

Scoping Document

RTÉ Register of Interests

RTÉ Register of External Activities

Director General's Office

August 2023

Preface

This document explains RTÉ's intention to:

- 1) Bring existing policies together with the creation of an RTÉ Register of Interests and an organisation-wide Register of External Activities
- 2) Expand obligations as part of the existing Register of Interests to include a 'nil returns' form and an organisation-wide Conflict of Interests Form
- 3) Collate these returns centrally in an RTÉ Register of Interests
- 4) Introduce a standardised form across RTÉ for seeking approval for external activities, to be collated centrally in an RTÉ Register of External Activities
- 5) Examine the establishment of a central Register of Gifts

Section 1

1.1 Introduction

Public trust in RTÉ is the cornerstone of our public service mandate.

RTÉ has acknowledged that this has been damaged by recent events and significant steps are required to rebuild that trust.

It is more important than ever that RTÉ is seen to operate in a transparent and accountable manner, to deliver on commitments made, and to examine where further improvements can be achieved. This is not a once-off exercise but a pledge to continue to examine what we do, why we do it and if we can do it better.

As part of a programme to address these fundamental challenges, the Director-General has given a public commitment to introduce an RTÉ Register of Interests, which may go beyond existing legal requirements. In addition, RTÉ acknowledges that the external activities of those working for or with RTÉ are also an important element of public trust in RTÉ.

RTÉ content must be seen to be accurate, impartial, fair and independent of any vested interests, and we have extensive policies to deal with many issues, such as conflicts of interest.

This Scoping Document sets out the broad parameters of proposals to introduce an organisation-wide:

RTÉ Register of Interests, and separately a

RTÉ Register of External Activities

These registers will involve staff as well as contractors.

This Scoping Document reflects the Director-General's commitment to engage with all stakeholders who will have a role to play in rebuilding public trust.

It is important to note this is a draft document and nothing is finalised.

1.2 RTÉ Policies

There is an existing legal basis for what is being proposed.

The broadcasting legislation sets out RTÉ's obligations. It legally obliges the national broadcaster to create and adopt policies and codes.

Section 95 (1) of the broadcasting legislation requires that a Code of Conduct in respect of the “*controls on interests and ethical behaviour*” on Board and staff members is drawn up.

These codes and policies are:

- RTÉ Journalism & Content Guidelines 2020
- RTÉ Employee Handbook 2019
- RTÉ Code of Business Conduct 2022

(The relevant sections from the above are set out in Note One below)

These policies require any person to bring an actual or potential conflict of interest to the attention of line management.

Likewise, requests to engage in external activities must be made in writing to line management. These are mandatory requirements for staff and contractors.

What is proposed now is to bring those policies together with the creation of an RTÉ Register of Interests and an organisation-wide Register of External Activities, which will put the current arrangements in a clearer framework.

1.3 RTÉ’s Obligations under the broadcasting legislation

RTÉ’s core editorial mandate is set out in the Online Safety and Media Regulation Act 2022, specifically:

Section 46L (1)- *A broadcaster, in programmes which he or she broadcasts, and a relevant media service provider, in programmes which he or she makes available in a catalogue of the relevant service, shall ensure—*

(a) that news is reported and presented in an objective and impartial manner and without any expression of the broadcaster’s or provider’s own views, and

(b) that the treatment of current affairs, including matters which are either of public controversy or the subject of current public debate, is fair to all interests concerned, and that the matter broadcast or made available is presented in an objective and impartial manner and without any expression of the broadcaster’s or provider’s own views.

The obligation to be impartial and to be seen to be impartial is central to trust in RTÉ’s editorial output.

RTÉ also has explicit obligations under broadcasting legislation in respect of the public, namely Section 114 (2)(a) which mandates RTÉ to “*be responsive to the interests and concerns of the whole community*”.

Restoring trust in RTÉ is acting on that obligation to be responsive to the interests and concerns of the public. In acknowledging and responding to recent events, RTÉ has stated that the work of rebuilding public trust will require significant reform and transparency across the organisation while being mindful of our legal obligations.

1.4 Data Protection

As the proposals entail the handling of personal data, RTÉ is required to ensure that it complies with data protection law.

