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# Whistle-Blowing Policy

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Authority Meeting  
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## 1. Introduction

- 1.1 Employees are often the first to realise that there may be something seriously wrong within the Authority. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Authority. They may also fear harassment or victimisation. In these circumstances employees may ignore the concern rather than report what may be a suspicion of malpractice. This should not happen. Employees should expect the Authority to deal with their complaint appropriately, efficiently and in confidence.
- 1.2 The Authority is committed to the highest possible standards of openness, probity and accountability. In line with that commitment we expect employees and others with whom we deal, who have serious concerns about any aspect of the Authority's work to come forward and voice those concerns. However, some serious matters may require disclosure of information to outside agencies, such as the Local Government Ombudsman and the Police. It is recognised that most cases will have to proceed on a confidential basis.
- 1.3 This policy document represents the Authority's commitment to creating an environment in which employees can raise concerns without fear of victimisation, subsequent discrimination or disadvantage.
- 1.4 The policy applies to all employees and those contractors working for the Authority on Authority premises, for example, advisors or agency staff. It also covers suppliers and those providing services under a contract with the Authority on their own premises.
- 1.5 These procedures are in addition to the Authority's complaints procedure, the referral mechanisms for allegations of breach of the Members' Code of Conduct and other statutory procedures which apply. Managers are responsible for making contractors and service users aware of the existence of these procedures.
- 1.6 This policy has been discussed with the relevant Trades Unions and professional organisations and has their support.
- 1.7 This code aims to:
  - a) encourage you to feel confident in raising serious concerns and to question and act upon concerns about practice;
  - b) provide avenues for you to raise those concerns and receive feedback on any action taken;
  - c) ensure that you receive a response to your concerns and that you are aware of how to pursue them if you are not satisfied; and
  - d) reassure you that you will be protected from possible reprisals or victimisation if you have a reasonable belief that you have made any disclosure in good faith.
- 1.8 There are existing procedures in place to enable you to lodge a grievance relating to your own employment. (Please use the Authority's Grievance Procedure). This Whistle-blowing Policy is intended to cover major concerns which fall outside the scope of other procedures. It includes:
  - a) conduct which is an offence or a breach of law\*;
  - b) disclosures related to miscarriages of justice;
  - c) health and safety risks, including risks to the public as well as other employees;

- d) damage to the environment;
- e) the unauthorised use of public funds\*;
- f) possible fraud and corruption\*;
- g) sexual or physical abuse of clients; or
- h) other unethical conduct.

**\* The Authority employs Oldham Council Internal Audit and Counter Fraud Staff to help investigate these matters. They do so by reference to a Fraud Response Plan which is also held on Oldham Council's Intranet site.**

- 1.9 Thus, any serious concerns you have about any aspect of service provisions or the conduct of Officers or Members of the Authority or others acting on behalf of the Authority can be reported under the Confidential Reporting Code. This may be something which:
- a) makes you feel uncomfortable in terms of known standards, your experience or the standards you believe the Authority subscribes to; or
  - b) is against the Authority's Rules, Policies or Codes of Conduct; or
  - c) falls below established standards of practice; or
  - d) amounts to improper conduct.

## **2. Anonymous Allegations**

- 2.1 This policy encourages you to put your name to your allegation whenever possible.
- 2.2 Concerns expressed anonymously are much less powerful but will be considered at the discretion of the Authority.
- 2.3 In exercising this discretion the factors to be taken into account would include:
- a) the seriousness of the issues raised;
  - b) the credibility of the concern; and
  - c) the likelihood of confirming the allegation from attributable sources.

## **3. How to raise a concern**

- 3.1 As a first step, you should normally raise concerns with your line manager or his/her manager. This depends, however, on the seriousness and sensitivity of the issues involved and who is suspected of the malpractice. For example, if you believe that management is involved, you should approach the Authority's Treasurer & Deputy Clerk, the Director of Resources & Strategy, the Monitoring Officer or Oldham Council's Audit & Counter Fraud Manager.
- 3.2 Concerns may be raised verbally or in writing. Staff who wish to make a written report are invited to use the following format:
- a) set out the background and history of the concern (giving relevant dates); and
  - b) explain the reason why you are particularly concerned about the situation.
- 3.3 The earlier you express the concern the easier it is to take action.

