

Office of the Registrar

of Consultant Lobbyists

Business Plan
2021 - 2022

April 2021

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Introduction

This business plan sets out how I intend to fulfil my statutory obligations in the year from April 2021. This is the seventh 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.

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

Last year I further updated the guidance that I issue to consultant lobbyists in relation to their statutory obligations. I made further changes to our communications, processes and systems to support compliance, ease of use and the effectiveness of my Office.

Towards the end of the year, I carried out a stakeholder consultation seeking views on guidance, codes of conduct and compliance. I will implement any resulting changes in the coming year.

During the year ahead, I will develop our website and registration system to improve accessibility and implement a more ambitious stakeholder engagement programme.

Alongside support for stakeholders, I will enforce the requirements of the Act with clarity, using statutory penalties where necessary and investigate where there is reasonable information to suggest non-compliance.

Harry Rich
Registrar

The Registrar

The Registrar is an independent statutory office holder appointed under the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014 ('the Act').

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 Act sets out two key obligations on consultant lobbyists as defined by the Act:

- register before conducting any consultant lobbying activity;
- submit details of clients they have lobbied for or been paid to lobby for each quarter.

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 fees 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.

Review of 2020 - 2021

This review of the year to 31 March 2021 is set against the objectives that I published for the Office of the Registrar in the 2020 - 2021 business plan.

At 31 March 2021 the Register had 152 registrants, compared to 143 at the end of March 2020. The overall number of registrants has been relatively stable over the years, but this reflects some churn with registrants leaving and new ones joining.

I published updated guidance in August 2020 with minor changes in relation to the pre-registration quarter, declaring a code of conduct, and updating register information.

The guidance that I published in January 2020 included significant changes to guidance on Codes of Conduct. This required that in order for a code to be 'relevant' under the Act and for a registrant to declare it on the Register, it must contain provisions that are of particular relevance to consultant lobbying and provide a complaints process that has external oversight or control.

As a result of this, many registrants no longer declare a code of conduct on the Register because their previous codes did not particularly apply to lobbying or had no external oversight. There is no statutory obligation for registrants to operate under a code, but I consider that it is in the public interest if they do. I am therefore working with the industry to encourage more consultant lobbyists to work to a code of conduct.

In early 2021, I ran a consultation exercise to seek views on the clarity and completeness of my guidance, provision of a template code of conduct and ensuring compliance. I will implement any resulting changes in 2021-2022.

I engaged with the Cabinet Office on their Post Legislative Scrutiny of the Act and invited registrants to submit feedback to the Minister via my office. This may lead to policy

changes that will impact on my Office and registrants.

The pandemic and lockdowns resulted in different working practices for my Office and many of our registrants. We moved to remote working with ease as the Register is entirely online and the office communicates through a central email address.

I did not impose penalties for late submission of the April to June 2020 Quarterly Information Returns as registrants became accustomed to their new working practices.

During the year the ORCL Head of Office and team changed. I thank the outgoing team for their support and commitment to our work and I am grateful to them and the incoming team for ensuring an exemplary handover, seamlessly maintaining service to our stakeholders.

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.

Support new registrants and check data: New registrants supported and information checked to enable speedy and accurate registration.

Support and enforce timely QIRs: Civil penalties issued for late returns, balancing the challenges of the pandemic against the need to comply with statute.

Implement changes to online Register: Improved online QIR process requires quarterly validation of registrants' data and compliance with Code. Changes provide improved user experience.

Review and update website: Cookie consent work completed. Accessibility review completed to enable future improvements.

Objective 2 – Provide clear, accessible guidance

Keep published guidance under review and take account of feedback from registrants and other stakeholders.

Review and update guidance: Guidance on registration and QIRs, including specialist guidance for think tanks and support service providers to APPGs published August 2020.

Consult stakeholders on guidance: Consultation issued on guidance, compliance and codes of conduct. Any resulting changes will be implemented in 2021-2022.

Provide guidance to Private Offices: To follow in 2021 - 2022.

Objective 3 – Communicate and engage with stakeholders

Undertake a programme of communication and training with registrants, potential registrants, representative bodies and other stakeholders.

Work with public affairs businesses and representative bodies: Met, briefed and consulted practitioners, CIPR and PRCA.

Engage with representative bodies for lawyers, accountants, management consultants: Met ICAEW, SRA and Law Society to support their communication about the obligation to register.

Disseminate information: Updates provided to registrants. Online presentation developed to increase awareness and drive viewers to the Register.

Objective 4 – Ensure compliance

Ensure that all those who ought to register, do so and that the Register is complete and accurate.

Enforce compliance: 37 notices of intention to issue a civil penalty issued during the year (previous year: 10), penalty issued in most

cases. Three information notices issued (previous year: two).

Review published diaries of Ministers and Permanent Secretaries: Ministers' diaries reviewed and Private Offices asked for further details where necessary. Process under review for improvements.

Formal investigations into non-compliance: Registrar conducted eight investigations (previous year: four) and published summaries of findings.

Publish compliance activity: Data on statutory notices, investigations and correspondence published on website.

