

London
**Evening
Standard**

THE 
INDEPENDENT

EVENING STANDARD LIMITED AND INDEPENDENT PRINT LIMITED

CODE OF CONDUCT

GENERAL PROVISIONS

INTRODUCTION AND SCOPE

The reputation of our newspapers and websites, in the UK and around the world, is based on our editorial independence and integrity. Our readers, advertisers and business partners must be able to trust us, confident that our editorial and commercial decisions and procedures are ethical and beyond reproach.

This Code provides clear standards on the levels of behaviour and conduct which should underpin how we work. It applies to all board members, employees, temporary or shift workers, contractors, agents, consultants and people acting for on or behalf of the Company¹. All editorial contributors, whether contracted or freelance, are expected to comply with our approach as set out in this Code, and their particular attention should be given to the Editorial Provisions below. Where a provision only affects employees that will be made clear.

While managers should ensure this Code is understood within their own areas, everyone takes personal responsibility for their own compliance.

It is impossible to spell out every ethical scenario that could arise so you need to use your good judgement to uphold the expected high standard of integrity at all times. It is important to abide not only by the letter but also by the spirit of this Code.

If you have any questions or concerns about the Code or any of our Policies, you should contact your manager or the legal department².

¹ The 'Company' means Evening Standard Limited, Independent Print Limited, their holding companies and fellow subsidiaries, jointly and/or separately as the context indicates.

² The legal department should be consulted for guidance on all matters of Company business by any person to whom the Code of Conduct or the Policies apply, on both sides of the Evening Standard Limited / Independent Print Limited business.

STANDARDS OF BEHAVIOUR

The Company expects the highest possible standards of integrity and conduct in all matters. Everyone who works for the Company should be able to trust and respect those who work with them, internally and externally, and treat each other with respect.

COMPANY POLICIES AND STAFF INFORMATION

You should read and familiarise yourselves with all the policies and guidelines issued by the Company. Many of these are referred to in this Code, and the Policies are attached or linked to it online. Others which apply to employees only can be found in more detail in the Staff Handbooks including those on equal opportunities and health and safety. Managers should ensure effective systems of internal control are established in their area of operations.

COMPLIANCE WITH THE LAW AND RELEVANT INDUSTRY CODES

First and foremost, the Company fully complies with all applicable laws and regulations, not only in the UK but in every country where we do business. Particular care needs to be taken by employees, or agents acting on the Company's behalf, when working outside the UK.

Managers are responsible for ensuring that employees in their areas have adequate knowledge of the key laws as well as the relevant industry codes governing their spheres of operation. This Code refers to the most important, including anti-bribery legislation, the regulatory Code of Practice of the Press Complaints Commission (Appendix A) and the Advertising Code of the Advertising Standards Authority (Appendix B). If you feel you do not have the right experience or knowledge to carry out your functions effectively you should raise this with your manager.

If there is any doubt as to whether any business practice is compliant with either the law or any relevant regulation or code, it should not be continued until it has been cleared by the legal department. Therefore, no matter in what capacity you work for or with the Company, you should seek the advice of the legal department if there are any doubts about whether a business practice is compliant.

ANTI-BRIBERY

A bribe is defined as promising or giving a financial or other advantage intending to induce another person to perform improperly one of their functions in their position of trust and responsibility, or as a reward for improper performance.

It is a criminal offence to offer or pay a bribe, request or receive a bribe and to bribe a foreign official.

The Company adopts a zero tolerance approach to all bribery and corruption and expects strict adherence to all applicable bribery and corruptions laws, by way of compliance with our Anti-Bribery Policy.

If you are unsure whether something is a bribe or could be perceived as such, please consult either the legal department or your manager. If you suspect someone of bribery or corruption, whether offering or accepting a bribe, please consult either the legal department or your manager/managing editor. We have set up a facility should you prefer to email any concerns anonymously. Whether you are on the Evening Standard or the Independent side of the business you can do so by emailing: anti-bribery@independent.co.uk.

DATA PROTECTION

In the course of the Company's business, you may have access to commercially sensitive data and also personal information about employees, readers, the general public, contributors, advertisers, subjects of journalistic investigations, customers or suppliers (including payment card data). It is important that all those whose personal or confidential information we deal with have total confidence that we will treat such data lawfully and correctly.

