

Office of the Registrar

of Consultant Lobbyists

Business Plan
2022 – 2023

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Introduction

This business plan sets out how I intend to fulfil my statutory obligations in the year from April 2022. This is the eighth 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 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.

In March 2022, I carried out a stakeholder consultation seeking views on the incidental exception and APPG secretariats. I will implement any resulting changes in the coming year.

During 2022-2023, I will improve the registration and returns process and refresh and deliver our stakeholder strategy and communications plan.

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 2021 - 2022

This review of the year to 31 March 2022 is set against the objectives that I published for the Office of the Registrar in the 2021 – 2022 business plan.

At 31 March 2022 the Register had 194 registrants, compared to 152 at the end of March 2021. This significant increase in registrants is likely to result partly from a concerted awareness programme by my Office and from a number of high-profile investigations that I undertook during the year.

Following a consultation in early 2021, I published updated guidance in July 2021 with revisions to sections on who must register; further detail to clarify the narrow exception for ‘incidental lobbying’; and to introduce a code of conduct checklist for registrants who seek to have their own code published on the Register.

In January 2022, I made minor changes to my guidance on compliance for clarity. In March 2022, I ran a consultation to seek views on possible changes to my guidance on the incidental exception and All-Party Parliamentary Group secretariats. I will implement any resulting changes in 2022-2023.

I have continued to engage with the Cabinet Office on the Post Legislative Scrutiny of the Act which they launched in December 2020.

I met with Lord Evans, Chair of the Committee on Standards in Public Life, and with Nigel Boardman in relation to their reviews, as both considered transparency of consultant lobbying.

During the year my Office recruited a new team member and used the additional resource to improve office coverage, user engagement and compliance activity.

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.

Support new registrants and check data:

New registrants actively supported and registration information checked for accuracy.

Support and enforce timely QIRs: QIRs generally submitted on time. Civil penalties issued for late returns. New induction and refresher webinars introduced.

Implement changes to online Register, with a focus on accessibility:

Updates included accessibility fixes actioned, following an ORCL-commissioned accessibility audit.

Respond to the outcomes of the post legislative scrutiny of the Act when these are published by ministers:

Awaiting outcomes.

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 updated in July 2021. Minor updates to guidance on compliance published. Further consultation on guidance in March 2022.

Provide guidance to Private Offices: Not done.

Objective 3 – Communicate and engage with stakeholders

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

Work with public affairs businesses and representative bodies: The Registrar delivered five online seminars to registrants and representative bodies.

Develop a programme of stakeholder engagement: The Office developed a stakeholder strategy and delivered communications to relevant audiences to give updates and increase awareness of statutory duties.

Disseminate information: Updates provided to registrants. Online animation published to increase awareness and understanding of obligations under the Act.

Objective 4 – Ensure compliance

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

Enforce compliance: nine notices of intention to issue a civil penalty issued during the year (previous year: 37), penalty issued in most cases. Four information notices issued (previous year: three).

Review published diaries of Ministers and Permanent Secretaries: Ministers' diaries reviewed and information requested from Private Offices.

Formal investigations into non-compliance: Registrar completed 17 investigations (previous year: eight) and published summaries of findings.

Advise registrants in developing a compliant code of conduct:

Updated guidance includes a check list to support this and Office responds to requests for support.

Publish compliance activity: Data 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: The 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 through business planning and reporting systems: The Registrar updated Cabinet Office officials and met the Cabinet Office Minister.

Report to Parliament as required: Annual report and accounts to 31 March 2021 laid before Parliament on 20 July 2021 and sent to the Public Administration and Constitutional Affairs Committee. The Registrar gave evidence to the Committee on Standards as part of their All-Party Parliamentary Groups enquiry.

Update and comply with the Memorandum of Understanding with Cabinet Office: The Memorandum was refreshed on 11 November 2021. Provisions are adhered to.

Review financial management systems to ensure proportionality, accuracy, effectiveness and value for money: The Registrar and Office worked with the Cabinet Office finance team to simplify processes. The Registrar and Office team minimise costs and optimise value for money while delivering statutory duties.

Purpose and 2022 – 2023 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 2022-23:

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 2022 - 2023

Objective 1 – Operate an accurate and accessible Register

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

Why this matters:

Data integrity and accessibility are 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 timely submission of Quarterly Information Returns and updating of registration and code of conduct data by registrants.
- Continue to improve user experience, ease of access and minimise the administrative burden and seek feedback from registrants on potential improvements.
- Provide access to download the Register with registrant and client data quarterly.
- Work with our suppliers to monitor and maintain cyber security.
- Respond to the outcomes of December 2020 post-legislative scrutiny of the Act when 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. It also 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 March 2022.
- Following post-legislative scrutiny outcomes, 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.
- Provide guidance to other stakeholders as necessary.

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:

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.
- Deliver regular induction and update seminars for new and existing registrants.
- Refresh and deliver our 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 quarterly information returns are monitored.

Why this matters:

The credibility of the registration system depends on the public and industry having confidence in the completeness and accuracy of the Register.

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.
- Undertake formal investigations where there is reasonable information suggesting non-compliance.

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 burden on 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.
- Comply with the Memorandum of Understanding with the Cabinet Office.
- Monitor the Office's financial management systems (including those operated for us by the Cabinet Office), to ensure proportionality, accuracy, effectiveness and value for money.
- Ensure that Business Continuity Plans are understood and reviewed.

Budget 2022 – 2023

Resource	2022-23 budget	2021-22 budget
Registrar's fees and expenses	£22,300	£18,300
Register and website	£74,900	£82,000
Other costs (legal and enforcement, communication, travel, training)	£26,400	£30,400
Audit fee	£10,000	£9,100
Programme costs	£133,600	£139,800
Seconded staff payroll costs	£173,000	£154,000
Cabinet Office shared services (including finance, IT, accommodation)	£51,400	£51,400
Resource expenditure financed by Grant in Aid from the Cabinet Office	£358,000	£345,200

Notes

Costs are offset by income from registration fees, estimated to be £194,000, which is remitted to the Consolidated Fund.

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. These costs will be partially offset by fee income.

Increase in staffing costs provides for improved office coverage, user engagement and compliance activity. The Cabinet Office shared services costs are not confirmed until year end.

Shared services and audit costs are determined by Cabinet Office and NAO respectively. Shared services fees are not set until the end of the financial year

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. Estimated fee income for 2022-2023 is based on the current fee of £1,000 per annum. The fee could change as a result of post legislative scrutiny.