Objective 5 – Ensure administrative effectiveness and transparency

Operate the Office effectively and transparently to deliver against statutory purposes, serving all stakeholders and achieving value for money.

Proportionate risk management and corporate governance: Registrar reviews strategic risk and takes responsibility for corporate governance.

Fulfil data protection and freedom of information obligations: Freedom of information and GDPR duties complied with.

Publish details of Registrar's correspondence, meetings, statutory notices and investigations: All on website.

Update Ministers: Registrar met Cabinet Office officials to update them and updated the Minister in writing.

Report to Parliament as required: Annual report and accounts to 31 March 2020 laid before Parliament on 20 July 2020.

Memorandum of Understanding with Cabinet Office up to date and adhered to: Refreshed January 2019, remains current and adhered to.

Monitor financial management systems to ensure proportionality, accuracy, effectiveness and value for money:

Worked with Cabinet Office finance team to improve financial processes. Minimise costs

and optimise value for money, whilst delivering statutory duties.

Purpose and 2021 – 2022 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 2021-22:

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

The activities that will deliver against these objectives are set out on the following pages.

Activity 2021 - 2022

Objective 1 – Operate an accurate and accessible Register

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

Why this matters:

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

We will:

- Support new registrants and check data to ensure accurate and timely registration and compliance.
- Support and enforce the timely submission of Quarterly Information Returns and updating of registration and code of conduct data by registrants.
- Taking account of the accessibility audit, prioritise and implement improvements to the online Register and website, including the registration process, information updating and Quarterly Information Returns. We aim to improve user experience, ease of access and minimise the administrative burden.
- Respond to the outcomes of the post-legislative scrutiny of the Act when these are published by Ministers.

Objective 2 – Provide clear, accessible guidance

Keep published guidance under review and take account of feedback from registrants and other stakeholders.

Why this matters:

Clear guidance on the requirements of the Act helps registrants to understand their legal obligations and to comply more easily and helps other stakeholders to understand and support the registration system.

We will:

- Review and update guidance as necessary to provide clarity for registrants and others, in particular taking account of the responses to the consultation carried out in February 2021.
- Provide guidance to the Private Offices of Ministers and Permanent Secretaries (and equivalents) to aid their understanding of the statutory obligations on consultant lobbyists they engage with.

Objective 3 – Communicate and engage with stakeholders

Undertake a programme of communication and engagement with registrants, potential registrants, representative bodies and other stakeholders.

Why this matters:

Good engagement, two-way communication and information supports compliance by registrants and awareness and understanding by all stakeholders.

We will:

- Work with public affairs businesses and their representative bodies to understand them and support awareness and compliance by registrants and those who may engage in consultant lobbying in the future.
- Develop a programme of stakeholder engagement to gain audience insight and to support wider awareness and compliance by registrants and those who may engage in consultant lobbying in the future.
- Disseminate information about the Register to relevant audiences.

Objective 4 – Ensure compliance

Ensure that all those who ought to register do so and that the Register is complete and accurate.

Why this matters:

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

We will:

- Enforce compliance, making use of statutory penalties where appropriate.

- Review the published diaries of Ministers and Permanent Secretaries against declarations on the Register, making improvements to the review process to minimise the administrative burden.
- Undertake formal investigations into organisations for which there is reasonable information suggesting non-compliance.
- Advise registrants who request support in developing a compliant code of conduct.
- Publish details of the Registrar's compliance activity, in particular correspondence, statutory notices and investigation case summaries.

Objective 5 – Ensure administrative effectiveness and transparency

Operate the Office effectively and transparently to deliver against statutory purposes, serving all stakeholders and achieving value for money.

Why this matters:

Our administrative arrangements must support effective delivery of the Registrar's statutory duties with proper levels of transparency and accountability, whilst keeping the administrative and financial cost to registrants as low as possible.

We will:

- Deliver a proportionate risk management approach and corporate governance arrangements to ensure effective administration of the Office.
- Fulfil 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.
- Update and comply with the Memorandum of Understanding with the Cabinet Office.
- 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.

Budget 2021 - 2022

Resource	2021-22 budget	2020-21 budget
Registrar's fees and expenses	£18,300	£18,300
Register and website	£82,000	£85,000
Other costs (legal and enforcement, communication, travel, training)	£30,400	£40,700
Audit fee	£9,100	£9,000
Programme costs	£139,800	£153,000
Seconded staff payroll costs	£154,000	£98,000
Cabinet Office shared services (including finance, IT & accommodation)	£51,400	£54,000
Resource expenditure financed by Grant in Aid from the Cabinet Office	£345,200	£305,000

Notes

Programme costs are offset by income from registration fees, estimated to be £152,000.

In accordance with the Act and the Memorandum of Understanding, payroll cost of staff seconded to the Office and shared services costs are absorbed by the Cabinet Office.

Increase in staffing costs provides for improved office coverage, user engagement and compliance activity.

Shared services and audit costs are determined by Cabinet Office and NAO respectively.

Registration fees

Registration fees are set by Ministers and in 2016 they announced that the fee of £1000 per annum would be held for the spending review period to 2020. Ministers are currently reviewing fee levels.