

## PRCA Professional Charter

### **1 Conduct in relation to the PRCA Professional Charter**

A member shall:

1.1 Have a positive duty to observe the highest standards in the practice of Public Relations and Communications. Furthermore a member has the responsibility at all times to deal fairly and honestly with fellow members and professionals, the Public Relations and Communications profession, other professions, suppliers, intermediaries, the media of communication, colleagues, and above all else the public.

1.2 Be expected to adhere to, understand and observe this code, any amendment to it, and any other codes which shall be incorporated into this code, and to remain up-to-date with the content and recommendations of any guidance or practice papers issued by the Association, and shall have a duty to conform to good practice as expressed in such guidance or practice papers.

1.3 Uphold this code and co-operate with fellow members in so doing by enforcing decisions on any matter arising from its application. A member that knowingly causes or permits a colleague to act in a manner inconsistent with this code is complicit to such action and shall themselves be deemed to be in breach of it.

A member shall not:

1.4 Engage in any practice nor be seen to conduct themselves in any manner detrimental to the reputation of the Association or the reputation and interests of the Public Relations and Communications profession.

### **2 Conduct towards the Public, the Media and other Professionals**

A member shall:

2.1 Conduct their professional activities with proper regard to the public interest.

2.2 Have a positive duty at all times to respect the truth and shall not disseminate false or misleading information knowingly or recklessly, and to use proper care to avoid doing so inadvertently.

2.3 Have a duty to ensure that the actual interest of any organisation with which they may be professionally concerned is adequately declared.

2.4 When working in association with other professionals, identify and respect the codes of these professions and shall not knowingly be party to any breach of such codes.

2.5 If a member of either House of Parliament, member of a Local Authority or of any statutory organisation or body, record that material in the relevant section of the PRCA Public Affairs and Lobbying Register.

2.6 Honour confidences received or given in the course of professional activity.

2.7 Neither propose nor undertake any action which would constitute an improper influence on organs of government, or on legislation, or on the media of communication.

2.8 Neither offer nor give any inducement to persons holding public office or members of any statutory body or organisation who are not directors, executives or retained consultants, with intent to further the interests of the organisation if such action is inconsistent with the public interest.

### **3 Conduct towards Colleagues**

A member shall:

3.1 Adhere to the highest standards of accuracy and truth, avoiding extravagant claims or unfair comparisons and giving credit for ideas and words borrowed from others.

A member shall not:

3.2 Intentionally damage the professional reputation or practice of another member.

### **4 Discriminatory Conduct**

A member is required to take all reasonable care that professional duties are conducted without causing offence on the grounds of gender, race, religion, disability or any other form of discrimination or unacceptable reference.

## PRCA Public Affairs and Lobbying Code of Conduct

### 1 Preamble

This Code of Conduct covers the activities of regulated PRCA members, including: individual members, member organisations, their staff and non-executive consultants, that conduct Public Affairs and Lobbying services as defined in the 2013 “Definition of Lobbying”:

*....activities which are carried out in the course of a business for the purpose of-*

- (a) *Influencing government, or*
- (b) *Advising others how to influence government.*

*“Government” includes, within the United Kingdom –*

- (a) *Central government, devolved government, local government,*
- (b) *Members and staff of either House of Parliament or of a devolved legislature,*
- (c) *Ministers and officials, and*
- (d) *Public authorities (within the meaning of section 6 of the Human Rights Act)*

It is a condition of membership of the PRCA that members should accept and agree to abide by this Code. Regulated PRCA members are required to endorse the Code and duties it sets out in relation to their dealings with these institutions of government.

Other conditions of membership of the PRCA include:

- Being bound by terms of the PRCA Professional Charter
- Submit to the PRCA Public Affairs and Lobbying Register in an accurate and timely fashion.

The Code of Conduct applies the principles that PRCA members conducting or providing Public Affairs and Lobbying services should be open, transparent, and honest in their dealings with parliamentarians or representatives of institutions of government; and that there should be no financial relationship between them. PRCA members are required to act at all times with the highest standards of integrity and in a professional and ethical manner reflecting the principles applied by this Code. In the view of the PRCA, it is inappropriate for a person to be both a legislator and provide lobbying services in relation to the relevant legislature.

### 2 The Code of Conduct

A member shall:

1 PRCA members conducting Public Affairs and Lobbying services must act with honesty towards the institutions of government.

