

**2014 No. 2418**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The Public Interest Disclosure (Prescribed Persons) Order 2014**

*Made* - - - - *8th September 2014*

*Laid before Parliament* *10th September 2014*

*Coming into force* - - *1st October 2014*

The Secretary of State makes the following Order in exercise of the powers conferred by sections 43F and 236(5) of the Employment Rights Act 1996(a).

**Citation and commencement**

**1.**—(1) This Order may be cited as the Public Interest Disclosure (Prescribed Persons) Order 2014 and comes into force on 1st October 2014.

(2) This Order applies to a disclosure made on or after 1st October 2014.

**Revocation and Transitional Provision**

**2.**—(1) The Public Interest Disclosure (Prescribed Persons) Order 1999(b) is revoked except as provided for in paragraph (2).

(2) The Public Interest Disclosure (Prescribed Persons) Order 1999 continues to apply in relation to a disclosure made before 1st October 2014.

**Prescribed Persons**

**3.**—(1) The persons and descriptions of persons specified in the first column of the Schedule are prescribed for the purposes of section 43F of the Employment Rights Act 1996.

(2) Each of the descriptions of matters in the second column of the Schedule is prescribed for the purposes of section 43F of the Employment Rights Act 1996 in relation to the entry specified in the first column opposite that description of matters.

*Matthew Hancock*

Minister of State for Business and Enterprise and Energy  
Department for Business, Innovation and Skills

8th September 2014

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(a) 1996 c.18. Section 43F was inserted by section 1 of the Public Interest Disclosure Act 1998 (c.23).  
(b) S.I. 1999/1549, amended by S.I. 2003/1993, 2004/3265, 2005/2464, 2005/3172, 2008/531, 2009/462, 2009/2457, 2010/7, 2010/671, 2011/2581, 2012/462, 2012/725, 2012/1479, 2012/1641, 2012/2400, 2013/472, 2013/2213; 2014/549, 2014/469 and 2014/596.

## SCHEDULE

Article 3(1) and (2)

<i>First Column</i>	<i>Second Column</i>
<i>Persons and descriptions of people</i>	<i>Description of matters</i>
Accounts Commission for Scotland <b>(a)</b> and auditors appointed by the Commission to audit the accounts of local government bodies.	The proper conduct of public business; value for money, fraud and corruption in local government bodies.
The Audit Commission for Local Authorities and the National Health Service in England <b>(b)</b>	The proper conduct of public business; value for money, fraud and corruption in public bodies.
Audit Scotland <b>(c)</b> .	The proper conduct of public business; value for money, fraud and corruption in public bodies.
Auditor General for Wales <b>(d)</b> .	The proper conduct of public business; value for money, fraud and corruption in relation to the provision of public services.
Auditor General for Scotland <b>(e)</b> and persons appointed by or on his behalf under the Public Finance and Accountability (Scotland) Act 2000 to act as auditors or examiners for the purposes of sections 21 to 24 of that Act.	The proper conduct of public business; value for money, fraud and corruption in relation to the provision of public services.
Auditors appointed by the Audit Commission for Local Authorities and the National Health Service in England to audit the accounts of—	The proper conduct of public business; value for money, fraud and corruption in public bodies.
(a) local government bodies as defined by section 53 of that Act (including police and crime commissioners, the Mayor's Office for Policing and Crime and the Common Council of the City of London, and the chief constables for police forces maintained under section 2 of the Police Act 1996, the Commissioner of Police of the Metropolis and the Commissioner of Police for the City of London Police <b>(f)</b> );	
(b) health service bodies as defined by section 53 of that Act; or	
(c) any other body whose accounts are subject to audit in accordance with the Audit Commission Act 1998 <b>(g)</b> .	

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- (a) The Accounts Commission for Scotland was established by section 97 of Local Government (Scotland) Act 1973 (c.30).
- (b) The Audit Commission for Local Authorities and the National Health Service in England was continued in being by section 1 of the Audit Commission Act 1998 (c.18) and is abolished by section 1 of the Local Audit and Accountability Act 2014 (c.2) (not yet in force).
- (c) Audit Scotland was established by section 10 of the Public Finance and Accountability (Scotland) Act 2000 (asp 1).
- (d) The Auditor General for Wales is a statutory appointment made in accordance with section 2 of the Public Audit (Wales) Act 2013 (anaw 3).
- (e) The Auditor General for Scotland is a statutory appointment made in accordance with section 13 of the Public Finance and Accountability (Scotland) Act 2000.
- (f) Police and crime commissioners were established by section 1 of the Police Reform and Social Responsibility Act 2011 (c.13). The Mayor's Office for Policing and Crime was established by section 3 of that Act. The Common Council of the City of London was retained as a police authority under section 6AZA of the Police Act 1996 (c.16). Chief Constables of England and Wales were retained by section 2 of the Police Reform and Social Responsibility Act 2011 and the Commissioner of Police of the Metropolis was retained by section 4 of that Act. The Commissioner for the City of London Police was appointed under the City of London Police Act 1839 (c.94).
- (g) See section 2 of, and Schedule 2 to, the Audit Commission Act 1998 for the bodies whose accounts are subject to audit in accordance with that Act.

