

Appendix 4: Code of conduct

Introduction

1. The Gambling Commission's (the Commission) position as the regulator of the gambling industry requires that the Commission and its employees are able, at all times, to demonstrate that their actions and behaviour are beyond reproach. We want to ensure that you are protected from any situation where you might be seen as vulnerable to personal compromise of any kind, or situations which might lead to the integrity of the Commission being questioned. To support this, the Code of Conduct reflects the Commission's values and sets out the standards of behaviour that are expected of everyone who works with us and the ways in which the Commission will help you to avoid any unwarranted criticism or pressure. Throughout the Code of Conduct, the term 'employee' includes all employees and others working for the Commission.

Gambling Commission values

Fair - we will be consistent, proportionate, evidence-based and free from bias, prejudice or discrimination in all that we do

Accountable - we will be frank about the way in which we work and reach decisions in the public interest, while safeguarding the personal and confidential data that we hold

Professional - we will ensure that we have the right skills and knowledge base and follow international regulatory best practice

Constructive - we will work positively and courteously with our internal and external stakeholders to ensure that their needs and views are taken fully into account in all we do

2. The Code sets out the framework within which you must conduct yourself and forms a part of the Employee Handbook and your contract of employment. The Commission's Employee Handbook contains the detailed policies under which we work. These support the principles set out in this Code and you should refer to the Handbook for detailed guidance. This Code applies to everyone who works for the Commission and you will be required to confirm that you have read this Code as a part of your induction. We will, on occasions, ask you to review the Code and confirm that you have done so.
3. You should normally discuss any matters arising under the Code in the first instance with your line manager. If you, or your line manager, require further assistance, you should refer the matter to the Director of People and Organisational Development. Certain matters under the Code require declarations to be made to other Directors. Where this is the case, the relevant Director is identified in the Code. These requirements are summarised in Annex A.
4. This Code has been developed to reflect the Commission's values and covers the following areas:
 - General principles
 - Gambling by employees
 - Confidentiality and conflicts of interest
 - Appointments on leaving the Commission
 - Gifts and hospitality
 - Political activities
 - Promoting equality and respect

- Substance misuse
- Smoking
- Dealing with the media
- Appearance
- Employee concerns about improper conduct and whistle blowing.

General principles

5. The Commission expects the highest standards of behaviour from employees at work and in their personal lives where the Commission's position might be affected. The general principles set out below and the detailed Code of Conduct apply to everyone who works with us. It is the responsibility of each individual to be aware of the standards of conduct expected of them and to apply this Code of Conduct as a general guideline to their behaviour. However, we recognise that you may encounter particular personal circumstances that are not covered by the Code, or where the strict application of the Code may seem unreasonable. You should discuss any such circumstance with your line manager in the first instance and we will try to arrive at a solution which is fair and reasonable for you and the Commission.

General principles

Integrity - you should conduct yourself in a frank and honest manner and maintain the Commission's high standards of conduct, whether or not at work. You should treat all those you encounter, including colleagues, licensees and the public, courteously and follow the guidance in this Code and the Employee Handbook

Personal and financial affairs - you should conduct your financial and other personal affairs in a frank and honest manner that does not leave you exposed to the risk of corruption or improper pressure. Major financial difficulties or changes of circumstances which might make you vulnerable, or appear vulnerable, to allegations of impropriety should be disclosed (in confidence) to the Director of People and Organisational Development.

Confidentiality - working in the Commission involves access to sensitive and confidential information about individuals; about commercial organisations and their plans and about policy developments. You must ensure that such information is not used in any way directly or indirectly for your own benefit or for the benefit of any third party or disclosed to any person (whether Commission employees or otherwise) other than as required by law. This does not prevent an employee from exercising any of his or her other rights under the Public Interest Disclosure Act 1998 (see whistle blowing policy at Annex C)

Accountability - while safeguarding information that should be kept confidential, you must remember that the Commission is committed to being open about the way in which decisions are reached and how our business is conducted. You must therefore take care to record and make available material to enable our stakeholders to understand our business

Gambling by employees

6. We recognise that gambling is a legitimate leisure activity and that a total ban on gambling activity by all Commission employees would be unduly restrictive and could be an obstacle to the recruitment and retention of people with direct experience of the sectors they are regulating. However, because of the Commission's role as the industry regulator, we have to place restrictions on the gambling that you can undertake to protect you and the Commission from the risk, actual or perceived, of bias, lack of objectivity, or impropriety.