In this regard, RTÉ is consulting with the Data Protection Officer (DPO) on a range of requirements, including the need to ensure that all aspects of the proposal

- have valid legal grounds under the GDPR
- comply with the principle of data minimisation
- are transparent and
- are documented by way of records of processing activities (ROPAs)

Section 2

Register of Interests

2.1 What is a register of interests?

A register of interests is a form filled in by individuals annually. There are two specific categories of individuals who are currently required to do so:

- 1) those who occupy 'designated directorships'
- 2) those in 'designated positions'

It is designed to ensure the disclosure of information by individuals where they are in a position to make decisions that could 'materially influence' them or their immediate family.

This could be on a once-off or recurring basis. If there are no such issues, it is good practice to make a 'nil return', essentially confirming individuals have no concerns about their work and any conflict of interest.

2.2 What is the current position regarding a Register of Interests in RTÉ?

Certain designated RTÉ persons including Board members and members of the Leadership Team, formerly the Executive Board, are obliged to make annual returns on the Register of Interests form to the Standards in Public Office.

2.3 What is being proposed within RTÉ?

The Ethics In Public Offices legislation sets out positions in RTÉ where individuals have to make returns to SIPO.

In addition to those required to make returns to SIPO, many public bodies have set their own threshold, which is lower than that set in law, for returns to be made to the employer.

The HSE, for example, sets a threshold at Grade VIII (€73,209) so anyone earning above that is required to make an annual internal return while Revenue have a threshold at Executive Officer grade which is circa €51,000.

RTÉ's structure is not compatible with the civil service, and so direct comparisons are inappropriate. However, what is now up for discussion between management and staff is what the salary threshold should be for automatic disclosure of a Register of Interests by staff internally to RTÉ.

Consideration is being given to a threshold comparable to that set by the HSE.

The Register is to give RTÉ management oversight in relation to any activities of staff and contractors for the purpose of identifying any actual or potential conflicts of interests and allow for mitigating action to be taken if required.

It should be noted that allowances, expenses etc are not considered to be part of an individual's salary.

2.4 What if I have interest but I believe it does not influence me in my work for RTÉ or I have no relevant interests?

Such a return is called a 'nil return'. As with other public bodies, it is likely this will be the case for most people who will be required to make returns.

A 'nil return' is where a person who is required to make a return does so in the belief they have no potential conflicts of interest that would require disclosure.

Should RTÉ adopt a threshold for making returns to RTÉ at a salary threshold lower than that required by law, it will be a requirement to fill on an annual basis either a 'nil return' form or where a conflict has arisen to make an appropriate return.

This is in keeping with best practice as advised by the Standards in Public Office.

2.5 What if I have an interest to declare or think I have an interest that should be declared?

It is a requirement on all individuals who undertake work for or on behalf of RTÉ to raise any concerns they have about a conflict of interest, actual or perceived, which may impact on the discharge of their duties.

If this arises a person should fill in a Conflict of Interest form which will be available on the Hub (see 2.6 below). If you are unsure you should engage with your line manager as early as possible.

2.6 What is the current position in RTÉ regarding conflicts of interest?

Separate to the requirements in the ethics legislation, RTÉ has its own policies on dealing with potential or actual conflicts of interest which are more rigorous and comprehensive. It is a mandatory obligation under the RTÉ Journalism and Content Guidelines 2020 that any personal, professional, business, or financial interest that could call into question the perceived fairness, objectivity or impartiality of a presenter or employee should be declared to the appropriate line manager.

Current policies provide that all such potential or perceived conflicts should be communicated in writing as soon as possible to line management to allow for a decision to be made on whether any mitigation is required.

RTÉ will introduce an organisation-wide **Conflict of Interests Form**, to allow a person to raise concerns about any conflict or potential conflict they may be involved in, or for any person aware or concerned about a conflict or potential conflict to raise their concerns with line management. It will be the responsibility of line management to address concerns speedily and appropriately.

However, just because a conflict of interest or potential conflict has arisen does not automatically mean a person cannot stay engaged with their work (for example a journalist working on a long-term project). What is important is that the line manager is aware of the conflict or potential conflict.