Auditors appointed by NHS foundation trusts <b>(a)</b> to audit the accounts of those trusts <b>(b)</b> .	The proper conduct of public business; value for money, fraud and corruption in public bodies.
The Bank of England <b>(c)</b> .	The functioning of clearing houses (including central-counterparties); inter-bank payment systems and securities settlement systems; and the treatment, holding and issuing of banknotes by the authorised banks (and their agents) under Part 6 of the Banking Act 2009 <b>(d)</b> .
Care Council for Wales <b>(e)</b> .	Matters relating to the registration of social care workers under the Care Standards Act 2000.
Care Inspectorate <b>(f)</b> .	Matters relating to the provision of care services, as defined in the Public Services Reform (Scotland) Act 2010.
Care Quality Commission <b>(g)</b> .	Matters relating to— <ul style="list-style-type: none"> <li>(a) the registration and provision of a regulated activity as defined in section 8 of the Health and Social Care Act 2008 and the carrying out of any reviews and investigations under Part 1 of that Act; or</li> <li>(b) any activities not covered by (a) in relation to which the Care Quality Commission exercises its functions.</li> </ul>
Certification Officer <b>(h)</b> .	Fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.
Charity Commission for England and Wales <b>(i)</b> .	The proper administration of charities and of funds given or held for charitable purposes.
Chief Executive of the Criminal Cases Review Commission <b>(j)</b> .	Actual or potential miscarriages of justice.
Chief Executive of the Scottish Criminal Cases Review Commission <b>(k)</b> .	Actual or potential miscarriages of justice.
Children's Commissioner <b>(l)</b> .	Matters relating to the rights, welfare and interests of children.
Children's Commissioner for Wales <b>(m)</b> .	Matters relating to the rights, welfare and interests of children.

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- (a) NHS foundation trusts are constituted in accordance with section 30 and Schedule 7 of the National Health Service Act 2006 (c.41).
  - (b) Schedule 10 of the National Health Service Act 2006 makes provision in relation to the audit of NHS foundation trusts and the functions of auditors appointed by those trusts.
  - (c) The Bank of England was established by Royal Charter in 1694 granted pursuant to section 19 of the Bank of England Act 1694 (c.20).
  - (d) 2009 c.1.
  - (e) The Care Council for Wales was established by section 54 of the Care Standards Act 2000 (c.14).
  - (f) The Care Inspectorate (formally known as Social Care and Social Work Improvement (Scotland)) was established by section 44 under the Public Services Reform (Scotland) Act 2010 (asp 8).
  - (g) The Care Quality Commission was established by section 1 of the Health and Social Care Act 2008 (c.14).
  - (h) The Certification Officer's role continues its existence by virtue of section 254 of the Trade Union and Labour Relations (Consolidation) Act 1992 (c.52).
  - (i) The Charity Commission for England and Wales continues in existence by virtue of section 13 of the Charities Act 2011 (c.25).
  - (j) The Criminal Cases Review Commission was established by section 8 of the Criminal Appeal Act 1995 (c.35).
  - (k) The Scottish Criminal Cases Review Commission was established by section 194A of the Criminal Procedure (Scotland) Act 1995 (c.46).
  - (l) The Children's Commissioner was established by section 1 of the Children Act 2004 (c.31).
  - (m) The Children's Commissioner for Wales was established by section 72 of the Care Standards Act 2000.

Civil Aviation Authority <b>(a)</b> .	Compliance with the requirements of civil aviation legislation, including aviation safety and aviation security.
Commissioner for Children and Young People in Scotland <b>(b)</b> .	Matters relating to promoting and safeguarding the rights of children and young people.
Commissioners for Her Majesty’s Revenue and Customs <b>(c)</b> .	Matters relating to the functions of the Commissioners for Her Majesty’s Revenue and Customs as set out in the Commissioners for Revenue and Customs Act 2005, including— <ul style="list-style-type: none"> <li>(a) the administration of the UK’s taxes, including income tax, inheritance tax, corporation tax, capital gains tax, VAT and the excise duties;</li> <li>(b) the administration of the national insurance and tax credits systems;</li> <li>(c) Customs and border-related functions; and</li> <li>(d) criminal investigations.</li> </ul>
Competition and Markets Authority <b>(d)</b> .	Matters concerning the sale of goods or the supply of services, which adversely affect the interests of consumers. Competition affecting markets in the United Kingdom.
Comptroller and Auditor General <b>(e)</b> .	The proper conduct of public business; value for money, fraud and corruption in relation to the provision of public services.
Director of the Serious Fraud Office <b>(f)</b> .	Matters relating to— <ul style="list-style-type: none"> <li>(a) serious or complex fraud within the meaning of section 1(3) of the Criminal Justice Act 1987; or</li> <li>(b) civil recovery of the proceeds of unlawful conduct, civil recovery investigations and disclosure orders in relation to confiscation investigations as set out in Part 5 or 8 of the Proceeds of Crime Act 2002<b>(g)</b>.</li> </ul>

