

Public Office (Accountability) Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

Tabled up to and including

14 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 2

BARONESS KRAMER

- ★ Clause 2, page 2, line 20, after “(4)” insert “, (4A)”

Member's explanatory statement

This amendment is consequential on Baroness Kramer's amendment at page 2, line 39, and includes the new duty within the duty of candour and assistance.

BARONESS BRINTON
BARONESS HAMWEE

- ★ Clause 2, page 2, line 35, at end insert –

“(ca) where the authority or official has relevant records, including digital messages and communication, retain and disclose those records;”

Member's explanatory statement

This probing amendment would add the disclosure of digital messages and communication to the assistance that a public authority or official must provide to an inquiry or investigation.

BARONESS KRAMER

- ★ Clause 2, page 2, line 39, at end insert —

“(4A) A public authority or public official must not subject a person to any detriment because the person has provided, or intends to provide, information to an inquiry or investigation.”

Member's explanatory statement

This amendment seeks to prevent a public authority or public official to subject a person to detriment for providing, or intending to provide, information to an inquiry or investigation, using the concept of detriment established under section 47B of the Employment Rights Act 1996.

BARONESS KRAMER

- ★ Clause 2, page 3, line 1, leave out “or (4)” and insert “, (4) or (4A)”

Member's explanatory statement

This amendment is consequential on Baroness Kramer's amendment at page 2, line 39, and applies the duty on the individual in charge of a public authority to the new duty not to subject a person to detriment.

Schedule 1

LORD WILLS

- ★ Schedule 1, page 29, line 7, at end insert —

“(ca) may require a person to create an annex of unused material which can be accessed by the chair of the inquiry, alongside an explanation of why this material has been deemed not relevant;”

BARONESS BRINTON
BARONESS HAMWEE

- ★ Schedule 1, page 33, line 40, after second “inquiry” insert “, independent panel, review established by a Minister, or independent panel or review established by a local authority”

Member's explanatory statement

This probing amendment ensures that the statutory duty of candour and assistance extends automatically to independent panels and reviews established by Ministers of the Crown and by local authorities.

Clause 5

BARONESS KRAMER

★ Clause 5, page 5, line 21, at end insert –

“(1A) A person commits an offence if they knowingly or recklessly impede, prevent, threaten, intimidate, victimise or retaliate against a person who –

- (a) makes, intends to make or assists another person in making a protected disclosure, or
- (b) provides information or evidence in connection with a protected disclosure or an investigation into such a disclosure,

where the conduct is intended, or is reckless as to whether it will, prevent, discourage or otherwise adversely affect the making of the disclosure or the provision of information or evidence.”

Member's explanatory statement

This amendment creates an offence of impeding or retaliating against a person who makes a protected disclosure or provides evidence, as a counterpart to the offence of failing to comply with the duty of candour and assistance.

BARONESS BRINTON
BARONESS HAMWEE

★ Clause 5, page 5, line 21, at end insert –

“(1A) Where an offence under this section is committed by –

- (a) a public authority, or
- (b) a body corporate with relevant public responsibility under section 4 of this Act,

the chief officer or chief executive (as well as the public authority or body corporate) is guilty of the offence and liable to be proceeded against and punished accordingly.”

Member's explanatory statement

This amendment would place a personal responsibility on the chief officer or chief executive of a public authority or a corporate body with public responsibility under clause 4 for an offence of failing to comply with the duty of candour and assistance.

After Clause 7

LORD FAULKNER OF WORCESTER

After Clause 7, insert the following new Clause –

“Police records: Public Records Act 1958

Within 12 months of the day on which this Act is passed, the Secretary of State must lay before Parliament draft legislation proposing how, for the purposes of

compliance with this Act, records of police conduct in England and Wales can be brought under the supervision of the Keeper of Public Records, including by amending the Public Records Act 1958.”