Information arising from conflicts or potential conflicts will be collated and reported to

- 1) Department Heads, and
- 2) Others (such as HR)

as appropriate at specified intervals to provide RTÉ with an overview of concerns raised and how they are being dealt with. A collated record will be held centrally.

2.7 Will this information be published?

RTÉ is committed to operating in as transparent a fashion as legally permitted.

However, RTÉ is also committed to protecting the rights and interests of its staff and contractors. This includes individuals' rights as set out, for example, under the GDPR, the Ethics In Public Offices Act, and the Freedom of Information Act.

Currently, the Ethics in Public Offices Act makes it an offence to publish any information gathered as part of the process of making returns where legally required. Information gathered from those within RTÉ whose disclosures are not mandated by the Ethics In Public Offices legislation but are required by RTÉ, would be covered by GDPR and FOI.

It should be noted that there is a review of the ethics legislation currently underway. There is also a High Court action being taken by the HSE against the Information Commissioner over a decision where the Commissioner said the fact that a person's name is on a Register of Interests is disclosable, although not the actual content of the Register.

2.8 What happens if I have a conflict or potential conflict of interest and I do not disclose it?

If an individual is required to make a return to SIPO, they are subject to the Ethics In Public Offices legislation. Internally, it is already a mandatory obligation to disclose an actual or potential conflict of interest and failure to do so is liable for disciplinary action.

2.9 Gifts

The Ethics in Public Offices Act defines a gift as something valued at €650 or over and which does not come from a family member, close friend etc. RTÉ, however, has policies that work related gifts should only be accepted if they are of nominal or moderate value.

The RTÉ Journalism & Content Guidelines and the RTÉ Code of Business Conduct 2022 specify payments, benefits or gifts should be of 'nominal' and 'moderate' value. More detailed information on this is set out in the RTÉ Code of Business Conduct which states:

- (i) This policy provides for the acceptance of gifts and hospitality, provided these are of a modest / limited value. Staff members who have any doubt as to whether a gift is of modest value should always refer the matter to their Line Manager. This policy is not intended to be prescriptive in addressing the treatment of all potential types of gifts.
- (ii) In most cases, gifts of modest value are offered during the traditional gift giving season, or to make a special occasion (departure of staff, milestone employment anniversary etc.). Other criteria which are usually present in the circumstances of the granting of gifts of modest value are as follows: the gift is not asked for; it is given openly, not secretly; the gift is often reciprocated by the organisation at a later stage; the gift is not made with the intention of influencing a business decision or to obtain advantage; the gift is of a value and type which an ordinary member of the public would consider reasonable.
- (iii) It is each staff member's responsibility to ensure that RTÉ's image is not damaged in any way by the acceptance of gifts or entertainment: if in any doubt ask for advice.

Gifts, entertainment and/or hospitality which is a benefit or part benefit for work with RTÉ or as an external activity may be accepted if a) approval is received pre-event or in unforeseen circumstances b) is declared as soon as possible after the event.

Consideration is being given to placing a financial value on an acceptable gift. Obviously, this cannot be accurately assessed but could be based on what 'a reasonable person would believe' to be the value.

In this context consideration is being given to establishing a central Register of Gifts.

Returns would be made by line managers to department heads or others as appropriate at specified intervals detailing all gifts received by relevant staff.

2.10 What is the position regarding outside contractors / programme guests?

Contractors / programme guests are obviously not staff and therefore entitled to conduct their own business and financial affairs outside of RTÉ.

The issue is to ensure appropriate visibility for RTÉ of any such business or other activity which could reasonably be seen to impinge on the impartiality of a broadcast or result in a benefit to a person or entity via their role with RTÉ.

The existing Employee Handbook makes no distinction between staff and contractors. It states presenters should not be associated with commercial or other interests such that the audience's perception of their broadcasting role is or could be adversely affected. This includes associating the individual with the promotion of any product or service or allowing the fact that the individual uses a particular product or service to be linked to its promotion.

2.11 What is the position regarding Independent Productions?

Programmes that come through the Independent Production Unit are already required to follow RTÉ guidelines including the RTÉ Journalism & Content Guidelines 2020.