- 3.4 Although you are not expected to prove beyond doubt the truth of any allegation, you will need to demonstrate to the person contacted that there are reasonable grounds for your concern.
- 3.5 If you are unsure whether or how to use this Code or want independent advice, you may contact the independent charity Public Concern at Work. This is a charity which provides free and strictly confidential legal help to anyone concerned about a malpractice which threatens public interest. They operate on a helpline on **020 7404 6609** or at [helpline@pcaw.org.uk](mailto:helpline@pcaw.org.uk) or at **3<sup>rd</sup> Floor, Bank Chambers, 6-10 Borough High Street, London, SE1 9QQ.**
- 3.6 If you wish to make an internal disclosure you can contact: -
- 0161 770 4969 Confidential Hotline (Corporate Counter Fraud Team) or e-mail [investigations@oldham.gov.uk](mailto:investigations@oldham.gov.uk)**
- 3.7 Or, if you wish, you may contact
- Treasurer & Deputy Clerk on 0161 770 1747**  
**Solicitor to the Authority & Monitoring Officer on 0161 770 3013**  
**Director of Resources & Strategy on 0161 770 1744**  
**Oldham Council's Audit & Counter Fraud Manager on 0161 770 4773**
- 3.8 You may wish to consider discussing your concern with a colleague first and you may find it easier to raise the matter if there are two (or more) of you who have had the same experience or concerns.
- 3.9 You may invite your Trades Union, professional association representative or a work colleague to be present during any meetings or interviews in connection with the concerns you have raised.
- 3.10 If you wish to raise a matter with a person who is neither an Elected Member nor an Officer of the Authority you may contact the Chair of the Authority's Audit Committee. He/She is an Independent Member of the Authority in the sense that he/she is neither Elected Members nor employees. The Audit Committee are responsible for ensuring that high ethical standards of probity and good corporate governance are maintained. Arrangements to contact the Chair of the Audit Committee can be made through the contacts set out at paragraph 3.6 above.

#### **4. Untrue Allegations**

- 4.1 Whistle-blowing is encouraged by the Authority in cases where individuals feel concerned that a fraud or irregularity is being, or has been, committed. You need not worry if you make an allegation in good faith but it is not confirmed by the investigation. Action will not be taken against you. If you have any doubts whatsoever about whether to raise a concern, please do not hesitate to contact one of the Officers named in **3.6** where you can discuss any issues in confidence before doing so.
- 4.2 However, allegations which are found to have been made frivolously, maliciously or for personal gain cannot be tolerated by the Authority and therefore will be pursued accordingly with the result that appropriate disciplinary action could be taken against you.

#### **5. How the Authority will respond**

- 5.1 The Authority will respond to your concerns. Do not forget that testing out your concerns is not the same as either accepting or rejecting them.
- 5.2 Where appropriate, the matters raised may:

