

Colleague Conflicts of Interest Policy

Policy document

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Director of People, Culture & Workplace,
and Director of Communications

Approved by: Policy and Management
Board

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1. Purpose and Scope

As the communications regulator, and as a public body, Ofcom's independence, impartiality, and integrity is central to the work that we do. Many of our decisions have economic and /or social impacts. Ofcom needs to manage actual and potential conflicts of interest as well as considering what might be perceived to be a conflict of interest in order to maintain our reputation for independent, evidence-based policy and decisions¹. There should never be any legitimate reasons for

¹ The National Audit Office's report: Managing Conflicts of Interest published on 14 November 2024 (<https://www.nao.org.uk/wp-content/uploads/2024/11/managing-conflicts-of-interest.pdf>) uses the following definitions:

Conflict - a set of circumstances that creates a risk that an individual's ability to apply judgement or act in a role is, could be, or could be perceived to be impaired or influenced by a secondary interest.

Interest - a thing that may affect an individual's judgement such as a financial interest, outside role, family relationship or friendship.

Potential conflict of interest - where an interest may become a conflict due to the nature of the postholder's role or organisation. These require internal declaration and may require mitigations.

Actual or perceived conflict of interest - where a reasonable person might believe that a conflict of interest is likely to occur in a specific activity. There is no need for a system to differentiate between actual and perceived conflicts because both require declaration and mitigation.

external observers to question whether our advice or decisions might be influenced by our private interests or political opinions.

This policy also covers requirements and advice in relation to social media engagement, whether in a personal or business capacity, as well as restrictions in relation to undertaking political activities.

The appendices to this document set out:

- examples of what may constitute an actual, potential or perceived conflict of interest and the policy sets out what colleagues should do to raise, avoid or manage conflicts. This includes guidance and requirements relating to gifts and hospitality. Additional requirements apply in some instances to senior colleagues;
- guidance on how to stay secure online;
- the appeals procedure on political activities; and
- toolkits for social media engagement and accepting hospitality and/ or involvement in industry groups.

The Policy applies to all colleagues employed by Ofcom, regardless of contract type.

2. Policy

What colleagues are expected to do:

- Act with honesty and integrity and be open and transparent about relationships and personal interests or circumstances that could be seen by others as influencing your independent judgement.
- 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 (see gifts and hospitality section), or otherwise. Always alert your line manager to any actual or potential conflicts of interest and agree with them how they should be best managed in line with the requirements of this policy. Declarations should be made on appointment and as and when they arise.
- Comply with this Policy's requirements in relation to financial holdings; disclosing actual or potential conflicts of interest, recognising that these may change over time, including if you change role within the organisation or are involved in a project or policy development outside the normal responsibilities of your role; gifts and hospitality requirements; political activities; social media engagement; and reporting breaches of this Policy.
- Seek to understand all the provisions of the policy and raise questions if you have any doubts as to the scope of the policy and how it relates to your personal circumstances including:
 - > escalate any issues you consider appropriate to your Career and Performance Manager (CPM) 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, where required in this Policy, taking particular care to consider whether any new actual, potential or perceived conflicts of interest may have arisen if you have taken on a new role in the organisation or are involved in a project or policy development outside the normal responsibilities of your role.
- > confirm annually that you have read, understood, and complied with this Policy
- > note and adhere to the requirements around managing conflicts of interest if participating in a procurement exercise
- > note that failure to adhere to the Policy could result in disciplinary action.

In addition, to support colleagues, CPMs must:

- > know and understand this Policy and speak to the People, Culture & Workplace Team/ Governance & Accountability Team/ (Conflicts of Interest) Communications Team (Social Media) if they need clarification or advice, as well as escalating any issues they consider appropriate
- > hold regular conversations with employees who report to them in order to identify any potential conflicts of interest in relation to their personal relationships, financial relationships or financial matters; and
- > ensure that employees who report to them know, understand, and comply with this Policy.
- > take any advised action to deal with a potential conflict of interest/ actual conflict of interest in the agreed timeframe (e.g. divestment of shares in companies Ofcom regulates).

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 have access to because of your work and which is not in the public domain.

There are many organisations in the UK communications, media, online services and postal sectors. Some 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.