It should be acknowledged that presenters of such programmes are entitled to their own commercial business and agreements, which could be separate to the independent production company.

Should RTÉ have knowledge of the existence of such agreements (involving the production company and / or presenter(s)) to avoid inadvertent conflicts of interest, particularly around the time of transmission?

How would this best be achieved?

Section 3

Register of External Activities

3.1 What is the current position regarding External Activities?

Existing policies require written permission to engage in external activities from any person engaged in content creation in RTÉ.

Section 5 (Editorial integrity and Independence) of the RTÉ Journalism & Content Guidelines 2020 deals with conflicts of interest and/or potential conflicts of interest. Within this Mandatory Obligation 3 states:

“All requests for speaking engagements, chairing of meetings etc, including of a charitable/not-for-profit nature, must be made in writing to the appropriate editorial manager for approval in advance.”

The **RTÉ Employee Handbook 2019** states:

“Employees and others who are closely identified in the public mind with RTÉ and its output, from time to time, will be asked to participate in advertising or promotional campaigns for a public-service or charitable cause. RTÉ will wish to facilitate such participation when possible and appropriate but, in each case, the written approval of the divisional head concerned will be required. The above applies to both employees and contractors.”

The reason why RTÉ requests that approval is sought for external activities is to seek to avoid a situation where a potential conflict of interest arises where the activity undertaken could be reasonably seen to have or be perceived to have an impact on RTÉ's impartiality.

3.2 What is now proposed?

It is proposed to introduce a standardised process across RTÉ for seeking approval for external activities.

There will be a standard External Activities Form which must be completed by any person seeking approval for external activities. This is to ensure the same process applies across RTÉ. The purpose of the Form is to identify conflicts of interest or potential conflicts of interest that may or may be seen to conflict with RTÉ's obligations.

3.3 To whom does this apply?

This applies to all staff and contractors who are engaged in RTÉ's editorial output, that is, any person who is engaged in editorial content creation on any of our platforms.

3.4 What areas of RTÉ are covered by this Form?

This will apply to the RTÉ News & Current Affairs and Content divisions.

3.5 Who is excluded?

In general, this does not apply to technical, administrative / clerical staff and actors (who are engaged in short term contracts for drama productions and who, outside of contract periods, have employment elsewhere).

3.6 What activity is covered?

This form covers (but is not limited to) activities such as requests for speaking engagements, chairing meetings, joining a panel/discussion group, promoting commercial ventures, including draws, raffles, prizes, brand ambassador arrangements, participation in charitable events/launches/promotions, being a member of a judging panel, book launches, requests to write newspaper columns, etc.

Requests of this kind are generally made because a person has a particular public profile arising from their role in RTÉ and/or because of RTÉ's standing in the community. These activities are invariably in the public domain.

This is not intended to cover situations where RTÉ journalists are requested by other broadcasters, such as EBU partners, to provide analysis etc on a story of relevance.

*** A person not involved in editorial content creation who is asked to engage in activities (such as those outlined above) as a representative of RTÉ should also complete this Form with the relevant line management. An example of this kind would be a person with acknowledged expertise, such as technical or legal, who is asked to speak, chair or be a panel member in an outside activity, such as a conference, seminar, etc.

3.7 What activity is not covered?

This Form is not intended for activities where a person is an established member of local sports clubs or community groups, a charity and is a volunteer, player, coach, manager, assistant etc.

This Form is not intended to cover involvement in career development courses, self-help groups etc.

3.8 Who should determine a request?

Decisions on a request should be made by senior managers on a weekly basis. Typically, this would involve the main genre head and 2-3 senior editorial colleagues. Reasons for approval or refusal should be set out, along with any conditions attaching

to approval. In some cases, additional information may be sought before a decision is made.

3.9 What happens if I engage in an external activity without approval?

It is already a mandatory obligation to seek written approval for external activities. Any applicable external activity engaged without approval is liable for disciplinary action.

3.10 What criteria should apply in deciding to approve or not approve a request?

The broad principles are set out in the policy documents referenced at the outset.

RTÉ's output covers genres from news and current affairs, entertainment, sports, culture, drama, music etc. Likewise, those engaged in content range from staff, freelancers, contractors, etc.