- a) be investigated by management, Oldham Council's Corporate Counter Fraud Team, Internal Audit, or by disciplinary procedures;
  - b) be referred to the police;
  - c) be referred to the external auditor; or
  - d) form the subject of an independent inquiry.
- 5.3 In order to protect individuals and those accused of misdeeds or possible malpractice, initial enquiries will be made to decide whether an investigation is warranted by the evidence provided and, if so, what form it should take. The overriding principle, which the Authority will have in mind, is the public interest. Concerns or allegations, which fall within the scope of specific procedures (for example, discrimination issues), will normally be referred for consideration under those procedures.
- 5.4 Some concerns may be resolved by agreed action without the need for investigation. If urgent action is required this will be taken before any investigation is conducted.
- 5.5 Within ten working days of a concern being raised, the responsible person will write to you:
- a) acknowledging that the concern has been received;
  - b) indicating how it is proposed to deal with the matter;
  - c) giving an estimate of how long it will take to provide a final response;
  - d) telling you whether any initial enquiries have been made;
  - e) supplying you with information on staff support mechanisms; and
  - f) telling you whether further investigation will take place and if not, why not.
- 5.6 The amount of contact between the Officers considering the issues and you will depend on the nature of the matters raised, the potential difficulties involved and the clarity of the information provided. If necessary, the Authority will seek further information from you.
- 5.7 Where any meeting is arranged, off-site if you so wish, you can be accompanied by a union or professional association representative or a work colleague.
- 5.8 The Authority will take steps to minimise any difficulties, which you may experience as a result of raising a concern. For instance, if you are required to give evidence in criminal or disciplinary proceedings the Authority will arrange for you to receive advice about the procedure.
- 5.9 The Authority accepts you need to be assured that the matter has been properly addressed. Thus, subject to legal constraints, you will be informed of the outcome of any investigation.

## **6. The Responsible Officer**

- 6.1 The Monitoring Officer has overall responsibility for the maintenance and operation of this policy. That Officer maintains a record of concerns raised and the outcomes (but in a form which does not endanger your confidentiality) and will report as necessary to full meetings of the Authority.

## 7. How the matter can be taken further

- 7.1 This code is intended to provide you with an avenue within the Authority to raise concerns. The Authority hopes you will be satisfied with any action taken. If you are not, and if you feel it is right to take this matter outside the Authority, the following are possible contact points:
- a) 'Public Concern at Work' (see above);
  - b) your trade union;
  - c) your local Citizens Advice Bureau;
  - d) relevant professional bodies or regulatory organisations;
  - e) the Police or another appropriate body; and
  - f) a Councillor - where you are also a local resident.
- 7.2 If you do take the matter outside the Authority, you should ensure that you do not disclose confidential information. The contact point will advise you.

## 8. Safeguards

- 8.1 **Harassment or Victimisation** - The Authority recognises that the decision to report a concern can be a difficult one to make, not least because of the fear of reprisal from those responsible for the malpractice. The Authority will not tolerate harassment or victimisation and will take action to protect staff when they raise a concern in good faith. This does not mean that if a member of staff is already the subject of disciplinary or redundancy procedures, those procedures will be halted as a result of their Whistle-blowing. The Authority's Whistle-blowing Policy ensures that any member of staff reporting a suspected fraud or financial misconduct (and providing that the conditions of the Act are met) will be protected from any harassment as a result of this action in accordance with the Public Interest and Disclosure Act 1998. **SEE ANNEXES A and B.**
- 8.2 **Confidentiality** - The Authority will do its best to protect an individual's identity when s/he raises a concern and does not want his/her name to be disclosed. It must be appreciated, however, that the investigation process may reveal the source of the information and a statement by the individual may be required as part of the evidence.

## The Public Interest Disclosure Act 1998

### 1. Introduction

- 1.1 This is a short guide to the Public Interest Disclosure Act 1998, an Act which protects workers who 'blow the whistle' about wrongdoing. It mainly takes the form of amendments to the Employment Rights Act 1996, and makes provision about the kinds of disclosures which may be protected; the circumstances in which such disclosures are protected; and the persons who may be protected.
- 1.2 The guide is intended to give general guidance only and should not be regarded as a complete or authoritative statement of the law. Readers should be aware of the possibility of developments in case law which might affect the rights described.
- 1.3 In general, workers should be able to make disclosures about wrongdoing to their employer, so that problems can be identified and resolved quickly within organisations. Many employers have internal procedures which could be used or adapted for the purpose of facilitating disclosures.
- 1.4 **Persons who may be protected by the new provisions against unfair dismissal or being subjected to detriment**
- 1.5 The provisions introduced by the Public Interest Disclosure Act 1998 protect most workers from being subjected to a detriment by their employer. Detriment may take a number of forms, such as denial of promotion, facilities or training opportunities, which the employer would otherwise have offered. Employees who are protected by the provisions may make a claim for unfair dismissal if they are dismissed for making a protected disclosure. Workers who are not employees may not claim unfair dismissal. However, if their contract has been terminated by the employer because they made a protected disclosure, they may instead make a complaint that they have been subjected to a detriment.
- 1.6 Subject to some limited exceptions, the new provisions protect persons who work under contracts of employment; those who work personally for someone else (under a "worker's" contract) but are not genuinely self-employed; home workers; certain agency workers; National Health Service practitioners such as GPs, certain dentists, pharmacists and opticians; and certain categories of trainees.

