**Public Relations and Communications Association - Consultation on a new Code for Professional Lobbying – [25 March 2025]**

**Introduction**

The Public Relations and Communications Association (PRCA) is seeking views on its proposed **new Code for Professional Lobbying**. This Code is intended to replace the PRCA’s current Public Affairs Code (PA Code).

The wider public interest in the transparency and accountability of professional lobbying activities continues to remain high. As such, we want to make sure that this replacement for the PA Code provides the right framework for ethical and transparent behaviours in this area.

In addition to PRCA members, we welcome the views of anyone else with an interest in this topic - including clients, parliamentarians, members of the public and other organisations.

This consultation will be open for your comments until 5 pm on **Monday** **28th April 2025.** Please follow this link [(here](https://us7.list-manage.com/survey?u=b37a423563bdf12edeff184c2&id=24f3fb5dc5&e=*|UNIQID|*)) for the form which we would like you to complete. If you need to respond to this consultation using an alternative format, then please do get in touch by emailing: communications@prca.global

We may publish, and attribute, a summary of your responses unless you request otherwise.

**Background**

The PRCA is the world's leading professional body for professionals in public relations, communications, and public affairs. Through its global community, we work towards an industry that is known worldwide for its innovation, excellence and ethical standards.

All of the PRCA’s members (Company, Professional and Associate) are bound by our  [Code of Conduct.](https://www.prca.global/sites/default/files/PRCA-code-of-conduct-1_0.pdf) This sets out the ethical standards that our members are required to comply with. Our Complaints Procedure [insert link] governs how complaints of breaches of the Code are dealt with and adjudicated upon.

Following an initial Call for Evidence to inform this new Code for Professional Lobbying, we are now seeking views from our members and wider interested parties on a new set of standards which will replace the current PA Code.

The PA Code sets out the standards that apply to our members undertaking ‘public affairs’ activities – essentially activities aimed at influencing government or advising clients how to do this. This is often referred to as professional lobbying and we propose that we use this term for our new set of rules. We want to make sure that the Code for Professional Lobbying provides the right framework to ensure ethical, fair and transparent behaviours.

Attached to this email are two documents:

**Annex 1** a summary of the responses we received to our recent Call for Evidence and our views on these

**Annex 2** a draft of our proposed new standards – the **PRCA’s Code for Professional Lobbying**

**The current PA Code and the role of ORCL**

Our current PA Code

The PA Code applies to all PRCA members who undertake ‘public affairs’ activities. Not of all our members undertake this sort of work, for example, those who concentrate solely on communications activities. The definition of what is meant by “public affairs” is currently set out here - [definitions](https://www.prca.global/sites/default/files/Public%20Affairs%20definition.pdf) – in more detail.

In summary, ‘public affairs activities’ are activities undertaken by professionals, that is in the course of a ‘business’ (which is itself widely defined), for the purpose of influencing government or advising others how to do this. In order to impart some objectivity to this test, included in the definition is a ‘reasonable person’ test – so that if a reasonable person would assume an activity is carried out in order to influence government, then it will be in scope of the PA Code. The definitions also set out what is meant by ‘government’ and what activities are excluded, such as if one of our members were simply providing information or opinions to the public through writing an article in a newspaper.

The PA Code sets out the additional standards that our members who do this type of work must comply with, in addition to the standards required of them as ordinary members under the PRCA Code of Conduct. These additional standards address the specific ethical issues which lobbyists face in their specialist sector of public relations and communications. To help achieve these aims, the PA Code also requires relevant members to declare to us certain information every quarter, such as the clients that they have acted for in that time period. This information is then published on our [Public Affairs Register](https://register.prca.org.uk/) which is publicly available to all. Many of our members undertake this type of work and make the required declarations to us - but inevitably the numbers involved fluctuate.

There is an overlap with ORCL’s role that we explain below.

The Office of the Registrar of Consultant Lobbyists (ORCL)

The PA Code is currently recognised by the Office of the Registrar of Consultant Lobbyists (ORCL). ORCL was set up under the Transparency of Lobbying, Non-party Campaigning and Trade Union Administration Act 2014 (‘the 2014 Act’). ORCL's role is to ensure transparency in the engagement of consultant lobbyists when they communicate 'with a UK Government Minister or Permanent Secretary (or certain equivalents) on behalf of a third party, in return for payment'. Consultant lobbyists haveto register with ORCL before conducting any consultant lobbying activity and submit details of clients they have lobbied for each quarter. These details are then published in a Register which the public can consult. When consultant lobbyists join the Register, they have to declare whether they subscribe to a relevant code of conduct, although there is no obligation under the 2014 Act for them to do so.