2 PRCA members conducting Public Affairs and Lobbying services must use reasonable endeavours to satisfy themselves of the truth and accuracy of all statements made.

3 In making representations to the institutions of government, PRCA members conducting Public Affairs and Lobbying services must be open in disclosing the identity of their employers and must not misrepresent their interests.

4 PRCA members conducting Public Affairs and Lobbying services must advise colleagues where their activities may be illegal, unethical, or contrary to professional practice, and to refuse to act in pursuance of any such activity.

5 PRCA members conducting Public Affairs and Lobbying services must comply with the Bribery Act 2010.

6 PRCA members conducting Public Affairs and Lobbying services must comply with any statute, Westminster or Scottish Parliamentary or National Assembly of Wales or Northern Ireland Assembly or Greater London Authority resolution and with the adopted recommendation of the Committee on Standards in Public Life in relation to payments to a political party in any part of the United Kingdom. They must also be aware of legislation which aims to regulate and/or register lobbying. This includes – but is not limited to – the Transparency of Lobbying, Non-Party Campaigning and Trade Union Administration Act 2014 and the Lobbying (Scotland) Act 2016.

7 PRCA members conducting Public Affairs and Lobbying services must keep strictly separate from their duties and activities as political consultants any personal activity or involvement on behalf of a political party.

8 PRCA members conducting Public Affairs and Lobbying services must abide by the rules and conventions for the obtaining, distribution and release of parliamentary and governmental documents set out by the institutions of government.

9 PRCA members conducting Public Affairs and Lobbying services must conduct themselves in accordance with the rules of the Palace of Westminster, Scottish Parliament, National Assembly of Wales, Northern Ireland Assembly or Greater London Authority or any department or agency of government while within their precincts, and with the rules and procedures of all institutions of government.

10 PRCA members conducting Public Affairs and Lobbying services must always abide by internal rules on declaration and handling of interests laid down by any public body on which they serve.

11 PRCA members must provide to the PRCA the names of all staff conducting Public Affairs and Lobbying services, all offices in the United Kingdom where the Public Affairs and Lobbying services take place, (and for consultancies) a list of all clients that receive these Public Affairs and Lobbying services. This information will be provided quarterly and retrospectively within one month of the final

date of the previous quarter. This information will be published on its PRCA Public Affairs and Lobbying Register.

PRCA members must clearly state on their Register entry:

- Local Authority Councillors by placing “(Councillor)” after their name;
- Passholders and the relevant institution by placing “(Passholder – Institution)”;
- Clients that receive pro-bono Public Affairs and Lobbying services, by placing “(pro-bono)” after the client name;
- All APPGs, including Associate Parliamentary Groups, that benefit from lobbying services - such as secretariat roles - must be included in a list of clients;
- Current holders of an elected role in a political party at constituency chairman or vice-chairman level or higher – by placing “(party – role)” after their name.

PRCA members may also declare other information on the PRCA Public Affairs and Lobbying Register in addition to the mandatory information listed above. For example, stating a staff member holds an unelected position in a political party. PRCA members must seek permission from the PRCA before submitting this additional information.

12 PRCA members conducting Public Affairs and Lobbying services must be at all times aware of the importance of their observance of the principles and duties set out in this Code for the protection and maintenance of their own reputation, the good name and success of their organisation, and the standing of the profession as a whole.

A member shall not:

13 Act or engage in any practice or conduct in any manner detrimental to the reputation of the Association or the profession of Public Affairs and Lobbying in general.

14 Make misleading, exaggerated, or extravagant claims, or otherwise misrepresent, the nature or extent of their access to institutions of government or to political parties or to persons in those institutions.

15 PRCA members conducting Public Affairs and Lobbying services must not:

- Employ any MP, MEP, sitting Peer or any member of the Scottish Parliament or the National Assembly of Wales or the Northern Ireland Assembly or the Greater London Authority;
- Make any award or payment in money or in kind (including equity in a member organisation) to any MP, MEP, sitting Peer or to any member of the Scottish Parliament or the National Assembly of Wales or the Northern Ireland Assembly or the Greater London Authority, or to connected persons or persons acting on their account directly or through third parties.

16 PRCA members conducting Public Affairs and Lobbying services who are also local authority councillors are prohibited from working on an assignment of which the objective is to influence a decision of the local authority on which they serve. This restriction also applies to PRCA members conducting services who are members of other public bodies.

