

Lobbying Policy

1. Scope

This policy applies to members off staff that will engage in lobbying activities for the organisation.

2. Policy Statement

The organisation acknowledges that it has a responsibility to their beneficiaries and the wider community. To be heard by parliament or government, many people 'lobby'. It provides valued input and feedback to shape decisions made by elected representatives. The Lobbying Policy has been introduced with the aim of meeting the organisation's legal requirements to record instances that are defined as 'regulated lobbying' under The Lobbying (Scotland) Act 2016 to bring about greater openness and transparency. This policy does not form part of the employment contract and the organisation may update it at any time.

3. Policy Aims

- 3.1 The Lobbying (Scotland) Act 2016 requires that any organisation that seeks to influence Members of the Scottish Parliament, Members of the Scottish Government (including Scottish Law Officers), Junior Scottish Ministers, The Permanent Secretary of the Scottish Government or Scottish Government Special Advisors, records this information on the publicly accessible Lobbying Register. This will apply when;
 - 3.1.1 Oral communications (plus use of sign language); and only those which are made face-to-face (including by video conference) with MSPs, members of the Scottish Government (including Scottish Law Officers – the Lord Advocate and the Solicitor General), junior Ministers, Special Advisers or Permanent Secretary.
 - 3.1.2 Communications made are regarding Scottish Government or Scottish Parliament functions.
 - 3.1.3 There is no exclusion to where or when regulated lobbying can take place. That means it is possible that regulated lobbying could take place anywhere and at any time and not just in formal situation
 - 3.1.4 To inform or influence decisions on behalf of the organisation, or those the organisation represents.
 - 3.1.5 The organisation also must be paid in some capacity, directly or indirectly, representing the views of the organisation.

- 3.1.6 It is clear that the lobbying is not excluded by any other exemption to the Act.
- 3.2 Regulated lobbying does not apply to any other types of communication, such as emails, letters, tweets, phone calls, etc.
- 3.3 Regulated lobbying does not apply to MPs or Councillors

4. General Principles

- 4.1 The policy applies to all employees of the organisation that can engage with MSPs or relevant others, however the organisation will determine which interactions are suitable to be registered.
- 4.2 The employee's line manager will regularly monitor or review interactions to ensure that legal obligations are being met.
- 4.3 It is the responsibility of the employee to keep accurate records whether the interactions are registerable or not.
- 4.4 Employee's can be withdrawn from lobbying activities who do not adhere to the Lobbying Policy. Such employees may also face disciplinary action under the disciplinary policy.

5. Exemptions

- 5.1 There are several communications which do not amount to regulated lobbying under the 2016 Act. These cover communications:
 - 5.1.1 Made by individuals raising issues on their own behalf rather than the organisations but an employee must adhere to the Conflicts of Interest Policy if applicable under these circumstances.
 - 5.1.2 Made during discussion with (most) local MSPs
 - 5.1.3 Made by those who are unpaid
 - 5.1.4 Made in formal proceedings of the Scottish Parliament or required under statute
 - 5.1.5 Made in response to requests for factual information or views on a topic (from an MSP, Minister, Law Officer, etc.)
 - 5.1.6 Made during quorate meetings of Cross-Party Groups of the Scottish Parliament

5.1.7 Made for the purposes of journalism

5.1.8 Made during negotiations about terms and conditions of employment

5.1.9 Made by political parties and some public figure, bodies, and professions

6. Data Protection

6.1 All employees are required to comply with the organisation's Data Protection Policy in relation to lobbying activities. Employees must take no action which might prejudice the security of such information.

6.2 Failure to keep information secure is a serious matter and will be dealt with under the organisation's disciplinary procedure.