Restrictions on gambling

7. No gambling of any kind (including raffles, lotteries, phone or on line betting) is permitted on Commission premises at any time.
8. For other gambling, you will fall into one of two categories:
 - employees considered to be in a position to influence regulatory decisions
 - other employees.
9. If you are unclear as to your status, you should seek guidance from your line manager in the first instance or, failing this, the Commission's internal compliance officer which role is carried out by the Commission's Head of Intelligence.

Employees in a position to influence regulatory decisions

10. If you are in a position to influence the outcome of regulatory decisions, or you appear to be in such a position, you are not permitted to gamble in non-remote casinos, bingo halls, bookmakers premises, family entertainment centres, adult entertainment centres or with on-course bookmakers, or accept winnings from lotteries licensed by the Commission. If you are in this category, you are also encouraged to be aware of the potential risks to the Commission and yourself of gambling by members of your immediate family (spouse/partner and children).
11. This category of employees includes all Directors and employees in the Intelligence, Licensing, Legal, Compliance and Enforcement functions. Depending on their particular responsibilities, other employees may fall into this category and, if you do so, you will be informed of this by your manager.
12. If you are in this category, you may gamble remotely, ie by phone, television or internet, as there is a clear audit trail that would stand up to challenge. In addition, you may gamble whilst abroad. In all instances, however, you:
 - must gamble only as a private individual and not identify your connection with the Commission
 - must notify the Commission's Head of Intelligence as to:
 - which operators you gamble with
 - any accounts opened
 - any significant individual wins or losses (ie above £500).
 - are encouraged to notify any significant wins by members of your immediate family or those you are with if visiting gambling premises (see below)
 - must provide such additional relevant information as the Commission may need from time to time. Such information will be held in confidence, but will be available for any properly constituted investigation.

Other employees

13. All other employees are permitted to gamble without restriction, but you:
 - must not identify your connection with the Commission
 - must notify the Commission's Head of Intelligence of any significant individual wins or losses (ie above £500)
 - are encouraged to notify any significant wins by members of your immediate family or those they are with if visiting gambling premises (see below)
 - must provide such additional relevant information as the Commission may need from time to time. Such information will be held in confidence, but will be available for any properly constituted investigation.

Visits to gambling premises

14. If you are in the Intelligence, Compliance or Enforcement functions, you may only visit casinos, bingo halls or bookmakers' premises in an official capacity or with prior agreement from your responsible Director (for example for a special family occasion which it would be unreasonable for you to miss).
15. If you are in the other groups (including Directors and those in the Licensing function) to which the restrictions on gambling in non-remote casinos, bingo halls or at bookmakers etc apply (see paragraph 11), you may still visit such premises on official business or in your private capacity. Such visits may include unannounced visits, but these must be cleared in advance with the Director of Regulation. Private visits should not take place if you are involved in any impending regulatory decision involving the relevant premises or operator. Any official or private visits must be notified as soon as possible to the Commission's Head of Intelligence.
16. If you are visiting gambling premises in any capacity, whether in Great Britain or abroad, you should ensure that neither you, or anyone with you, receive preferential treatment or any form of hospitality not available to other players or visitors.
17. All employees are permitted to visit licensed racecourses or greyhound race tracks (subject to the restrictions on gambling described above). If you work in the Intelligence, Compliance and Enforcement functions, however, you should notify the Commission's Head of Intelligence if you visit bookmakers' premises within a racetrack.

Confidentiality and conflicts of interest

Confidentiality

18. It is the nature of the Commission's work that you are likely to have access to sensitive information. This may cover, for example, sensitive commercial, political or personal information. You must not (except in the proper course of your duties) during your employment with the Commission, or at any time after its termination (however occurring), divulge to any person, or otherwise make use of any confidential information relating to the business, policies, operations, affairs, interests or financial position of the Commission or any person, firm or body with whom the Commission has or has had any dealings. (In addition, you should use your best endeavours to prevent the unauthorised publication or disclosure of any such confidential information).
19. Failure to adhere to this policy will be regarded as a serious matter and may amount to gross misconduct.

Conflicts of interest

20. We recognise that you may legitimately have interests outside the Commission. However, you should be aware that the conduct of private business and other issues might give rise to actual or perceived conflicts of interest between your private position and that of the Commission. You should ensure that any possible conflicts of interest are identified at an early stage and that appropriate action (for example, informing your manager, seeking your manager's advice etc) is taken to resolve them.