There is no one size fits all – editorial judgment is required on each request.

Prior to the commencement of this process, a Guidance Note will be provided, but the kind of indicative factors to be considered would be:

- The prominence of the on-air person, the nature of their role with RTÉ, including whether they are full time staff or contractors, the nature and duration of their contract.
- Some persons may have pre-existing existing commercial interests before working with RTÉ that continue while working with RTÉ and a request may involve an external activity related to that business or to an activity unconnected with that business.
- Some persons are only contracted by RTÉ for a production of limited duration and outside of this may have other legitimate employment or business interests. In such cases, a reasonable period before, during and after the production may be appropriate for external activities approval.
- Within the areas of news, current affairs, including sports news, the requirement to be seen to be impartial, objective and fair is paramount. Any request for an external activity must be judged against whether approval could be seen, even at a later date, to question RTÉ's obligations for impartiality, objectivity, and fairness. For example, a request to host or chair an event for an individual, an entity or organisation where the requesting person might have to report and/or provide analysis in respect of a story involving that person, entity, or organisation, would have to be considered in light of RTÉ's obligations.
- Where approval is granted an RTÉ representative should, as far as practicable, not take part in photos etc which include sponsorship logos etc.
- For persons working with RTÉ, who role is outside news & current affairs in the widest sense, any request for an external activity which could be reasonably

judged to be in conflict with RTÉ obligation for impartiality should be judged on that basis.

- RTÉ locations, studios, equipment, brands (including programmes) must not be used to promote to outside commercial interests, ventures, or activities
- Any approved external activity must only be undertaken outside of RTÉ work hours.

3.11 What about entertainment and gifts?

The Register of Interests section deals with this in detail.

For the purposes of a Register of External Activities where gifts, entertainment and/or hospitality is a benefit, or part benefit, of a request to engage in an external activity, this must be declared in the External Activities Form.

3.12 How will the information be gathered and held?

The completed External Activities Forms will be held in each division. A designated person(s) will provide a link to the External Activities Form and completed forms will be returned and the designated person(s) will forward requests seeking approval to the relevant managers group. A decision on a request whether approved, rejected or if more information is sought, will be conveyed to the requester by the designated person(s). Reasons for approval or rejection should be set out.

Quarterly returns from each division will be sent to HR Central to allow for the collation of a Register of External Activities across RTÉ.

This will be reported to the Leadership Team on a quarterly basis ensuring oversight at the highest level and the monitoring of all requests across RTÉ.

3.13 Will this information be published?

External activities are typically in the public domain. What is not in the public domain is the detail of any payment and/benefit associated with the activity.

As these activities are optional and not a requirement of a person's work with RTÉ, it is proposed that a condition of seeking approval for an external activity will be an acceptance that some of the details of approved activities will be published by RTÉ on a quarterly basis in the form of an online RTÉ Register of External Activities.

The information published will include the name of the person granted approval, the nature of the activity approved, and the broad terms of any payment and/or benefit received.

The BBC routinely do this with payments identified in bands, below £1,000, £1,000 - £5,000, £5,000 - £10,000 etc.

Note One: RTÉ policies on conflicts of interest – a summary.

RTÉ Journalism & Content Guidelines 2020

Section 5 – Editorial integrity and Independence.

The following specific provisions are relevant:

5.3 Potential Conflict of Interest

Any person directly involved in content production that may have a conflict of interest in respect of an item or items, or may have potential for such a conflict, must bring this to the notice of their editorial line manager. Any manager becoming aware of such a risk in the content production area must discuss the matter with the person concerned and should also refer it upwards.

- We acknowledge that RTÉ presenters, freelance and independent contractors, and other production staff must not accept any offers that might compromise our independence and integrity.
- We acknowledge the acceptance of gifts, beyond those of a nominal value, is not permitted.
- We do not permit private work, such as media training and promotional work on behalf of any commercial organisation.
- We acknowledge that those working in financial journalism have a particular responsibility to act ethically with regard to 'insider information', financial recommendations, market manipulation etc to avoid any conflict of interest.