### 2. What can be disclosed?

#### 2.1 Qualifying disclosures

- 2.1.1 Certain kinds of disclosures qualify for protection ("qualifying disclosures"). Qualifying disclosures are disclosures of information which the worker reasonably believes tend to show one or more of the following matters is either happening now, took place in the past, or is likely to happen in the future:-
  - a) a criminal offence;
  - b) the breach of a legal obligation;
  - c) a miscarriage of justice;
  - d) a danger to the health or safety of any individual;
  - e) damage to the environment; or
  - f) deliberate covering up of information tending to show any of the above five

matters.

2.1.2 It should be noted that in making a disclosure the worker must have reasonable belief that the information disclosed tends to show one or more of the offences or breaches listed above (“a relevant failure”). The belief need not be correct - it might be discovered subsequently that the worker was in fact wrong - but the worker must show that he/she held the belief, and that it was a reasonable belief in the circumstances at the time of disclosure.

## 2.2 Disclosures about wrongdoing in the United Kingdom or overseas

2.2.1 Protection under the provisions applies even if the qualifying disclosure concerns a relevant failure, which took place overseas, or where the law applying to the relevant failure was not that of the United Kingdom.

## 2.3 Disclosures which involve an offence

2.3.1 Disclosure of information by a worker is not a qualifying disclosure if in making it he/she commits an offence (e.g., if disclosure was prohibited under the Official Secrets Act 1989).

## 2.4 Disclosures and legal professional privilege

2.4.1 A disclosure of information, which would be protected from disclosure because of legal professional privilege, cannot be a qualifying disclosure if made by the legal adviser (or, say, a typist in the adviser's office) to whom the information was disclosed in the course of obtaining legal advice.

# 3. Circumstances in which disclosures are protected (a "protected disclosure")

## 3.1 Making a qualifying disclosure to the employer or via internal procedures

3.1.1 A qualifying disclosure will be a protected disclosure where it is made:

- a) to the worker's employer, either directly to the employer or by procedures authorised by the employer for that purpose; or
- b) to another person whom the worker reasonably believes to be solely or mainly responsible for the relevant failure.

3.1.2 The only additional requirement on the worker is that he/she should act in the public interest. No other requirement is necessary to qualify for protection. Disclosure to the employer will in most cases ensure that concerns are dealt with quickly and by the person who is well placed to resolve the problem. In some small companies, this may be the employer himself. However, often an authorised procedure will be helpful. An existing company procedure may suffice, or such procedures could perhaps be adapted, for example to facilitate confidential disclosures by workers. Internal procedures which are simple to use, readily accessible and which workers are encouraged to use are more likely to result in disclosure of concerns to the employer first, rather than externally. Employers will wish to consider the best way to secure trust and confidence in such procedures to ensure that they will be used, perhaps by involving the workforce, or their representatives.

## 3.2 Making a qualifying disclosure to a prescribed person

3.2.1 Workers who are concerned about wrongdoing or failures can make disclosures to a person or body which has been prescribed by the Secretary of State for the purpose of receiving disclosures about the matters concerned. If a worker makes a qualifying disclosure to such persons, it will be a protected disclosure provided the worker:-

- a) makes the disclosure in the public interest;
- b) reasonably believes that the information, and any allegation it contains, are *substantially true*; and
- c) reasonably believes that the matter falls within the description of *matters for which the person or body has been prescribed*. (For example, breaches of health and safety regulations can be brought to the attention of the Health and Safety Executive or appropriate local authority, or environmental dangers can be notified to the Environment Agency.)