17 PRCA members conducting Public Affairs and Lobbying services must not hold, or permit any staff member to hold, any pass conferring entitlement to access to the Palace of Westminster, to the premises of the Scottish Parliament or the National Assembly of Wales or the Northern Ireland Assembly or the Greater London Authority or any department or agency of government. The exceptions are:

- Where the relevant institution is a client or employer of the PRCA member and requires the member to hold a pass to enter their premises.
- Where the PRCA member requires a pass as a spouse or civil partner of a member of the relevant institution or if a member holds a pass as a former Parliamentarian. The pass must not be used for the purpose of providing lobbying services.

18 PRCA members conducting Public Affairs and Lobbying services must not exploit public servants or abuse the facilities or institutions of central, regional or local government within the United Kingdom.

## PRCA Health Public Relations and Communications Code of Conduct

### 1 Definition

Health Public Relations and Communications is defined as any Public Relations and Communications that engages the public with health and wellbeing or seeks to serve the health and wellbeing of people.

### 2 The Code

Every member involved in Health Public Relations and Communications shall ensure that:

- 2.1 They are familiar with, and do not breach, relevant national regulations and relevant codes of professional conduct (such as the ABPI and PAGB Codes of Practice).
- 2.2 Information disseminated to people, healthcare professionals, or policymakers is balanced and accurate and not likely to mislead, misinform, cause or be detrimental to health.
- 2.3 The source of information disseminated is either explicitly stated or could readily be identified to such a degree that a reasonable person should not be in doubt as to where it originated from. Information must not be communicated (or withheld) that creates the impression of widespread support for an aspect of health or wellbeing above and beyond that which actually exists.

### 3 Enforcement

Complaints of a breach of this PRCA Health Public Relations and Communications Code of Conduct will be treated as would a breach of the PRCA Professional Charter and the same arbitration and disciplinary rules shall apply.

A member shall:

- 3.1 Have a positive duty to observe the highest standards in the practice of Public Relations and Communications. Furthermore a member has the responsibility at all times to deal fairly and honestly with fellow members and professionals, the Public Relations and Communications profession, other professions, suppliers, intermediaries, the media of communication, colleagues, and above all else the public.
- 3.2 Be expected to be aware of, understand, and observe this code, any amendment to it, and any other codes which shall be incorporated into this code, and to remain up-to-date with the content and recommendations of any guidance or practice papers issued by the PRCA, and shall have a duty to conform to good practice as expressed in such guidance or practice papers.
- 3.3 Uphold this code and co-operate with fellow members in so doing by enforcing decisions on any matter arising from its application. A member that knowingly causes or permits a colleague to act in a



manner inconsistent with this code is party to such action and shall themselves be deemed to be in breach of it.

## PRCA Arbitration and Disciplinary Procedures

### 1 Introduction

1 The purpose of the PRCA Arbitration and Disciplinary Procedures is to have a mechanism whereby the Professional Charter of the PRCA is seen to be capable of enforcement.

2 It also provides a mechanism by which complaints under the PRCA Professional Charter against members may be processed effectively and fairly.

3 Additionally it allows parties in disagreement to submit their cases by mutual agreement to arbitration and settlement.

### 2 Complaints

4 The following complaints will be covered by this procedure:

- i) An apparent breach of the PRCA Professional Charter or the Memorandum and Articles of Association by a member.
- ii) Where there are reasonable grounds to believe that a member has brought discredit upon the profession or the Association.
- iii) Where one member considers they have cause to complain about the professional behaviour of a fellow member.
- iv) Where having regard to both the letter and the spirit of the PRCA Professional Charter, a member of the public believes cause for complaint against a member exists.
- v) Where the PRCA Director General believes cause for complaint against a member exists.

5 Stages in the procedure are specified and are designed to ensure that any complaint is dealt with as speedily as possible whilst giving all parties concerned adequate time to respond to each stage.

6 A complaint may be originated by any individual, whether a member of the Association or not, or by any organisation, or by any Committee of the Board, by the Board itself or by the PRCA Director General.

7 It shall be the duty of the Professional Practices Committee promptly to investigate any complaint properly brought before them against a member.

8 The Committee will recommend to the Board sanctions on the member concerned where serious breaches of the PRCA Professional Charter or Memorandum and Articles of Association have been proven. Such sanctions may extend to suspension or termination of membership coupled with a published censure. The Committee is empowered to impose sanctions (short of suspension or termination) on the member concerned where minor breaches of the PRCA Professional Charter or Memorandum and Articles of Association have been proven, including, but not necessarily limited to warnings, admonishments or reprimands which may be published.

