance with this policy, colleagues are permitted to serve as a parish or community councillor.

4.3 Right to Apply for an Appropriate Test and Right of Appeal

4.3.1 Appropriate Test

Engaging in active politics, as defined above, is not permitted under this policy. However, given the potentially broad range of individual circumstances that could be relevant in this regard, individual colleagues have the right to apply for an “Appropriate Test” to determine whether there are particular extenuating or exceptional circumstances which would enable their participation in a particular political activity alongside their role at Ofcom. For the avoidance of doubt, it is highly unlikely that there would be circumstances in which it would be appropriate for a colleague to stand for or serve in elected political office at a national, regional or local level⁵. However, there is a range of lower profile political activity, some of which may be acceptable in individual circumstances. Taking account of the above, following a decision by the Corporation Secretary and/or the People & Transformation Director that your political activity is not permitted under this policy, you may apply for an “Appropriate Test” by submitting your request in writing (using the template form) to the Corporation Secretary and/or People & Transformation Director. You should copy in your group’s Senior People Business Partner so that they can set up the process. In completing the Appropriate Test application, you should provide as much detail as possible about:

- a) the nature of the political activity which you are requesting permission to participate in;
- b) your role at Ofcom and your areas of responsibility;
- c) whether you believe that there is any scope for a conflict of interest (or perceived conflict of interest) between your proposed political activity and your role at Ofcom; and
- d) whether you feel there is potential for your proposed political activity to cause embarrassment to Ofcom or bring Ofcom into disrepute.

Your Appropriate Test application will be considered by an Appropriate Test panel (the “panel”) of three Senior Leadership Group and/or Senior Management Team colleagues appointed by the Corporation Secretary and the People and Transformation Director. The Panel Members will be comprised of members who are not part of your line management. If the Panel feel it is necessary, you may be offered the opportunity to meet with the Panel to provide further details of your request for involvement in political activities. If such a meeting is held, you may be accompanied by a colleague, Colleague Forum representative or trade union representative. You will receive the Panel’s decision in writing, which will ordinarily be provided within 10 working days of the Appropriate Test application being received or the Panel meeting (if held) taking place, whichever is later. In the event of any delay, you will be informed of this and provided with a likely timeframe for decision.

If permission to engage in particular political activities is granted by the Panel, such permission may be subject to conditions as determined by the Panel in their absolute discretion. Your permission to be involved in political activities may be reviewed if your role within Ofcom changes (including, but not limited to, any promotion or change in responsibilities). If the nature of your political activity changes, or is proposed to change, you are required to inform your Senior People Business Partner

⁵ In accordance with of this policy, colleagues are permitted to serve as a parish or community councillor.

of this immediately and Ofcom reserves the right to refuse you permission to engage in such political activity.

4.3.2 Further Right of Appeal

If you consider that the Appropriate Test Panel has not correctly followed procedure in reaching its decision and/or did not handle contact with you appropriately, you have a further right of appeal. The Corporation Secretary and/or the People & Transformation Director will appoint a Senior Leadership Group or Senior Management Team Member to consider and hear your appeal (the “Appeal Manager”). To ensure as much independence and impartiality as possible, the Appeal Manager will not have previously been involved with the Appropriate Test Panel and will not form part of the line management of the colleague who is appealing.

Upon submission of your appeal, you will be invited to an appeal hearing with the appointed Appeal Manager, at which you will be invited to set out the grounds of your appeal and, in particular, why you believe the Appropriate Test panel did not correctly follow procedure and/or did not handle contact with you appropriately. You can be accompanied at this hearing by another colleague, Colleague Forum representative or trade union representative. You will be provided with at least five working days’ notice of the appeal hearing. If you or your representative are unable to attend on the proposed date you may suggest an alternative date, ideally within five working days of the original date. You will be notified of the outcome of the appeal hearing in writing, which will ordinarily be provided within 10 working days of the appeal hearing taking place. In the event of any delay, you will be informed of this and provided with a likely timeframe for decision. If the Appeal Manager decides that the correct procedure was not followed and/

or that the Appropriate Test Panel did not handle its contact with you appropriately, in whole or in part, they will confirm this to you and of the action to be taken to resolve it.

The outcome of the appeal hearing is the final stage of the internal procedure, unless the facts materially change, in which case you will be entitled to submit a new Appropriate Test application for consideration.

Further detail on the Appropriate Test procedure can be found in the “Conflict of Interest - Appropriate Test Process (political activities ONLY)” document.

5. Version history

Version	Date	Revised by	Summary of changes
V4.0	February 2024	██████████	Added document classification and ‘Regular review and minor amendments approved by:’ details at top of policy
V4.0	July 2022	Corp Sec and P&T Director	V4.0
V3.0	January 2022	Corp Sec and P&T Director	V3.0
V2.0	January 2021	Corp Sec and P&T Director	V2.0

A1. The Seven Principles of 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.