

**Reference ID:** JOC25

**JOC Letter Ref:** JCM-1-1436 and JCM-1-1451

**Query:** Clarification that all conflict of interest processes were adhered to in respect of Ms Moya Doherty's, the former RTÉ Board Chairperson, interest in Tyrone Productions and associated productions such as Riverdance

**Response:**

Moya Doherty served as Chair of RTÉ from 4 November 2014 to 6 November 2022. Board meeting agendas were circulated in advance and board members would disclose any conflict at the beginning of the board meeting. The protocol is that where there is a conflict in respect of any discussion point that person will recuse themselves for that part of the meeting. This is clearly explained in Section 5.2 (Conflicts of Interests) of the Code of Business Conduct for Board Members (latest version, September 2022) available here:

[CODE OF BUSINESS CONDUCT \(rte.ie\)](https://www.rte.ie/about-us/2022/09/01/code-of-business-conduct-for-board-members/)

### ***Disclosure in Annual Report***

Yes, there are a number of aspects to the process.

Note 24 (b) in the Annual Report and Group Financial Statements contains disclosure of the details of Related Party Transactions for the year. This is in line with *IAS 24 Related Party Disclosures* and was adhered to for the former Chairperson and any other applicable Board members.

In order to compile the disclosure in the Annual Report the Group Finance team coordinates the process for collection of signed 'Director Emolument Forms' from each Board member at year-end in order to gather information on Board emoluments and related parties. This is validated via a search of the payments and accounting systems and the value of applicable transactions (such as commissioned programmes) is derived from the accounting records.

The disclosure includes purchases from and sales to a company owned/controlled by Board members, other key management personnel and/or their close family members. The outstanding contractual commitments at year-end are also disclosed.

The Corporate Governance report in the Annual Report contains a section on 'independence of members of the Board' and explains the safeguards to ensure independence in the commissioning process:

- the existence of formal and transparent Commissioning Procedures and Guidelines, which are published on the RTÉ website and are applied consistently for all commissions.
- all decisions on individual commissions are the responsibility of executive management, assessed using clear evaluation criteria, with contracts awarded in line with normal commercial terms and conditions in all cases.
- decisions on individual programme commissions are not a matter for consideration and decision by the Board.
- an independent review of specific commissioning procedures is also carried out on an annual basis by the External Auditors.
- an Independent Productions annual report is submitted to the Minister for Tourism, Culture, Arts, Gaeltacht, Sport and Media in accordance with Section 116 (9) of the Broadcasting Act 2009.

Separate to the above, each Board member completed their Statement of Interests for the purposes of Section 17 of the Ethics in Public Office Act 1995 which also captures related parties.