



# Inquiry into lobbying

## A RESPONSE FROM WCVA

1. [Wales Council for Voluntary Action](#) (WCVA) is the national membership organisation for the voluntary sector in Wales. Our purpose is to enable voluntary organisations to make a bigger difference together.

## WHAT DO YOU UNDERSTAND BY THE TERM 'LOBBYING'?

2. WCVA has previously used the term 'lobbying' to mean 'any contact with those in power that is designed to influence their actions in some way'. This would include the submission of briefing papers, letters and consultation responses, as well as meeting with Members of the Senedd and giving oral evidence in Committees. Being able to do all this is hugely beneficial for the voluntary sector, and can have significant positive impacts on communities all around Wales.
3. However, lobbying is sometimes seen as a dubious activity due to the poor reputation of some professional lobbyists – people who are paid, often by businesses, to influence policy or legislation on behalf of the person who has hired them. There can be a grey area between organisations who have hired their own staff as lobbyists and voluntary sector employees who may, among other duties, seek to influence politicians.
4. A standard definition of lobbying (developed following engagement with the voluntary sector) that the public can understand could help shift the negative perception of what lobbying is and does. Should such a definition be introduced, it must make a clear distinction between political advocacy by voluntary sector organisations pursuing their charitable objectives, and the style of lobbying associated with business. Many WCVA members have staff whose role includes trying to influence policy and legislation. We doubt they would consider themselves lobbyists. Such work tends to be part of a wide range of considerations. However, influencing positive change to support their vision and mission will be an important part of activity for many of our members.

## WHAT CONCERNS, IF ANY, DO YOU HAVE ABOUT LOBBYING MEMBERS OF THE SENEDD?

5. The consultation document and accompanying web page reference the potential introduction of a lobbying register in their opening paragraphs, yet none of the

questions within this inquiry specifically ask, 'Should a register of lobbyists be introduced in Wales?' This absence muddies the engagement process around this consultation and leaves the inquiry at risk of not receiving the intelligence that it should.

6. While a lobbying register may help boost transparency and accountability of Welsh Government, concerns have been expressed by the voluntary sector, as they were [previously](#), about the proportionality of such a register. For instance, would a community food bank have to register, and have to report each time its local Member of the Senedd visited and discussed issues around food poverty with them? This would feel unnecessarily bureaucratic, and take a disproportionate amount of time. Similarly, a citizen or advocate speaking or writing to their MS to push for change in areas that matter to them cannot be expected to have an understanding of formal regulations about lobbying. Any suggestion that they do will deter them from engaging with democracy entirely.
7. Any lobbying register or regulations developed would need to take into account the many and varied ways the voluntary sector may seek to influence decision-making processes in Wales. It would need to ensure that these tasks can still be performed and recognise that some members of staff would be paid to undertake these sorts of activities.
8. Likewise, the implementation of any lobbying register or regulations would need to be accompanied by an awareness-raising campaign, which would need to be aware of smaller groups or bodies who might not consider themselves to be lobbyists and therefore could be unintentionally in breach of the register or regulations.
9. The Third Sector Scheme is about relationships and engagement between Welsh Government and the voluntary sector. The Scheme would likely need to be updated to include any new definitions of lobbying and any guidance or regulations around lobbying.

## **WHAT IS YOUR UNDERSTANDING ABOUT THE ROLE THAT CROSS-PARTY GROUPS PLAY IN RELATION TO LOBBYING THE SENEDD, AND DO YOU HAVE ANY COMMENTS OR CONCERNS?**

10. Sector organisations have said that cross-party groups are very useful in highlighting specific issues and sharing knowledge across issues that stretch across political boundaries, enabling cooperative working for the betterment of society. If this is lobbying, then it is lobbying of a very transparent and collaborative kind and, as these groups are open to all to attend, there is room for challenging questions and close scrutiny of the subjects under discussion and decisions made.
11. However, some sector representatives believe CPG sessions can fall into patterns of repetitive working and exclusion of community voices. Many of the same voices, often from larger organisations, sit on many CPGs, and other similar forums, which can make it harder for smaller, community-based organisations to feel represented. Targeted participation, such as specifically inviting smaller organisations with advanced insight into their communities, would help the Senedd reach those in the hidden corners of Wales' communities and help secure greater inclusion.

12. We back Electoral Reform Society Cymru's call for inclusion of secretariat contact details for each group on the Senedd website to make it easier for organisations to enquire about joining meetings.

## **HOW DO YOU THINK WE COULD ACHIEVE GREATER TRANSPARENCY AROUND DECISION-MAKING IN WALES?**

13. It would help accountability and transparency if meetings Cabinet Secretaries and Ministers have with people or organisations who may seek to influence them were to be published online regularly.
14. Welsh Government does not always publish direct feedback or analysis of consultation responses, allowing people to greater understand the decisions it makes as a result of said consultation. This should change, to allow people to understand the rationale behind decision-making.
15. There should be continuous engagement with the voluntary sector throughout all phases of policy development and scrutiny, to ensure that a diverse range of voices are welcomed and encouraged. We ask the Committee to note the recently-relaunched [National Principles for Public Engagement in Wales](#), as endorsed by Welsh Government.

## **DO YOU CONSIDER YOURSELF A LOBBYIST? HOW IS LOBBYING REGULATED IN YOUR SECTOR AT THE MOMENT?**

16. It is unlikely that many, if any, voluntary organisations would think of themselves specifically as lobbyists. Attempting to influence Members of the Senedd would be undertaken as a means of improving the lives of service users and/or achieving the aims of an organisation's charitable objectives.
17. One of WCVA's functions, set out by the Third Sector Scheme, is to facilitate the sector to have its voice heard by the Senedd. This can be by seeking sector opinion to incorporate into a consultation response such as this, or by facilitating meetings between the sector and a Minister, Member of the Senedd, or official.
18. One of the messages we often hear from our members is that they want influencing positive change to be a fundamental function of WCVA as an organisation. Influencing is a core part of our role. Whether this influencing work is lobbying would depend very much on how someone defines 'lobbying'. As yet, there is no set governmental definition.
19. Sector influencing activity is regulated by the Charity Commission for England and Wales and UK Government's Transparency on Lobbying, Non-Party Campaigning and Trade Union Administration Act of 2014, known as the Lobbying Act. Within the Senedd, there is the non-statutory guidance on Lobbying, while Standing Order 22 governs the relationships Members of the Senedd have with outside lobbyists.
20. While the Lobbying Act has impeded the voluntary sector's ability to express itself, we are unsure if it has made private lobbying any more transparent.

21. One responding organisation noted that it originally used the term 'lobbying' in its mission statement, to mean 'influencing policy and practice', but were instructed to remove it by the Charity Commission.

### **HAVE YOU ENCOUNTERED ANY PROBLEMS WITH THE PROVISIONS IN THE CODE AND THE GUIDANCE ON LOBBYING AND ACCESS TO MEMBERS OF THE SENEDD?**

22. We have not heard about any problems with this. However, some respondents were unaware of this guidance. The Senedd should undertake an awareness-raising campaign. We would be happy to discuss working in partnership with officials on this.

### **ARE THERE ANY AREAS RELATING TO LOBBYING THAT YOU CONSIDER TO BE UNREGULATED IN THIS AREA WHICH POSE A RISK TO THE ACCOUNTABILITY AND REPUTATION OF GOVERNANCE IN WALES?**

23. We have no concerns in this area.

### **FURTHER DISCUSSION**

24. WCVA is happy to meet with the Committee, Welsh Government or Members of the Senedd to further discuss the issues raised in this response, particularly around point 22.

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