If a registrant wishes to declare on the Register that they abide by a code of conduct, the Registrar determines whether the proposed code is ‘relevant’ to consultant lobbying and can therefore be declared on the Register. This assessment includes the requirement for a code to include some external and independent oversight in the monitoring or handling of complaints of a breach of the code. The PA Code is currently recognised by ORCL as meeting these criteria.

**This review**

We introduced a revised Code of Conduct which came into effect on 1 July 2024 which sets out the ethical standards that all PRCA members are required to meet.

We have committed to reviewing the PA Code, and we believe it is time to do so now as:

* it has been in operation for more than a decade, but has not been substantially reviewed since 2018
* the PA Code unnecessarily duplicates many of the provisions in the revised Code of Conduct or other legal requirements
* it has become increasingly clear from queries raised by Members, the public and other external organisations, that some of the PA Code’s provisions are unclear, difficult to understand and to apply in practice
* the PA Code attaches a now obsolete set of disciplinary procedures  (these were replaced in July 2024 by the [Complaints Procedure](https://www.prca.global/sites/default/files/PRCA-Complaints-Procedure_0.pdf))
* In May 2024, The Public Administration and Constitutional Affairs Committee (PACAC) completed a [report](https://publications.parliament.uk/pa/cm5804/cmselect/cmpubadm/203/summary.html) of the impact of the 2014 Act. The 2024 review made a number of recommendations to strengthen the operation of ORCL’s register, including greater transparency and frequency of MPs’ declarations but did not recommend any wholesale changes to the 2014 Act. The report did, however, welcome the voluntary submission of professional lobbyists to high standards of behaviour and accountability via the PRCA’s Codes, its register and disciplinary processes.

To help inform our approach on some of the more complex standards in the PA Code, we decided to seek initial preliminary views via a public Call for Evidence.

**Call for Evidence**

We issued the Call for Evidence in December 2024 for a period of six weeks. This sought views from anyone with an interest on the content and operation of the PA Code. We specifically asked for views upon a number of issues which have given rise to debate and questions in the past.

We received 17 responses in total, and we are grateful to everyone who took the time to reply and for their helpful contributions. The majority of the responses were from organisations operating within the industry but we also received a number of personal responses and responses from other institutions.

A summary of the diverse views we received on the specific issues we asked about, are summarised in **Annex 1.** These cover the following six issues:

Issue 1: The name of the new Code

Issue 2 : The activities that are in scope

Issue 3 : MPs’ and Peers’ employment, benefits and parliamentary passes

Issue 4 : Separation of a members’ professional and personal roles

Issue 5 : The PRCA’s Register

Issue 6: Training

In this Annex 1, we have set out a summary of the issues, the responses we received and our current views on them as now reflected in our draft Code for Professional Lobbying.

**The draft Code for Professional Lobbying**

Having considered the views expressed in the Call for Evidence and consulted with Members internally, we are proposing that the current PA Code is replaced with a new Code for Professional Lobbying.

A draft of this new Code for Professional Lobbying is attached in **Annex 2** on which we are now seeking views.

In summary the main changes we are proposing are as follows.

A simpler, more streamlined Code

As the new Code will sit along aside the PRCA’s Code of Conduct, we have removed any duplicative provisions or other legal requirements. We have also consolidated provisions and definitions which were set out separately in the PA Code or in other documents or contained in several different places in the PA Code, such as the register requirements. This approach has meant that the new Code will contain eight rules, as opposed to 21 in the existing PA Code. A more concise and focussed Code for Professional Lobbying should be easier for our members and the public to understand and apply. The reduction in the number of rules that apply specifically to lobbying professionals does not in any sense indicate a reduction in standards. Where we propose changes these are generally to strengthen standards.