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(a) The Civil Aviation Authority continues in existence by virtue of section 2 of the Civil Aviation Act 1982 (c.16).  
(b) The Commissioner for Children and Young People in Scotland was established by section 1 of the Commissioner for Children and Young People (Scotland) Act 2003 (asp 17).  
(c) The Commissioners for Her Majesty’s Revenue and Customs were established by section 1 of the Commissioners for Revenue and Customs Act 2005 (c.11).  
(d) The Competition and Market Authority was established by section 25 of the Enterprise and Regulatory Reform Act 2013 (c.24).  
(e) The Comptroller and Auditor General was established by section 3 of the Exchequer and Audit Departments Act 1866 (c.39). The Local Audit and Accountability Act 2014 (not fully in force) confers additional functions on the Comptroller and Auditor General.  
(f) The Serious Fraud Office was established by section 1(1) of the Criminal Justice Act 1987 (c.38) and the Director of the Serious Fraud Office is a statutory appointment made in accordance with section 1(2) of that Act.  
(g) 2002 c.29.

Elected local policing bodies.

Matters relating to any report made in accordance with section 114 of the Local Government Finance Act 1988(a) in relation to—

- (a) the chief constable for the elected local policing body's area; or
- (b) the Commissioner of Police of the Metropolis, where the elected local policing body is the Mayor's Office for Policing and Crime.

Environment Agency(b).

Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to pollution, abstraction of water, flooding, the flow in rivers, inland fisheries and migratory salmon or trout.

Financial Conduct Authority(c).

Matters relating to—

- (a) the carrying on of investment business, of insurance business or of deposit taking business or of any business related to or constituting a regulated activity as defined in section 22 of the Financial Services and Markets Act 2000 and wholesale money market regimes;
- (b) the conduct of persons authorised for the purposes of section 31 of the Financial Services and Markets Act 2000 including banks, building societies established under the Building Societies Act 1986(d), consumer credit firms and credit unions within the meaning of the Credit Unions Act 1979(e) or registered under the Credit Unions (Northern Ireland) Order 1985(f), or the Industrial and Provident Societies Act (Northern Ireland) 1969(g), friendly societies within the meaning of the Friendly Societies Act 1974(h) and the Friendly Societies Act 1992(i), insurers, the Society of Lloyd's

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(a) 1988 c.41; section 114 was amended by the Local Government and Housing Act 1989 (c.42), Schedule 5, paragraph 66, Police and Magistrates' Courts Act 1994 (c.29), Schedule 4, paragraph 34 of Part 1, Greater London Authority Act 1999 (c.29), section 130, Criminal Justice and Police Act 2001 (c.16), Schedule 7, paragraph 1 of Part 5(1), S.I. 2002/808, Police Reform and Social Responsibility Act 2011, Schedule 16, paragraph 188 of Part 3, Localism Act 2011 (c.20), Schedule 25, paragraph 1 of Part 32.

(b) The Environment Agency was established by section 1 of the Environment Act 1995 (c.25).

(c) The body corporate previously known as the Financial Services Authority was renamed as the Financial Conduct Authority pursuant to section 6 of the Financial Services Act 2012 (c.21), which amended the Financial Services and Markets Act 2000 (c.8).

(d) 1986 c.53.

(e) 1979 c.34.

(f) 1985 No. 1205 (N.I. 12).

(g) 1969 Chapter 24.

(h) 1974 c.46.

(i) 1992 c.40.

- incorporated by the Lloyd's Act 1871<sup>(a)</sup> and Lloyd's managing agents;
- (c) the conduct of persons who are subject to Part 18 of the Financial Services and Markets Act 2000;
  - (d) the conduct of persons who are electronic money issuers for the purposes of the electronic money regulations 2011<sup>(b)</sup>;
  - (e) the conduct of persons who are payment service providers for the purposes of the payment services regulations 2009<sup>(c)</sup>;
  - (f) the operation of small UK Alternative Investment Fund Managers registered under regulation 10 of the Alternative Investment Fund Managers Regulations 2013<sup>(d)</sup>;
  - (g) the operation of societies registered under the Friendly Societies Act 1974 and the Friendly Societies Act 1992, including friendly societies, benevolent societies, working men's clubs, specially authorised societies;
  - (h) the operation of "registered societies" within the meaning of the Co-operative and Community Benefit Societies Act 2014<sup>(e)</sup>;
  - (i) the conduct of persons subject to rules made under Part 6 of the Financial Services and Markets Act 2000;
  - (j) competition in relation to the provision of financial services and the financial services markets;
  - (k) the functioning of financial markets; and
  - (l) money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Conduct Authority.

