

## **Guidance for Members on dealing with lobbyists**

A lobbyist is someone who, in a professional capacity, works to influence, or advise those who wish to influence, the institutions of government in Northern Ireland in respect to:

- (i) the formulation, modification or adoption of any legislative measure (including the development of proposals for legislation);
- (ii) the formulation, modification or adoption of a rule, regulation or any other programme, policy or position;
- (iii) the administration or execution of a governmental or other public programme or policy within Northern Ireland (including the negotiation, award or administration of a public contract, grant, loan, permit or licence).

Lobbyists include both consultant or third-party lobbyists and in-house lobbyists.

The Committee on Standards in Public Life has concluded that lobbying has an important part to play in securing “the democratic right to make representations to government and to have access to the policymaking process [which] is fundamental to the proper conduct of public life and the development of sound policy.” The Committee on Standards and Privileges agrees with this conclusion. Many organisations play an important role in informing Members of the Assembly.

However, some lobbying can give rise to a suspicion of improper influence over the Assembly. Members of the Assembly, and their staff, must have regard to such public perceptions. Members’ dealings with lobbyists should always be governed by the Seven Principles of Public Life, including in particular the principles of integrity and openness.

Members’ dealings with lobbyists fall within the scope of the Assembly Code of Conduct and Guide to the Rules (“the Code and Guide”). Members must not, in relation to any dealing with a lobbyist, do anything which breaches the Code and Guide.

Members must therefore register or declare any interests that they have arising out of their interactions with lobbyists. Paid advocacy is not permitted. Members are prohibited from advocating or initiating any cause or matter on behalf of any outside body or individual, or from urging any other Member of the Assembly to do so, in return for payment or benefit.

The Code also provides that Members must not accept any gift, benefit or hospitality that might reasonably be thought to influence their actions when acting as a Member. This means that Members should decline all but the most insignificant or incidental hospitality, benefit or gift offered by a lobbyist.

In addition to the provisions of the Code and Guide, however, Members are also encouraged to have regard to the following guidance which is based on recommendations contained within the Committee on Standards in Public Life's Report 'Strengthening Transparency Around Lobbying':

- The public must be assured that no person or organisation will gain better access to, or treatment by, any Member as a result of employing a lobbyist either as a representative or to provide strategic advice. Members should not offer or accord preferential access or treatment to lobbyists or their employers. Nor should lobbyists or their employers be given to understand that preferential access or treatment might be forthcoming from another Member or group or person within, or connected with the Assembly.
- Members should proactively and as a matter of course, satisfy themselves as to the identity of the person or organisation lobbying them (and where appropriate their client or employer) and the reason for the approach.
- Members should consider:
  - keeping a record of all meetings with lobbyists;
  - requiring lobbyists to make a record of the meeting, and provide for the Member to have access to that record at any future time should it be called for, before agreeing to meet with them;
  - arranging for a member of their support staff to take notes at any meetings with lobbyists.
- Members should bear in mind the principle of equality of access and the need proactively to consider, after any meeting, whether a balance of views should be obtained.
- Members should take particular care not to give the impression of giving greater weight to representations because they come from lobbyists; representations should be given such weight as they deserve based on their intrinsic merit.
- Members should consider routinely publishing information about all significant meetings and any hospitality received involving lobbyists. This should include significant contact (including private meetings) where a specific matter is raised which has a bearing on official business.
- Members may participate in events for which others are charged a fee to attend. In doing so, however, Members should ensure that there should be no grounds for the perception that such an event is a means of "buying" access to them. Members should not offer preferential treatment to any person or organisation as a result of having made initial contact with a Member at such an event.
- Members should not participate in any event if they are aware, or become aware, that the organisers are promoting the event on the basis that those paying to attend

the event are “buying” influence over Members or that they can expect to receive better subsequent access to, or treatment by Members, than would be accorded to any other person or organisation.

- Members should ensure that their staff are aware of this guidance.