New definitions of “professional lobbying” and “government”

We have proposed a new definition of what constitutes professional lobbying, extending and clarifying the scope of the definition of “public affairs activities” currently used in the PA Code. We have also proposed that we should replace the slightly confusing definition of “government” with a new term - Relevant Public Body - which also includes special advisers; and replaces the existing reference to “public authorities (within the meaning of section 6 of the Human Rights Act 1998)” with a simpler reference to bodies exercising functions of a public nature.

Tighter standards on the employment of MPs and Peers

We are seeking views on the employment of MPs and Peers by PRCA Members who undertake professional lobbying. **Annex 1** sets out a summary of the responses we received in relation to our current standards which are contained in Rules 9 and 10 of the PA Code. Some of our responders made the point that they considered that employing Peers to do “advisory work” was problematic.

Since we issued the Call for Evidence, there has been significant public debate on this topic. The views expressed directly to us during these debates have reaffirmed that we need to consider what are the right standards to require of our Members, whilst also balancing the right to work with the importance of public confidence in lobbying and in our government institutions.

The issue is especially relevant for Peers as Parliament’s rules [generally prohibit](https://commonslibrary.parliament.uk/research-briefings/cbp-10055/) MPs from having a second job in which they provide parliamentary advice. This is not the case for Peers although there are some restrictions that apply to ex-Ministers.

As set out within rule 4 of the draft Code for Professional Lobbying, we believe that we should continue to prohibit Members from employing MPs, Peers or their equivalent in the devolved legislations to conduct professional lobbying activities. This position was strongly supported by the majority of our responders. We consider that this should apply to both working and non-working Peers. We have also proposed that we extend those in scope of this prohibition to include non-executive directors of Government departments, given the likely perceived and actual influence of the role.

However, we are conscious that another option would be to prohibit our Members from employing MPs, Peers and their equivalent in any capacity if they are involved in Professional Lobbying. This might provide great clarity, avoid ambiguity and enhance public confidence. However, we appreciate that this strict rule extends the current prohibition considerably and might be considered to be disproportionate in some instances.

For the purposes of this consultation and to show what the provision might look like, we have set out this alternative in italics.

Other proposals we have made

Other main proposed changes to note include:

* Defining more clearly what “influencing “ means
* Defining what a “connected person” means in connection with Rule 4
* Making it clearer that the ban on our Members making payment of any kind to MPs, Peers and their equivalent does not include reimbursement of reasonable expenses
* Rationalising the existing provisions in rule 12 and 13 into a wider conflict of interest provision, now set out in rule 7
* Making it clear that Company Members have to provide training on this Code to their staff (rule 8)

Related issues

We have noted the request for supporting guidance on certain of the rules. We do intend to issue guidance to accompany the new Code in due course. We also asked if anyone had any general comments on the operation of the current PA Code, and we were pleased to see that there was a general support for us taking robust action to uphold our rules when serious breaches occur. We have already recently updated our Complaints Procedure to make it easier, fairer and more transparent.

**Next Steps**

We welcome views from our Members, members of the public and any other organisations with an interest in this topic on all of these issues and the approach we should adopt. We are very open to suggestions as to how we can improve and promote high standards of transparency and integrity in the professional lobbying industry.

This consultation will be open until **Monday 28 April 2025.**

**Our consultation questions are as follows:**

Question 1: To what extent do you agree with each of the rules?

Question 2 : do you agree with the new proposed definition of Professional Lobbying and the replacement of the existing reference to Government with a new term Relevant Public Bodies?

Question 3 : do you have views on which of the two options we have proposed for rule 4 – on the employment of MPs and Peers ? Please can you explain your reasons ?

Question 4: Is there anything missing that you would like to see in the draft Code?

Question 5: Is there any further feedback you’d like to share with us about the proposed new Code

During the consultation period, we will host an online roundtable in which details of the new Code for Professional Lobbying will be discussed and we can take on board feedback. We will also be engaging directly with wider interested parties, such as ORCL, to ensure that they are content that the new Code for Professional Lobbying continues to meet their criteria.

Following the closure of the consultation, a finalised version of the Code for Professional Lobbying will be produced, which will be adopted at the PRCA’s AGM in June 2025.

The new Code for Professional Lobbying will then come into force for all relevant Members of the PRCA replacing the PA Code. Training will be provided to ensure that everyone is aware of the new requirements.