Category A	Requirements
Companies which provide an Ofcom-regulated service (excluding those companies which require solely a Wireless Telegraphy Licence to operate). These may be companies whose Ofcom-regulated business is based predominantly in the UK (such as ITV plc, STV Group plc, Royal Mail plc, Tesco 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, Alphabet Inc (whose subsidiaries include Google and YouTube), Meta Platforms Inc. (whose subsidiaries include Facebook, Instagram and WhatsApp).	1. 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. 2. For SMS colleagues these restrictions apply to their spouse, partner, dependent children² and other dependents. Other colleagues should declare if their spouse, partner, dependent children and other dependents hold such direct financial interests. 3. Colleagues are permitted to hold an indirect financial interest in any Category A company that is beneficially owned through an investment vehicle or other intermediary when the colleague, their partner, dependent children or other dependents do not control the intermediary and do not have the authority to supervise or participate in the investment decisions of the intermediary. Examples of this include a Master Trust pension and investments held in ISA accounts, index funds, Exchange Traded Funds (ETFs), or mutual funds linked to a specific stock market index where they are managed and controlled by the intermediary and the individual has no control over the specific companies included in the investment portfolio.

² Dependent children are those up to the age of 16 or in full time education/ higher education.

	4. 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.
Category B	Requirements
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.	With permission from the People, Culture & Workplace Director, based on an assessment of risk, colleagues may be permitted to hold a direct financial interest in Category B. Colleagues are permitted to hold an indirect financial interest in Category B companies without needing such prior permission.
Additional requirements	
1. Colleagues should disclose any protracted dispute they 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. Colleagues on fixed term contracts under one year will need to declare any financial interests held in Category A and Category B companies and this will be subject to risk assessment by the People, Culture & Workplace Director.	

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 declaring the situations below, you should notify your manager of any 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, Culture & Workplace 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, potential or perceived 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, Culture & Workforce team can help determine whether your line manager needs to be alerted to mitigate such risks. Notification requirements for different categories of colleagues are as set out below:

Level	Requirements
Group Directors	Where a Group Director has applied for or is in discussion with a search agency about a specific role in an Ofcom regulated firm or a sector significantly impacted by Ofcom regulation they should inform the Chief Executive Officer who will treat this information with discretion and decide - as applicable in discussion with the Chair - whether any steps need to be taken to avoid an actual, potential or perceived conflict of interest. If the Group Director is unsure about whether they need to make a disclosure they should seek the advice of the General Counsel.
Directors	Directors must immediately advise the People, Culture & Workplace Director and/or the relevant Senior Management Team (SMT) Member for their work area if they have accepted an offer of employment with a new prospective employer with whom we engage on work-related matters. Those SMT colleagues who are not Group Directors (who have additional requirements as

	set out above) must immediately advise the People, Culture & Workplace Director and/or the Chief Executive. It is appreciated if you can advise ahead of this point, if you deem it appropriate - this will help us manage any perceptions of conflict while you are considering any prospective employment.
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 CPM aware.
In all cases the information provided by the colleague to the Chair/ Chief Executive/ Group Director/ SMT member/ CPM/ Director of P,C&W/ Senior Business Partner/ Business Partner will be held in the strictest confidence and will only be shared more widely if the risk is such that it warrants action to mitigate it; however, this would be discussed fully with the colleague in advance.	

2.4 Gifts and hospitality

While working for Ofcom, you may develop contacts with external parties. It is important for colleagues 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 being received by particular individuals or areas of the organisation. 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 employees³. 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.

- a) 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

³ For further detail please see Ofcom's [Anti-Fraud, Bribery and Corruption Policy](#)

may affect the stakeholder, or if we are considering a complaint against them. Hospitality must in no circumstances be accepted from a supplier or prospective supplier when a tender exercise is underway).

- b) 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.
- c) 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:
 - i) 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
 - ii) 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 (n.b. hospitality must in no circumstances be accepted from a supplier or prospective supplier when a tender exercise is underway)
 - iii) 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.
- d) Entertaining received and given on behalf of Ofcom must be recorded in the Gifts & Hospitality Register which can be found on the Hive at: [Gifts and hospitality register \(sharepoint.com\)](#).
- e) 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.
- f) Colleagues should not allow themselves to enter into situations where they subsequently feel obliged to return an invitation.
- g) Subject to these constraints, colleagues may claim reasonable and appropriate entertaining expenses up to the ceilings noted in Ofcom's Expenses policy.
- h) 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.