Under the Data Protection Act 1998 the Company and everyone working for or with it must ensure that any personal data about individuals it processes - that includes use, storing, transferring, handling and so on - is accurate, relevant and up to date, and used appropriately. Whenever someone obtains information which is entered into any type of database or computer, or filed manually, the data protection principles apply. There is even stronger protection for sensitive personal data: information relating to racial or ethnic origins, political or religious beliefs, trade union membership, physical and mental health, sex life and criminal offences.

The eight principles are:

Data should be

- 1) fairly and lawfully processed
- 2) processed for limited purposes only
- 3) adequate, relevant and not excessive in relation to the purpose of the processing
- 4) accurate and, where necessary, kept up to date
- 5) not kept longer than necessary for the specified purpose
- 6) processed in accordance with the data subject's rights
- 7) secure
- 8) not transferred outside the European Economic Area without adequate protection or consent (the USA is a particularly lax jurisdiction and transfer of data there requires careful consideration)

Consult your manager or the legal department if you are in any doubt about the handling of personal information, or disclosure to a third party.

Everyone should familiarise themselves with the Data Protection Policy.

CONFLICTS OF INTEREST

Whether we are employees, workers or business partners, we have an obligation to do what is best for the Company and to avoid situations in which our personal interests could conflict with those of the Company.

For employees

While the Company is happy to support employees having outside interests, at no time must personal interests come into conflict with those of the Company. Employees must avoid involvement in outside activities that could potentially conflict with their loyalty or might adversely affect their judgement and objectivity, or time, spent on the Company's business.

For other workers, contributors and freelances

- Conflict of interest is an issue that, in particular, our retained contributors, long term regular freelances and workers need carefully to consider as well. Even freelances who may submit only one story to us also need to notify us if there is any personal or side interest which might have a bearing on that piece.
- As a non-employee, your arrangements with the Company may leave you free to accept other work or to hold other interests but you also need to think about whether these might present you with a possible conflict of interest. You should make sure that your non-Company activities, whether personal or work-related, do not threaten the Company's reputation or interests or make it more difficult for you to perform your work for or with the Company.

- If you can see any possibility of conflict of interest, you should raise it with the person who you normally deal with at the Company (referred to throughout this Code and all our Policies as your '*link person*') who will, if appropriate, refer it to their manager and/ or the legal department.

It is very important to take care to prevent any situation that *could be perceived* by others as being a potential conflict of interest – the perception of some act or conduct being influenced by a special, side or personal interest can be as damaging to your reputation and that of the Company as the *reality* would be.

The Company recognises the possibility that conflicts of interest may arise unintentionally, considering the diversity of its interests and the complexities of business practice. Therefore, you should take care not to place yourself in a position where personal or family interests, actually or potentially, conflict with the interests of the Company.

You should also consult the Anti-Bribery Policy when considering any issue to do with conflict of interest.

Ask yourself the following questions when faced with a potential conflict of interest:

- Would this relationship or situation embarrass the Company if it appeared in a newspaper or was published online?
- Am I reluctant to disclose this relationship or situation to my manager?
- Could the potential relationship or situation create an incentive for me (or be perceived as such by others) to benefit myself, my friends or family or an associated business, at the expense of the Company?

If the answer to any of these questions is 'yes', the relationship or situation is likely to create a conflict of interest and you should avoid it.

Existing interests – the requirement to review and notify

At the point this Code comes into effect, we request that every employee, worker, contributor and freelance should review their outside interests in the light of its terms. You should use the categories given below as a checklist but also bear in mind that there might be other scenarios lying outside of these categories which have the potential to present a conflict of interest. The requirements on employees are stricter, of course, but if you are someone else working for or with the Company you should read this section with care, bearing in mind that significant and damaging conflicts of interest could arise for you too.

This section highlights some of the areas in which conflicts can most commonly arise, but note that this is not an exhaustive list:

Working outside the Company

Employees may not engage in any work or position (remunerated or not) outside of the Company unless permission has been given by your manager in writing in advance. This would include for example, writing a book or articles, addressing a conference, or commercial photography. Permission will not be unreasonably withheld if the proposed activity does not affect the Company's interests.