The Financial Reporting Council Limited and its conduct committee<sup>(f)</sup> Matters relating to—

- (a) the independent oversight of the regulation of the accountancy, auditing and actuarial professions;
- (b) the independent supervision of Auditors General (as defined in section

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(a) 1871 34 Vict c.21.

(b) S.I. 2011/99.

(c) S.I. 2009/209.

(d) S.I. 2013/1773.

(e) 2014 c.14.

(f) The Financial Reporting Council Limited is a company registered in England and Wales with number 02486368. Its conduct committee was established under its articles of association.

1226 of the Companies Act 2006)(a);

- (c) the monitoring of statutory audit functions in respect of major audits (as defined in paragraph 13(10) of Schedule 10 to that Act(b)), of third country audit functions (as defined in that paragraph), and of major local audits (as defined in that paragraph as applied by paragraph 28 of Schedule 5 to the Local Audit and Accountability Act 2014(c));
- (d) the registration and monitoring of third country auditors (as defined in section 1261(d) of the Companies Act 2006);
- (e) compliance with the requirements of legislation relating to accounting and reporting; and
- (f) the investigation of the conduct of auditors, accountants, and actuaries and the holding of disciplinary hearings in public interest cases (as defined in paragraph 24 of Schedule 10 to that Act and by that paragraph as applied by paragraph 28 of Schedule 5 to the Local Audit and Accountability Act 2014).

Food Standards Agency(e).

Matters which may affect the health of any member of the public in relation to the consumption of food and matters which concern the protection of the interests of consumers in relation to food.

Gas and Electricity Markets Authority(f).

Matters relating to—

- (a) the generation, transmission, distribution and supply of electricity, participation in the operation of an electricity interconnector (as defined in section 4(3E) of the Electricity Act 1989(g));
- (b) providing a smart meter communication service (as defined in section 4(3G) of that Act) and activities ancillary to these matters;
- (c) the transportation, shipping and supply of gas through pipes, participation in the operation of a gas interconnector (as defined in section 5(8) of the Gas

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(a) 2006 c.46.

(b) Paragraph 13(10) was amended by regulation 5 of SI 2011/1856.

(c) 2014 c.2.

(d) Section 1261 was amended by regulation 1 of S.I. 2007/3494.

(e) The Food Standards Agency was established by section 1 of the Food Standards Act 1999 (c.28).

(f) The Gas and Electricity Market's (known as "Ofgem") powers and duties are largely provided for in Part 1 of the Gas Act 1986 (c. 44) and Part 1 of the Electricity Act 1989 (c.29).

(g) Section 4(3E) was inserted by section 145(3) of the Energy Act 2004 (c.20).

	Act 1986(a));
	(d) providing a smart meter communication service (as defined in section 5(11) of that Act) and activities ancillary to these matters; and
	(e) the renewable generation of heat (as defined in section 100(3) of the Energy Act 2008(b)) and activities ancillary to that matter.
General Chiropractic Council(c).	Matters relating to—
	(a) the registration and fitness to practise of a member of a profession regulated by the Council; and
	(b) any activities not covered by (a) in relation to which the Council has functions.
General Dental Council(d).	Matters relating to—
	(a) the registration and fitness to practise of a member of a profession regulated by the Council; and
	(b) any activities not covered by (a) in relation to which the Council has functions.
General Medical Council(e).	Matters relating to—
	(a) the registration and fitness to practise of a member of a profession regulated by the Council; and
	(b) any activities not covered by (a) in relation to which the Council has functions.
General Optical Council(f).	Matters relating to—
	(a) the registration and fitness to practise of a member of a profession regulated by the Council; and
	(b) any activities not covered by (a) in relation to which the Council has functions.
General Osteopathic Council(g).	Matters relating to—
	(a) the registration and fitness to practise of a member of a profession regulated by the Council; and
	(b) any activities not covered by (a) in relation to which the Council has functions.
General Pharmaceutical Council(h).	Matters relating to—

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(a) Section 5(8) was inserted by section 149(3) of the Energy Act 2004.

(b) 2008 c.32.

(c) The General Chiropractic Council was established by section 1 of the Chiropractors Act 1994 (c.17).

(d) The General Dental Council continues in existence by virtue of section 1 of the Dentists Act 1984 (c.24).

(e) The General Medical Council continues in existence by virtue of section 1 of the Medical Act 1983 (c.54).