- i) In the event that any non-regulated individual or organisation insists on making a gift and its value is greater than £25, it should be donated to a charity of Ofcom's choice. Gifts of less than £25 in value may be accepted by colleagues.

All gifts with a retail value of more than £25 must be declared and recorded on the Gifts and Hospitality Register which can be found on the Hive at [Ofcom Policies \(sharepoint.com\)](#):

- j) Promotional gifts such as pens, mugs, mouse mats with a value of less than £25 in value do not require declaration and may be accepted by colleagues.
- k) Under no circumstances should gifts be accepted by:
 - i) Colleagues working in the Commercial team;
 - ii) Colleagues involved in any tender exercise;
 - iii) Colleagues involved in a license awards process; and
 - iv) Colleagues involved in putting into practice or discussing policy or making a decision which might affect the individual or organisation concerned.
- l) If a colleague has any uncertainty regarding the Gifts and Hospitality guidelines, they should contact the Governance and Accountability team for further guidance.
- m) 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.
- n) Where colleagues wish to invite a speaker to an event, for example a network group meeting, they should undertake appropriate due diligence, including obtaining approval via the Communications Team and P,C&W.

2.5 Social Media

Why our social media requirements matter

At Ofcom we have a privileged role. We make critical decisions that can affect the nation's culture and discourse, its institutions, and some of the most prominent companies active in the UK. In our work, we are called upon to make judgments about compliance with rules we or Parliament have set. That work – particularly where we are assessing whether a broadcast licensee has complied with our rules on due impartiality and due accuracy - often involves some of the biggest, most controversial issues in the UK.

We make those judgments fairly, openly, and based on our expertise and the evidence before us, without fear or favour. That's why our impartiality and independence, and the way they are perceived externally, is guarded so fiercely. Together, they are our licence to operate, and our bond of trust with the public and the stakeholders that we regulate.

As a result, we have a special responsibility as Ofcom colleagues in all our communications, both personal and professional, to take care of Ofcom's reputation. And remember, even if you are not personally involved in a particular piece of work, to the external world your views are likely to be seen as "Ofcom" views, rather than merely personal ones, and so can affect Ofcom's reputation.

The social media requirements set out in this section are intended to balance our individual right to freedom of expression with our responsibilities as Ofcom colleagues to maintain Ofcom's impartiality. It seeks to set out underlying fundamental principles rather than being unduly prescriptive, but all Ofcom colleagues are expected to adhere to this policy.

If you are a senior colleague or involved in or advising on broadcast standards, enforcement or policy, content policy or online work, you should pay particular regard to the matters set out in this Policy. The more senior your role, the more involved you are in decision making and the more public facing your role the more likely it is that there will be external interest in and scrutiny of any comments you make, whether publicly or privately.

Ofcom will use common-sense in the interpretation of this policy, recognising that many issues we engage with are context sensitive.

Colleagues should note that any serious and/or repeated breaches of this policy could lead to disciplinary action. This policy is reviewed at least annually and refreshing your knowledge of its contents is part of annual mandatory training. **The social media requirements in this policy apply to personal expression or online activity from the start of your employment at Ofcom (if you joined Ofcom on or after July 2021), or from July 2021 (when the policy was first introduced) if you were already employed by Ofcom at that time. The requirements do not apply to online activity before July 2021.**

What do these requirements apply to?

These requirements apply to activity on social media/online platforms, which can be defined as 'websites and applications that enable users to create and share content or participate in social networking'. The following is a non-exhaustive list of platforms which these requirements apply to:

- blogs;
- social and professional networks (such as X, Facebook or LinkedIn);
- forums (such as Reddit or Mumsnet); and
- image and video-sharing platforms (such as YouTube, Instagram, TikTok or Twitch).

The requirements do not apply to private messages, provided that you are not using the platform for business purposes. However, colleagues should be mindful of the principles of the requirements even when posting private messages, given the risk of a message you have posted in, for example, a large private group or forum that is meant to be private being copied or made public.

Personal communications online

Remember that Ofcom is impartial. Ofcom as an organisation is, and must be, scrupulously impartial in light of our statutory duties. Much of our work has implications for public policy or is the subject of political debate. Our impartiality, independence, objectivity and reputation are crucial to the work we do.