Directorships

Employees may not serve as a director of a commercial organisation outside the Company unless that office is related to a purely domestic or family matter, or one that you reasonably judge to be immaterial and/or insignificant. If you are not sure whether the directorship does pose a potential conflict of interest you should get your manager's approval in writing, in advance wherever possible.

Personal relationships

The Company recognises that particular difficulties may exist whenever an employee has family or personal relationships with people employed in a business that competes with that of the Company. If a relationship exists that could compromise your integrity as an employee, or others' perception of that integrity, you should seek advice from your manager and where necessary from senior management.

The Company also recognises that, in some cases, family members or close personal friends may work closely together or within the same department. Employees should disclose to their manager any personal relationships with other employees or with contractors or consultants where that relationship could lead (or be thought to lead) to a conflict of interest. Managers should then try to manage any potential conflict of interest that arises, but it may require changes to work arrangements or even the termination of employment of either or both individuals involved.

Purchasing decisions

The Company aims to work with organisations that share our principles and values as described in this Code.

Employees and those who work for or with the Company may not purchase goods or services on the Company's behalf from a supplier where a member of their family, close associate or a company in which they have an interest, has a material interest in that supplier, unless the employee has obtained authorisation from their manager. Approval will only be given after such a declaration when management are satisfied that the transaction is at arm's length and on normal commercial terms. Employees and those who work for or with the Company cannot make any transaction where to do so would give them a benefit, whether financial or otherwise. No purchasing decision should be made on the basis of customer benefit schemes, for example Air Miles. The Company reserves the right to require employees to decline such benefits.

It is important when working with a supplier, or negotiating terms with a potential new supplier, that employees and those who work for or with the Company take account of the following:

- Significant new commercial contracts or purchases should normally be subject to a proper tender process, after conducting the appropriate due diligence process (see [Anti-Bribery Policy](#))
- Orders, contract and commitments to suppliers should be awarded strictly on the basis of merit (including cost efficiency) without favouritism
- Where possible, the terms of all orders, contracts and commitments should be specified and agreed in writing
- While bearing in mind the advantages to the Company of maintaining relationships with suppliers, significant long term arrangements could prevent the effective operation of fair competition and should be reviewed and where necessary market-tested by competitive tendering at appropriate intervals.

Personal investments

Employees and those who work for or with the Company must not allow any investments held by them, their family or close associates to influence them in their work. They must declare in writing to their manager or link person any financial interest they or any close relative or associate have in any business which is a customer, supplier, partner or competitor of the Company, where the investment could be thought of as significant or material given the Company's business, or that someone might reasonably think could cause you to act in a way that benefits that personal investment at the expense of the Company.

In any event, employees and those who work for or with the Company may not:

- Hold a material financial interest (greater than five percent) in outside firms that carry out business with or are competitors of the Company without prior written approval from the Managing Editor or Managing Director; or
- Carry out any transactions on behalf of the Company in which they, or a member of their family, may personally benefit, without such prior written approval

Insider dealing/insider trading

There are laws in many territories regulating transactions in corporate securities and the securities industry. Existing legislation aims to prevent individuals from dealing in securities when in possession of unpublished price-sensitive information, i.e. information which, if publicly available, could

affect the price of those securities. If you do not obey these laws and rules it could lead to civil and criminal actions against you or the Company.

By way of example, details of any of the following might amount to inside information:

- Mergers, acquisitions and disposals
- Proposed refinancing or restructuring
- Sale or purchase of significant assets
- Plans to issue or redeem securities
- Extraordinary borrowings
- Major litigation
- Major contracts
- Financial forecasts
- Changes in senior management or significant customers
- Fraud or impending insolvency

As general guidance, employees and those who work for or with the Company must not trade in any securities of any company on the basis of information they acquire during the course of their work for the Company which has not been made public.

Political, campaigning or charitable involvement or donations

Employees and those who work for or with the Company must avoid any associations with any political, campaigning or charitable organisation, or making contributions to such entities, which could conflict with their loyalty, might adversely affect their judgement and objectivity or time spent on Company's business, or which might reasonably be construed by others as such. Should you think that such a conflict might arise, you should discuss it with your manager.

