



MRS Policy Unit

Submission to Scottish Government Consultation on proposals for a Lobbying Transparency Bill

Introduction: About MRS and the research market

1. The Market Research Society (MRS) is the world's largest market and social research association. It's for everyone with professional equity in market, social and opinion research and in business intelligence, market analysis, customer insight and consultancy. MRS supports best practice by setting and enforcing industry standards. All MRS Members and Company Partners must adhere to the MRS Code of Conduct. The commitment to uphold the MRS Code of Conduct is supported by the MRS Codeline service and a range of specialist guidelines.
2. Market research, which includes social and opinion research, is the systematic gathering and interpretation of information about individuals or organisations using the statistical and analytical methods and techniques of the applied social sciences to gain insight or support decision making. Research itself does not seek to change or influence opinions or behaviour.
3. The UK is the second largest market research market in the world (second to the US) and the UK market research sector is recognised as leading the way in the development of creative and innovative research approaches. According to the Office for National Statistics' (ONS) Annual Business Survey¹ it is estimated that the total UK turnover of the c.3,000 enterprises involved in market research and opinion polling to be £3.6 billion in 2014. Further in 2012, MRS with PWC undertook an assessment of the size and impact of the UK research and evidence market, producing the MRS report *The Business of Evidence*². One of the main findings from this report is the that the UK 'business of evidence' market is substantially larger than previously estimated, employing up to 59,000 people and generating £3billion in annual gross value added (GVA).

¹ Office of National Statistics (ONS), (2011) Annual Business Survey. Standard Industrial Classification (SIC) 73.2: Market research and opinion polling.

² See www.mrs.org.uk/pdf/The_Business_of_Evidence_Final_08102012.pdf for a copy of the full report.

About this response

4. MRS welcomes the opportunity to respond to this consultation, which will inform the development of the proposed Lobbying Bill in Scotland. We have taken into account the questions posed in the Consultation Document and made some limited comments on the scope and operation of the Register of Lobbyists. We note the proposal to require individuals (both consultant lobbyists and in-house lobbyists) who are involved in lobbying activities as part of their work to register and the interest in considering views on whether particular types of in-house lobbyists should be exempted from registration such as lobbying by charities and trade unions.
5. Our response focuses on questions 5, 6 and 8 and the importance of a clear, objective and transparent rationales for exemptions which should include, if exemptions are granted, membership organisations, such as MRS, engaged in transparently protecting and promoting the interests of their members¹ activities.
6. We confirm that no parts of the response are confidential and that the information may be attributed to MRS.

Approach to lobbying activities by MRS as a membership association

7. MRS, as a professional membership association, fights for fair and favourable legislation for both the practice and business of research, engaging with regulators, ministers and parliamentarians, to protect and promote the role of research as a force for democracy, commerce and society. As the association for the sector we represent and communicate on behalf of our members as part of our general activity.
8. Our primary avenue for influencing policy areas, that are key to the work of our members and important to the research sector, is through formal responses to published consultation documents but we may also on occasion seek meetings with Government representatives to clarify and further explain our position and evidence-base. Data protection, e-privacy and digital economy issues as well as trading and business conditions around procurement and small and medium sized businesses (SME's) are the primary policy areas that MRS has been involved in both nationally and within Europe. In line with this we recently submitted a

response to the Scottish Government consultation on Public Procurement.

Question 5 - Should both consultant lobbyists and in-house lobbyists be required to register?

5.1 Openness and transparency in Government is important but regulation should also be proportionate. MRS considers that it is appropriate for registration to be limited to paid consultant lobbyists working for clients rather than individuals employed in-house and undertaking lobbying as part of a full range of other activities.

5.2 Lobbying activities undertaken by consultant lobbyists is the core part of their professional activities and it is less immediately obvious or clear to independent observers what interests they are representing i.e. the client on whose behalf they are working, the policy area that is being lobbied on, or the amount of money that is being spent. This is in contrast to those working for a campaigning or membership association with a central advocacy purpose and mission statement.

Question 6 – Should any types of in-house lobbyists be exempt from registration?

6.1 If it is intended to cover in-house lobbyists within the ambit of the Bill then there needs to be logical objective evidence-based reason(s) for excluding certain categories of in-house lobbyists from registration. Creation of a level playing field encouraging clear and transparent communication and information about campaigning work should ensure that any regulation of in-house lobbying is targeted at both the appropriate level and the type of activity that the individual is engaged in.

6.2 Charitable institutions play an important role, with wide differences in size and impact within the sector, similarly with trade unions, but the rationale for exemption of individuals involved in these areas as compared to those working in other sectors or membership bodies is not clearly explained in the consultation document. Individuals within professional membership associations such as MRS undertake lobbying activities as ancillary to main membership activities and this will be reflected in the role of individuals within those organisations. If



exemptions are to be granted, there should be a clear, objective and transparent rationale for this, based upon the activities of the lobbyists and the organisations they represent, rather than the corporate status of the organisation (i.e. "a charity") in which they employed. MRS believes that if exemptions are to be included within the Bill, it should extend to membership organisations, such as MRS, that are engaged transparently in protecting and promoting the interests of their members' activities.

Question 8 – What types of communication do you think should be covered by a statutory register?

8.1 If in-house lobbyists, are covered within the ambit of the Bill, it would be appropriate to exempt individuals from registration based on the level of activity engaged in (excluding those with minimal engagement). MRS therefore fully supports the exclusion of minor, infrequent lobbying activity from the statutory register as a proportionate regulatory response.

8.2 In any event, it is important that any registration system is inexpensive and not cumbersome, so that different types of organisations, regardless of finance levels or staffing size, find compliance with the scheme relatively straightforward.

For further information or clarification on this submission please contact Dr Michelle Goddard, Director of Policy and Standards, (michelle.goddard@mrs.org.uk 020-7566-1882). This submission is made on behalf of The Market Research Society, 15 Northburgh Street, London EC1V 0JR. The Market Research Society is a company limited by guarantee, registered in England No. 518685.

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