You should consider whether Ofcom should be included in your username, description, handle, or anywhere else on your personal social media or online profile(s). Including this can imply that you are

communicating in an official capacity on behalf of Ofcom. If your social media profile is for business purposes, this **may be** appropriate but if your account is primarily for personal communications, then mentioning Ofcom should be avoided.

Personal or Ofcom? On social media, the lines between public and private, personal, and professional are blurred. Even where you do not state on your social media or online profiles that you work for Ofcom, other people might still be aware that you do. Disclaimers in personal profiles such as “my views, not Ofcom’s” do not provide a justification for posting personal expressions of opinion that conflict with this policy.

Colleagues should not post comments or engage in online conversations relating to:

- Information relating to an ongoing Ofcom regulatory matter (consultation, enforcement, or compliance). You can only share outcomes after they have been published;
- Legal matters, litigation, or reference to any parties Ofcom may be in dispute with (or with whom a legal or other dispute is contemplated). Do not comment on any ongoing public disputes Ofcom may be involved in;
- Statements and opinions relating to court injunctions or other matters covered by reporting restrictions. Breaching a court order is a contempt of court, which is a serious offence potentially punishable by imprisonment, a fine, or both; and
- Non-public Ofcom information, including organisational announcements.

In addition, in relation to issues that fall within or are associated with Ofcom’s remit, no colleague should publicly express views on any policy which is the subject of current political debate or on any relevant public policy, political, industrial, or Ofcom-related matters of controversy.

Living our values online. All colleagues, regardless of seniority and/or the role they occupy within Ofcom, should behave appropriately online, in ways that are consistent with Ofcom’s values. Colleagues should take particular care if entering into discussion on social media on sensitive issues, particularly in relation to protected characteristics. This includes someone’s age, gender, gender reassignment, sexual orientation, disability, race (including nationality), religion and culture. You must not abuse your position as an Ofcom employee by criticising colleagues, stakeholders or Ofcom on social media; instead, please raise any concerns with your CPM or with the People, Culture & Workplace team.

Sharing or engaging with controversial content. Remember that, if you share, like, retweet or engage with something controversial or objectionable on social media, there’s a risk it might reflect badly on you – or on Ofcom. Take care to check the source, veracity and full content of any item that you are re-posting and remember that actions such as likes or retweets may be perceived to be endorsements, even if that was not your intention.

Acting Unlawfully. Colleagues are reminded that they should generally take care not to do anything on social media which is unlawful, for example breaching copyright or defaming someone.

Business-focused networks. Business networking services, like LinkedIn, work best where professional details are shared. If you are on LinkedIn, you are likely to identify yourself as an Ofcom employee.

We encourage colleagues to post on business networks about the work that Ofcom has published or announced, either on your own initiative, or as noted above by sharing the content posted on Ofcom's official social media channels.

For the avoidance of doubt, however, the same rules apply to your use of business networking services as apply to personal communications set out above (save that you are permitted to identify yourself as an Ofcom employee on business networking sites).

Tips on staying secure online can be found in Appendix 2.

2.6 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 £11,180⁴. 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, Culture & Workplace 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 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.

Right to Apply for an Appropriate Test and Right of Appeal

Engaging in active politics, as defined in the section 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

⁴ This figure is linked to the sum the Electoral Commission designates at any particular time as the figure above which a donor's name needs to be published on their website where donations, singly or in aggregate, have been made by an individual over a calendar year.

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, Culture & Workplace Director that your political activity is not permitted under this policy, you may apply for an “Appropriate Test”. Please see appendix 2 for further information.

2.7 Procedures for disclosing interests

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, Culture & Workplace 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 (as outlined in section 2.2);
- Financial relationships (as outlined in 2.1) 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 (as outlined in 2.6).

Compliance and breaches

If you are aware of breaches of this Policy, you must inform the correct parties, as specified in this guidance, or otherwise your CPM 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.

Record keeping

Colleagues should be aware that any declared interests and their annual attestation statement will be stored in a central password protected register held securely by the People, Culture & Workplace 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.

CPMs 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.

2.8 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. 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 and 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.

The 7 principles are selflessness, integrity, objectivity, accountability, openness, honesty, and leadership. The guidance on these principles can be found at:

<https://www.gov.uk/government/publications/the-7-principles-of-public-life>

Colleagues must ensure that their conduct accords with the 7 principles of public life.

3. Related policies

- Anti-Fraud, Bribery and Corruption.