The obligation to consult over a conflict of interest

If you are in any doubt as to whether an activity or an interest – including any that were existing when this Code came into effect as well as any which arise subsequently - could be regarded as a potential conflict of interest you must disclose any such interest:

- If an employee, to your manager
- If not an employee, to your link person.

Where necessary, your manager/ link person will consult with the legal department or the Managing Director.

Failure to notify in this way may lead to the actions set out in the FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY section below.

GIFTS AND HOSPITALITY

The Company's approach to gifts and hospitality is set out in the Gifts and Hospitality Policy. The basic principle is that you should not accept or offer gifts or hospitality which could influence editorial judgement or a business decision, could induce others to perform their functions improperly, or influence public officials. This includes any actions which could create the perception in others of any of these things. However gifts and hospitality are customary in our sector and they are acceptable provided they reflect a desire to cement good relations or show appreciation, and that they fall within reasonable bounds of value and frequency.

You should consider very carefully before offering or accepting any gift or hospitality whose value is more than merely insignificant or where it is part of a significant series of gifts over a short period: these can be called '*significant*'. There may be gifts or hospitality which you are uncertain about for other reasons, they

appear slightly questionable to you or maybe they just seem to fail the 'smell test': these can be called '*questionable*'. In both cases, of *significant* and of *questionable* gifts and hospitality, you are responsible for notifying it – in advance unless this is not reasonably possible – by email to your manager, or if you are not an employee, to your link person. The manager concerned must keep proper records of these notifications and refer up to the Managing Editor/ departmental manager any notification they are concerned about. In addition to such referrals, Managing Editors and departmental managers will monitor the managers' own records on a regular basis to ensure the Gifts and Hospitality Policy is being adhered to by everyone concerned.

Any person who has not notified significant or questionable gifts or hospitality, or managers who have not kept proper records or have not referred up any notifications they are concerned about (or any suspicious gift and hospitality activity they become aware of) may be subject to the consequences set out in the FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY section below.

BUSINESS RELATIONSHIPS

The Company is committed to ensuring business we conduct or which is conducted in the Company's name is done in a lawful, ethical and fair way.

The Company's responsibility extends to acts committed in its name by business partners and agents, distributors, wholesalers, joint venture partners or partners in the Company's supply chain, that is anyone who acts on behalf of the Company: our "business partners".

You are referred to the Anti-Bribery Policy and Business Relationships Policy. You must comply with them and also take steps to ensure that business partners do likewise, for example by including an obligation to that effect in contracts with partners.

Business practices can be deeply rooted in the attitudes, cultures and economic prosperity of a particular region of the world or business sector. Effective risk assessment has to be an ongoing process and all employees have a responsibility continuously to assess the risks in their areas and operations, including reviewing their business relationships and the actions of business partners.

FINANCIAL INTEGRITY AND RESPONSIBILITY

Each person who works for or with the Company – not just in the finance areas – has a role in making sure that money is appropriately spent, our financial records are complete and accurate and that internal controls are fully complied with. This is relevant every time we expense something to the Company, sign a contract or enter into any deal on the Company's behalf.

So, whenever you enter a business transaction on the Company's behalf there should be documentation recording that agreement, approved by the legal department.

When entering into deals with any service or product supplier, ensure that you strive for the best possible deal for the Company. This will almost always mean that you solicit competing bids to make sure you are getting the best offer. Consider all factors in making any decision including, obviously, price but also service, reliability and the terms and conditions as well as whether the third party will accept and adhere to our terms and conditions and this Code.

COMPANY EXPENDITURE AND RESOURCES

Company resources should never be used for personal benefit. When you submit an expense for reimbursement or spend money on the Company's behalf, make sure that the cost is reasonable, directly related to the business of the Company and supported by the relevant documentation (usually receipts). Always record the

business purpose of any expenditure and identify anyone you have entertained on the expenses claim form. Claims must be submitted in a timely way and also abide by the rules on expenses published from time to time. The misappropriation of the Company's assets is strictly prohibited and anyone who witnesses or becomes aware of such behaviour should report it immediately to their manager or report it under the Whistle-Blowing section below.

