

Office of the Registrar

of Consultant Lobbyists

Business Plan
2019 - 2020

April 2019

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Introduction

I was appointed Registrar of Consultant Lobbyists on 22 September 2018 and this business plan sets out how I intend to fulfil my statutory obligations in the year from April 2019. This is the fifth annual plan for the Office of the Registrar.

My role as Registrar is set out in the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014 ('the Act'). The Registrar is independent of Government and the public affairs sector and I account to Parliament for implementation of the provisions of the Act.

I come to the role with the conviction that transparent, ethical lobbying can be an important part of effective public policy formation. The work of the Registrar supports that process by putting the work of consultant lobbyists into the public domain. To complement this, policy-makers also have a responsibility to consider a variety of policy positions, not only those from the most organised or well-funded parties.

Both the industry and the Office now have four years of experience of working with the statutory regime and the mechanisms originally put in place to deliver it. This is therefore a good moment to review those mechanisms to best secure effective and efficient delivery. In doing so, my aims will be to ensure confidence in the Register, compliance, ease of use and value for money.

During the year ahead, I plan to review our user-facing and internal systems for registration and quarterly information returns, review user guidance and continue awareness and communication activities. Alongside improving ease of use and support for users, I will enforce the requirements of the Act with clarity, making use of statutory penalties where necessary.

I am committed to transparency, both as required of consultant lobbyists by the Act, but also in the way the Office operates. We therefore now publish information about my formal correspondence and meetings, details of all statutory information notices and proposed penalties and summaries of the investigations that I carry out.

Harry Rich
Registrar
April 2019

The Registrar

The Registrar is an independent statutory office holder and has 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, the Registrar is required to:

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

The Registrar collects and accounts for all fees and pays them into the Consolidated Fund. More information about how the Registrar's budget is spent is available in the published Statement of Accounts.

Ministers set the charges for the Register and seek to ensure that the total paid in charges is sufficient to offset the total of the costs. The Cabinet Office meets the cost of seconded staff and shared services.

A look at 2018 - 2019

This brief review of the year to March 2019 is set against the objectives my predecessor set for the Office in last year's business plan.

The Register opened on 26 March 2015 and at 31 March 2019 had 136 registrants. The overall number of registrants has been relatively stable, but this reflects a degree of churn with some registrants leaving and new ones joining.

Administer an accessible, up-to-date and accurate Register

Most consultant lobbyists recognise the importance of transparency in their work and comply with the requirements of the Act professionally and fully.

Since taking office, I have made a concerted effort to ensure quarterly information returns are returned by the statutory deadline, to keep Register information up to date. This has included issuing penalties for late, incomplete or missing returns. Despite this, the Office continues to encounter out of date contact information on the register profiles that registrants themselves maintain, so more work needs to be done.

Ensuring that all those that need to register do so

During the past year, the previous Registrar and I have used information provided by whistleblowing and published Ministerial diaries to test compliance. This has demonstrated that unregistered consultant lobbying is rare. The subjects of my enquiries have generally provided the required information without the need to issue a formal statutory notice.

Providing clear, accessible, guidance

We have worked with registrants and stakeholders to support their understanding of the requirements for registration and client

declaration, including presenting at a number of stakeholder events.

I have also begun to review the previously published guidance, seeking comments on clarity and accessibility from the representative bodies of those working in the industry.

Monitoring and enforcing compliance

Registrants generally approach their statutory obligations with professionalism. However, as in previous years, there were a number of breaches of those obligations, including late payments, late information returns and inaccurate declarations.

As the work of the Office was being established, my predecessor dealt with many of these issues as administrative errors. However, after four years of an unchanged set of relatively clear and simple statutory obligations there is generally no valid reason for these breaches and accordingly I am more likely to issue penalties for any non-compliance.

Good governance and cost effectiveness

Unfortunately, in the first half of the year the Office faced challenges, including staff continuity and technical system issues. However, I have benefited from a settled and effective office team since I took up office.

My predecessor addressed the technical resilience of the online Register and the system has operated well this year.