All policies can be found on the [Hive](#)

4. Appendices

- Appendix 1: Examples of actual, potential and perceived conflicts of interest
- Appendix 2: Staying secure online
- Appendix 3: Right to Apply for an Appropriate Test and Right of Appeal in relation to Political Activities
- Appendix 4: Toolkits on social media and Accepting hospitality and/ or involvement in industry groups etc.

5. Version history

Version	Date	Summary of changes
5.0	December 2024	Incorporated the Social Media Policy into this policy.
5.1	January 2025	Amended amount allowed to donate to a political party.
5.2	April 2025	Minor amendment to appendix 4 to provide additional guidance when considering sitting on an academic research panel
5.2	January 2025	Minor updates, including to better align with the NAO good practice guidance and increase G&H declaration limits.

Appendix 1

Examples of potential 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.

An actual conflict of interest is one where your judgement could be impaired or influenced because of a financial, personal, business or other secondary interest you have. For example, you hold shares in a company we regulate and you have dealings with that company.

A potential conflict of interest is one where a conflict may be triggered because of particular circumstances arising. For example, a decision is being taken about appointing a consultant to advise Ofcom on a particular piece of work and a family member works for a firm that may bid for that contract. This would mean that you cannot be involved in that procurement exercise.

A perceived conflict of interest is one where a reasonable person might believe that a conflict of interest is likely to occur because of an interest you hold even if that is not the case in practice. For example, if you have a role as a trustee or board member, at an organisation which is connected with an area of Ofcom regulation, even if you have in practice had no input or decision-making role in a policy or position statement which intersects with Ofcom's work, that may not be the public perception.

Examples of potential conflicts of interest

- 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
- i) An interest as described in (a)-(h) above of a close family member.

The above list is not exhaustive.

Appendix 2

Staying Secure Online

Login details. Do not use your Ofcom email address or password for any personal social media profiles – including LinkedIn. This can compromise the security of your Ofcom account. This should not be confused with LinkedIn Learning, which is a resource provided to you in your role as an Ofcom employee. For this purpose, you should use your Ofcom email address to sign into the Ofcom LinkedIn learning account.

- 1.1 **Confidential information.** Never disclose confidential information on social media. All colleagues have a duty of care to protect information held by Ofcom and must not disclose it externally without authority. That applies to social media too. Similarly, you should never express views on social media that are informed by confidential information relating to your work at Ofcom. You can find more guidance about this on the Information Security pages on the NewsHub.
- 1.2 **Staying safe and secure.** These tips will help you stay safe on social media sites. You should also look out for security updates on the NewsHub that will keep you informed about malware, phishing and other security concerns.
 - a) Make sure your email account is secure. Anyone who can read your emails can also access your social media accounts associated with that email address.
 - b) Pick a strong password, and only change if you suspect it has been compromised:
 - Use a different password for every site you visit
 - Select strong passwords, with 10 or more characters, that can't easily be guessed
 - Think of a meaningful phrase, song or quote and turn it into a complex password, using the first letter of each word, rather than using a word from the dictionary
 - Randomly add capital letters, punctuation or symbols
 - Swap numbers for letters that look similar (for example, "0" for "o" or "3" for "E")
 - Never give your password to others or write it down
 - You may wish to consider using a password manager. There are many free and pay [options available](#).
 - c) Keep personal information personal. Don't reveal your home address, phone number or email address in the bio/summary/equivalent section of your profile. The same could go for your professional contact details, too.
 - d) Sign out of your account after you use a publicly-shared computer.
 - e) Keep your antivirus software up to date.
 - f) Familiarise yourself with the privacy policies of the social networks you use.
 - g) Know your friends and connections: if you don't know or have never heard of an account that sends you a request, it may be wise to ignore it. It could be a fake account.
 - h) Consider turning two-factor authentication on for your social media accounts.

- i) Be careful what you click on. Always check the URL first and if the source seems suspicious, don't trust it - it may be a malicious link, for example phishing or malware.

Appendix 3

Right to Apply for an Appropriate Test and Right of Appeal

Appropriate Test

Engaging in active politics, as defined in section 2.6. of the Ofcom Colleague Conflicts of Interest Policy, is not permitted. 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, Culture & Workplace 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, Culture & Workplace 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, Culture & Workplace 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 of this immediately and Ofcom reserves the right to refuse you permission to engage in such political activity.