(f) The General Optical Council continues in existence by virtue of section 1 of the Opticians Act 1989 (c.44).

(g) The General Osteopathic Council was established by section 1 of the Osteopaths Act 1993 (c.21).

(h) The General Pharmaceutical Council was established by article 4 of the Pharmacy Order 2010 (S.I. 2010/231).

	<ul style="list-style-type: none"> <li>(a) the registration and fitness to practise of a member of a profession regulated by the Council; and</li> <li>(b) any activities not covered by (a) in relation to which the Council has functions.</li> </ul>
Health and Care Professions Council(a).	<p>Matters relating to—</p> <ul style="list-style-type: none"> <li>(a) the registration and fitness to practise of a member of a profession regulated by the Council; and</li> <li>(b) any activities not covered by (a) in relation to which the Council has functions.</li> </ul>
Health and Safety Executive(b).	<p>Matters which may affect the health or safety of any individual at work other than individuals at work wholly or mainly on premises which are, or are on—</p> <ul style="list-style-type: none"> <li>(a) a GB nuclear site (within the meaning given in section 68 of the Energy Act 2013(c));</li> <li>(b) an authorised defence site (within the meaning given in regulation 2(1) of the Health and Safety (Enforcing Authority) Regulations 1998(d)); or</li> <li>(c) a new nuclear build site (within the meaning given in regulation 2A of those Regulations).</li> </ul> <p>Matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work other than persons at work on a GB nuclear site, an authorised defence site or new nuclear build site.</p>
Healthcare Improvement Scotland(e).	<p>Matters relating to—</p> <ul style="list-style-type: none"> <li>(a) furthering the improvement in the quality of health care (within the meaning of section 10A of the National Health Service (Scotland) Act 1978); and</li> <li>(b) any activities not covered by (a) in relation to which Healthcare Improvement Scotland has functions.</li> </ul>
Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“the Chief	<p>Matters relating to—</p> <ul style="list-style-type: none"> <li>(a) the regulation and inspection of</li> </ul>

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(a) The Health Professions Council was established by article 3 of the Health and Social Work Professions Order 2001 (S.I. 2002/254) and renamed the Health and Care Professions Council by section 214 of the Health and Social Care Act 2012 (c.7).

(b) The Health and Safety Executive was established by section 10 of the Health and Safety at Work etc. Act 1974 (c.37).

(c) 2013 c.32.

(d) 1998 No. 494.

(e) Healthcare Improvement Scotland was established by section 10A of the National Health Service (Scotland) Act 1978 (c.29), which was inserted into that Act by the Public Services (Reform) Scotland Act 2010 (asp 8), section 108. The entry for Healthcare Improvement Scotland was inserted by S.I. 2011/2581 as a substitute for the entry relating to the Scottish Commission for the Regulation of Care.

Inspector”)(a).

establishments and agencies under Part 2 of the Care Standards Act 2000(b);

- (b) the inspection of the functions of local authorities in England referred to in section 135 (c) to (e) of the Education and Inspections Act 2006(c);
- (c) the inspection of children’s services under section 20 of the Children Act 2004(d);
- (d) the review of Local Safeguarding Children Boards under section 15A of the Children Act 2004;
- (e) the inspection, under section 87 of the Children Act 1989(e), of the welfare of children provided with accommodation by boarding schools and further education colleges;
- (f) the inspection of the Children and Family Court Advisory and Support Service under section 143 of the Education and Inspections Act 2006; and
- (g) any other activities falling within the remit of the Chief Inspector as defined in section 117(6) of the Education and Inspections Act 2006 and any other functions which may be assigned to the Chief Inspector under section 118(4) of that Act but only in so far as they relate to one of the functions set out in (a) to (f) above.

Homes and Communities Agency(f).

The regulation of registered providers of social housing, in accordance with Part 2 of the Housing and Regeneration Act 2008 (as amended by the Localism Act 2011(g)), delivered through the Regulation Committee of the Homes and Communities Agency.

Independent Police Complaints Commission(h).

Matters relating to the conduct of a person serving with the police (as defined in section 12(7) of the Police Reform Act 2002)(i) or of any other person in relation to whose conduct the Independent Police Complaints Commission exercises functions in or under any legislation.

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(a) Her Majesty’s Chief Inspector of Education, Children’s Services and Skills (“Ofsted”) was established by section 112 of the Education and Inspectors Act 2006 (c.40).  
(b) 2000 c.14.  
(c) 2006 c.40.  
(d) 2004 c.31.  
(e) 1989 c.42.  
(f) The Homes and Communities Agency was established by section 1 of the Housing and Regeneration Act 2008 (c. 17).  
(g) 2011 c. 20.  
(h) The Independent Police Complaints Commission was established by section 9 of the Police Reform Act 2002 (c. 30).  
(i) 2002 c. 30.