LORD WILLS

★ After Clause 7, insert the following new Clause —

“Record keeping duty

The head of each public authority must ensure that the authority has in place arrangements designed to ensure that persons who work for the authority comply with the authority’s procedures for —

- (a) maintaining a record of information in relation to any acts that are or may be relevant to an inquiry or investigation, including one which may take place in the future, and
- (b) informing the authority that they have information (if not otherwise available to the authority) that is or may be relevant to an inquiry or investigation.”

Member's explanatory statement

This is a probing amendment to discover if the intention is that information record keeping be completed as standard by public authorities in accordance with the Public Records Act 1958.

BARONESS KRAMER

★ After Clause 7, insert the following new Clause —

“Agreements purporting to prevent assistance

Any provision in an agreement between a person and a public authority (including a contract of employment and an agreement settling a claim or complaint) is void in so far as it purports to prevent or restrict a person from —

- (a) providing information or other assistance to an inquiry or investigation, or
- (b) making a notification under section 2(3).”

Member's explanatory statement

This amendment provides that an agreement is void so far as it purports to prevent a person from assisting an inquiry or investigation, on the model of section 43J of the Employment Rights Act 1996.

BARONESS BRINTON
BARONESS HAMWEE

★ After Clause 7, insert the following Clause –

“Offence of wilfully destroying information or records relevant to an inquiry or investigation

- (1) A public authority or public official commits an offence if –
 - (a) they deliberately destroy relevant information or records relevant to an inquiry, investigation, or inquest, and
 - (b) they know that, or are reckless as to whether, the information is relevant to or required by an inquiry, investigation, or inquest.
- (2) A public official who commits an offence under this section is liable –
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding the general limit in a magistrates’ court or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both);
 - (d) on conviction on indictment, to imprisonment for a term not exceeding two years or a fine (or both).”

Member’s explanatory statement

This new clause introduces an offence for wilfully destroying relevant records after a major incident that may lead to an inquiry or inquest.

Clause 10

LORD ALTON OF LIVERPOOL
LORD HOPE OF CRAIGHEAD
LORD MURRAY OF BLIDWORTH
LORD MARKS OF HENLEY-ON-THAMES

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 BRINTON
BARONESS HAMWEE

★

Clause 10, page 10, line 40, after “work” insert “including expectations regarding the retention and disclosure of digital records, including messages relevant to public functions”

Member's explanatory statement

This probing amendment ensures that digital messages and records are added to the duty of candour in relation to inquiries and inquests.

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 KRAMER

★

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

- “(d) the steps that the authority must take in relation to recording, investigating and acting upon complaints and protected disclosures made to it in accordance with the procedures specified in paragraphs (a) to (c);

- (e) the protections which will be afforded by the authority to persons making such complaints or protected disclosures, including, but not limited to, protections from being subjected to detriments.”

Member's explanatory statement

This amendment would require a public authority's code of ethical conduct to state what the authority will do with complaints and disclosures it receives, and what protections it will give to those who make them.

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.

LORD WILLS

★

Clause 10, page 11, line 37, leave out paragraph (c)

Member's explanatory statement

This amendment seeks to increase transparency, given the public interest in knowing what standards can be expected of public bodies the public may interact with, and what standards they are being bound to.

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
LORD HOPE OF CRAIGHEAD
LORD MURRAY OF BLIDWORTH
LORD MARKS OF HENLEY-ON-THAMES

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.

BARONESS KRAMER

★

After Clause 10, insert the following new Clause –

“Duty to investigate protected disclosures

- (1) A public authority must take reasonable steps to investigate any protected disclosure made to it.
- (2) The duty under subsection (1) includes, in particular, a duty to –

- (a) establish and maintain internal channels and procedures for receiving, recording and managing protected disclosures,
 - (b) ensure that protected disclosures are assessed promptly and impartially,
 - (c) ensure that a person who is the subject of a protected disclosure does not control, influence or determine the handling or outcome of the disclosure,
 - (d) keep the person making the disclosure informed, so far as reasonably practicable and consistent with any applicable legal restrictions, about the progress and outcome of the investigation, and
 - (e) refer the disclosure to an independent person or body where the public authority has a conflict of interest, is implicated in the matters raised, or has failed to act within a reasonable period.
- (3) The Secretary of State must, within six months of the commencement of this section, issue statutory guidance setting out what constitutes reasonable steps for the purposes of subsection (1).
- (4) A public authority must have regard to guidance issued under subsection (3)."