9 Matters that are currently the subject of a legal action will not be covered by the Committee. The Committee should advise all parties concerned of this as soon as possible.

### 3 Definitions

- 10     **'Board'** - The duly-elected directors of the PRCA.
- 'Committee'** - The Professional Practices Committee of the Public Relations and Communications Association Limited (PRCA).
- 'Complainant'** - The person, organisation, PRCA Director General or Association Committee making the complaint.
- 'Defendant'** - The member against whom the complaint is being made.

### 4 Procedure and Timings

11 On receipt of a formal complaint the Secretary of the Association shall if necessary correspond with the complainant in order to clarify any matters of uncertainty and to identify the specific clause or clauses of the PRCA Professional Charter or the Memorandum and Articles of Association which relate to the complaint. The Secretary must inform the complainant in writing of the Committee's disciplinary procedure and in particular explain that the defendant will be notified of the complaint in order he may exercise the right to reply. The Secretary shall then send details of the complaint to the defendant and invite him to submit written observations within five working days which will be placed before the Professional Practices Committee together with the original complaint.

12 Any complaint must be placed before the Committee in session as soon as possible but no longer than 20 working days after the complaint was received except in exceptional circumstances. If the Committee consider that there is no *prima facie* case for invoking disciplinary procedure the respective parties should be notified accordingly.

13 Each party shall supply within 10 working days to the Committee, and to the other party, a written summary of their case, with copies of any relevant documents. If both parties agree to the procedure, and sign their respective summaries and documents as fairly representing the facts, then the Committee may proceed to give their decision upon the evidence contained in the documents. Otherwise the Committee shall fix a time and place for the hearing of both parties and of any witness each party may consider necessary.

14 In the event of a hearing both parties shall be entitled to make oral submissions to the Committee either personally or through a representative. The Committee may invite further representations from either or both parties. Any such representations shall be made within five working days of the Committee meeting.

15 Any party may by notice in writing at any time not later than five working days before the day fixed for the hearing call upon any other party to admit any document and if such other party desires to challenge the authenticity of the document, he shall within five working days after service of such notice, give notice that he does not admit the document and requires that it be proved at the hearing.

16 The proceedings of the Committee shall be held in private unless otherwise agreed by all parties.

17 After consideration of the case, the Committee shall decide whether there has been a breach of the PRCA Professional Charter or Memorandum and Articles of Association and, if so, what sanctions should be applied against the defendant. Such decisions shall be made by a majority vote at the Committee Meeting where the matter is considered. The Committee's decision except in the case of

a resolution of suspension or termination shall be final and binding on all concerned (subject to the member's right of appeal). The Committee shall give their decision in writing.

18 If the Committee decide that the correct sanction is one of suspension or termination it shall recommend this decision to the Board who shall consider the report and recommendations of the Committee and shall approve, amend or overrule the recommendation of the Committee and shall give its judgement in writing.

19 Where suspension or termination of membership is the outcome, then following appeal the terms of censure will always be published. If the decision is to warn, admonish or reprimand then an additional vote must be taken as to whether or not following appeal the terms of the censure will be published.

20 Any appeal by a member against a disciplinary decision must be lodged in writing to the Board through the Secretary at the Association's registered office within five working days of the Committee's or Board's decision being notified to the defendant. Such appeal shall be considered by the Board together with the report of the Professional Practices Committee and the Board shall approve, amend or overrule the decision which was the subject of the appeal.

21 In the unlikely event that the Committee are unable to settle a grievance or there is a conflict of interest within the Committee, the Chairman shall nominate a Subcommittee of three who are not associated with the parties concerned, and who shall have the power to hear both parties and decide between them.

22 The Committee may appoint legally qualified assessors and in appropriate cases instruct one or more to sit and act as non-voting members of the Committee to ensure that the proceedings are conducted in accordance with the principles of natural justice and the law. The Committee shall be bound by the legal rules of evidence.

## 5 Arbitration

23 By mutual written consent of both parties a Subcommittee of the Professional Practices Committee may arbitrate and determine settlement of disputes either between fellow members or between non-members and members of the PRCA. The above rules of procedure apply equally to the handling of complaints and to requests for arbitration.