3.2.2 A list of prescribed persons, the description of matters for which they are prescribed and contact details, are shown in Annex B. The persons listed have statutory functions and can provide authoritative advice and guidance to workers about matters properly disclosed to them.

### 3.3 Making a qualifying disclosure to a legal adviser

3.3.1 A qualifying disclosure will be a protected disclosure if it is made to a legal adviser in the course of obtaining legal advice. There are no further conditions attached.

### 3.4 Making a qualifying disclosure to a Minister

3.4.1 A qualifying disclosure made in the public interest by a worker, employed in a Government-appointed organisation, such as a non-departmental public body, will be a protected disclosure if made to a Government Minister (either directly or via departmental officials).

### 3.5 Making a qualifying disclosure about an exceptionally serious failure

3.5.1 A qualifying disclosure made about a relevant failure which is exceptionally serious will be a protected disclosure if the worker:-

- a) makes the disclosure in the public interest;
- b) reasonably believes that the information disclosed, and any allegation contained in it, are *substantially true*; and
- c) does not *act for personal gain*.

3.5.2 Also, it must be reasonable for the worker to make the disclosure in view of all the circumstances, having regard in particular to *the identity of the person to whom the disclosure is made*.

3.5.3 Note that the relevant failure must be *exceptionally serious*. This will be a matter of fact, and not simply a matter of the worker reasonably believing it to be exceptionally serious.

### 3.6 Making a qualifying disclosure more generally

3.6.1 A qualifying disclosure will be a protected disclosure if the following conditions are met:

3.6.1.1 First, the worker must:-

- a) make the disclosure in the public interest;
- b) reasonably believe that the information, and any allegation contained in it, are *substantially true*; and

c) **not** act for *personal gain*.

3.6.1.2 In addition, one or more of the following conditions must be met:

- a) the worker reasonably believed that he/she would be *subjected to a detriment* by his/her employer if disclosure were to be made to the employer or to a prescribed person;
- b) in the absence of an appropriate prescribed person, the worker reasonably believed that disclosure to the employer would result in the *destruction or concealment of information* about the wrongdoing;
- c) the worker had *previously disclosed* substantially the same information to his/her employer or to a prescribed person.

3.6.1.3 Finally, it must be reasonable for the worker to make the disclosure. The employment tribunal will decide whether the worker acted reasonably, in all the circumstances, but in particular will take into account:

- a) *the identity of the person to whom the disclosure was made* (e.g., it may be more likely to be considered reasonable to disclose to a professional body that has responsibility for standards and conduct in a particular field, such as accountancy or medicine, than to the media);
- b) the *seriousness* of the relevant failure;
- c) whether the relevant failure *is continuing or is likely to occur again*;
- d) whether the disclosure breaches *the employer's duty of confidentiality* to others (e.g., information that is made available by the worker may contain confidential details about a client);
- e) *what action has or might reasonably be expected to have been taken* if a disclosure was made previously to the employer or a prescribed person; and
- f) whether the worker complied with *any internal procedures* approved by the employer if a disclosure was made previously to the employer.

#### **4. Disclosures about health and safety matters**

4.1 The Employment Rights Act 1996 already provides protection for employees who, in certain circumstances, raise concerns about, or take action in connection with, health and safety matters (see sections 44 and 100 of that Act). For example, the 1996 Act already provides that it would be unfair to dismiss an employee who acts to protect himself/herself or others from serious and imminent danger.

4.2 The new provisions provide protection, as explained above, to any worker who discloses information about a health or safety danger in accordance with the provisions. Clearly, where there is a recognised health and safety representative present, the worker should normally tell them about the problem, as it is part of the representative's role to raise such matters with the employer. The existing health and safety provisions in the Employment Rights Act 1996 and the new provisions introduced by the Public Interest Disclosure Act 1998 are therefore complementary.