Member's explanatory statement

This amendment imposes a substantive duty on public authorities to take reasonable steps to investigate protected disclosures, with safeguards against conflicts of interest and provision for external referral where an authority is implicated or fails to act.

BARONESS KRAMER

★

After Clause 10, insert the following new Clause—

"Duty to prevent retaliation against those who make protected disclosures

- (1) A public authority and a public official must take reasonable steps to prevent a person from suffering detriment as a result of—
- (a) making or intending to make a protected disclosure,
 - (b) assisting another person in making a protected disclosure,
 - (c) providing information or evidence in connection with an investigation of a protected disclosure, or
 - (d) cooperating with the Office of the Whistleblower.
- (2) For the purposes of subsection (1), detriment includes retaliation, victimisation, harassment, intimidation, dismissal, disciplinary action, loss of employment, loss of professional opportunity or any other adverse treatment.
- (3) The Secretary of State must, within six months of the commencement of this section, issue statutory guidance setting out what constitutes reasonable steps for the purposes of subsection (1).
- (4) A public authority must have regard to guidance issued under subsection (3)."

Member's explanatory statement

This amendment imposes a positive duty on public authorities and public officials to take reasonable steps to prevent retaliation against those who make protected disclosures, assist others in making them or provide evidence.

Clause 11

LORD ANDERSON OF IPSWICH
LORD EVANS OF WEARDALE

Clause 11, page 12, line 39, leave out subsection (4) and insert –

- “(4) For the purposes of this section, the “appropriate national authority” is –
- (a) the Ethics and Integrity Commission;
 - (b) the Scottish Ministers, if the guidance relates to Scottish devolved matters;
 - (c) the Welsh Ministers, if the guidance relates to Welsh devolved matters;
 - (d) a Northern Ireland department, if the guidance relates to Northern Ireland devolved matters.
- (5) The Ethics and Integrity Commission may issue guidance under this section –
- (a) which relates to a Scottish devolved matter, if the Scottish Ministers have consented to that guidance;
 - (b) which relates to a Welsh devolved matter, if the Welsh Ministers have consented to that guidance;
 - (c) which relates to a Northern Ireland devolved matter, if a Northern Ireland department has consented to that guidance.”

Member's explanatory statement

This amendment removes responsibility for the issuing of guidance under clause 11 from the Secretary of State and places it instead with the Ethics and Integrity Commission (formerly known as the Committee on Standards in Public Life) and the devolved Governments.

LORD ALTON OF LIVERPOOL
LORD HOPE OF CRAIGHEAD
LORD MURRAY OF BLIDWORTH
LORD MARKS OF HENLEY-ON-THAMES

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.

After Clause 11

LORD ANDERSON OF IPSWICH
LORD EVANS OF WEARDALE

★ After Clause 11, insert the following new Clause –

“Ethics and Integrity Commission: draft legislation

- (1) Within the period of 12 months beginning on the day on which this Act is passed, the Secretary of State must publish draft legislation which sets out statutory powers for the Ethics and Integrity Commission relating to the duty of public authorities and public officials to act with candour, transparency and frankness as established by this Act.
- (2) Before publishing the draft legislation under subsection (1), the Secretary of State must carry out a consultation.”

Member's explanatory statement

This amendment would require the publication of draft legislation placing certain functions of the Ethics and Integrity Commission on a statutory footing.

