

National Federation
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Lobbying, Non-Party Campaigning and Trade Union Administration Bill

Overview

The government has recently published a bill that makes changes to rules on 'non-party campaigning' in the period before the next General Election. The government's stated aims for the bill – to improve transparency and take 'big money' out of elections - are admirable, but the proposals risk inadvertently capturing charities and community groups in the scope of a burdensome and overly-complex regulatory and reporting framework.

The NFWI is concerned that the bill has potentially grave implications for our representation of members' concerns and our mission to encourage WI members to participate in public debate.

In response to the concerns of voluntary organisations the government has provided assurances that it does not intend to change the way that charities campaign. This is to be welcomed, yet as the proposed legislation stands, it will do exactly that. We're calling on the government to put the proposals in part II of the bill on hold and undertake a proper consultation with the charities and voluntary organisations that will be affected.

Current rules

Charities are already subject to regulation by the Charity Commission. The NFWI's work is never party political but it does deal with political issues and the organisation regularly comments on the policies of political parties, where they relate to the campaigns that members select each year, through a transparent and democratic process. Like most charities and voluntary organisations, the NFWI focusses on raising awareness of specific issues and causes in line with our charitable objectives. The resolutions process is a central part of the NFWI's educational work and through it members engage in public policy debates on a broad range of issues.

The proposed changes

The bill, as currently drafted, proposes restrictive new rules on what charities and voluntary organisations can and cannot do in the run up to an election.

The bill expands the definition of what activities are considered to be 'for election purposes' in the year before an election, significantly extends the scope for liability, and dramatically cuts what charities can legally spend on these activities. The new rules are complicated and unclear; as proposed, they will increase substantially the number of regulated charities and voluntary organisations and create a huge regulatory burden that will be difficult for charities and community groups to follow:

- Under the proposals a much wider range of activity will be regulated including public talks and events, media work and documents discussing policies.

- Organisations will be subject to regulation for the whole year prior to the General Election (rather than once an election has been called, as at present).
- Limits to how much third parties like charities can spend have been lowered considerably. The NFWI would need to register with the Electoral Commission if we were to spend more than £5k in England and 2k in Wales on regulated activities (such as campaigns calling on parties to adopt certain policies) in the year prior to a General Election, adding an extra administrative burden.
- The proposals will also add a bureaucratic burden to organisations working in coalitions like Stop Climate Chaos and End Violence against Women. Spending by each member of a coalition would be aggregated and count towards thresholds.

What are others saying about the bill?

A wide range of local and national campaigns and charities could be caught up.

Here's a snapshot of some of the concerns that have been expressed:

This Bill takes us from a situation in which everyone understands the rules on what charities can do and considers them reasonable, into a position where no one has any idea what the rules are, but could nevertheless face criminal prosecution for getting them wrong.

Karl Wilding, Director of Public Policy at NCVO

This Bill is an object lesson in how not to produce legislation. There was little or no consultation with those affected. There was no pre-legislative scrutiny.

Graham Allen MP, Chair of the Political and Constitutional Reform Select Committee

The Bill creates significant regulatory uncertainty for large and small organisations that campaign on, or even discuss, public policy issues in the year before the next general election, and imposes significant new burdens on such organisations.

Electoral Commission

The provisions of Part II of the Bill are likely to have a chilling effect on the expression of views on matters of public interest by third sector organisations.

Helen Mountfield QC, Matrix Chambers

The Prime Minister's Big Society agenda called on us to harness the power of Edmund Burke's "little platoons" of charities. This Bill may have the effect of quieting the voice of Big Society for the twelve months before each election.

Dr Chris Simpkins, Director General, The Royal British Legion

The Bill is fundamentally flawed and entirely unworkable. If implemented (it) could dramatically diminish the positive role that charities like the National Trust have played for more than a century in supporting access to democracy and informed public policy and decision-making in areas linked to our cause.

The National Trust

How you can help

Please contact your MP - The timetable for the bill is very tight so action is needed **urgently**, if possible before early October. It is hugely important that MPs hear directly from members of the charities that could effectively be silenced by the measures.

Please contact your MP to voice your concerns, ideally by meeting them face to face.

We have drafted the attached template letter which you can use for contacting your MP.

Template letter

Please use this letter as a guide but remember personalised letters are always more effective.

Dear MP

I am writing on behalf of [insert name] WI/ OR as a member of [insert name] WI to ask for your support in raising concerns about the draft Transparency of Lobbying, non-Party Campaigning, and Trade Union Administration Bill, currently making its way through parliament.

The WI recognises that lobbying activity must be regulated effectively in order to raise ethical standards and ensure accountability. Yet as the proposed new rules stand, they risk undermining democratic debate and curbing the day to day work of charities like the WI, that promote democratic engagement and involve WI members in legitimate public policy debate on a wide range of issues for non-political purposes.

As the Political and Constitutional Reform Select Committee has stated, legislation of this significance needs due consultation and pre-legislative scrutiny, yet this bill appears to be being rushed through parliament. Despite assurances that the government does not intend to change the way that charities campaign, I am concerned that as the proposed legislation stands, it will do exactly that, regardless of the government's recent statements about its intent.

Its measures, if enacted, could seriously curb the UK's healthy civic society and bring numerous charities and community groups into the scope of deeply burdensome legislation. As my MP, I hope that you will speak against the Bill and call on the government to give serious thought to putting the proposals set out in part II of the bill on hold so that proper consultation can take place.

*Yours sincerely
[Insert name]*

Keep in touch!

Please keep in touch and let us the Public Affairs Department know about any responses that you receive from MPs.

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