We are compliant with the General Data Protection Regulation, working with the Cabinet Office as joint data controller. My team and I work hard to minimise costs and optimise value for money, whilst delivering our statutory duties. Unqualified accounts for 2017-18 were laid before Parliament.

Purpose and 2019 – 2020 objectives

The purpose of the Office of the Registrar of Consultant Lobbyists is to ensure that there is transparency in the engagement of consultant lobbyists with Ministers and Permanent Secretaries (and equivalents) on behalf of their clients, in accordance with the requirements of the Act.

In line with my statutory obligations, I have set these objectives for 2019-20:

1. Operate an accurate and accessible Register
2. Provide clear, accessible guidance
3. Communicate and engage with stakeholders
4. Ensure compliance
5. Ensure administrative effectiveness and transparency

Work programme 2019 - 2020

Objective 1 – Operate an accurate and accessible Register

Maintain the accuracy and timeliness of information contained in the Register and ensure that systems meet user needs.

Four years operation of the Register and the experience gained since implementation mean that the time is right to review the systems through which the Register is published and interacted with by users, including registrants, the general public and the Office. I will review the website and online Register (in line with the Government's GDS Service Design Manual), to ensure they best meet user needs and are resilient and secure.

Why this work matters:

Data integrity is vital for the credibility of the Register: stakeholders must have confidence that information is accurate and also must be able to access and engage with it easily.

We will:

- Quality assure registration information and Quarterly Information Returns to ensure consistency, accuracy and timeliness in line with statutory requirements.
- Conduct a fundamental review of the online Register and associated processes for registration, information updating and de-registration, to improve accuracy, resilience and the user experience of interaction with the Register, including minimising the administrative burden for all users involved.
- Review and update the structure and content of the website to enhance clarity, transparency and understanding of the function and operations of the Registrar and Office.

We will measure success by:

- Quality assuring data on the Register, and (following compliance checks) publishing new registrants within four days of receipt of all necessary information (inline with our statutory obligations).
- User feedback from stakeholders on the accessibility of the Register.
- Using analytical tools to measure the performance of the website.

Objective 2 – Provide clear, accessible guidance

Keep published registration and compliance guidance under review and respond to registrant feedback where there is ambiguity about the requirements.

Why this work matters:

It is a statutory obligation for those that undertake relevant consultant lobbying to be registered. Clear guidance on the requirements for registration helps registrants to understand what is expected of them and to comply more easily.

We will:

- Review and refine registration and compliance guidance, to continue to provide the level of clarity needed to support registrants.
- Seek feedback from stakeholders to identify other areas for which the publication of guidance might be helpful.

We will measure success by:

- Feedback on the guidance which indicates the extent to which users find it easy to use and clear.

Objective 3 – Communicate and engage with stakeholders

Proactive engagement programme of education and communication with registrants and those not on the Register but whose work might bring them under the requirements of the Act.

Why this work matters:

It is a statutory obligation for those that undertake relevant consultant lobbying to be registered and for registrants to provide information at specific times. Good engagement and clear communication is vital to ensuring awareness, understand and compliance.

We will:

- Engage with public affairs organisations and their representative bodies to ensure the registration process is understood and implemented properly.
- Engage with lawyers, accountants, management consultants and others to explain the requirement to register.
- Disseminate information about the Register cost-effectively to relevant audiences.
- Build user expertise, understanding, and compliance through training and communication.

We will measure success by:

- Extent of achievement of stakeholder engagement plan.
- Gather and be and responsive to feedback.
- Reduced non-compliance resulting from lack of understanding by registrants.

Objective 4 – Ensure compliance

*Ensure that all those who ought to register, do so and that the Register is complete and accurate..
Apply statutory penalties where necessary.*

Why this work matters:

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

We will:

- Quality assure the information on the Register to ensure that entries are accurate.

- Review the published diaries of Ministers and Permanent Secretaries against declarations on the Register.
- Undertake formal investigations into organisations for which there is reasonable information suggesting non-compliance.
- Enforce compliance, making use of statutory penalties where appropriate.

