

## Response from the Association for Scottish Public Affairs

- We are concerned at the lack of representation for PA professionals beyond the consultancy sector, including in-house people and those working in the non-commercial sectors. ASPA is a pan-industry body and represents both in-house and consultancy professionals and we do not believe the working party is representative of the entire industry.
- We should not divide the industry with a two-tier system of regulation which affects consultancies but does not extend to other parts of the industry.
- There should be no distinction between consultancy and in-house professionals in any registration scheme - it should apply to both or neither.
- We do not believe multi-client firms should be required to disclose their fees or salary details as this information is commercially confidential.
- The PAC must retain a degree of independence to have any credibility as a regulator and so we agree with the proposal for an independent chair and members, but we would like more detail on this.

## On the specific questions at the front of the issues paper

- Q 2 - There must be a level playing field for all those working in Public Affairs. The ambit of the Public Affairs Council must therefore include those undertaking lobbying for non-commercial interests as well as financial rewards. The definition of "material reward" must be refined to capture this.
- Q 6 - The definition of a lobbyist should not be based on what they are employed to do, or on their job title. It should be simply that in the process of their job they communicate with politicians and Parliamentary and Government officials. The definition needs to cover the devolved administrations in Wales, Scotland and Northern Ireland as most lobbyists will find their work covers all jurisdictions, and the Government officials in devolved administrations are still regulated by the UK civil service code.
- Q9 - ASPA, like the CIPR, does not currently have a register of members client interests, but we believe that any organisation that does have a register should have an independent secretariat so that the register is held and overseen by an individual who is not a competitor of those registering.
- Q 11 - The inclusion of lobbyists CVs is an extreme measure which has as its underlying reason, an assumption that there is corruption within the system. The operation of any open register of this kind should be that individuals who sign up to it are doing so to confirm their professionalism, not justify it.
- Q 12 - As in Q9, the holder of the register should be within some form of independent secretariat rather than a loose association of competitors.

- Q 13 - Our preference is for option C works, but we would propose a wider membership to include representatives beyond the consultancy sector, such as ASPA and the CBI. We agree with the merits of a joint code, however, it needs to cover and apply to the UK and its devolved nations - Wales, Scotland, and Northern Ireland.
- Q 14 - We are concerned that the proposal to base membership of the PAC on affiliated member organisations may be restrictive, and will not provide a true reflection of the entire industry. The PAC must avoid being a London-centric body and should ensure representation from Wales, Scotland and Northern Ireland.
- Q 17 - While a kitemark is desirable, it would be hard to oversee and not necessarily practical to achieve.
- Q 21 - The PAC working paper does not sufficiently address the work of non-commercial lobbyists.

On the specific paragraphs in the issues paper

- 3.10 - "However , the dedicated function - to *inform and* influence the public policy agenda..." as an industry our aim should be to ensure policymakers have the full facts and information before them when developing policy and legislating, so that they can in turn produce the highest possible quality of legislation.
- 3.17 2) - material advantage needs to be further defined to include commercial and non-commercial interests eg. trade unions, NGOs, charities
- 4.1 - the PAC has a dual purpose, to restore public confidence in the lobbying industry, but also to restore faith in MPs and the Parliamentary and Government systems.
- 5.3 a) - we do not agree the multi-client consultancies must register the names of their clients.
- 6.5 1) - yes, members should have the right to withhold client lists
- 6.5 2) - no, members or their employees may not hold parliamentary passes
- 6.5 3) - purely for interaction with Government
- 8.8 - PAC members of affiliates should not enjoy any kind of privileged access to Parliament or Government