The Guidelines also contain the following Mandatory Obligation

Mandatory Obligation 3

RTÉ presenters must not promote commercial ventures with which they are associated or from which they stand to gain financially.

Any personal, professional, business, or financial interest that could call into question the perceived fairness, objectivity or impartiality of a presenter or employee should be declared to the appropriate editorial manager.

Financial journalists must not promote, or give the impression of promoting, any business or financial service in our output or seek to make any financial gain for themselves or a third party arising from financial information they obtain in the course of their work.

All requests for speaking engagements, chairing of meetings etc, including of a charitable/not-for-profit nature, must be made in writing to the appropriate editorial manager for approval in advance.

RTÉ Employee Handbook (2019)

This states that:

“It is the clear and unalterable policy of RTÉ that programme presenters (whether employees or independent contractors) should not be associated with commercial or other interests such that the audience’s perception of their broadcasting role is or could be adversely affected. Thus, no involvement in advertising, no public association with specific projects or services, no availing of access to goods or services on preferential terms, and no association with the promotion of goods or services will be permitted. This applies to all presenters irrespective of the nature of their engagement with RTÉ.”

To avoid any doubt, advertising includes

Direct participation in advertisements designed for any medium whatsoever.

- Associating the individual with the promotion of any product or services
- Allowing the fact that the individual uses a particular product or service to be linked to its promotion to the trade or to the public
- Accepting gifts or loans or preferential purchase terms for a product or service.

Employees and others who are closely identified in the public mind with RTÉ and its output, from time to time, will be asked to participate in advertising or promotional campaigns for a public-service or charitable cause. RTÉ will wish to facilitate such participation when possible and appropriate but, in each case, the written approval of the divisional head concerned will be required.

The above applies to both employees and contractors.

RTÉ Code of Business Conduct 2022

This Code was updated last year and the sections relevant to these issues are –

Section 2.2 Bribery and Corruption

- (i) The Criminal Justice (Corruption Offences) Act 2018 makes it an offense for any person to corruptly offer, give to, or accept from a person, a "gift, consideration or advantage" as an inducement to, reward for, or on account of any person doing an act in relation to their office, employment, position, or business.

Refer to the RTÉ Anti-Bribery and Corruption Policy for further details and guidance.

- (ii) "Corruptly" has a broad definition in the Act and includes acting with an improper purpose personally or by influencing another person. The definition is a non-exhaustive one and, consequently, there is potential scope for actions not explicitly listed under the Act to come within the definition.
- (iii) The Act provides for a number of bribery and corruption offences, including specific offences relating to Irish officials. Section 7 of the Act has introduced the new offence of "Corruption in relation to office, employment, position or business". The definition includes officers, directors, employees, and members of Irish Public bodies, which includes RTÉ.

As an employee of a Public body, you must therefore never, either directly or indirectly, offer or accept a bribe and must not knowingly participate in or facilitate corrupt or illegal activities.

- (iv) Not all payments or the provision of gifts and entertainment are bribes. An important element of any successful business arrangement is the ability to effectively engage in key relationships with existing and potential customers, suppliers, government, or regulatory officials and other third parties. Relatively low value bona fide gifts and hospitality are permissible in specific circumstances, in line with the guidance in Section 2.3.
- (v) While it is impractical to anticipate all of the possible scenarios that should raise red flags or corruption concerns, below are a few common examples to look out for:
 - Accepting gifts or other rewards in return for sharing confidential information with a person outside RTÉ.
 - Accepting 'kickbacks' or payment of any type for preferential treatment, for example in supplier selection, tender process and/or work allocation processes.
 - Third party requests to be paid in cash.
 - Third party requests that payments be made to another party, to a third-country bank account, to a specific person's personal bank account, or through other unusual financial arrangements.
 - Insistence by an employee on themselves dealing only with a particular service provider/supplier/bank account, or insistence of a service provider/supplier on dealing only with a specific employee.
 - Submitting poorly documented or incomplete expense claims (see 2.6)

Section 2.3 Gifts and Entertainment

Definition

- (i) In this context a gift is broadly defined as anything that is given to a member of staff, either as a result of a relationship with a particular party or because the member of staff is a public figure, and for which the recipient does not pay fair market value. For the avoidance of doubt, this also includes the use of services (facilities, property, equipment etc.) for which the recipient does not pay fair market value.
- (ii) Gifts offered by personnel of different organisations differ widely and may include material goods, services, travel and accommodation for business or vacation purposes, tickets to sporting or cultural events, and continuing or once-off discounts not generally or readily available to the public at large.