We will measure success by:

- Feedback from stakeholders that the Register is accurate and up-to-date.
- Dealing with any instances of non-compliance in line with the Act and our compliance policy.
- Quarterly checks of Ministers' and Permanent Secretaries' diaries and follow-up of discrepancies.
- Timely investigations and publication of results.

Objective 5 – Ensure administrative effectiveness and transparency

Effective and transparent operation of the Office to deliver against statutory purposes, serving all stakeholders and achieving value for money.

Minimise the costs of the Office, in the context of the Registrar's independent status and the need for an appropriate level of resource to meet my statutory responsibilities. We will ensure proper levels of transparency and accountability in our work. We will use Cabinet Office shared services where this is appropriate and efficient. I will review whether current shared arrangements for banking and financial transaction services continue to represent the best approach.

Why this work matters:

Our administrative arrangements must support delivery of the Office's statutory purposes, for which I am accountable.

We will:

- Continue to deliver a proportionate risk management approach and corporate governance arrangements to ensure effective administration of the Office.
- Fulfil our statutory and legal obligations in relation to data protection and freedom of information.
- Publish: details of the Registrar's formal correspondence and meetings; statutory information notices; notices of intention to impose penalties (and their conclusion); and summaries of investigations.
- Update Ministers on the work of the Office through business planning and financial reporting systems.
- Report to Parliament as required.
- Ensure the Memorandum of Understanding with the Cabinet Office is refreshed and adhered to;
- Review the Office's financial management systems (including those operated for us by the Cabinet Office), to ensure proportionality, accuracy, effectiveness and value for money.

We will measure success by:

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

Budget 2019 - 2020

Resource	2019-20	2018-19 budget
*Registrar fees and expenses	£18,180	£24,090
Seconded staff payroll costs	£96,447	£120,656
*Register and website running costs	£59,000	£ 46,425
*Other costs (legal and enforcement, communication, travel, training)	£38,200	£26,180
*Audit costs	£9,000	£9,000
Subtotal	£221,827	£226,351
Cabinet Office shared services (including finance, IT & accommodation)	£54,000	£50,218
Resource expenditure financed by Grant in Aid from the Cabinet Office	£274,827	£276,569

Items marked * are programme (running) costs totalling £124,380, to be offset by registration fees, estimated to be £135,000 in 2019-20.

In 2016 Ministers announced that the registration fee of £1000 per annum would be held for the spending review period to 2020. The Cabinet Office will recoup the initial set-up costs of the Register (£222,200) from any annual surpluses.

In line with the Act and the Memorandum of Understanding, the payroll cost of staff seconded to the Office and the shared services costs (accommodation, financial services, IT etc.) are absorbed by the Cabinet Office.

Notes

1. Registrar's costs decreased due to some routine tasks being delegated to Office in first instance and reduced travel expenses.
2. Decrease in staff costs due to more settled staff complement and anticipated improvements and efficiencies arising from review of Register systems.
3. Increase in Register and website running costs incorporates fundamental review of the Register systems by Cabinet Office's DATT team.
4. Increase in 'Other costs' due to anticipated increased legal costs in consequence of stricter enforcement action.
5. Shared services and audit costs are determined by Cabinet Office and NAO respectively.

Risks

I am committed to a proportionate risk management approach and have identified our key risks as:

Risk	Mitigation
Staffing resource and corporate knowledge	Work with Cabinet Office to maintain continuity and increase work shadowing. Update finance and operational manuals
Significant unregistered consultant lobbying	Monitor published records of Ministerial meetings. Investigate whistleblowing and other information.
Legal challenge to enforcement activity	Follow proper process and take legal advice as necessary.
Failure of Register website	Monitor website and work with suppliers. Review systems.
Fraud or error in accounting or financial transactions.	Tri-partite involvement in the finance and accounting process
Powers or resources inadequate to meet statutory duties	Monitor successes and areas of failure or risk. Honest dialogue between Registrar, Minister and sponsor team.