Private interests and possible conflict with public duty

21. As a public servant you have a particular duty to ensure that you do not abuse, or raise any reasonable suspicion that you have abused, your public position in your own personal interest. In particular, you must not:
 - use information gained in your work to advance your private financial or other interests, or the financial or other interests of other persons. There are circumstances in which this would be insider dealing, a criminal offence (see Annex B, 'Insider dealing')

- participate in the taking of any decision which could affect the value of your private financial or other interests, or the financial or other interests of those to whom you give investment advice. Such a conflict of interest could, in certain circumstances, result in legal action against the Commission and against you.

22. Further guidance is in Annex B and the Employee Handbook.

Shareholdings

23. If you are in a position to influence the outcome of regulatory decisions (see paragraph 11), or you appear to be in such a position, you are not permitted to hold shares directly in companies operating in the gambling industry which are, or which may be, licensed by the Commission. You should instruct anybody carrying out investments on your behalf of this constraint. This restriction extends to your immediate family (spouse/partner and children). Other employees may fall into this category and, if so, you will be informed of this by your manager. If you are unclear as to your status, you should seek guidance from your manager in the first instance or, failing this, the Director of People and Organisational Development.
24. If you are not in the restricted categories of employee (paragraph 23), you may invest in shareholdings and other securities connected to the gambling industry, unless the nature of your work is such as to require constraints on this, in which case you will be informed. You must not be involved in taking any decision which could affect the value of your private investments, or the value of those on which you give advice to others. In addition, you must not use information acquired in the course of your work to advance your private financial interests or those of others. You should be aware of the strict controls which apply to insider trading, which is a criminal offence. Further details are in Annex B and the Employee Handbook.
25. You must declare to the Director of Finance any business interests (including directorships) or holdings of shares or other securities you or members of your immediate family hold, to the extent which you are aware of them, which you may be able to further as a result of your official position. Such interests are primarily likely to be interests and direct investments in the leisure sector. You must comply with any subsequent instructions from the Commission regarding the retention, disposal or management of such interests.

Business interests and outside occupations

26. You may have external business interests and occupations, provided that these do not interfere with your work or in any other way compromise the Commission's position. The following general principles must be observed in respect of business interests and outside occupations:
- you must not engage in private activities which would require your attendance during office hours or impair your usefulness to the Commission
 - you must not be involved in occupations or other activities, which might conflict with the interests of the Commission or be inconsistent with your position as Commission employees
 - you may only do things externally which depend upon your official experience if you first obtain the consent of your Director
 - generally, you may not hold directorships in, or undertake work in or for, public or private companies, firms or other organisations including in a consultancy or advisory role. However a single directorship may be allowed where individuals have the express permission of senior management. (The holding of a non-executive directorship of a small private 'family-type' company may also be permitted, if no conflict of interest is caused)
 - unremunerated directorships of charitable companies or similar organisations are permitted, provided there is no potential conflict of interest.

27. If, as a part of your work, you come into contact with matters concerning a business organisation in which you have an interest, then you must declare that interest to the Director of Finance.
28. You should not handle any official business where, because of private interests, your actions could be open to misunderstanding.
29. You should not carry out any private business transaction with an outside organisation with which you have had official dealings on behalf of the Commission unless, exceptionally, specific written approval is first obtained from a senior manager.
30. Directors and other senior employees will be asked to make a formal declaration of interests to the Director of Finance at least annually. This will include 'nil' returns. The Commission will publish such declarations in accordance with its publication scheme.

Appointments on leaving the Commission

31. Your duty of confidentiality continues after you have left the Commission's employment, whatever the reason for you leaving the Commission.

Rules on the acceptance of outside appointments after resignation or retirement

32. Movement between the Commission and the regulated sectors should not be frustrated by unjustified public concern over a particular appointment. However, it is important that when a former Commission employee takes up an outside appointment there should be no cause for any suspicion of impropriety to avoid:
 - any suspicion that the advice and decisions of a serving employee might be influenced by the hope or expectation of future employment with a particular firm or organisation
 - the risk that a particular firm might gain an improper advantage over its competitors by employing someone who, in the course of their official duties, has had access to technical, commercial or other information which those competitors might legitimately regard as their own trade secrets.
33. For these reasons, if you are an employee who is in a position to influence regulatory decisions (see paragraph 11) and are leaving the Commission's employment, you must not, within six months of leaving, accept any form of full, part time or fee-paid employment with a licensee or applicant for a licence without having obtained the Commission's prior written approval. Any such requests should be made in writing to the Director of People and Organisational Development. Such approval will not be withheld unreasonably.
34. If you are on secondment to other organisations or have been on secondment to the Commission, you are also subject to these rules.

