



Department for  
Energy Security  
& Net Zero

**Lord Callanan**  
Minister for Business, Energy and  
Corporate Responsibility

**Department for Business,  
Energy & Industrial Strategy**  
1 Victoria Street  
London  
SW1H 0ET

[www.gov.uk](http://www.gov.uk)

To: Baroness O'Grady

3 April 2023

Dear Baroness O'Grady

I am writing to respond to the question you raised on the second day of the committee stage discussions on the Strikes (Minimum Service Levels) Bill on 23 March about whether private sector businesses are in scope of this legislation.

As I said during Committee Stage, it is possible for a private sector business to be in scope of minimum service level regulations if they provide a relevant service as specified within the regulations.

The Bill enables minimum service levels to be applied within the following key sectors:

- health services
- fire and rescue services
- education services
- transport services
- decommissioning of nuclear installations and management of radioactive waste and spent fuel
- border security

The private sector business would therefore need to operate within one of these sectors to be considered within scope of this legislation. Furthermore, whether a specific service within the broad sectors of the Bill as set out above, will be subject to minimum service levels will be decided following consultation. The extent to which private sector businesses are in scope of the legislation will therefore depend on the sector and be determined by the regulations following consultation.

For example, the rail consultation includes questions about who is in scope for minimum service levels in that sector, including services that may be provided by private sector organisations such as some passenger train operating companies.

With regard to fire services, where private sector staff facilitate business as usual roles such as in control rooms, they could also be subject to a work notice if the Secretary of State makes minimum service level regulations covering those roles (which is currently the subject of consultation).

On ambulance services, Lord Markham clarified in his letter to peers on 23 March 2023 that private sector organisations are not in scope of the current consultation but he makes clear that this may not be the case in other areas.

I hope I have been able to provide clarity on these issues.

I am copying this letter to Lord Markham and placing a copy in the House Library.

A handwritten signature in blue ink, appearing to read "Martin Callanan". The signature is fluid and cursive, with a long horizontal stroke at the end.

**Lord Callanan**