#### **5. Contractual duties of confidentiality**

5.1 Any provision in an agreement between a worker and his employer which would prevent the worker from making disclosures protected by the new provisions is void. This applies to any

agreement between the employer and worker (it might be a term in a contract of employment or a separate agreement), including agreements settling claims under the new provisions.

## **6. Employment tribunals and remedies**

- 6.1 Workers protected by the provisions (including employees) can complain that they have been subjected to detriment by their employer for making a protected disclosure. As noted earlier, an “employee” can make a claim of unfair dismissal; a “worker” who is not an employee and whose contract has been terminated by his employer because he/she made a protected disclosure can claim that he/she has been subjected to a detriment.
- 6.2 As with many other claims to employment tribunals, the complaint should normally be made within three months of the dismissal or detriment. For unfair dismissal claims, interim relief is also available, provided the claim is made within seven days of the effective date of the termination of employment.
- 6.3 Where a tribunal finds that a complaint of unfair dismissal is justified, it will order re-instatement or re-employment, or the payment of compensation. Where a worker complains that he/she has been subjected to a detriment and the tribunal finds the complaint well-founded, it will make a declaration to that effect and may order the payment of compensation.

**List of Prescribed Persons for England****1. The Certification Officer**

1.1 Matters in respect of which the person is prescribed:

- fraud, and other irregularities, relating to the financial affairs of trade unions and employers' associations.

1.2 Contact: Certification Officer  
22<sup>nd</sup> Floor Euston Tower  
286 Euston Road  
London  
NW1 1JJ  
Tel: 020 7210 3734  
Fax: 020 7210 3612  
Email [info@certoffice.org](mailto:info@certoffice.org)

**2. The Charity Commissioners for England and Wales**

2.1 Matters in respect of which the person is prescribed:

- the proper administration of charities and of funds given or held for charitable purposes.

2.2 Contact: Charity Commission First Contact  
PO Box 122T  
Liverpool  
L69 34G  
Tel: 0845 300 0218

**3. Chief Executive of the Criminal Cases Review Commission**

3.1 Matters in respect of which the person is prescribed:

- actual or potential miscarriages of justice.  
(The Commission has responsibility for these matters in respect of England, Wales and Northern Ireland)

3.2 Contact: Criminal Cases Review Commission,  
5 St. Phillips Place  
Birmingham, B3 2PW  
Tel: 0121 233 1473  
Fax: 0121 232 0899  
Email: [info@ccrc.gov.uk](mailto:info@ccrc.gov.uk)

**4. Civil Aviation Authority**

4.1 Matters in respect of which the person is prescribed:

- compliance with the requirements of civil aviation legislation, including aviation safety.

4.2 Contact: Secretary and Legal Adviser  
Civil Aviation Authority  
CAA House  
45-59 Kingsway,

London,  
WC2B 6TE  
Tel 020 7379 7311

**5. The competent authority under part IV of the Financial Services and Markets Act 2000**

5.1 Matters in respect of which the person is prescribed:

- the listing of securities on a stock exchange; prospectuses on offers of transferable securities to the public.

5.2 Contact: Head of Listing Department  
London Stock Exchange  
Old Broad Street  
London  
EC2N 1HP  
Tel: 020 7797 3884  
Fax: 020 7334 8976

**6. The Commissioners for Her Majesty's Revenue and Customs**

6.1 Matters in respect of which the person is prescribed:

- value added tax, insurance premium tax, excise duties and landfill tax. The import and export of illegal, prohibited or restricted goods ; and
- income tax, corporation tax, capital gains tax, petroleum revenue tax, inheritance tax, stamp duties, national insurance contributions, statutory maternity pay, statutory sick pay, tax credits, child benefits, collection of student loans and the enforcement of the national minimum wage.

