

# Office of the Registrar of Consultant Lobbyists

*Draft Business plan 2015-2016*

March 2015

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# Introduction

**As Registrar of Consultant Lobbyists, this is my first business plan and covers the first full year of operation from April 2015-March 2016, setting out how I intend to fulfil my statutory obligations. My role is independent of both Government and the lobbying industry, and I am required to account for my performance in implementing the provisions of the Act in public, to Parliament.**

My role as Registrar is set out in the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 (the Act). Since my appointment in September 2014, I have established the Register and provided guidance for potential registrants about who needs to register, about what and how. The Register will be launched on 25 March 2015, ahead of the dissolution of Parliament, my intention for the year ahead is to assess the operation of the Register to ensure that the statutory provisions in the Act are being complied with.

It is my intention to operate a professional, efficient and cost effective service so that both registrants and other stakeholders can have confidence in the information that is being provided. I anticipate the need for further modest investment in the technical

development of the Register, and for additional guidance and clarification to be provided as our experience of operation continues. I intend to continue my programme of positive engagement with consultant lobbyists, whether from the traditional lobbying industry, or from other sectors, such as accountancy, law or management consultancy, where their interaction on behalf of clients brings them within the parameters of the legislation.

An important part of my work will be ensuring that the wider public and other interested users are able to access the available information in a straightforward and simple manner.

My approach from the outset has been one of positive engagement, education and encouragement to register; I do intend to continue this approach during the year ahead. However, it is important to the credibility of the Register and the trust the users are able to place in the information it contains, that compliance is assured. I have a range of civil and criminal powers which I can call upon if I identify situations of wilful non-compliance.

Alison J White  
Registrar

## Our role

The Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act (2014) (“The Act”) establishes the requirement to create an online statutory register of organisations that conduct the business of consultant lobbying as defined in Part 1, Section 2 of the Act. The Government’s intention behind the introduction of a Register was to enhance the transparency of those who seek to influence decision-makers and to allow the public to scrutinise the clients who are paying for representation.

We are an independent statutory office and have a duty to monitor compliance with the requirement to register and a power to undertake enforcement action in instances of non-compliance.

Under the Act we are required to:

- establish and manage the UK Register of Consultant Lobbyists;
- develop and publish detailed guidance for industry on their duties under the Act;
- monitor and enforce the industry's compliance with the Act’s legal requirements; and
- publish an annual statement of accounts.

The Register is funded via a Grant in Aid from the Cabinet Office. However, as per the Cabinet Office regulations, the Office will seek to recoup its costs (excluding its staffing

and shared services costs) via the fees charged to registrants for using the Register.

## Our objectives

At its heart, the role of the Office of the Registrar of Consultant Lobbyists is about ensuring there is transparency about the work of consultant lobbyists and their engagement with Ministers and Permanent Secretaries on behalf of clients. For this to happen it is important that the public can access information in a clear and easily understandable way.

In line with our statutory obligations, we have set ourselves the following objectives:

- (1) Administer an accessible, up-to-date and accurate Register of Consultant Lobbyists;
- (2) Ensure that all those who are required to register do so, by making potential registrants aware of their obligations under the Act and the process involved in registration;
- (3) Ensure the registration process provides a service to registrants that is clear and accessible;
- (4) Monitor and enforce compliance with the Act’s legal requirements; and
- (5) Operate the Register and the Office in a cost effective manner that demonstrates value for money.

## **Our work programme for 2015/16;**

In order to deliver our objectives, we plan to undertake the following programme of work:

### **Activity 1 – Operate an accessible, cost effective Register**

At the core of all our work is the administration of a Register with an optimal standard of robustness and searchability, commensurate with the requirements of the legislation. While in the implementation phase we focused on getting the Register operational: this year we will work to ensure that it provides a quality service for both registrants and other stakeholders, such as the wider public.

#### **Why this work matters:**

Data integrity is important for the credibility of the Register and those using it must have confidence that information is correct and up to date. We will ensure that the Register is available in an accessible and consistent format with appropriate search functionality.

At the same time we seek to minimise the regulatory burden on registrants, ensuring that the process of registration and quarterly updates is as simple and straightforward as we can make it.

#### **We will:**

- Ensure the minimum administrative burden is involved in registration and quarterly updates;
- Ensure that data is displayed in the most transparent format that allows the public to effectively interrogate the work of consultant lobbyists;
- Quality assure the Register to ensure consistency and accuracy in the way we display data to the public; and
- Manage the payments for registration robustly and securely.