Reporting offers of employment

35. If you are approached regarding an offer of employment either directly or indirectly by or on behalf of a person or organisation in or related to the gambling or gaming industry, you are under a duty to disclose the full particulars of that approach. In addition, if you are actively seeking alternative employment so that your CV is likely to be brought to the attention (whether by you or by an agency) of a person or organisation in or related to the gambling or gaming industry, you are under a duty to disclose this.
36. The disclosures referred to in paragraph 35 should be made as follows:
 - the Chief Executive or an employee at Director level must inform the Chairman or Chief Executive as appropriate
 - other employees must inform their Director or the Director of People and Organisational Development.
37. If you are working on compliance and enforcement in relation to specific operators or in

areas concerned with procurement or contract work, you should report any such approach where it comes from those specific operators or from an outside employer with whom they or their employees have had, or might have, official dealings, whether or not you are considering taking up the offer.

38. The Commission will make operators and licence applicants aware of its policy in this area and ask them to inform the Director of People and Organisational Development before making any approach to Commission employees. If you wish to pursue an approach about employment, you may be asked to reach a decision within a given timeframe and/or may be asked to work in a different area of the Commission's business to ensure that there is no potential conflict of interest.

Gifts and hospitality

39. It is an important part of our work to develop contacts and build good working relations with a range of outside organisations, for example, relevant trade associations and with individual licence holders. You are encouraged to develop such contacts appropriately. In doing so, however, you are expected to observe exceptionally high standards of personal honesty and integrity. Failure to comply with the Commission's policies on the acceptance of gifts and hospitality will be regarded as a serious matter and may amount to gross misconduct.
40. No gift or hospitality should be accepted if it would, or might, appear to, place you under any obligation, or compromise your impartiality or be otherwise improper. Subsequent payment for, or reciprocity of, any hospitality does not legitimise its unauthorised receipt. Prevailing practice in the private sector is not a justification for a breach of the standards required in the different circumstances of the public sector.
41. Employees should not, therefore, accept any gifts, however modest, or hospitality from actual or prospective licensees or from current contractors or those seeking to become contractors. The only exception is light refreshments at a meeting for example tea, coffee. Trade associations and representative bodies are not considered to be operators, but care must still be taken over acceptance of their hospitality.
42. If you have any doubts about the proper course of action to take when giving or receiving hospitality, it is your responsibility to discuss the issue with your line manager in the first instance, or the Director of Finance. Further details can also be found in the Employee Handbook.

Receipt of gifts or cash

43. Generally, the offer of any gift, reward or benefit arising out of your duties as an employee should be politely refused with the explanation that public servants are not permitted to accept such offers. Any such gifts should be returned with a polite letter of explanation. These principles do not apply to isolated gifts, for example of office accessories at a conference or from a visitor worth less than £10, which may be accepted for use at work. Employees should not accept cash or other form of monetary payment under any circumstances from actual or prospective licensees or from current contractors or those seeking to become contractors. The only exception to this is the collection of fees which are received by the Finance team as part of their accounts receivable duties.
44. Where refusal would clearly be impractical, or cause offence to the donor (for example a representative of a foreign government or similar) you should let the donor know that the gift is being accepted on behalf of the Commission for retention in the office. Such gifts must be handed in to the Commission for office use or subsequent disposal. Where return of gifts would be expensive or otherwise difficult, the donor should be told that the gift cannot be accepted but will be donated to charity in their name.
45. Details of any gift you have accepted (including those with a value of less than £10) must be notified immediately to the Director of Finance on the standard '[Hospitality declaration form](#)'. A public register of gifts and hospitality will be maintained by the Director of Finance

showing all notified gifts and hospitality accepted with a value greater than £10. Unsolicited gifts passed on to charity with the donor's consent should also be notified to the Director of Finance.

Receipt of hospitality

46. An element of modest hospitality plays an important part in the maintenance of a wide range of important business contacts and the acceptance of appropriate levels of hospitality is acceptable. It is essential, however, that you exercise careful judgement in deciding whether the acceptance of hospitality in particular circumstances is appropriate. In doing so, you should consider whether the offer and/or its acceptance would be normal and reasonable in the circumstances. If you have any doubt as to appropriateness, you should decline any offer of hospitality.
47. With the exception of modest hospitality invitations, (with an estimated value of £10 or less) acceptance of hospitality invitations should first be cleared by your Director or Head of Department. As noted in paragraph 41, hospitality, even if modest, must not be accepted from actual or prospective licensees or from current contractors or those seeking to become contractors. Any working lunches, for example during a corporate inspection must be paid for. To ensure transparency in the Commission's affairs, all hospitality received must be recorded in the Commission's hospitality register. Any hospitality you have accepted (including that with a value of less than £10) must be notified immediately to the Director of Finance on the standard form '[Hospitality declaration form](#)'. The only exception is tea/coffee/soft drinks accepted in the course of a working visit.
48. A public register of gifts and hospitality will be maintained by the Director of Finance showing all notified gifts and hospitality accepted with a value greater than £10. (Details of gifts under £10 will be retained to deal with any queries but will not feature on the register as they are not significant.) The register is an official document open to public scrutiny.

