

TERMS OF REFERENCE FOR THE UK PUBLIC AFFAIRS COUNCIL

Introduction

This note sets out an outline for the role and governance of the UK Public Affairs Council. It builds on the Issues Paper published in May 2009, drawing on, where relevant, responses received to that consultation and other points that have been raised since.

Objectives of the PAC

The aim of the UK PAC is to promote public confidence in those who, in a professional capacity, undertake lobbying¹ by encouraging and sustaining high ethical standards, transparency and accountability amongst those whom the Council regulates. It will offer a system of voluntary regulation to ensure that all those involved in lobbying institutions of government can be governed by a clear set of principles, underpinned by enforceable Codes of Conduct. Further, it will assist public confidence by establishing a publicly accessible Register of those involved in lobbying, indicating the organisations on whose behalf they are lobbying.

Key Roles

There are four key roles for the Council, as follows:

- i) To hold and review periodically the Guiding Principles covering those who lobby, examining how a common Code of Conduct enshrining the Principles can be established and keeping under review any related Codes of member bodies²;
- ii) To maintain a Register of those organisations and individuals who provide public affairs services and of the organisations on whose behalf they lobby.
- iii) To oversee the disciplinary arrangements necessary to enforce the Principles and any common Code; to allocate complaints against individuals or organisations within member bodies to the most appropriate body, ensuring that these are considered under the relevant Codes and procedures; and to review periodically the process through which complaints are considered by member bodies;
- iv) To promote with its member bodies high ethical standards in lobbying generally.

Governance

The UK Public Affairs Council will be chaired on a Non-Executive, part-time basis by an independent person of high standing drawn from outside the lobbying industry but with experience relevant to the industry. The Chairman will be joined on the UK PAC Board by two further part-time, independent members, plus six representatives from the lobbying industry, initially comprising two

¹ Lobbying means, in a professional capacity, attempting to influence, or advising those who wish to influence, the UK Government, Parliament, the devolved legislatures or administrations, regional or local government or other public bodies on any matter within their competence.

² By member bodies is meant those representative and /or regulatory bodies that have met the tests for membership of the Council set out in the Membership section below.

representatives each from the APPC, CIPR and PRCA. Each member body will have one vote. Any decisions taken by the Board will require a majority separately amongst the independent members and amongst the members representing the industry. Other member bodies will be eligible to join, subject to satisfying the tests set out below, and will then be entitled to nominate representatives on the Board.

Any change to these terms of reference of the Council will need to be agreed by all member organisations.

The Register

The UK PAC will publish a register showing all organisations and individuals engaged in offering public affairs services that are members of one of the member bodies participating in the UK PAC. The Register will record the names of the organisations, the individuals working within them and, where relevant, any clients for whom public affairs services are provided. The Register will be completed quarterly and published as soon as possible thereafter. Each member body will require their members to complete the register accurately and failure to do so will be a disciplinary offence within the relevant member body.

Recruitment of Independent Members

Independent members of the UK PAC will be recruited through a process that mirrors, as far as possible, Nolan rules for public appointments. They will be appointed by a panel nominated by the Implementation Team, chaired by its independent Chairman. Subsequent appointments will be made by a panel nominated by the Board, chaired by one of the existing independents. In both cases, there will therefore be an independent element in the recruitment process.

Membership of the Council

The UK PAC will be a legal entity with, initially, its members being the member bodies that subscribe to it. The PAC will consider how direct membership of or affiliation to the Council might effectively be developed.

Member bodies wishing to join the UK PAC will be required to:

- Have in membership or regulate individuals or organisations which practice public affairs, providing or being subject to a regulatory mechanism by which those individuals or organisations can be judged against agreed ethical standards, and action can be taken on the basis of such investigations leading to expulsion, suspension, comment, or no action as regards the PAC register;
- Demonstrate agreed standards of ethical conduct in lobbying, based on the guiding principles;
- Enforce such standards effectively;
- Show support for effective self-regulation of lobbying;
- Enhance the reputation of all those involved in or advising on lobbying through membership of the UK PAC