#### **We will measure success by:**

- Quality assuring data on the Register and making public within four days of receipt (as per our statutory obligations)
- User feedback from the public on the searchability of the Register.

## Activity 2 – Communication and engagement with stakeholders

Last year we began a process of proactive communication and engagement with the lobbying industry and others who carry out lobbying activities concerning the circumstances in which those who conduct the business of consultant lobbying will be required to join the Register. We recognise that building understanding will be a process, rather than an event, and intend to continue our dialogue and encourage potential registrants, users and other stakeholders to engage in the development of the Register.

In January 2015, we issued the first iteration of our guidance about who is required to join the Register, under what circumstances and how they can go about it. This was followed in March 2015 with more detailed operational instructions for registrants. During 2015-16, I will issue further guidance and information to continue to build understanding as our experience of operating the Register continues to develop. I anticipate a series of training, communications and master-classes to reach out to stakeholders as part of this process.

### Why this work matters:

It is a statutory obligation for those that undertake relevant consultant lobbying to be registered. We will work with the industry and relevant stakeholders to provide information and promote awareness, so that potential registrants are aware of their obligations and know how to register.

### We will:

- Continue to engage with lobbyists and their representative bodies to ensure the registration process is understood;
- Continue to communicate with lawyers, accountants and management consultants to explain the requirement to register;
- Review and refine our guidance and frequently asked questions to provide the level of clarity needed to help potential registrants; and
- Build user expertise and compliance through training and communication.

### We will measure success by:

- Communicating with potential registrants to assess whether they are aware of the Register and how they should engage with it; and
- Feedback on the guidance indicates that users find it easy to use and clear.

### **Activity 3 – Ensuring compliance**

Under the Act, we are required to ensure that all those who ought to register do so. This work will involve quality assuring the Register, engaging with Ministerial private offices, representative bodies and lobbyists themselves to ensure that all those who should be are on the Register. However, we see enforcement and the sanctions available to us, as the last stage in a process, which will begin with dialogue, discussion and engagement.

#### **Why this work matters:**

The credibility of the Register depends on the public having confidence that all those that should be registered are, and that the information that is provided is accurate and up to date.

#### **We will:**

- Implement an effective compliance and enforcement policy;
- Monitor and review information on organisations who engage with Ministers and Permanent Secretaries who are not on the Register to ascertain if they need to be; and
- Where appropriate, undertake formal investigations into, and enforcement activities with, organisations suspected of non-compliance.

#### **We will measure success by:**

- Feedback from stakeholders that the Register is accurate and up-to-date; and
- Dealing with any instances of non-compliance in line with our compliance and enforcement policy.

#### **Activity 4 - Administration of an effective Office**

We have sought to minimise the administrative costs of the Office by sharing services with the Cabinet Office where possible, including financial processing, facilities and accommodation. We are nevertheless mindful of our independent status and the requirement for an appropriate level of resource to carry out our statutory responsibilities.

#### **Why this work matters:**

We expect to be held publicly accountable for the effective management of resources, and demonstrating value for money.

#### **We will:**

- Operate financial management systems that ensure clear accountability and value for money;
- Ensure we fulfil our statutory and legal obligations in relation to data protection and freedom of information;
- Provide clear and effective communication with the public;
- Implement a proportionate risk management approach and corporate governance arrangements to ensure effective administration of the Office; and
- Report to Ministers and Parliament on the work of the Office through our business planning and financial reporting systems.

#### **We will measure success by:**

- Meeting Cabinet Office, Treasury and National Audit Office requirements in our financial management, including producing accurate and unqualified accounts;
- 90% of correspondence is dealt within 5 working days of receipt; and
- Meeting our statutory obligations for dealing with freedom of information and data protection requests.



## Delivering our plan

### Budget

The tables below show our budget for implementation in 2014/15 and for 2015/16 running costs:

| 2014-2015  |                      |                           |                 |
|--|----------------------|---------------------------|-----------------|
|  | Admin (set up costs) | Programme (running costs) | Totals          |
| <b>Resource</b>  |                      |                           |                 |
| Registrar  | £29,000              |                           | £29,000         |
| Staff Costs  | £64,000              |                           | £64,000         |
| Other costs (legal, communication, travel)   | £19,000              |                           | £19,000         |
| SSCL contracted financial shared services costs                                    | £10,000              |                           | £10,000         |
| Audit costs  | £8,000               |                           | £8,000          |
| Website/register (set up)  | £137,000             |                           | £137,000        |
| <b>Resource expenditure fully financed by Grant in Aid from the Cabinet Office</b> | <b>£267,000</b>      |                           | <b>£267,000</b> |
| <b>Notional cost</b>   |                      |                           |                 |
| Cabinet Office shared services   | £29,000              |                           | £29,000         |
| <b>Total cost of Registrar's Office in 2014-15</b>                                 | <b>£296,000</b>      |                           | <b>£296,000</b> |