Offer of hospitality by Gambling Commission employees

49. Senior employees at Director/Head of Department level may, occasionally, offer hospitality in line with the specific hospitality limits set out in the Commission's expenses rules. These limits will only be varied by prior written agreement, normally in advance, from a Director or the Chief Executive as appropriate. Without such prior agreement no reimbursement will normally be made.

Political activities

50. You are entitled to your own privately held political beliefs and opinions. However, you are expected to exercise appropriate discretion in respect of any political activities that you undertake which are liable to give public expression to your private political views and your private political views should not influence, or appear to influence, your official duties.
51. Rules relating to employee political activity, including standing for election, are set out in the Employee Handbook.

Valuing diversity and promoting equality and respect

52. The Commission is committed to ensuring that, in all of its dealings, including those with licensed bodies and individuals, the public and its employees, everyone is treated equally and with respect, and to valuing and harnessing difference and diversity. Further details are contained in the Employee Handbook and the Commission's Single Equality Scheme. The Commission expects that you will:
 - recognise and value the benefits of diversity
 - promote equality

- not discriminate unlawfully against any person
- treat others with respect
- not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of the Commission.

Substance misuse

53. Full information on this issue is provided in the Substance Misuse policy in the Employee Handbook. The Commission will seek to support people where appropriate, however, serious incapability through alcohol or being under the influence of drugs in the workplace is considered to be serious misconduct within the terms of the disciplinary procedure also contained in the Employee Handbook. You are not to consume alcohol or drugs (other than those properly prescribed or obtained) whilst at work or be in the workplace if you are unable to perform your duties due to the effect of alcohol or other substances.
54. The Commission recognises that incapacity caused by drugs or alcohol may be a symptom of health problems such as alcoholism or drug dependency and, under such circumstances, will manage any necessary action under the terms of the Sickness Absence policy. It is your personal responsibility to ensure that you do not come to work if you are not fit to do so.
55. As with any situation, should your actions outside of work affect your ability to undertake your work within the Commission, for example losing your driving licence, you should advise either your line manager or the Director of People and Organisational Development.
56. Although the Commission's offices will normally be alcohol free, alcohol may, on appropriate official occasions, be provided by the Commission. In these circumstances, you should exercise personal discretion and ensure that your consumption of alcohol does not affect your ability to work effectively.
57. In no circumstances should employees bring alcohol onto Commission premises for consumption.
58. Further details are set out in the Employee Handbook.

Smoking

59. The Commission is a non-smoking environment; therefore you must refrain from smoking on all Commission premises. Smoking should be confined to any areas where it is legal to do so.

Dealing with the media

60. As a public body, the Commission is regularly the subject of media reports and it is important that press enquiries are handled consistently and with accuracy. You are therefore required to pass on any media enquiries to the Communications team. You should not comment to the media directly on any issue relating to the Commission's work unless specifically authorised to do so by the Director of Corporate Affairs.

Appearance

61. There is no dress code as such and roles within the Commission do not normally require specific clothing or uniforms for safety or other reasons. However, all employees within the organisation are representatives of the Gambling Commission and you are asked to dress professionally. Where your work takes you into contact with those outside the Commission, including members of the public, you are asked to dress in a manner appropriate to the occasion and reflecting the professional standing of the Commission. At all times, you should use discretion when wearing more casual business dress to ensure that it is appropriate for the office and does not cause offence to others.

Employee concerns about improper conduct

62. The Commission relies on you to inform us if you believe that you are being asked or required to act in a way which:
- is illegal, improper, or unethical
 - is in breach of a professional code
 - may involve possible maladministration, fraud or misuse of public funds
 - is otherwise inconsistent with this Code.
63. You must also draw attention to cases where:
- there is evidence of criminal or unlawful activity by others
 - you believe there is evidence of irregular or improper behaviour elsewhere in the organisation
 - you are required to act in a way which, for you, raises a fundamental issue of conscience.
64. You should either raise the matter through your line manager or approach, in confidence, the Chief Executive or a Commissioner.
65. If you have reported a matter as above, but believe that the response you have received does not represent a reasonable response to your concern, you may report the matter in writing to DCMS's Director General (Partnerships and Programmes) who will investigate the matter further.
66. In accordance with the Public Interest Disclosure Act 1998, the Commission has put in place arrangements which allow you to raise any concerns in confidence and with a guarantee that the matters will be properly investigated, without damage to you. The Commission's whistle blowing policy is set out in Annex C.

