STATUTORY INSTRUMENTS

2015 No. 1981

TERMS AND CONDITIONS OF EMPLOYMENT

The Public Interest Disclosure (Prescribed Persons) (Amendment) (No. 2) Order 2015

Made - - - -	*7th December 2015*
Laid before Parliament	*9th December 2015*
Coming into force - -	*1st February 2016*

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) (No. 2) Order 2015 and comes into force on 1st February 2016.

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 entry relating to the Audit Commission for Local Authorities and the National Health Service in England;

(b) in the entry relating to auditors appointed by the Audit Commission for Local Authorities and the National Health Service in England, for the words in the first column substitute "Auditors appointed to audit the accounts of bodies listed in Schedule 2 to the Local Audit and Accountability Act 2014(**3**).";

(c) in the second column of the entry relating to the Care Quality Commission, omit paragraph (b) and insert—

(**1**) 1996 c.18. Section 43F was inserted by section 1 of the Public Interest Disclosure Act 1998 (c.23).
(**2**) S.I. 2014/2418, amended by S.I. 2014/3294, 2015/1407 and 2015/1682.
(**3**) 2014 c.2. Schedule 2 was amended by paragraph 6 of Schedule 13 to the Deregulation Act 2015 (c. 20) and S.I. 2015/975, and should be read in conjunction with paragraph 3 of Schedule 13 to the 2014 Act in relation to NHS trusts and trustees for NHS trusts. A new audit regime was introduced by the 2014 Act from 1st April 2015. Transitional and savings provisions (contained in S.I. 2015/841) govern the audit framework (including the appointment of auditors) from 1st April 2015 until the new audit regime is fully implemented.

"(b) the functions exercised by the Healthwatch England committee(**4**), including any functions of the Care Quality Commission exercised by that committee on its behalf(**5**); or

(c) any activities not covered by (a) or (b) in relation to which the Care Quality Commission exercises its functions."

(d) in the entry relating to the Health and Safety Executive, for the words in the second column substitute "Matters relating to those industries and work activities for which the Health and Safety Executive is the enforcing authority under the Health and Safety (Enforcing Authority) Regulations 1998(**6**) and which are about the health and safety of individuals at work, or the health and safety of the public arising out of or in connection with the activities of persons at work.";

(e) in the entry relating to the Homes and Communities Agency, for the words in the second column substitute "Matters relating to the proper conduct of the business of registered providers of social housing.";

(f) in the second column of the entry relating to the Pensions Regulator, omit the word "other";

(g) in the second column of the entry relating to the Prudential Regulation Authority, after the words "within the meaning" insert "of the";

(h) omit the entry relating to the Standards Commission for Scotland and the Chief Investigating Officer;

(i) in the second column of the entry relating to the Welsh Ministers, at the end insert "Matters relating to the environment and natural resources as set out in the Natural Resources Body for Wales (Establishment) Order 2012(**7**).."; and

(j) at the appropriate places, insert the entries set out in the Schedule to this Order.

Nick Boles
Minister of State for Skills
Department for Business, Innovation and Skills

7th December 2015

(**4**) The Healthwatch England committee is a committee of the Care Quality Commission appointed under paragraph 6(1A) of Schedule 1 to the Health and Social Care Act 2008 (c.14) in accordance with the Care Quality Commission (Healthwatch England Committee) Regulations (S.I. 2012/1640).

(**5**) Section 45(A)(2) to (5) of the Health and Social Care Act 2008 set out functions of the Care Quality Commission which it must arrange for the Healthwatch England committee to exercise on its behalf pursuant to section 45A(1) of that Act.

(**6**) S.I. 1998/494; relevant amending instruments are S.I 1999/2024, S.I. 1999/3232, S.I. 2002/2675, S.I. 2006/1541, S.I. 2006/557, S.I. 2007/320, S.I. 2011/3058, S.I. 2012/632, S.I. 2014/469, S.I. 2014/1638, S.I. 2014/1639 and S.I. 2015/51.

(**7**) S.I. 2012/1903 (W. 230), amended by S.I. 2013/755 (W. 90).