| 2015-16  |                      |                           |                 |
|--|----------------------|---------------------------|-----------------|
|  | Admin (set up costs) | Programme (running costs) | Totals          |
| <b>Resource</b>  |                      |                           |                 |
| Registrar  |                      | £37,000                   | £37,000         |
| Staff Costs  |                      | £70,000                   | £70,000         |
| Website/Register running costs   |                      | £10,000                   | £10,000         |
| Other costs (legal, communication, travel)   |                      | £28,000                   | £28,000         |
| Enforcement costs  | £30,000 <sup>1</sup> | £23,000                   | £53,000         |
| SSCL contracted financial services costs   |                      | £22,000                   | £22,000         |
| Audit costs  |                      | £10,000                   | £10,000         |
| Website (improvements)   | £44,000              |                           | £44,000         |
| <b>Resource expenditure fully financed by Grant in Aid from the Cabinet Office</b> | <b>£74,000</b>       | <b>£200,000</b>           | <b>£274,000</b> |
| <b>Notional cost</b>   |                      |                           |                 |
| Cabinet Office shared services   |                      | £46,000                   | £46,000         |
| <b>Total cost of Registrar's Office in 2015-16</b>                                 | <b>£74,000</b>       | <b>£246,000</b>           | <b>£320,000</b> |

The following table shows the breakdown of expenditure, which will form part of the Cabinet Office's calculation on the fee(s) charged to registrants:

<sup>1</sup> This is the cost of setting up a Tribunal as required under the Act.

| Income  |                      |                           |                 |
|---|----------------------|---------------------------|-----------------|
|   | Admin (set up costs) | Programme (running costs) | Totals          |
| Set up costs for 2014/15 and 2015/16 (excluding staffing, Cabinet Office shared services and notional costs) which the Cabinet Office have agreed to be recouped over a 5 year period | £259,000             |                           |                 |
| So that the annual set up cost intended to be recouped via the fee charged to the lobbying registrants is:  | £52,000              |                           |                 |
| And the 2015-16 running costs intended to be recouped via the fee charged to lobbying registrants is:   |                      | £98,000                   |                 |
| <b>So the total intended to be recouped in 2015/16 via the fee charged to registrants and surrendered to the HMT consolidated fund is:</b>  | <b>£52,000</b>       | <b>£98,000</b>            | <b>£150,000</b> |

The following table shows the breakdown of expenditure, which will not form part of the Cabinet Office's calculation on the fee(s) charged to registrants:

| Cost of Services provided by Cabinet Office under Schedule 2 paragraph 8 of the Act              |                 |                 |                 |
|--|-----------------|-----------------|-----------------|
| Set up costs   | £111,000        |                 | £111,000        |
| Total running costs 2015/16  |                 | £148,000        | £148,000        |
| <b>Total cost of services provided by the Cabinet Office to Registrar in 2014/15 and 2015/16</b> | <b>£111,000</b> | <b>£148,000</b> | <b>£259,000</b> |

### Budgeting assumptions

In line with Schedule 2 paragraph 8 of the Act and through our memorandum of understanding, the cost of resourcing the Office and the shared services costs of our accommodation, financial services, IT etc. will be absorbed by the Cabinet Office.

## Governance

We will ensure a proportionate approach to corporate governance, including completion of accounting records in accordance with Schedule 2, Paragraph 9 of the Act and consistent with HMG guidance and instructions issued by the Cabinet Office and Treasury. We expect to be held accountable for implementation of our statutory role in public by Parliament.

## Risks

We are committed to an appropriate risk management approach and have identified our key risks as:

- **Failure to ensure that all organisations that ought to be registered are** - we will manage this risk through delivering on our business plan, having effective engagement with the industry and enforcing compliance through our statutory powers.
- **A lack of accurate data on the Register** – we will manage this risk through ensuring that the technical solution of the Register is fit for purpose and that we have appropriate data validation processes.
- **Failure to comply with our data protection responsibilities** - we will manage this risk by ensuring that we handle data and information in an effective way, in accordance with our statutory responsibilities.