Compliance with this Code

67. All employees are required to comply with the provisions outlined in this Code of Conduct. Should there be any concern that this is not the case, the circumstances may be investigated in line with the Discipline and Grievance Procedure outlined in the Employee Handbook.
68. If you are concerned that any other employee, regardless of their status or level within the organisation, is behaving in ways which do not support this Code, you should outline your concerns to your line manager or a member of the People and Organisational Development team who will ensure that your concerns are treated seriously, confidentially and without recrimination.

Annex A: Summary of reporting requirements

Paragraph	Requirement	Reported to
	Gambling by employees	
12	<p>Employees in a position to influence regulatory decisions (see paragraph 11) must notify the Head of Intelligence:</p> <ul style="list-style-type: none"> • Which operator they gamble with • Any accounts opened. <p>All employees are required to notify the Head of Intelligence of:</p> <ul style="list-style-type: none"> • Any wins or losses that are significant (more than £500) <p>And are encouraged to notify:</p> <ul style="list-style-type: none"> • Any significant wins by their immediate family or people they have accompanied on visits to gambling premises. 	Head of Intelligence
	Visits to Gambling premises	
14, 17	Employees in compliance, enforcement and intelligence functions can only visit gambling premises (including bookmakers' premises at race tracks) in their official capacity or with the prior consent of the Director of Regulation.	Director of Regulation
15	<p>Other employees in a position to influence regulatory decisions (see paragraph 11) must:</p> <ul style="list-style-type: none"> • Obtain the Director of Regulation's prior consent for any official visit • Notify the Head of Intelligence of any other permitted visit. 	<p>Director of Regulation</p> <p>Head of Intelligence</p>
	Shareholdings	
25	All employees must declare to the Director of Finance any business interests (including directorships) or holdings of shares or other securities held by themselves or members of their immediate family, to the extent which they are aware of them, which they may be able to further as a result of their official position.	Director of Finance
	Business interests	
27	If, as a part of their work, employees come into contact with matters concerning a business organisation in which they have an interest, then they must declare that interest to the Director of Finance.	Director of Finance
	Outside offers of employment	
32	An employee who is in a position to influence regulatory decisions (see paragraph 11) and is leaving the Commission's employment, must not, within six months of leaving, accept any form of full, part-time or fee-paid employment with a licensee or applicant for a licence without having obtained the Commission's prior written approval. Any such requests should be made in writing to the Director of People and Organisational Development. Such approval will not be withheld unreasonably.	Director of People and Organisational Development

34, 35	<p>Employees considering an approach from an outside employer which is regulated by the Commission, or which is seeking to be regulated by the Commission are under a duty to disclose, as soon as possible, the full particulars of any such approach received directly or indirectly from or on behalf of a person or an organisation in or related to the Gambling or Gaming industry, other than in the normal course of their employment with the Commission. Such notification should be made as follows:</p> <ul style="list-style-type: none"> • the Chief Executive or an employee at director level must inform the Chairman or Chief Executive as appropriate • other employees must inform their Director. 	<p>Chairman/Chief Executive</p> <p>Responsible Director</p>
	Gifts and hospitality	
44, 46	Employees must disclose details of all gifts and hospitality received to the Director of Finance	Director of Finance
	Media enquiries	
60	Employees must refer all media enquiries to the Director of Corporate Affairs	Director of Corporate Affairs
	Improper conduct	
	Employees should refer any suspicion of improper conduct within the Commission (see paragraphs 62 and 63) with:	
63	in the first instance, the Chief Executive or a Commissioner	Chief Executive/ Commissioner
64	if the response is unsatisfactory, in writing to DCMS's Director General (Economic Impact)	Director General, Partnerships and Programmes
65	In accordance with the Public Interest Disclosure Act 1998, which allows you to raise any concerns in confidence and with a guarantee that the matters will be properly investigated, without damage to you. The Commission's whistle blowing policy is set out in the Annex C.	See Annex C

Annex B: Insider dealing

1. Insider dealing is a serious criminal offence under the Criminal Justice Act 1993. If you come into possession of 'inside information' you must be scrupulous in your use of that information. In particular:
 - you must not deal on a regulated market or through a professional intermediary in securities whose price would be significantly affected if the inside information were made public
 - you must not encourage anyone else to do so (whether for your benefit or theirs)
 - you must not disclose such information to others (even in confidence to other Commission officials) unless it is necessary for the proper performance of your work.
2. 'Inside information' means information which:
 - relates to particular securities or to a particular issuer or issuers of securities
 - is specific or precise
 - has not been made public
 - if it were made public would be likely to have a significant affect on the price of any securities.