Information Commissioner <b>(a)</b> .	Compliance with the requirements of legislation relating to data protection and to freedom of information.
Local authorities which are responsible for the enforcement of food standards in accordance with sections 5 and 6 of the Food Safety Act 1990 <b>(b)</b> .	Compliance with the requirements of food safety legislation.
Local authorities which are responsible for the enforcement of health and safety legislation <b>(c)</b> .	Matters which may affect the health or safety of any individual at work; matters, which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work.
Local weights and measures authorities as defined by section 69 of the Weights and Measures Act 1985 <b>(d)</b> which are responsible for the enforcement of consumer protection legislation.	Compliance with the requirements of consumer protection legislation.
Lord Advocate, Scotland.	Serious or complex fraud within the meaning of section 27 of the Criminal Law (Consolidation) (Scotland) Act 1995 <b>(e)</b> .
A member of the House of Commons. Monitor <b>(f)</b> .	Any matter specified in this column. Matters relating to— <ul style="list-style-type: none"> <li>(a) the regulation and performance of NHS foundation trusts; and</li> <li>(b) any activities not covered by (a) in relation to which Monitor exercises its functions.</li> </ul>
National Crime Agency <b>(g)</b> .	Matters relating to corrupt individuals or companies offering or receiving bribes to secure a benefit for themselves or others.
National Health Service Trust Development Authority <b>(h)</b> .	The performance of English NHS trusts, including clinical quality, governance and management of risk.
The National Society for the Prevention of Cruelty to Children (NSPCC) <b>(i)</b> and any of its officers.	Matters relating to child welfare and protection.

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(a) The Information Commissioner was established by the Data Protection Act 1984 (c.35). The role is now governed by section 51 of the Data Protection Act 1998 (c.29).

(b) 1990 c.16.

(c) The Health and Safety (Enforcing Authority) Regulations 1998 No. 494.

(d) 1985 c.72.

(e) 1995 c.39.

(f) Monitor was established by section 2 of the Health and Social Care (Community Health and Standards) Act 2003(c.43).

(g) The National Crime Agency was established by section 1 of the Crime and Courts Act 2013 (c.22).

(h) The National Health Service Trust Development Authority is a special health authority established by the National Health Service Trust Development Authority (Establishment and Constitution) Order 2012 (S.I. 2012/901) pursuant to section 28 of the National Health Service Act 2006 (c.41).

(i) The NSPCC is a registered charity (216401) and was established under the Chartered Associations (National Society for the Prevention of Cruelty to Children) Protection Order 1985 (S.I. 1985/611).

Nursing and Midwifery Council(a).

Matters relating to—

- (a) the registration and fitness to practise of a member of a profession regulated by the Council; and
- (b) any activities not covered by (a) in relation to which the Council has functions.

Office for Nuclear Regulation(b).

Matters which may affect the health and safety of any individual at work wholly or mainly on premises which are, or are on—

- (a) a GB nuclear site (within the meaning given in section 68 of the Energy Act 2013);
- (b) an authorised defence site (within the meaning given in regulation 2(1) of the Health and Safety (Enforcing Authority) Regulations 1998; or
- (c) a new nuclear build site (within the meaning given in regulation 2A of those Regulations).

Matters which may affect the health and safety of any member of the public, arising out of or in connection with the activities of persons at work on premises which are, or are on, such sites.

Office of Communications(c).

Matters relating to—

- (a) the provision of electronic communications networks and services and the use of the electro-magnetic spectrum;
- (b) broadcasting and the provision of television and radio services;
- (c) media ownership and control; and
- (d) competition in communications markets.

Office of Qualifications and Examinations Regulation(d).

Matters in relation to which the Office of Qualifications and Examinations Regulation exercises functions under the Apprenticeships, Skills, Children and Learning Act 2009.

Office of Rail Regulation(e).

Matters relating to—

- (a) the provision and supply of railway services; and
- (b) any activities not covered by (a) in relation to which the Office of Rail Regulation has functions.

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(a) The Nursing and Midwifery Council was established by article 3 of the Nursing and Midwifery Order 2001 (S.I. 2002/253).  
(b) The Office for Nuclear Regulation was established under Part 3 of the Energy Act 2013 (c.32).  
(c) The Office of Communications (“Ofcom”) was established by section 1 of the Office of Communications Act 2002 (c.11).  
(d) The Office of Qualifications and Examinations Regulation (“Ofqual”) was established by section 127 of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22). The matters in relation to which Ofqual has functions are set out in part 7 of that Act.  
(e) The Rail Regulator was appointed under section 1 of the Railways Act 1993 (c. 43) and replaced with the Office of Rail Regulation by the Railways and Transport Safety Act 2003 (c. 20). By virtue of section 16 and Schedule 3, paragraph 4 of