WHISTLE-BLOWING

We are committed to conducting business ethically and lawfully and these provisions set out the channels we have put in place to help employees and anyone who works for or with us to tell us of any concerns they may have. Our approach is to encourage you to speak honestly about any actual or suspected wrongdoing. The Company wants to hear your concerns.

The legal principles

The Public Interest Disclosure Act 1998 is designed to protect employees who blow the whistle on wrongdoing which occurs in the workplace. Under the law, employees should not be victimised or dismissed for making such disclosures.

Types of issues covered

- the commission or likely commission of a criminal offence
- a failure to comply with legal and regulatory obligations
- breach of any Company policy
- miscarriages of justice
- health and safety dangers
- HR-related issues (including discrimination, harassment, aggressive behaviour, threats or substance abuse and bullying)
- damage or likely damage to the environment
- integrity issues, such as bribery and corruption, inside information, accounting and auditing malpractices, improper gifts and entertainment, conflicts of interest and improper treatment of confidential or sensitive information.

On the last point, we draw your attention to the Anti-Bribery Policy which details how you can raise any concern with the Company, including doing so anonymously.

Employees must have a reasonable belief that such an 'offence' has occurred and all disclosures must be made in good faith.

The Company's procedures

As part of the Company's efforts to create an open working environment, the Company encourages all employees to report any serious concerns, first with your manager who may be able to address any issues. If you believe that is not appropriate, we would urge you to report your concern to the legal department, managing editor, human resources director or finance director. If none of these are appropriate, you should raise it with the Managing Director.

Employees should feel free to make such disclosures without fear of reprisal, so we encourage you not to report concerns anonymously. However, all disclosures will be treated in confidence.

The Company will report back to the concerned employee after an investigation has taken place.

Abuse of this process by raising unfounded allegations maliciously will be dealt with under the Company's disciplinary procedure.

COMPUTER USE

Computer equipment is provided for your use for Company purposes only and should not be lent or passed to any third party without the prior permission of the Group Operations Director. All employees and others working for or with the Company who have access to the Company's computers and/ or computer systems acknowledges that data kept on these computers or systems may be confidential, and should take precautions to prevent any unauthorised access or disclosure of such data. Also see our [Data Protection Policy](#).

Please see the [Staff Handbooks](#) for more detail for employees on the Company's computer usage policy.

USE OF INTERNET AND E-MAIL

The internet and any online service, including email, are to be used for business purposes only unless the prior permission of your manager or link person is obtained.

Employees are also directed to the [Staff Handbooks](#) for more detail on the Company's internet and email usage policy.

SOCIAL MEDIA AND ONLINE ACTIVITIES

The [Social Media and Online Activities Policy](#) relates to the online activities of employees, workers and freelance contributors. It covers the use of Twitter, Facebook and other social media, posting, commenting and blogging - all ways in which you express yourself online other than by way of the approved material you create for the Company which it publishes online.

The fact is, if you work for or with the Company, readers and online users are likely to associate you with us. That means anything you state or comment may well be attributed to the Company in the public's mind, whether or not you flag up that you are tweeting or commenting in a personal capacity, and that is all the more likely if you are doing so during normal business hours. As the law in this area has not yet been clarified, there is also a risk that the Company could face a legal claim as a result of what you have written.

We have all read about civil servants or corporate staff who tweet, Facebook or comment unwisely, in what they naively believe to be only a personal capacity only, but the damage is felt by them in their work or professional standing and by their employer or entity they are associated with. This highlights the main principle: what you post or tweet is a public statement, it is hardly ever just private, and it is permanent. You need to think, always, am I happy to make this public? Use your judgement and if in doubt don't press send or enter. Apart from the well-known risk of ending up looking irresponsible in the eyes of a future employer, your job or any freelance arrangements with the Company could be put at risk: see the [FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY](#) section below.

FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY

Failure to comply with any part of the Code of Conduct or a Policy by an employee could lead to disciplinary action in accordance with the Company's disciplinary procedures, up to and including termination of employment. In the case of someone who is not an employee, the relationship or any arrangements with the Company could be terminated without notice, or such other action taken as the Company might decide.

EDITORIAL PROVISIONS

INTRODUCTION AND SCOPE

As stated earlier, the reputation of our brands is based on the editorial independence, integrity and high journalistic standards of our newspapers and online publications. By observing this section of the Code of Conduct, we will ensure that those standards are upheld.