Conflict of interest

3. A decision by the Commission would be open to legal challenge, and could be set aside, if the private financial interests of any person substantively involved in the decision making process were such as to give rise to a reasonable presumption of bias. (Persons 'substantively involved' include not only the decision taker but also others who contribute to the decision, by for example research or advice). Any person who feels adversely affected by such a decision and who alleges bias by an official involved in the decision making process may:
 - take legal action against the Commission in respect of the decision
 - seek damages against a person with a conflict of interest against whom bias is alleged.
4. In law, the possibility of conflict of interest does not necessarily stop with consideration of financial interests held by you. Bias could be alleged in respect of the interests of anyone with whom you may have a family, domestic or other relationship and over whose decisions on investment matters you may reasonably be thought to exert an influence and where knowledge of such matters can reasonably be imputed to you. In that event a court would examine the facts of the matter to decide whether bias should be presumed.

Relevant financial interests

5. For the purpose of these instructions, you should consider both your own financial interests and those of others to whom you give investment advice. You should consider financial interests such as shares and other forms of investment such as options and other similar products. Nevertheless, you should always bear in mind that a financial interest even though small could, depending on circumstances, give rise to a legal presumption of conflict of interest and therefore of bias.

Basic rules

6. You must then closely observe the following basic rules:
 - if you are in possession of any inside information, you must not purchase or sell an interest in securities whose price would be significantly affected if the inside

information were made public, or encourage others to do so (whether for your benefit or theirs) or pass on the information to third parties unless disclosure is necessary for the proper performance of your work

- if you, or those to whom you give investment advice, have a financial interest of which the value could reasonably be thought to be affected by an impending decision by the Commission, you must not participate in any way in the decision-taking process. You must immediately declare your position to your line manager. This should be done even if you have already declared your interest under supplementary rules that apply to you (see below).

Supplementary rules

7. It is not possible to set out in these procedures all the requirements which, in order to avoid conflict of interest, apply to different types of work in the Commission. Therefore, Directors may issue from time to time, as a supplement to these rules, local instructions to their employees relevant to the needs of the work. Depending on the circumstances of the work these supplementary rules might include, for example:
 - notification to the line manager of all or specified categories of financial interest, although it should not be necessary to require notification of the size of such interests
 - a ban of a defined group of employees engaging in dealings in financial interests within particular periods of time
 - a ban on a defined group of employees holding certain kinds of financial interests
 - a requirement for defined groups of employees to obtain prior permission to deal in certain financial interests.
8. If you are in any doubt as to your proper course of action in any of these areas, you must consult your line manager who will consider whether or not to refer the matter to the Commission's solicitors for legal advice. However, it is your responsibility to ensure that you act within the law and within the Commission's rules. Even if not a criminal offence under the insider trading legislation, a breach of these requirements or of any supplementary instructions issued by Directors will make you liable to disciplinary proceedings. Any enquiries about this information should be addressed to the Directorate of People and Organisational Development.

Annex C: Whistle blowing

Introduction

1. The aim of this section is to provide employees with a procedure for reporting any unlawful conduct at work and to reassure them that they can feel confident in exposing wrongdoing without any risk to themselves.
2. All of us at one time or another may have concerns about what is happening at work. Usually these concerns can be easily resolved. However, when they are about possible unlawful conduct, fraud, dangers to the public or the environment, or other malpractice, it can be difficult to know what to do.
3. Many people in this situation worry about reporting their concerns and may feel inclined to keep them to themselves, perhaps because the concern is only a suspicion or it could be described as none of their business. They may not want to feel that they are being disloyal to colleagues, management or to the Commission. They may also have concerns about being branded as a trouble maker or even about their own job security or prospects.