Office of the Scottish Charity Regulator <b>(a)</b> .	The proper administration of charities and of funds given or held for charitable purposes.
Payment Systems Regulator <b>(b)</b> .	Payment systems (within the meaning given by section 41 of the Financial Services (Banking Reform) Act 2013) and the services provided by them.
Pensions Regulator <b>(c)</b> .	Matters relating to occupational pension schemes and other private pension arrangements including matters relating to the Pensions Regulator's objective of maximising compliance with the duties under Chapter 1 of Part 1 (and the safeguards in sections 50 and 54) of the Pensions Act 2008 <b>(d)</b> .
Police and Crime Panels <b>(e)</b> .	Matters relating to— <ul style="list-style-type: none"> <li>(a) any complaint about the conduct of a relevant office holder, within the meaning of section 31 of the Police Reform and Social Responsibility Act 2011; and</li> <li>(b) any report made in accordance with section 114 of the Local Government Finance Act 1988<b>(f)</b> or section 4 or 5 of the Local Government and Housing Act 1989<b>(g)</b> in relation to the elected local policing body for the Police and Crime Panel's area.</li> </ul>
Prudential Regulation Authority <b>(h)</b> .	Matters relating to— <ul style="list-style-type: none"> <li>(a) the carrying on of deposit-taking business or insurance business or investment business or any business related to or constituting a regulated activity as designated pursuant to section 22A of the Financial Services</li> </ul>

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the Railways and Transport Safety Act 2003, the reference to the "Rail Regulator" in S.I. 1999/1549 is to be treated as a reference to the "Office of Rail Regulation".

- (a) The Office of the Scottish Charity Regulator was established by section 1 of the Charities and Trustee Investment (Scotland) Act 2005 (asp 10).
- (b) The Payment Systems Regulator was established under Part 5 of the Financial Services (Banking Reform) Act 2013 (c.33).
- (c) The Pensions Regulator was established under section 1 of the Pensions Act 2004 (c.35).
- (d) 2008 c.30; sections 54(1)(a) and (b) were amended by section 4(6) of the Pensions Act 2011 (c.19).
- (e) Police and Crime Panels are established under section 28 and 32 of the Police Reform and Social Responsibility Act 2011 (c.13).
- (f) 1988 c.41; section 114 was amended by the Local Government and Housing Act 1989 (c.42), Schedule 5, paragraph 66, Police and Magistrates' Courts Act 1994 (c.29), Schedule 4, paragraph 34 of Part 1, Greater London Authority Act 1999 (c.29), section 130, Criminal Justice and Police Act 2001 (c.16), Schedule 7, paragraph 1 of Part 5(1), S.I. 2002/808, Police Reform and Social Responsibility Act 2011, Schedule 16, paragraph 188 of Part 3, Localism Act 2011 (c.20), Schedule 25, paragraph 1 of Part 32.
- (g) 1989 c.42; section 4 was amended by the Local Government etc. (Scotland) Act 1994 (c.39), Schedule 13, paragraph 161, and Schedule 14, paragraph 1, S.I. 1995/789, Local Democracy, Economic Development and Construction Act 2009 (c.20), Schedule 6, paragraph 81, Police Reform and Social Responsibility Act 2011, Schedule 16, paragraph 201 of Part 3. Section 5 was amended by the Local Government etc. (Scotland) Act 1994, Schedule 14, paragraph 1, Police and Magistrates' Courts Act 1994, Schedule 4, paragraph 35 of Part 1, Greater London Authority Act 1999, section 132, Local Government Act 2000 (c.22), Schedule 5, paragraph 24, S.I. 2001/2237, S.I. 2002/808, Local Government Act 2003 (c.26), section 113, Public Services Ombudsman (Wales) Act 2005 (c.10), Schedule 6, paragraph 24, Local Government and Public Involvement in Health Act 2007 (c 28), Schedule 12, paragraph 1 of Part 14, Marine and Coastal Access Act 2009 (c.23), Schedule 14, paragraph 13, and Schedule 22, paragraph 1 of Part 4, Police Reform and Social Responsibility Act 2011, Schedule 16, paragraph 202 of Part 3, Local Government (Wales) Measure 2011 (c.4), section 95.
- (h) The body corporate originally incorporated as the Prudential Regulation Authority Limited was renamed as the Prudential Regulation Authority pursuant to section 6 of the Financial Services Act 2012 (ch. 21), which amended the Financial Services and Markets Act 2000.

and Markets Act 2000(a);

- (b) the safety and soundness of persons authorised for the purposes of section 31 of the Financial Services and Markets Act 2000, including banks, insurers, the Society of Lloyd's incorporated by the Lloyd's Act 1871(b), Lloyds managing agents, building societies established under the Building Societies Act 1986(c), designated investment firms, societies registered under the Friendly Societies Act 1974(d) and the Friendly Societies Act 1992(e), including friendly societies, benevolent societies, working men's clubs and specially authorised societies, and credit unions within the meaning Credit Unions Act 1979(f) or registered under the Credit Unions (Northern Ireland) Order 1985(g) or under the Industrial and Provident Societies Act (Northern Ireland) 1969(h), in connection with matters regulated by the Prudential Regulation Authority.

