

Lobbying

Lobbying is covered by paragraphs 5, 6(a), and 8-12 of the Code of Conduct.

What is lobbying?

Lobbying and campaigning is the practice of influencing decisions made by government at a national or local level. Many local councillors are involved in a number of groups or campaigns either as a member of a particular interest group or as an individual.

What should I do?

1) Register your interest

Membership of lobby or campaign groups should be included on your register of interests, as these are bodies "whose principal purposes include the influence of public opinion or policy".

Even if your lobby group does not keep a formal membership list, the Code of Conduct still applies to you. If you are acting as a member of the group – perhaps attending meetings or participating in group activities – you should still register your membership of the group and declare interests, where appropriate.

2) Declare your interest

If you are a member of a group that lobbies or campaigns about an issue that comes up for discussion or decision at your authority, you are required to declare a personal interest.

You should declare the existence and nature of your interest at the meeting so that members of the public are informed about interests that may relate to your decisions.

You can continue to participate unless the interest is also prejudicial.

You will not normally have a personal interest in the related discussion or decision of your authority if you merely campaigned on an issue as an individual (perhaps during an election campaign) but are not a member of or in a position of general control or management of a lobby group campaigning on the same issue.

3) Consider whether to withdraw from the meeting

Under the Code of Conduct, you only have to withdraw from a meeting where your personal interest is also prejudicial.

You cannot have a prejudicial interest in a matter if:

- The matter falls within one of the exempt categories of decisions under paragraph 10(2) (c). A full list of exempt categories can be found in our publication Code of Conduct: Guidance for members 2007 .
- The matter does not affect your financial interests or does not relate to a licensing or regulatory matter brought by you or a person or body in which you have a personal interest.

For example, you will not have a prejudicial interest in a developer's planning proposal which you and any groups you are a member of have campaigned against, if you, any person, or any body you have a personal interest in is not financially affected by the proposal. However, you may need to ask your monitoring officer about the common

law principles of bias and pre-determination if you are in this situation.

If your personal interest in a matter falls outside the exempt categories mentioned above, and does affect your financial or regulatory interests, you will then have to consider the following general test for prejudicial interests:

- Would a member of the public, who knows the relevant facts, reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest?

If the answer is 'yes' then you would have a prejudicial interest.

If a prejudicial interest arose, you would still be allowed to address the meeting on the issue in order to answer questions or make representations, provided that the same right was available to members of the public.

Find out more

- Please read our Code of Conduct: Guidance for members 2007
- Call our enquiries line on 0845 078 8181
- Email us at enquiries@standardsforengland.gov.uk

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