
STATUTORY INSTRUMENTS

2017 No. 880

TERMS AND CONDITIONS OF EMPLOYMENT

The Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2017

<i>Made</i>	- - - -	<i>5th September 2017</i>
<i>Laid before Parliament</i>		<i>7th September 2017</i>
<i>Coming into force</i>	- -	<i>1st October 2017</i>

The Secretary of State makes the following Order in exercise of the powers conferred by section 43F of the Employment Rights Act 1996(1):

Citation and Commencement

1. This Order may be cited as the Public Interest Disclosure (Prescribed Persons) (Amendment) Order 2017 and comes into force on 1st October 2017.

Amendments to the Public Interest Disclosure (Prescribed Persons) Order 2014

2. In the Schedule to the Public Interest Disclosure (Prescribed Persons) Order 2014(2)—
- (a) omit the entries relating to Audit Scotland, the Care Council for Wales and the Wales Audit Office;
 - (b) in the entry relating to the Secretary of State for Education in the second column for paragraph (h) substitute—

“(h) an institution within the further education sector (as defined in section 91(3) of the Further and Higher Education Act 1992(3))”;

- (c) in the entry relating to the Bank of England at paragraph (b) omit “inter-bank”;

(1) 1996 c.18. Section 43F was inserted by section 1 of the Public Interest Disclosure Act 1998 (c.23). Section 43F(1)(a) was amended by section 18(1)(c) of the Enterprise and Regulatory Reform Act 2013 (c.24).

(2) S.I. 2014/2418, amended by S.I. 2014/3294, 2015/1407, 2015/1682, 2015/1981, 2016/225, 2016/968, 2016/992, 2017/516 and 2017/692.

(3) 1992 c.13. Sections 91(3)(c) and 91(3A) were inserted by Schedule 8, paragraphs 1 and 13(1), (2) and (3) of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) in the entry relating to the Welsh Ministers in the second column at the end insert the following paragraph—

“Matters relating to regulated services as defined in section 2 of the Regulation and Inspection of Social Care (Wales) Act 2016⁽⁴⁾

- (e) at the appropriate place insert—

“Social Care Wales⁽⁵⁾ Matters relating to the registration of social care workers under the Regulation and Inspection of Social Care (Wales) Act 2016”.

Margot James
Minister for Small Business, Consumers and
Corporate Responsibility
Department for Business, Energy and Industrial
Strategy

5th September 2017

(4) 2016 anaw 2.

(5) Social Care Wales was established by section 67 of the Regulation and Inspection of Social Care (Wales) Act 2016.

EXPLANATORY NOTE

(This note is not part of the Order)

The Employment Rights Act 1996 (the “1996 Act”) provides protection for workers who suffer a detriment or are dismissed as a result of blowing the whistle by making a qualifying disclosure within the meaning of section 43B of the 1996 Act in accordance with any of sections 43C to 43H of that Act. Section 43F of the 1996 Act provides that a qualifying disclosure will be protected if it is made to a prescribed person and relates to matters in respect of which that person is prescribed. The Schedule to the 2014 Order lists the prescribed persons and the matters in respect of which they are prescribed for the purposes of section 43F.

This Order amends the Schedule to the 2014 Order to omit some persons, include another not previously included, and to amend the matters for which others are prescribed.

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