BARONESS BRINTON

★ After Clause 11, insert the following new Clause –

“Expected standards of conduct and duty of NHS boards to report medical malpractice or serious wrongdoings

- (1) This section sets out a duty for boards of NHS trusts and NHS foundation trusts in England to adopt codes of conduct mandating reporting of concerns in relation to systemic medical malpractice or serious wrongdoings, including Never Events, relating to patient safety within an NHS body.
- (2) A member of the board of directors of an NHS trust or an NHS foundation trust in England must report any evidence or reports they have seen of systemic medical malpractice or serious wrongdoings relating to patient safety within the trust to –
 - (a) the Care Quality Commission,
 - (b) the Department of Health and Social Care, and
 - (c) the Health Services Safety Investigations Body.
- (3) The board of directors of an NHS trust or NHS foundation trust in England has a collective duty to –
 - (a) refer the trust to the Care Quality Commission, and
 - (b) alert the Department of Health and Social Care and the Health Services Safety Investigations Body, if staff employed by, or acting on behalf of, the trust raise concerns of systemic medical malpractice or serious wrongdoings relating to patient safety.
- (4) In discharging its duties under subsection (1), an NHS trust board must, in particular –

- (a) adopt a code of conduct which sets standards expected of members who serve on the boards of an NHS trust or NHS foundation trust, and
 - (b) ensure that the code of conduct is published.
- (5) An NHS trust's code of conduct must in particular –
- (a) require members of a board of an NHS trust or NHS foundation trust to act in accordance with the duty of candour in reporting concerns relating to systemic medical malpractice or serious wrongdoings relating to patient safety within a trust;
 - (b) require members of the trust's board to promote ethical conduct, candour, transparency and frankness within all parts of the NHS trust or foundation trust for which they work;
 - (c) contain information about the steps that a person who works for an NHS trust should take if they believe that a member of a trust's board has failed to act in accordance with the code of conduct.
- (6) In this section –
- “systemic medical malpractice” means an action or omission in the provision of health care that falls below the expected standard of care and indicates a widespread, patterned, or recurring failure within the systems, processes, or governance of the trust;
 - “wrongdoing” includes abuse of authority, perverting the course of justice, neglect of duty and the exploitation of vulnerable people.”

Member's explanatory statement

This new clause sets a duty for boards of NHS trusts and foundation trusts in England to adopt codes of conduct mandating reporting of concerns in relation to systemic medical malpractice or serious wrongdoings relating to patient safety within a trust.

Clause 13

LORD ANDERSON OF IPSWICH
LORD HOPE OF CRAIGHEAD
LORD MARKS OF HENLEY-ON-THAMES

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
LORD MARKS OF HENLEY-ON-THAMES

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
LORD MARKS OF HENLEY-ON-THAMES

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
LORD MARKS OF HENLEY-ON-THAMES

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.

Schedule 5

BARONESS KRAMER

★

Schedule 5, page 62, line 23, at end insert—

“Legal Aid, Sentencing and Punishment of Offenders Act 2012

5 In section 10 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (civil legal services: exceptional cases), after subsection (5) insert—

“(5A) A wider public interest determination is a determination that the provision of civil legal services, including advocacy, is appropriate for an individual to bring or defend proceedings under section 47B or section 103A of the Employment Rights Act 1996 (protected disclosures) where the proceedings arise from the individual having made, or intended to make, a protected disclosure or having exercised a duty of candour or assistance under the Public Office (Accountability) Act 2026.””

Member's explanatory statement

This amendment provides a route to exceptional legal aid for proceedings arising from whistleblowing or the exercise of duties under this Act, where the wider public interest justifies it.

After Clause 20

LORD ALTON OF LIVERPOOL
LORD HOPE OF CRAIGHEAD

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.

BARONESS KENNEDY OF THE SHAWES
LORD ALTON OF LIVERPOOL

After Clause 20, insert the following new Clause –

“Affected persons: statement to correct the public record

- (1) An affected person, or their family member or representative, may make an application to the court for a statement to correct the record, where the conditions in subsection (2) are met.
- (2) The conditions in this subsection are that the court has found that a public authority has –
 - (a) failed to act with candour, transparency and frankness within court proceedings to which the public authority is a party, and

- (b) that failure led to serious and adverse misrepresentation of an affected person during those court proceedings.
- (3) Any statement made under subsection (1) must be given in open court.
- (4) In this section, “affected person” means a person adversely impacted by the conduct that is the subject of the relevant court proceedings, whether or not they are a party to the proceedings.”