Public Services Ombudsman for Wales(i).

Breaches by a member or co-opted member of a relevant authority (as defined in section 49(6) of the Local Government Act 2000) of that authority's code of conduct.

Scottish Environment Protection Agency(j).

Acts or omissions which have an actual or potential effect on the environment or the management or regulation of the environment, including those relating to flood warning systems and pollution.

Scottish Housing Regulator(k).

Social landlords' performance of housing activities; the registration of Registered Social Landlords in accordance with Part 2 of the Housing (Scotland) Act 2010; and the financial well-being and standards of governance of Registered Social Landlords.

Scottish Information Commissioner(l).

Compliance with the requirements of legislation relating to freedom of information.

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(a) 2000 c.8.

(b) 1871 34 Vict c.21.

(c) 1986 c.53.

(d) 1974 c.46.

(e) 1992 c.40.

(f) 1979 c.34.

(g) 1985 No. 1205 (N.I. 12).

(h) 1969 Chapter 24.

(i) The Public Services Ombudsman for Wales was established by section 1 of the Public Services Ombudsman (Wales) Act 2005 (c.10).

(j) The Scottish Environment Protection Agency was established by section 20 of the Environment Act 1995 (c. 25).

(k) The Scottish Housing Regulator was established by section 1 of the Housing (Scotland) Act 2010 (asp 17).

(l) The Scottish Information Commissioner was established by section 42 of the Freedom of Information (Scotland) Act 2002 (asp 13).

Scottish Social Services Council(a).	Matters relating to the registration of the social services workforce by the Scottish Social Services Council under the Regulation of Care (Scotland) Act 2001.
Secretary of State for Business, Innovation and Skills.	Fraud, and other misconduct, in relation to companies.
Secretary of State for Transport.	Consumer safety. Compliance with the requirements of merchant shipping law, including maritime safety and maritime security.
Standards Commission for Scotland and the Chief Investigating Officer(b).	Breaches by a councillor or a member of a devolved public body (as defined in section 28 of the Ethical Standards in Public Life etc (Scotland) Act 2000 of the code of conduct applicable to that councillor or member under that Act.
Water Services Regulation Authority(c).	The supply of water and the provision of sewerage services.
Water Industry Commission for Scotland(d).	The supply of water and the provision of sewerage services.
Welsh Ministers.	Matters relating to the provision of Part II services as defined in section 8 of the Care Standards Act 2000(e) and the Children Act 1989(f). Matters relating to the inspection and performance assessment of Welsh local authority social services as defined in section 148 of the Health and Social Care (Community Health and Standards) Act 2003(g) Matters relating to the review of, and investigation into, the provision of health care by and for Welsh NHS bodies as defined under the Health and Social Care (Community Health and Standards) Act 2003. The regulation of registered social landlords in accordance with Part 1 of the Housing Act 1996(h) (as amended by the Housing (Wales) Measure 2011(i)).

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- (a) The Scottish Social Services Council was established by section 43 of the Regulation of Care (Scotland) Act 2001 (asp 8).
- (b) The Standards Commission for Scotland was established by section 8 of the Ethical Standards in Public Life etc. (Scotland) Act 2000 (asp 7).
- (c) The Water Services Regulation Authority was established by section 1A of the Water Industry Act 1991 (c.56).
- (d) The Water Industry Commission for Scotland was established by section 1 of the Water Industry (Scotland) Act 2002 (asp 3).
- (e) 2000 c.14.
- (f) 1989 c.41.
- (g) 2003 c.43.
- (h) 1996 c.52.
- (i) Anaw 5.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order prescribes persons for the purposes of section 43F of the Employment Rights Act 1996 (“the 1996 Act”).

The first column of the Schedule specifies the persons and descriptions of persons prescribed, and the second column specifies the descriptions of matters in respect of which each person, or description of persons, is prescribed.

The broad effect of the Order, taken with section 43F, is that a worker potentially protected by the provisions of the 1996 Act will be protected by the 1996 Act if he or she makes a qualifying disclosure to a person prescribed in the Order reasonably believing that the failure disclosed is in the public interest and falls within the matters in respect of which that person is prescribed and that the information disclosed, and any allegation contained in it, are substantially true.

A full impact assessment has not been prepared for this instrument as no impact on the private, voluntary or public sectors is foreseen.

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