6.2 Contact: HM Revenue and Customs.  
Customs Confidential.  
Freepost SEA 939.  
PO Box 100.  
Gravesend.  
Kent.  
DA12 2BR  
Tel: free phone 0800 595000  
Fax: free fax 0800 528 0506  
Email: [Customs.Confidential@hmrc.gsi.gov.uk](mailto:Customs.Confidential@hmrc.gsi.gov.uk)

6.3 There is also a specialist Tax Evasion Hotline dealing with income tax, corporation tax, capital gains tax, inheritance tax, VAT and National Insurance:  
<https://www.taxevasionhotline.co.uk/> Telephone 0800 788 887

**7. Comptroller and Auditor General of the National Audit Office**

7.1 Matters in respect of which the person is prescribed:

- the proper conduct of public business, value for money, fraud and corruption in relation to the provision of centrally funded public services.

7.2 Contact: The Comptroller and Auditor General  
National Audit Office  
157-197 Buckingham Palace Road  
Victoria  
London  
SW1W 9SP

**8. OFGEM - Office of Gas and Electricity markets**

8.1 Matters in respect of which the person is prescribed:

- the generation, transmission distribution and supply of electricity/gas and activities ancillary to these matters.

8.2 Contact: OFGEM - Office of Gas and Electricity markets  
9 Millbank  
London  
SW1P 3GE  
Tel: 020 7901 7000  
Fax: 020 7901 7066

**9. OFCOM - Communications Market**

9.1 Matters in respect of which the person is prescribed:

- the provision and use of telecommunication systems and services and apparatus.

9.2 Contact: OFCOM  
Riverside House,  
2a Southwark Bridge Rd  
London  
SE1 9HA

**10. OFWAT - Water Services Regulation Authority**

10.1 Matters in respect of which the person is prescribed:

- the supply of water and the provision of sewerage services.

10.2 Contact: OFWAT  
Centre City Tower  
7 Hill Street  
Birmingham  
B5 4UA  
Tel: 0121 625 1300  
Fax: 0121 625 1400

**11. National Crime Agency**

11.1 Matters in respect of which the person is prescribed:

- serious or complex fraud.

11.2 Contact: NCA  
Units 1-6 Citadel Parade  
Tinworth St  
London  
SE11 5EF  
Tel: 0370 4967622

## **12. The Environment Agency**

12.1 Matters in respect of which the person is prescribed:

- 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 of rivers, inland fisheries and migratory salmon or trout.

12.2 Contact: The Environment Agency  
National Customer Contact Centre  
PO Box 544  
Rotherham  
S60 1BY  
Tel: 0370 8506506

## **13. Food Standards Agency**

13.1 Matters in respect of which the person is prescribed:

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

13.2 Contact: Personnel and Establishments Division  
Food Standards Agency  
Room 111C  
Aviation House,  
125 Kingsway  
London  
WC2B 6NH  
Tel: 020 7276 8000

## **14. Financial Conduct Agency**

14.1 Matters in respect of which the person is prescribed:

- the carrying on of investment business or of insurance business. The operation of banks and building societies, deposit-taking businesses and wholesale money market regimes. The operation of friendly societies, benevolent societies, working men's clubs, specially authorised societies and industrial and provident societies. The functioning of financial markets, investment exchanges and clearing houses. Money laundering, financial crime, and other serious financial misconduct, in connection with activities regulated by the Financial Conduct Agency.

14.2 Contact: Financial Conduct Agency  
25 The North Colonnade,  
Canary Wharf,  
London  
E14 5HS  
Tel: 020 7066 9870

## **15. Health and Care Professional Council**

15.1 Matters in respect of which the person is prescribed:

- matters relating to the registration of social care workers under the Care Standards Act 2000.

15.2 Contact: Health and Care Professional Council  
Park House,  
184 Kennington Park Road  
London  
SE11 4BU

## 16. Health and Safety Executive

16.1 Matters in respect of which the person is prescribed:

- 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.

16.2 Contact Health and Safety Executive  
Redgrave Court,  
Merton Road,  
Bootle  
Merseyside  
L20 7HS

## 17. Homes and Communities Agency

17.1 Matters in respect of which the person is prescribed:

- the registration and operation of registered social landlords, including their administration of public and private funds and management of their housing stock.