Member’s explanatory statement

This amendment seeks to grant individuals affected by public authority failures in court the right to make a court application to correct the public record.

LORD WILLS

★ After Clause 20, insert the following new Clause —

“Review of sentencing provisions

- (1) The Secretary of State must, within the period of one year beginning with the day on which this Act is passed, carry out a review of the effectiveness of the penalties available for offences under this Act.
- (2) The review must consider whether the maximum penalties have proved sufficient to deter relevant offences.
- (3) The Secretary of State must lay before Parliament a report setting out the findings of the review.
- (4) The Secretary of State may by regulations amend the maximum sentences specified under this Act.
- (5) Regulations under this section are subject to the affirmative procedure.”

BARONESS KRAMER

★ After Clause 20, insert the following new Clause —

“Review of disclosure and detriment provisions

- (1) The Secretary of State must, before the end of the period of 12 months beginning with the day on which this section comes into force, carry out a review of the impact of the provisions of this Act on the making of disclosures by persons who work for a public authority.
- (2) The review must consider in particular —
 - (a) whether those provisions are effective in ensuring that a person who works for a public authority who provides, or intends to provide, information to an inquiry, investigation or inquest under this Act is protected from being subjected to any detriment as a result,
 - (b) whether public authorities are taking adequate steps to receive, record, investigate and act upon disclosures made to them,

- (c) whether the enforcement mechanisms available under this Act are sufficient for those purposes, and
 - (d) whether an independent body should be established with functions relating to the receipt, investigation and oversight of such disclosures and to the protection of persons who make them.
- (3) The Secretary of State must lay a report of the review before Parliament as soon as reasonably practicable after its completion.
 - (4) The report must state what steps, if any, the Secretary of State intends to take in consequence of the review, or, where the Secretary of State does not intend to act on a conclusion of the review, the reasons for that.”

Member's explanatory statement

This amendment requires the Secretary of State to review within twelve months whether the Act's disclosure provisions are protecting those who rely on them, to report to Parliament, including on whether an independent body should be established, and to explain any decision not to act on the review's conclusions.

LORD MARKS OF HENLEY-ON-THAMES
BARONESS BRINTON

★

After Clause 20, insert the following new Clause —

“Monitoring compliance with duties under this Act

- (1) The Secretary of State must commission and publish annually an independent report which monitors public authorities' compliance with their duties under this Act.
- (2) The report must assess —
 - (a) public authorities' record-keeping, disclosures and responses to inquiries and investigations,
 - (b) the effectiveness of enforcement and sanctions provisions in this Act in helping to ensure that public authorities and public officials perform their functions in line with the duty of candour in their dealings with inquiries and investigations, and
 - (c) the effectiveness of the provisions in this Act for supporting persons, including public officials, making protected disclosures and for reporting wrongdoings to an inquiry or investigation following a major incident involving a public authority.
- (3) The Secretary of State must lay a copy of each report before both Houses of Parliament.
- (4) The first report must be laid within the period of 12 months beginning on the day on which this Act is passed.
- (5) Each subsequent report must be laid within the period of 12 months beginning on the day on which the previous report was laid.”

Member's explanatory statement

This new clause requires the Secretary of State to commission and publish annually an independent report with the purpose of providing an oversight mechanism to monitor compliance with duties under this Act.

Public Office (Accountability) Bill

RUNNING LIST OF ALL AMENDMENTS IN COMMITTEE OF THE WHOLE HOUSE

*Tabled up to and including
14 September 2026*

14 September 2026

PUBLISHED BY AUTHORITY OF THE HOUSE OF LORDS