



Code for Professional Lobbying

Preamble

This Code for Professional Lobbying applies to the professional lobbying activities of Members of the PRCA.

Members must also comply with the PRCA Code of Conduct. This Code for Professional Lobbying sets out additional obligations specific to those Members undertaking Professional Lobbying as defined here. The requirements of this Code promote conduct which upholds the highest professional standards of integrity and ethics.

Where specified, certain provisions apply only to Company Members. Company Members can either be entities that specialise in public relations and communications work for clients (such as agencies) or the in house department of a larger organisation that undertakes public relations and communication work solely on behalf of that organisation. Although such organisations may become Company Members, this Code for Professional Lobbying only applies to those staff who work in house for a Company Member and who undertake Professional Lobbying as defined in this Code.

Where the term 'Member' is used, it refers to Professional, Associate and Company Members collectively.

It is a condition of membership that Members must comply with the provisions of this Code for Professional Lobbying, which are based on the fundamental principles that professional lobbying practitioners should be open and transparent in their dealings with Parliamentarians and the representatives of organisations within the scope of this Code. Members should be guided in their behaviour by the [Nolan Principles of Public Life](#).

Complaints under this Code for Professional Lobbying are dealt in accordance with the PRCA Complaints Procedure (which you can find [here](#)).

Definitions

“Professional Lobbying” means activities which are carried out in the course of a Business for the purpose of:

- (a) influencing, or
- (b) or advising others how to influence

the public functions of a Relevant Public Body.

Activities are to be taken as having the purpose specified above if a reasonable person would consider, having regard to all the circumstances, that the activities were intended to have the effect described. But Professional Lobbying does not include:

- i. anything done in response to or compliance with a court order;
- ii. anything done for the purpose of complying with a requirement under an enactment;
- iii. a formal response to a public invitation to tender;
- iv. anything done by a person acting in an official capacity on behalf of a government organisation; or
- v. an individual who makes representations solely on his or her own behalf.

Professional Lobbying includes where a person is acting on behalf of a client, on behalf of an employer, as a volunteer on behalf of a charitable or other organisation, or on their own behalf (but this is subject to the exclusion at sub-paragraph (v above)).

“Relevant Public Body” means:

(a) central government, Devolved Legislature, local government; (b) members and staff of either House of Parliament, of a Devolved Legislature or directly elected Regional Mayors; (c) Ministers, officials and special advisers; and (d) other bodies, where some or all of their functions are of a public nature.

“Influencing” means informing, advising or advocating for particular interests or points of view.

“Business” includes any undertaking, including charitable and not-for-profit undertakings, and services by or on behalf of an undertaking are provided “in the course of a business” even if the persons providing the services are acting on a pro bono, volunteer or not-for-profit basis.

“Register” means the Professional Lobbying Register held by the PRCA to promote and maintain transparency in the Professional Lobbying activities of Members and, where

appropriate, their employees or contractors. The Register lists all Members engaged in Professional Lobbying, their clients and other specified information. It is updated on a quarterly basis. The Register is publicly available and can be accessed [here](#).

“Devolved Legislature” means the Scottish Parliament, the Senedd Cymru, the Northern Ireland Assembly or the London Assembly.

“Confidential Information” means any information, whether in writing or otherwise, that a Member receives, obtains or otherwise becomes aware of through a disclosure by the person in a Relevant Role, in circumstances in which the Member has been informed the information is confidential or the Member ought reasonably to have known it is confidential, having regard to all the circumstances. It does not include information in the public domain at the time the Member received, obtained or became aware of the information, nor information which has subsequently come into the public domain, unless it became public through the actions of the Member, their officers, employees or agents.

“Relevant Role” has the meaning given to it in rule 4.

The Code

1. Members must disclose the identity of their client (or, if applicable, their employer) on whose behalf they are making representations, upon the first contact with a Relevant Public Body, and must not mislead anyone as to their client’s (or employer’s) interests.
2. Members must advise their clients, or (where applicable) their employer, if their instructions, if carried out, would be likely to entail a breach of either the PRCA Code of Conduct or this Code.
3. Members must not make exaggerated or misleading statements as to the extent of their influence on, or access to, Relevant Public Bodies, or individuals within those organisations.
4.
 - (a) Members must not engage any MP, Member of the House of Lords, any member of a Devolved Legislature or a Non-Executive Director of a Government Department to carry out Professional Lobbying.
 - (b) Where a person who holds one or more of the roles listed above (“a Relevant Role”) is employed or remunerated by a Member to provide services other than Professional Lobbying, or any person associated with the Member takes up any such role, the Member must promptly provide a written declaration of compliance to the

PRCA in the terms required by it. As a minimum, the declaration will require confirmation that the Member:

- i. has ensured that the person fully understands that they cannot engage in Professional Lobbying;
 - ii. is satisfied that it will not thereby be in breach of this Code in particular, rule 5;
 - iii. will declare on the Register any such Relevant Role in accordance with rule 7; and
 - iv. will not make any use of any Confidential Information for the purposes of Professional Lobbying.
5. Members must avoid actual or apparent conflicts of interest which are likely to arise between their Professional Lobbying (which will include the interests of their Professional Lobbying clients) and their personal affairs, their work or professional appointments outside of Professional Lobbying. Members must not be involved in Professional Lobbying seeking to influence an organisation in which they hold a role.
6. Members must not hold a pass conferring access to the Palace of Westminster, a Devolved Legislature, or any associated department or agency. In exceptional circumstances, permission may be granted for a Member to hold a pass. Any such decision will be published on the PRCA's website.
7. Members must provide the following information to the PRCA, comprehensively and accurately, for the purposes of updating the Register:
 - (a) Company Members must provide to the PRCA at quarterly intervals i) the names of all employees or contractors engaged in Professional Lobbying in the previous three months and the names of all clients on whose behalf they have engaged in Professional Lobbying and ii) the names of any person holding a Relevant Role employed or remunerated by them.
 - (b) Professional and Associate Members must inform the PRCA at quarterly intervals if they have conducted Professional Lobbying activities in the previous three months and provide a list of all clients on whose behalf they have engaged in Professional Lobbying. This is not required where the Member's name will be provided in accordance with (a) above.
 - (c) Any Member required to appear on the Register in accordance with (a) or (b) above must immediately inform the PRCA if they take up an Advisory Role in a Relevant Public Body. This role will accompany the name of that person in the Register for every quarter during which they hold the role. In this sub-paragraph, "Advisory Role"

means a formal position in an organisation, which may be paid or pro bono, in which the person concerned is in contact with a senior person within a Relevant Public Body, which may be a Minister, Special Adviser, Permanent Secretary or Director-General or person, of equivalent seniority, whether the contact is face-to-face or via any form of electronic communication, for the explicit purpose of offering advice or opinion about any aspect of the work of the policy or administration of that organisation.

- (d) Any Member providing the secretariat functions of an All-Party Parliamentary Group (APPG), a Cross-Party Group (CPG) or an All-Party Group (APG), must list that group as a client in their quarterly information, together with the name(s) of the funder(s) and any associated organisations.
 - (e) Any Member required to appear on the Register in accordance with (a) or (b) must indicate in their quarterly information provided to the PRCA if they are elected as a local councillor, or as an officer of a registered political party and the exact title of their elected post or selected as a parliamentary candidate.
8. Members are required to familiarise themselves with the provisions of this Code, and Company Members must provide access to training to ensure their employees and contractors are aware of, and understand, the provisions of this Code.