How to use the Commission's whistle blowing procedure

4. The whistle blowing procedure should be followed if you wish to make a disclosure internally. It can be used to report bad practice (see below) which threatens the interests of others or the Commission.
5. The procedure to follow if you want to raise a concern internally is as below:
 - If you have a concern about malpractice, you should raise it first with your line manager. This may be done orally or in writing
 - If you do not feel able to go to your line manager for whatever reason, please raise the matter with your Head of Department, or your Director if you suspect that the Head of Department is party to the malpractice
 - If you do not wish to use your department 'chain of command', or alternatively, if you are a line manager to whom an issue has been reported, you can raise the matter with the Director of Finance, Director of Legal or the Chief Executive.
 - When you raise the matter, you should say if you want to raise the matter in confidence so that appropriate arrangements can be made
 - If these channels have been followed and you still have concerns, or if you feel that the issue is so serious that you cannot discuss it with any of the above, you can raise the matter directly with the Chief Executive or, if not appropriate, with a Commissioner.
6. The Commission will not tolerate the harassment or victimisation of anyone who raises a genuine concern under this policy. Provided you are acting in good faith, it does not matter if it later transpires that you were mistaken; you will not be subject to disciplinary action as a result. This assurance does not extend to someone who maliciously raises a matter they know is untrue. Disciplinary action may be taken against employees who deliberately make false allegations.

Confidentiality

7. The Commission recognises that you may want to raise a concern in confidence under this policy. If you ask us to protect your identity by keeping your confidence, we will not disclose it without your consent. However, in some circumstances, this may make it more difficult to fully investigate the matter. If the situation arises where we are not able to resolve the concern without revealing your identity, we will discuss with you how we can proceed.
8. If you do not tell us who you are, it will be much more difficult for us to look into the matter or to protect your position or to give you feedback. Accordingly, while we will consider

anonymous reports, this policy is not designed to deal with concerns raised anonymously.

How we will handle the matter

9. Once you have told us of your concern, we will look into it to assess initially what action should be taken. You may be asked how you think the matter might best be resolved.
10. If you request, we will write to you summarising your concern and setting out how we propose to handle it. We will tell you who is dealing with the matter, how you can contact them and whether your further assistance may be needed.
11. It may be decided that a formal investigation is necessary; in most cases this will be the responsibility of the Director of People and Organisational Development.
12. We will give you as much feedback as we properly can, and if requested, we will confirm our response to you in writing. However, we may not be able to tell you the precise action we take, where this would infringe a duty of confidence owed by us to someone else.

If you are dissatisfied

13. If you are unhappy with our response or with the outcome of the investigation, you may raise the matter with DCMS's Director General (Economic Impact). While we cannot guarantee that we will respond to all matters in the way that you might wish, we will try to handle the matter fairly and properly.

Public Interest Disclosure Act 1998

14. The Public Interest Disclosure Act 1998 enables workers in the public and private sectors who 'blow the whistle' about wrongdoing to complain to an employment tribunal if they are dismissed or suffer any other form of detriment for doing so.

What type of disclosure qualifies for protection?

15. A disclosure will qualify for protection ('a qualifying disclosure') if, you reasonably believe, it tends to show one or more of the following has occurred, is occurring or is likely to occur:
 - a criminal offence (for example theft and fraud)
 - a failure to comply with a legal obligation
 - a miscarriage of justice
 - endangering of an individual's health and safety
 - damage to the environment
 - deliberate concealment of information tending to show any of the above.
16. A qualifying disclosure will be protected under the Act when it is made in good faith:
 - to your employer
 - to a body or person other than your employer, provided that you reasonably believe that the relevant failure relates solely or mainly to the conduct of that body or person, or relates to a matter over which the body or person has legal responsibility
 - to a legal adviser in the course of obtaining legal advice
 - to a Minister of the Crown
 - to a prescribed body or person, provided that you reasonably believe that the relevant failing falls within matters prescribed to that body or person and that the information is substantially true. For a list of prescribed persons, please refer to the section on 'Other sources of information' below.
17. The legislation does not introduce a general protection for whistle blowers in all

circumstances. Individuals who make disclosures will not be protected by the Act if they commit an offence by making the disclosure (for example breach of the Official Secrets Act).

Independent advice

18. If after reading this policy, you are unsure whether to use this procedure, you may obtain legal advice, independently, through Public Concern at Work. This is an independent charity and is a leading authority on public interest whistle blowing. They can be contacted on 0207 404 6609 and their web address is www.pcaw.demon.co.uk.
19. A qualifying disclosure is protected if you make it in the course of obtaining legal advice. When preparing to seek legal advice you should be careful only to give details of the information you propose to disclose to your legal adviser. Otherwise there may be a risk that you will make a disclosure that will not be protected by the Public Interest Disclosure Act. Do not make a disclosure over a help-line; use one only to seek an appointment with a legal adviser.

Other sources of information

20. Further information is contained within the [DTI Guide to the Public Interest Disclosure Act](#) (a short employment relations booklet which includes a list of prescribed persons and their areas of responsibility).
21. If you require any further information about this policy, please contact your line manager or the Directorate of People and Organisational Development.