Guiding principles

- (i) In all instances staff members should remember that RTÉ is a high-profile public broadcasting organisation and must ensure that its dealings with suppliers and customers reflect on the organisation positively.
- (ii) Staff members should not allow a position to develop where the acceptance of a gift might be deemed by others to have influenced a decision or led to a potential conflict of interest.
- (iii) Staff who have concerns relating to the acceptance of gifts and other entertainment items arising from their business dealings should refer their query, via their Line Manager, to the appropriate RTÉ Divisional Head.
- (iv) It is each staff member's responsibility to ensure that RTÉ's image is not damaged in any way by the acceptance of gifts or entertainment which would compromise their position, or RTÉ itself.

Policy

- (i) Staff are responsible for ensuring that they maintain the highest standards when involved in dealings with outside agencies, whether or not they are acting on behalf of RTÉ in this capacity. As such, staff should never solicit or accept personal advantages or gifts of material value* from firms or persons as a result of the staff member's association with RTÉ.
- (ii) Business gifts and entertainment may be accepted by employees as courtesies where such are designed to build understanding and goodwill among business partners. In this context, during the traditional gift giving seasons, gifts of modest value* may also be accepted, where refusal to accept might give offence.
- (iii) Employees can accept promotional items of limited value*, such as inexpensive pens, calendars, mugs that bear the company name.

Employees can also present gifts to other business partners which fall into this category.

- (iv) Members of staff may accept gifts offered by virtue of the public profile of the staff member connected with RTÉ provided:

- the gift is unsolicited.
- the gift is of moderate value*
- not more than one gift is accepted in any year from any one source; and
- details of gifts are notified at once to appropriate Divisional Head within RTÉ.

Under no circumstances may gifts of cash or cash vouchers be accepted by any member of staff arising from their public profile and/or their association with RTÉ.

- (v) When an employee is a guest in another country and if the gift is being offered as part of a public occasion it is best to accept the gift on behalf of the organisation. In such situations the employee should report the gift to the Divisional Head and hand it over to RTÉ.
- (vi) Staff should not give any money or any gift to any director, executive, official or employee of any supplier, customer or any other organisation if doing so would influence or could reasonably give the appearance of improperly influencing the organisation's relationship with RTÉ. RTÉ staff shall not make a gift to any third party whatsoever where such a gift could be construed as unlawful. Staff may provide a gift of a nominal value once it falls within the parameters set out in this Code of Business Conduct.
- (vii) The entertainment of staff by suppliers or customers is acceptable within normal commercial criteria. However, business entertainment must be moderately scaled and clearly intended to facilitate business goals. This criterion is defined as follows:
 - business entertainment in the form of meals and beverages is acceptable as long as it is modest and infrequent.
 - a ticket for a sports event or other public entertainment may be accepted.
 - entertainment should, as far as possible, be on an equivalent and reciprocal basis.

***Monetary values**

- (i) This policy provides for the acceptance of gifts and hospitality, provided these are of a modest / limited value. Staff members who have any doubt as to whether a gift is of modest value should always refer the matter to their Line Manager. This policy is not intended to be prescriptive in addressing the treatment of all potential types of gifts.
- (ii) In most cases, gifts of modest value are offered during the traditional gift giving season, or to make a special occasion (departure of staff, milestone

employment anniversary etc.). Other criteria which are usually present in the circumstances of the granting of gifts of modest value are as follows: the gift is not asked for; it is given openly, not secretly; the gift is often reciprocated by the organisation at a later stage; the gift is not made with the intention of influencing a business decision or to obtain advantage; the gift is of a value and type which an ordinary member of the public would consider reasonable.

- (iii) It is each staff member's responsibility to ensure that RTE's image is not damaged in any way by the acceptance of gifts or entertainment: if in any doubt ask for advice.