The Editorial Provisions of the Code are addressed, and applicable, to all employees, workers, and contributors to the Company's publications, whether contracted or freelance. You must adhere to the Editorial Provisions of the Code, as well as to the General Provisions. Individuals take personal responsibility for their own compliance and managers should also ensure this Code is understood and complied with by employees, workers and contributors in their own areas.

In addition to the Code, you must adhere to the Press Commission's Editorial Code of Practice (the 'PCC Code', currently available at www.pcc.org.uk/cop/practice.html and included at Appendix A). You should keep updated on all developments of the Code and its application. As part of your employment contract / retainer arrangements / freelance terms, you are obliged to comply with both the letter and spirit of the PCC Code in your work for the Company and to ensure that nothing in your conduct, acts or omissions shall render the Company in breach of the PCC Code.

STAGE 1 - PREPARING FOR PUBLICATION

Pre-publication editorial and legal clearance

You must fully cooperate with the editors in the area you are working in or for, and undertake whatever pre-publication checks and research are requested by those editors or the legal department.

If you have any legal concerns, whether over libel, contempt, privacy, copyright or other issues, or ethical concerns about a story or article, it is up to you to consult the legal department (available to all employees, workers and freelancers across both businesses on lawyers@independent.co.uk) as early on in the process as possible. The legal department will work with you to ensure that any material published is accurate, defensible, and does not unjustifiably breach any person's rights, while being compliant with the PCC Code. Legal claims can be hugely expensive to the Company as well as damaging to its reputation. To be in the best position to defend a claim or complaint it is important that the people involved in preparation and publication of the story ensure their pre-publication conduct is beyond reproach, use their best efforts to get all the facts right, do the necessary research and seek a response from the subject of an article.

Each of you carries personal responsibility for asking the legal department about any specific issues you are not sure about, for updating yourself regularly with all information provided on legal and compliance subjects, and for familiarising yourself with legal bulletins and notices sent out by the legal department or by the managing editors.

It is your duty to raise, in a full and frank manner and making full disclosure, any issues that could have a bearing on whether publication of any material you are involved in complies with all legal and regulatory matters, including the PCC Code, as well as any issues to do with conduct.

Putting the story to the subject

It is good journalistic practice that any potentially damaging story is put to the subject before publication. This is a key factor in our commitment to good and responsible journalism. It ensures that the subject has

been given the opportunity to point out any errors in a story as well as providing their response to it so that it can be included in the article in the interests of fairness. The more serious the allegation, the more important it is to provide the subject with a proper opportunity to respond. This should normally be done by an emailed request, setting out each allegation and giving the subject a reasonable amount of time to consider the allegations and to respond.

Any queries on this point should be raised with the desk head concerned and the legal department.

Notebooks and Records

Detailed notes and contemporaneous records of conversations with a source could be crucial in defending a potentially libellous story, so you should take such notes and make sure you preserve them securely, bearing in mind that you may have to produce them as evidence in court. If a source needs to remain confidential you need to ensure that they cannot be identified in any way in your notes or other material.

If a legal complaint is received, you are under a personal legal obligation to retain safely all your records including notes and audio-recordings. Any attempt at this point to destroy or get rid of evidence, or a failure to conserve this material, would be considered a very serious matter by the Company and by the court.

PCC Code Compliance

As stated above, you must adhere to the PCC Code. Every clause is important, and to demonstrate its scope we draw your attention to provisions relating to privacy, children, grief and suicide (clauses 3, 6 and 5 respectively).

Use of freelances and the necessary due diligence procedures

When an employee is commissioning any freelances, they should research that person's professional history to ensure they are reliable, trustworthy and that their record on the standards of work and conduct is suitable for an association with the Company. If you are in any doubt, refer the issue to your desk head and the managing editor for assessment. Any freelance you intend to use should be directed to this Code of Conduct and to the Terms for Freelance Contributions which are available on the Company's websites and will also be sent to them.

Payments for information/sources

We do not pay individuals or agencies for information about third parties that breaches their rights. That is the Company's rule, but there are exceptional circumstances when it could be acceptable, that is where it would be in the public interest. If you are considering making a payment in money, expenses or money's worth to any person for information or as a source you should fill in a form giving the details set out in Approval Form - Payment to Sources attached at Appendix C, and submit it for the approval of the managing editor.