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, Culture & Workplace 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.

Appendix 4

Conflicts of Interest toolkits:

1) Social Media engagement

2) Accepting hospitality and/ or involvement in industry groups etc.

Social media engagement

1.	Purpose of the Social media toolkit
	This toolkit is intended to aid colleagues in their understanding of and conduct in light of the social media requirements. It should be read alongside the Conflicts of Interest Policy which incorporates the social media requirements.
2.	Application of the Social media requirements
	The Social media requirements apply to personal expression or online activity from the start of your employment at Ofcom (if you joined Ofcom on or after July 2021), or from July 2021 (when the Social Media policy was first introduced) if you were already employed by Ofcom at that time. The requirements do not apply to online activity before July 2021.
3.	Why our social media requirements matter
	At Ofcom we have a privileged role. We make critical decisions that can affect the nation's culture and discourse, its institutions, and some of the most prominent companies active in the UK. In our work, we are called upon to make judgments about compliance with rules we or Parliament have set. That work – particularly where we are assessing whether a broadcast licensee has complied with our rules on due impartiality and due accuracy - often involves some of the biggest, most controversial issues in the UK. We make those judgments fairly, openly, and based on our expertise and the evidence before us, without fear or favour. That's why our impartiality and independence, and the way they are perceived externally, is guarded so fiercely. Together, they are our licence to operate, and our bond of trust with the public and the stakeholders that we regulate. As a result, we have a special responsibility as Ofcom colleagues in all our communications, both personal and professional, to take care of Ofcom's reputation. And remember, even if you are not personally involved in a particular piece of work, to the external world your views are likely to be seen as "Ofcom" views, rather than merely personal ones, and so can affect Ofcom's reputation. The social media requirements are intended to balance our individual right to freedom of expression with our responsibilities as Ofcom colleagues to maintain Ofcom's impartiality, both actual and perceived. They seek to set out underlying fundamental principles rather than being unduly prescriptive.
4.	What to do before posting
	Before you post online, think about the context. As a guide, ask yourself the following three questions if you are in any doubt about whether to post: • Is this a matter in relation to which Ofcom has a direct regulatory role? ○ There are some matters which you should never post about – see below at 9.1 for more details.

	- Is this a political, sensitive, or divisive matter on which people have a strong range of divergent views? For more guidance on this see below at 9.3. - Taking into account my role, could posting about this issue call into question Ofcom’s impartiality or independence, or the public’s perception? Some colleagues work in particularly sensitive roles, either due to their seniority and profile or the particular nature of their work. See below at 9.4 for more details. If the answer to any of these questions is “yes”, then you should exercise caution in deciding whether or how to post, comment, like or re-share.
5.	Remember that, if you share, like, retweet or engage with something controversial or objectionable on social media, there’s a risk it might reflect badly on you – or on Ofcom. Take care to check the source, veracity and full content of any item that you are re-posting and remember that actions such as likes or retweets may be perceived by others to be endorsements, even if that was not your intention.
6.	The Policy does not apply to private messages, provided that you are not using the platform for business purposes. However, it is worth being aware of the risk of a message you have posted in a large private group or forum that is meant to be private being copied or made public.
7.	The line between public and private can be blurred, especially when using sites such as LinkedIn where you list your current employer and role. Disclaimers in personal profiles such as “my views, not Ofcom’s” do not provide a justification for posting personal expressions of opinion that conflict with this policy.
8.	What can I do?
8.1	It’s fine to share social media posts which have been posted on one of Ofcom’s official social media accounts.
8.2	You may also choose to post about a piece of published or otherwise public Ofcom work that you are proud to have been involved in. If you do, take care to ensure that you don’t inadvertently include any confidential information in your post, and bear in mind that Ofcom cannot prevent other social media users from contacting you about your post, or commenting about it (or you) in a negative manner. For tips on how to stay secure online see Appendix 2 of the Conflicts of Interest Policy.
8.3	There are many areas outside of Ofcom’s remit or which are not political or controversial on which colleagues may wish to engage on social media to do with family, friends, pets, hobbies, support for good causes and so forth. As an organisation we recognise the importance of colleagues being able to feel comfortable about who they are at work. We support diversity and inclusion and have set specific targets for Ofcom in this area. Colleagues should feel able to support and like events such as Pride, activities during Black History Month or Trans Awareness Month on social media but this is distinct from, for example, commenting or being critical about the Government’s or a political party or interest group’s policies or views.
9.	What can’t I do?
9.1	There are some things that you should never post about. These are as follows:
	information relating to an ongoing Ofcom regulatory matter (consultation, enforcement, or compliance). You can only share outcomes after they have been published.
	legal matters, litigation, or reference to any parties Ofcom may be in dispute with (or with

