

Conflicts of Interest Policy and Procedures

This policy aims to draw attention to the possibility of conflicts, minimise or prevent a conflict occurring and manage conflicts that have arisen. News Associates recognises that, in general, individuals will recognise conflicts of interest and that in most cases potential conflicts of interest will be easily avoided or resolved by information and action either by the individual concerned or through discussion with their manager.

Nothing in this policy should be interpreted to detract from statutory rights or ethical responsibilities.

Purpose

The purpose of this policy is to:

- assist in identifying conflicts of interest
- establish a system for disclosure of conflicts of interest
- provide guidance to those responsible for dealing with conflicts of interest
- assist in the resolution of conflicts of interest in order to protect News Associates and its employees

Definition of a conflict of interest

For the purposes of this policy we have adopted the definition used by the regulatory authorities in relation to conflict of interests, to line up with NCTJ policy. In essence a conflict of interest exists in relation to News Associates where:

* its interests in any activity undertaken by it, on its behalf, or by a member of its staff have the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with the requirements of the regulator's conditions of recognition

* a person who is connected to the development, delivery or award of qualifications at News Associates has interests in any other activity which have the potential to lead that person to act contrary to his or her interests in that development, delivery or award and impact on our compliance with the requirements of the regulator's conditions of recognition

* an informed and reasonable observer would conclude that either of these situations was the case

For the purpose of this policy, the term 'conflict of interest' includes perceived and potential as well as actual conflicts of interest.

A *perceived* conflict of interest is one which a reasonable person would consider likely to compromise objectivity

A *potential* conflict of interest is a situation which could develop into an actual or perceived conflict of interest.

Determining a conflict of interest

News Associates acknowledges that it is not always possible to anticipate when a conflict of interest is likely to occur and this policy cannot cover every eventuality. But if an individual's interest conflicts with the objective to deliver valid qualifications, then there will be a conflict of interest.

Individual staff are expected to identify and inform the course director of any actual/potential conflicts of interest that could impact News Associates and which are not already identified in this policy.

In order to determine whether a conflict of interest exists, it should be determined whether the private, personal or commercial interest is likely to interfere, or appear to interfere, with the objective judgement the employee should show in performing their duties. An employee must consider if relevant others (e.g. managers, students, colleagues, members of the public) would trust the employee's judgement if they were in possession of the facts of the private, personal or commercial interest. Could others reasonably conclude that it might influence the employee to act other than in the interests of News Associates?

Serious conflicts of interest include, but are not limited to, the following points:

An employee using their position at News Associates to:

- *influence a contract or other favourable terms for a company in which they, or a relative or friend, had a financial interest;
- *influence employment, promotion, admission to a course of study, educational progression or other financial or non-financial benefit for a relative or friend; or
- *obtain financial or non-financial benefits for him/herself or for a relative or friend in return for providing advantage, or potential advantage.

If an employee believes there may be a conflict of interest, but is unsure, they should assume that there is a conflict of interest and act accordingly. Similarly, if a manager becomes aware of a possible conflict of interest, which the relevant employee appears not to have considered, the manager must bring it to the employee's attention for appropriate consideration.

Interests in assessment

News Associates is responsible for ensuring assessments are not marked by any person who has a personal interest in the result of the assessment (e.g. someone assessing the work of a family member; or someone whose pay is influenced by positive assessment results).

News Associates will follow guidance outlined by the NCTJ on how to manage and prevent conflicts of interest from occurring in assessments undertaken at the centre. In accordance with this policy, News Associates will not offer financial reward for any of its staff involved in the assessment of candidates in respect of the assessment outcomes of those candidates (other than normal pay associated with the role of assessors, etc.) that may lead to doubts

about the integrity of their decisions. This practice, where it is found or suspected, may be treated as malpractice and dealt with through News Associates' malpractice and maladministration policy.

Disclosure of a conflict of interest

The responsibility for identifying and avoiding conflict of interest, in the first instance, lies with the individual employee. If a conflict of interest situation arises, the employee must disclose the conflict to the employee's line manager, except where the interest relates to News Associates activities with the control of that manager, in which case the conflict must be disclosed to the person responsible for those activities and the line manager should also be informed.

Conflicts of interest procedures

Declare interest: An individual or stakeholder will declare an identified potential or actual conflict to the course director.

Resolution of conflict: The course director (unless they are under investigation, in which case the investigation would be led by the head of journalism if required, or an alternative member of staff or external party will be appointed to carry out the review), will discuss the conflict or potential conflict with the relevant staff to reach a decision on how the conflict/potential conflict should be managed.

The circumstance of the disclosure will dictate who else is involved in the discussion. The individual raising the possible conflict of interest will also take part in the discussion, if appropriate. The course director will make the decision on who is involved at this stage.

The decision

Once a solution has been agreed the following steps will be taken:

- *reorganise activities and/or key functions so that the conflict or potential conflict is mitigated

- *gain an undertaking from the individual or stakeholder to conduct their responsibilities so that the integrity of the News Associates is maintained

- *continue to monitor the situation and related activities to ensure the conflict or potential conflict no longer has or may have an adverse effect

If the above steps are not possible, another solution must be agreed by the discussion group and, in this case, the managing editor and independent course ombudsman should join the group. In extreme circumstances, activities may need to be restricted. The managing editor's decision as to how the conflict or potential conflict is managed is final.

Recording and reporting the conflict and resolution

Once a conflict has been disclosed, the course director is responsible for resolving the conflict of interest as soon as is reasonably practicable. Until that time, the employee must

take no part in the particular activity relating to the potential conflict. If this would have a major effect on the employee's current job, advice must be obtained from an HR Advisor.

The employee must be notified of the preliminary decision within one working week and reasons must be provided where they are required to continue to suspend involvement in the activity.

A written record of the disclosure and all subsequent related actions and decisions must be kept, to be reviewed annually with the course ombudsman. The employee will be provided with a written record of the decision made, including where the decision is that no action is required.

It is envisaged that simple measures will be enough to manage conflicts of interest in most cases. An activity may be able to be managed differently so that conflicts of interest are avoided.

If the breach is classified as an adverse effect then the course director must promptly inform the NCTJ (and/or other regulators, as required). In doing so they will inform the regulator(s) of the reasonable steps that have been taken or that they intend to take to prevent, correct or mitigate the adverse effect, including a detail of any reviews to be carried out.

Failure to disclose a conflict of interest

Failure to disclose an actual or perceived conflict of interest, or to cease involvement in the situation until the conflict has been resolved, constitutes a breach of the employee's contract of employment and may result in disciplinary action, and in serious cases could result in dismissal. In determining whether disciplinary action is appropriate, consideration will be given to the extent to which the employee could reasonably have been aware of the actual or perceived conflict of interest and/or made a reasonable decision not to declare it.

This policy will be reviewed annually as part of News Associates' self-evaluation arrangements.

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