Please note the relevant terms of the PCC Code in relation to payment to witnesses/criminals and that any payment to a police officer or public official will breach the law.

Failure of compliance on this matter is viewed as a serious issue - see the FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY section below.

Privacy and the Data Protection Act

In accordance with the PCC Code, the Human Rights Act and the Data Protection Act, we should avoid intrusions into people's privacy, that is reporting details about their personal lives, unless there is a clear public interest in doing so. For example, you should take care if thinking about reporting addresses or giving locations like street names or images of the street where a person lives, or reporting any potentially sensitive medical information: a story that someone is in the early stages of pregnancy for instance. Please refer any queries to the relevant desk head and the legal department.

The Data Protection Act (the 'DP Act') has the potential to impact journalists in two ways: 1) you might try to obtain information from people or organisations who will cite the DP Act as a reason for refusing to divulge information; and/or 2) as a person who is processing data, you have to comply with the Act when writing about personal information.

In relation to 1), consult the legal department as this might not be a valid reason in fact, and on 2), the government acknowledged that journalists and the media must be allowed to process data about individuals without having their activities scotched by the Act. This means journalists do not have to comply with some restrictions where to do so would prejudice journalism, and in particular where it is in the public interest. The Act does not define the public interest, but the journalist and publisher must 'reasonably believe' that publication is in the public interest. One important test would be whether you had complied with the PCC Code, which refers to detecting or exposing crime or serious misdemeanour, protecting public health and safety and preventing the public from being misled. Please consult the legal department in good time before intended publication to consider whether a defence of 'public interest' could apply in the particular circumstances.

You should note that it could be a criminal offence (subject to a public interest defence) to obtain, disclose or procure the disclosure of personal information knowingly or recklessly, without the subject's consent.

You should familiarise yourself with the Data Protection Policy and make sure you comply with it.

Use of improper or illegal journalistic methods

Phone-hacking, subterfuge, 'blagging', trespass: it is established Company policy that no one should break the criminal law in their work for the Company. Anyone engaging in any form of deception for journalistic purposes (including not making it clear when making enquiries that they are a journalist working on behalf of the Company) needs *approval in advance*: that will include an assessment as to whether that action could be justified in 'the public interest' made by the desk head with the assistance of advice from the legal department. Again, please note that failure to get such approval is a serious issue: see the FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY section below.

'Public interest' includes such things as detecting or exposing crime or serious impropriety, protecting public health and safety and preventing the public from being misled by an action or a statement of an individual or organisation. You should read the section on what could be in the public interest in the PCC Code.

To be clear: it is no defence to the criminal offence under certain legislation (e.g. the Regulation of Investigatory Powers Act 2000, which covers phone-hacking) that any resulting story would be or was in the public interest.

Conflicts of Interest

Journalists (which term includes everyone working on editorial material for the Company whether employee, worker, contracted or freelance contributor) should adhere to the conflict of interest section in the General Provisions above.

Journalists should be particularly sensitive to the possibility that their activities outside the work they do for or with the Company (including holding office or being otherwise actively involved in organisations, compa-

nies or political parties) could be perceived as having a bearing on – or coming into conflict with – the integrity of our journalism. You should be transparent about any outside political, philosophical, religious or financial interests that might conflict with your journalistic independence or integrity, or could be perceived to do so. Anyone working in or for Editorial should declare an interest *before publication* to the desk head or managing editor when you are involved with something with which you have a significant connection. The desk head should then decide whether a declaration should appear in any relevant article.

Financial Reporting

You should be aware of and adhere to the PCC Code on financial journalism (Clause 13). Even where the law may allow, our journalists – whatever their status, employed or freelance - should never use for their own profit financial information they receive in the course of their work before such information is published, nor should they pass such information to others. You must inform your desk head of any significant interest in any shares or securities that you know you or your close family/ associates hold before writing about such shares or securities. You must not buy or sell, directly or through nominees or agents, shares or securities about which you have written recently or intend to write.

If anyone writing about financial information is concerned about a potential conflict of interest, they must raise their concerns immediately with their desk head.

