

HADDENHAM PARISH COUNCIL

Immigration Act 2016 Part 7 Sections 77 – 84 English Language Requirements in the Public Sector

Part 7 Sections 77 – 84 ensures that all public sector workers in public-facing roles speak fluent English.

Background

Currently, there are many vital public-facing roles in the public sector that do not require the jobholder to be a fluent English speaker, including: unqualified teaching posts, teaching assistants and unregulated NHS posts. This cannot be allowed to continue for roles where communication with the British public is vital to deliver an effective service.

A duty has been placed on public authorities to ensure that each person who works for a public authority in a public-facing role speaks fluent English. In determining how to comply with this duty, a public authority must have regard to the statutory Code of Practice. The duty will ensure that every member of the public receiving help or advice is served by someone who can provide them with advice in clear English.

The Code of Practice outlines: the minimum standard of spoken English to be met; the action to be taken by a public authority where someone does not meet that standard; the procedure to be operated to deal with any complaints; and, how the public authority can comply with its other duties including its obligations under the Equality Act 2010.

Code of Practice

Haddenham Parish Council will comply with Part 7 Sections 77 – 84 of the Immigration Act 2016 to ensure that all members of staff in public-facing roles speak fluent English by following the appropriate guidelines as set out in the Code of Practice.

A statutory Code of Practice is available and is intended to support public sector employers in complying with this new duty, whilst ensuring minimal burden. It provides principles and examples for public authorities to consider when fulfilling their legal duties and obligations.

In the Code and other supporting documents, a public sector worker is determined to be “public-facing” if, as a regular and intrinsic part of their role, they are required to speak to members of the public in English, or in Wales in English or Welsh. This is described in Part 7 of the Act as a “customer-facing role”.

The Code of Practice will provide additional guidance on how an employer is expected to set the required standard of fluency.

The Code of Practice provides further guidance on how a public authority should exercise this duty in light of its obligations under the Equality Act 2010.

A copy of the Code of Practice can be found at www.gov.uk

Reviewed and readopted on 16th July 2018

Minutes FC 07/2018 Item 16