

Public Office (Accountability) Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including
7 September 2026*

The amendments are listed in accordance with the following Instruction –

Clauses 1 and 2	Schedule 4
Schedule 1	Clauses 17 to 19
Clauses 3 to 11	Schedule 5
Schedule 2	Clause 20
Clause 12	Schedule 6
Schedule 3	Clauses 21 to 28
Clauses 13 to 16	Title

[Amendments marked ★ are new or have been altered]

Clause 10

LORD ALTON OF LIVERPOOL

★ Clause 10, page 10, line 31, leave out subsections (3) to (14) and insert –

- “(3) Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament regulations to make provision for a single national code setting standards of ethical conduct expected of public officials (the “core code of conduct”).
- (4) The core code of conduct must –
- (a) be based on the principles set out in subsection (2),
 - (b) apply throughout the United Kingdom to public officials to whom this Chapter applies,
 - (c) set standards concerning ethical conduct, candour, transparency and frankness in the performance of public functions, and
 - (d) make provision about the practical application of those standards.
- (5) In addition to the core code of conduct, the regulations under subsection (3) must also contain –
- (a) the sanctions available for non-compliance with the core code of conduct,

- (b) provision for the independent investigation and determination of alleged non-compliance,
 - (c) provision for the imposition and enforcement of sanctions,
 - (d) appropriate provision for review or appeal, and
 - (e) provision ensuring that the arrangements apply to conduct occurring while a person was subject to the core code of conduct notwithstanding that the person has subsequently ceased to hold the relevant office, employment or position.
- (6) The regulations must secure procedures which are independent and procedurally fair.
- (7) Nothing in this section prevents the regulations from making different procedural provision for different descriptions of case or sanction, provided that the requirements of subsection (5) are satisfied.
- (8) A public authority must take reasonable steps to promote compliance with the core code of conduct and to ensure that public officials for whom it is responsible are made aware of the core code of conduct.
- (9) The application of the core code of conduct to conduct occurring while a person is subject to it is not affected by the person subsequently –
 - (a) ceasing to hold public office,
 - (b) ceasing to be employed in public service,
 - (c) resigning,
 - (d) retiring,
 - (e) being dismissed,
 - (f) ceasing to perform a public function, or
 - (g) otherwise ceasing to be a public official.
- (10) Accordingly, cessation of office, employment or public function does not of itself prevent –
 - (a) an allegation of non-compliance being made or considered,
 - (b) an investigation into the conduct,
 - (c) a determination as to whether the core code of conduct was breached,
 - (d) the imposition or enforcement of any sanction otherwise available in respect of that breach, or
 - (e) any review or appeal arising from such a determination or sanction.
- (11) Regulations under this section are subject to the affirmative procedure.
- (12) Before laying draft regulations under this section the Secretary of State must comply with section (*Core code of conduct: consultation and Parliamentary report*).
- (13) In this Chapter –
 - “public authority” has the meaning given by Part 3 of Schedule 2;
 - “public official” has the meaning given by Part 2 of Schedule 2.”

Member's explanatory statement

This amendment replaces separate codes adopted by individual public authorities with one national core code of conduct made by affirmative regulations. It also preserves accountability for conduct occurring while a person was subject to the code notwithstanding that the person later leaves office, employment or public service.

BARONESS FEATHERSTONE

Clause 10, page 11, line 19, at end insert—

- “(d) the steps to be taken by the authority upon receipt of credible information indicating serious wrongdoing, systemic failure or a continuing risk of serious harm;
- (e) the circumstances in which such information must be brought to the attention of a person with responsibility for the management or governance of the authority;
- (f) the recording of decisions made in response to such information, including—
 - (i) whether the matter was investigated or otherwise acted upon,
 - (ii) who was responsible for that decision, and
 - (iii) where no further action was taken, the reasons for that decision.”

Member's explanatory statement

This amendment would require a public authority's code of ethical conduct to set out how serious concerns are to be dealt with, including escalation to senior management and the recording of decisions and reasons where no further action is taken.

BARONESS FEATHERSTONE

Clause 10, page 11, line 19, at end insert—

- “(5A) A public authority’s code of ethical conduct must make provision for the independent consideration of credible information indicating serious wrongdoing, systemic failure or a continuing risk of serious harm where—
 - (a) the information concerns the conduct of a person with responsibility for the management or governance of the authority,
 - (b) there is reason to believe that the authority has failed adequately to investigate substantially similar information previously received, or
 - (c) there is otherwise a reasonable concern that the matter cannot be investigated impartially within the authority.
- (5B) Provision under subsection (5A) must identify an appropriate person or body independent of the authority to whom the matter may be referred.”

Member's explanatory statement

This amendment would require ethical codes to provide an independent route for serious concerns where senior management is implicated, previous warnings have not been adequately investigated, or an impartial internal investigation cannot reasonably be expected.

After Clause 10

BARONESS FEATHERSTONE

After Clause 10, insert the following new Clause—

“Duty to act on credible evidence of serious wrongdoing

- (1) A public authority must take reasonable steps to ensure that credible information indicating—
 - (a) serious wrongdoing,
 - (b) systemic failure, or
 - (c) a continuing risk of serious harm,
 is properly considered, investigated where appropriate, and acted upon.
- (2) Where information within subsection (1) is received by a person with responsibility for the management or governance of the public authority, that person must take reasonable steps to ensure that the authority complies with subsection (1).
- (3) In determining what constitutes reasonable steps for the purposes of this section, regard must be had to—
 - (a) the seriousness and credibility of the information received;
 - (b) the nature and extent of any risk of harm;
 - (c) whether similar or related concerns have previously been raised;
 - (d) the need for investigation to be sufficiently independent of any person whose conduct is in question.
- (4) The appropriate authority may issue guidance about compliance with this section.”