	whom a legal or other dispute is contemplated). Do not comment on any ongoing public disputes Ofcom may be involved in.
	statements and opinions relating to court injunctions or other matters covered by reporting restrictions. Breaching a court order is a contempt of court, which is a serious offence potentially punishable by imprisonment, a fine, or both.
	non-public Ofcom information, including organisational announcements.
	In addition, in relation to issues that fall within or are associated with Ofcom's remit, no colleague should publicly express views on any policy which is the subject of current political debate or on any relevant public policy, political, industrial, or Ofcom-related matters of controversy. See below for further guidance on this in 8.3.
9.2	Take care not to do anything on social media, which is unlawful, for example breaching copyright or defaming someone.
9.3	There are areas where colleagues will need to exercise judgment. Examples of the types of matters which will usually fall into this category include: - Prominent policy proposals made by either the Government of the day or an opposition party for which there is not clear cross-party support - Matters on which there are strong and well-known differing views either politically or socially across the UK. Other factors to consider include: - Would your post criticise a policy of the Government of the day, or an opposition party? - Would your post disclose to the outside world that you hold a strong personal view on a matter which falls into this category? Remember, it is not the purpose of the social media requirements (or any other Ofcom policy) to prevent colleagues from holding strong personal views on controversial matters; the purpose of the social media requirements is to ensure we take care about how and/or whether we express ourselves publicly in relation to such matters, so as to ensure that Ofcom's reputation for independence, impartiality, and acting fairly and transparently on the evidence before us is maintained at all times, bearing in mind the breadth of Ofcom's regulatory remit.
9.4	Colleagues should take particular care:
	If they are a senior colleague or involved in or advising on broadcast standards, enforcement or policy, content policy or online work, you should pay particular regard to the matters set out in this Policy. The more senior your role, the more involved you are in decision making and the more public facing your role the more likely it is that there will be external interest in and scrutiny of any comments you make, whether publicly or privately.

Questions to be considered if invited to an event and/ or asked to participate in an industry group / academic research advisory committee group or panel etc

1.	Purpose of the hospitality/ industry / research group participation etc toolkit
	This toolkit is intended to aid colleagues in their understanding of the questions they need to consider, and which may be asked as due diligence internally if they are invited to an event or participate in a longer-term arrangement such as an industry working group or academic research advisory group/committee. It should be read alongside the Conflicts of Interest Policy which includes our policy and requirements on giving and receiving hospitality. If you are considering sitting on an academic research advisory group or committee the Academic Engagement team can provide for more information on research advisory committees.
2.	Definition of the organisation
a.	Does it operate within the sectors Ofcom regulates? Does it engage with/seek to influence stakeholders that Ofcom regulates or engages with, including the UK Government?
b.	Who funds it and is it profit generating?
c.	Is it a lobby group? Does it lobby to change the law/practice on matters in respect of which Ofcom might be expected to have an independent/impartial position?
d.	Is it/ could it be controversial? If yes, please expand.
e.	Is it decision making?
f.	Does it publish research, publish policy statements etc?
g.	Who else sits on the committee or group? Do any representatives from regulated services sit on the group?
h.	Has the request come from a University outside the UK? [for research advisory committees only]
2.	What role would you be playing? What kind of input will you be providing?
3.	Does your CPM and relevant Director support your involvement/ attendance?
4.	Have other Ofcom colleagues been invited to attend/ participate?
5.	Would you receive any funding or hospitality from the organisation (e.g. will they cover travel expenses, will they run events which you would attend?)?
6.	What is the likely time commitment and when do activities take place (where participation is ongoing)?
7.	What is the purpose of your involvement and how would your Ofcom role be positioned?

Please note that the Conflicts of Interest Policy states that:

- a) 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:

- i) 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
- ii) 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 (n.b. hospitality must in no circumstances be accepted from a supplier or prospective supplier when a tender exercise is underway)
- iii) 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.