Declarations of Corporate Interest

Anyone writing a story concerning any interests of Company-related businesses or that of the owners of the Company should seek comments and/or confirmation in the normal way. The desk head should consider an appropriate declaration.

STAGE 2 - PRE-PUBLICATION

Attribution

All substantial material and quotes must be attributed correctly (ie. by author and, where appropriate, by title of the publication), whatever the source of such material, including another newspaper, agency, writer or journalist. To reproduce material or quotes without a full and correct attribution is, in most circumstances, plagiarism. This is a serious matter and you are referred to the section on FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY below.

You should not fabricate any aspect of the material for which you are responsible, and even where it is occasionally acceptable - a pseudonym used in the interests of the source's security, for example - the principle is to give transparency to our readers/ users. Images should, similarly, be appropriately captioned.

Copy/Picture Approval

In order to ensure the integrity and independence of our editorial content we should not offer copy or picture approval to any subject. If this is the only way to secure an interview, approval must be sought in advance from your desk head or the managing editor.

Quotes – direct and anonymous

If quoting someone directly, you should use their exact words. If you do not want to use the way they have

expressed something then, if it is editorially justified, you should not quote directly but paraphrase their words in indirect speech, taking care not to change the actual meaning.

Take care if you want to quote someone anonymously. Ask yourself what their motivation is if they are not prepared to go on the record. Consult the legal department if you have any concerns over this material.

Responsibility of desk heads

It is the responsibility of every desk head, but also everyone working in or for Editorial, whatever their status, to ensure that you follow up anything that might appear to you to be incorrect, even to a minor extent, or which raises any alarm bells from a legal or editorial point of view –whether or not you yourself are responsible for that material. You should pass any concerns to the managing editor or legal department as appropriate.

STAGE 3 - POST PUBLICATION

Complaints Handling

If you receive a complaint about a story you have been involved with, you should forward it to the managing editor and the legal department as soon as possible. You should not make any response or indicate a possible remedial course of action - including an apology or correction, promising a change to the online article, or running a letter - without the involvement of the legal department. You should co-operate fully with any investigations the managing editor or the legal department conduct in order to respond to such complaints.

Confidentiality of sources, and contracts

We have a moral duty to protect sources who have told you they wish to remain confidential, or where confidentiality is clearly implied. We also need to have available to us the greatest range of evidence to put before a court or to contest a complaint. Accordingly, if you agree with a source that they can remain confidential you should tell your desk head and the legal department before publication.

If you are presented with a confidentiality agreement, a book or speech embargo maybe, you must pass it to your desk head and the legal department. Signature of such an agreement may well bind the entire Company and you should not sign it or take such a decision without consultation as to whether that is in the Company's interests.

FAILURE TO COMPLY WITH THE CODE OF CONDUCT OR A POLICY

Failure to comply with any part of the Code of Conduct or a Policy by an employee could lead to disciplinary action in accordance with the Company's disciplinary procedures, up to and including termination of employment. In the case of someone who is not an employee, the relationship or any arrangements with the Company could be terminated without notice, or such other action taken as the Company might decide.

September 2011

APPENDIX A

PCC CODE OF PRACTICE

[printed, when code is given out on paper or
link to <http://www.pcc.org.uk/cop/practice.html>

APPENDIX B

THE CAP CODE ON ADVERTISING

[printed, when code is given out on paper or
link to <http://www.cap.org.uk/The-Codes/CAP-Code.aspx>

APPENDIX C

APPROVAL FORM - PAYMENT TO SOURCES

Name of person seeking approval for payment.....

Name / description of source.....

Is the source confidential?.....

Amount of payment.....

Method of payment.....

Reason for payment.....

Is the payment essential to obtain the information?
.....

Is the information available elsewhere without payment.....

What public interest factors are there in obtaining the information/ publishing the story?
.....

Does the source work as or hold themselves out to be a public official / member of police?
.....

* If yes, please note: any payment to a police officer or public official will breach the law

If published already, which article (date and page) does the information relate to?
.....

If approval was not sought before payment was made, as is required, what exceptional circumstances are there to account for this?
.....

For Distribution to CPs

Signed (person requesting authorisation).....Date.....

Signed (Managing Editor).....Date.....