
English Fluency Policy - Summary Report

Committee considering report:	Personnel Committee
Date of Committee:	08 February 2017
Portfolio Member:	Councillor James Fredrickson
Date Portfolio Member agreed report:	22 December 2016
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Forward Plan Ref:	PC3216

1. Purpose of the Report

- 1.1 To propose the adoption of the English Fluency Policy and Guidance which sets out the Council's approach to meeting its obligations under Part 7 of the Immigration Act 2016.

2. Recommendation

- 2.1 Personnel Committee is recommended to approve the English Fluency Policy and Guidance for use by West Berkshire Council.

3. Implications

- 3.1 **Financial:** Public authorities are required to meet the cost of training staff who do not reach the required standard of English fluency for their role, so that they can meet it, and enable staff to take time off work to undertake such training. Costs will be met by the Corporate training budget if required.
- 3.2 **Policy:** The proposed English Fluency Policy and Guidance sets out the Council's approach to its duties under Part 7 of the Immigration Act 2016.
- 3.3 **Personnel:** Those in public facing roles are required to have a level of fluency in spoken English appropriate to the job role.
- 3.4 **Legal:** Compliance with Part 7 of the Immigration Act 2016, and the Equality Act 2010.
Advice from Legal Services has been taken into account in writing this Policy and Guidance.
- 3.5 **Risk Management:** None
- 3.6 **Property:** None
- 3.7 **Other:** None

4. Other options considered

4.1 None.

5. Executive Summary

- 5.1 Part 7 of the Immigration Act 2016 came into force on 21st November 2016. It places a statutory duty on public authorities (including Councils and state funded schools to ensure that all public authority staff working in public facing roles speak fluent English to an appropriate standard for their role. The requirement is intended to assure citizens that there isn't a language barrier that might prevent them from contacting or using public services or that inadvertently might put them at risk.
- 5.2 To comply with the statutory duty Public Authorities must:
- Define which roles are public facing
 - Determine the appropriate standard of spoken English to be met by their public facing staff
 - Have an appropriate complaints procedure to follow should a member of the public consider that the required standard has not been met
 - Take remedial action if a member of staff falls below the required standard
- 5.3 The Government has published a statutory [code of practice](#) on 29th November 2016. This Code does not prescribe what public authorities must do but aims to assist them fulfil their legal duties. Public Authorities must also take account of their obligations under the Equality Act 2010.
- 5.4 The fluency requirement applies to all staff working in public facing roles for public authorities. This includes permanent and fixed term employees, apprentices, self employed contractors and agency temps.
- 5.5 The English Fluency Policy and Guidance sets out the Council's approach to the requirement, and offers practical guidance to managers.

6. Conclusion

- 6.1 Personnel Committee is requested to approve the English Fluency Policy and Guidance.

7. Appendices

- 7.1 Appendix A – Supporting Information
- 7.2 Appendix B – Equalities Impact Assessment
- 7.3 Appendix C – The draft English Fluency Policy and Guidance