17.2 Contact: mail@homesandcommunities.co.uk

## 18. Local Authorities

18.1 (The local authority which under section 18 of the Health and Safety at Work etc Act 1974 is responsible for the enforcement of the relevant statutory provisions)  
Matters in respect of which the person is prescribed:

- 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.

18.2 Contact: The appropriate Local Authority

## 19. Information Commissioner

19.1 Matters in respect of which the person is prescribed:

- compliance with the requirements of legislation relating to data protection and to freedom of information\*.
  - (\*Data protection legislation regulates the processing of information relating to individuals, including the obtaining, holding, use or disclosure of such information).
  - (\*Freedom of information legislation provides for the disclosure by public authorities of the information that they hold).

19.2 Contact: The Office of the Information Commissioner  
Wycliffe House,  
Water Lane,  
Wilmslow  
Cheshire, SK9 5AF  
Tel: 01625 545745  
Fax: 01625 524510  
Email: mail@ico.gsi.gov.uk

## 20. National Care Standards Commission

20.1 Matters in respect of which the person is prescribed:

- matters relating to the provision of regulated care services, as defined in the Care Standards Act 2000.

20.2 Contact: Care Quality Commission  
CQC National Customer Service  
Citygate  
Gallowgate  
Newcastle upon Tyne  
NE1 4PA

## 21. The Occupational Pensions Regulatory Authority

21.1 Matters in respect of which the person is prescribed:

- matters relating to occupational pension schemes and other private pension arrangements.

21.2 Contact: The Pensions Regulator  
Napier House  
Trafalgar Place  
Brighton, BN1 4DW  
Tel: 0845 600 0707  
Fax: 0870 241 1144

## 22. Competition and Markets Authority

22.1 Matters in respect of which the person is prescribed:

- matters concerning the sale of goods or the supply of services, which adversely affects the interests of consumers; and
- competition affecting markets in the United Kingdom.

22.2 Contact: [www.gov.uk/cma](http://www.gov.uk/cma)  
[cma@cma.gsi.gov.uk](mailto:cma@cma.gsi.gov.uk)

## 23. The Rail Regulator

23.1 Matters in respect of which the person is prescribed:

- the provision and supply of railway services.

23.2 Contact: Office of Rail Regulators  
One Kemble Street  
London  
WC2B 4AN  
Tel: 020 7282 2000  
Fax: 020 7282 2040

**24. HM Treasury**

24.1 Matters in respect of which the person is prescribed:

- the carrying on of insurance business.

24.2 Contact: HM Treasury  
1 Horse Guards Road  
London  
SW1A 2HQ  
Tel: 020 7270 5000  
Fax: 020 7270 4694

**25. Department for Business Innovation and Skills**

25.1 Matters in respect of which the person is prescribed:

- fraud and other misconduct in relation to companies investment business, insurance business, or multi-level marketing schemes (and similar trading schemes); insider dealing; and
- consumer safety.

25.2 Contact: Ministerial Correspondence Unit  
Department for Business innovation and skills  
1 Victoria Street  
London  
SW1H 0ET

**26. Secretary of State for Transport**

26.1 Matters in respect of which the person is prescribed:

- compliance with merchant shipping law, including maritime safety.

26.2 Contact: Secretary to the Executive Board  
Maritime and Coastguard Agency,  
Spring Place,  
105 Commercial Road,  
Southampton  
SO15 1EG  
Tel: 023 8032 9329  
Fax: 023 8032 9351

**27. Local authorities which have responsibility for enforcement of consumer protection legislation**

27.1 Matters in respect of which the person is prescribed:

- compliance with the requirements of consumer protection legislation.

27.2 Contact: The appropriate local authority

**28. Local Authorities which are responsible for the enforcement of food standards**

28.1 Matters in respect of which the person is prescribed:

- compliance with the requirements of food safety legislation.

28.2 Contact: The appropriate local authority