Member's explanatory statement

This amendment would place a positive duty on public authorities, and those responsible for their management or governance, to take reasonable steps in response to credible information indicating serious wrongdoing, systemic failure or a continuing risk of serious harm.

LORD ALTON OF LIVERPOOL

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After Clause 10, insert the following new Clause—

“Core code of conduct: consultation and parliamentary report

- (1) The Secretary of State must, as soon as reasonably practicable after the day on which this Act is passed, consult such persons as the Secretary of State considers appropriate about—
 - (a) the content and operation of the core code of conduct,
 - (b) the sanctions which should be available where a person is found not to have complied with the core code of conduct,
 - (c) the persons or bodies by whom allegations of non-compliance should be received, investigated and determined,
 - (d) the procedures for investigating and determining alleged non-compliance,
 - (e) the procedures for imposing and enforcing sanctions,

- (f) appropriate provision for review or appeal, and
 - (g) the application of those arrangements where the person concerned has ceased to hold the office, employment or position by reason of which the core code of conduct applied to the conduct in question.
- (2) The consultation must include persons appearing to the Secretary of State to represent or have relevant experience of –
 - (a) public authorities and public officials,
 - (b) regulatory, disciplinary, investigatory and oversight bodies,
 - (c) the administration of justice and independent adjudication, and
 - (d) victims, bereaved families and other persons affected by serious failures in the performance of public functions,and such other persons as the Secretary of State considers appropriate.
- (3) In formulating proposals following the consultation the Secretary of State must have particular regard to the need for –
 - (a) independence in the investigation and determination of alleged breaches,
 - (b) procedural fairness and impartial decision-making,
 - (c) a reasonable opportunity for a person against whom an allegation is made to know and answer the case against them,
 - (d) proportionate sanctions,
 - (e) appropriate rights of review or appeal, and
 - (f) effective investigation, determination and sanctioning of conduct notwithstanding that the person concerned has subsequently left office, employment or public service.
- (4) No later than the end of the period of 12 months beginning with the day on which this Act is passed, the Secretary of State must lay before Parliament a report on the consultation and the conclusions reached.”

Member's explanatory statement

This amendment requires consultation on the single national core code of conduct, sanctions and enforcement arrangements.

Clause 11

LORD ALTON OF LIVERPOOL



Clause 11, page 12, line 41, at end insert –

- “(5) Any guidance issued under this section must be consistent with the core code of conduct and may not authorise a public authority to substitute its own code of ethical conduct for the core code of conduct.”

Member's explanatory statement

This amendment prevents guidance from recreating separate authority-specific ethical codes in place of the single national core code.

Clause 13

LORD ANDERSON OF IPSWICH
LORD HOPE OF CRAIGHEAD

Clause 13, page 14, line 28, after “office” insert “with the intent”

Member's explanatory statement

This amendment removes an ambiguity in Clause 13 and clarifies, as recommended by the Law Commission, that the offence can be committed even where no benefit is obtained or detriment is suffered, so long as there is an intention that this should be the case.

LORD ANDERSON OF IPSWICH
LORD HOPE OF CRAIGHEAD

Clause 13, page 15, line 11, after “obtained” insert “or intended to be obtained”

Member's explanatory statement

This amendment, consequential on another amendment in the name of Lord Anderson of Ipswich to Clause 13, requires the jury to be directed on the nature and degree not only of any benefit obtained, but of any benefit that may have been intended.

LORD ANDERSON OF IPSWICH
LORD HOPE OF CRAIGHEAD

Clause 13, page 15, line 13, after “suffered” insert “or intended to be suffered”

Member's explanatory statement

This amendment, consequential on another amendment in the name of Lord Anderson of Ipswich to Clause 13, requires the jury to be directed on the nature and degree not only of any detriment suffered, but of any benefit that may have been intended to be suffered.

LORD ANDERSON OF IPSWICH
LORD HOPE OF CRAIGHEAD

Clause 13, page 15, leave out line 21 and insert “prove that the conduct was, in all the circumstances, in the public interest.”

Member's explanatory statement

This amendment replaces the reasonable excuse defence in the Bill with the narrower public interest defence recommended by the Law Commission.

After Clause 20

LORD ALTON OF LIVERPOOL

★ After Clause 20, insert the following new Clause —

“Review: effectiveness of this Act

- (1) Within 18 months of the day on which this Act is passed, the Secretary of State must publish and lay before Parliament —
 - (a) a review of the effectiveness of this Act, in the period of 12 months beginning with the day on which this Act is passed, in achieving its purpose as set out in section 1, and
 - (b) draft legislation to amend this Act, or regulations made under this Act, in order to address any shortcomings or potential improvements identified in the review published under paragraph (a).
- (2) In preparing the review under subsection (1) the Secretary of State must consult and take into consideration the views of —
 - (a) persons appearing to the Secretary of State to represent victims, bereaved families and other persons affected by serious failures in the performance of public functions, and
 - (b) such other persons as the Secretary of State considers appropriate.”

Member's explanatory statement

This amendment requires the Secretary of State to publish a review on the effectiveness of this Act in its first year in force and propose draft legislation to address any deficiencies.

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