

National Assembly for Wales

Communities, Equality and Local Government Committee

2 March 2016

Cynulliad
Cenedlaethol
Cymru

National
Assembly for
Wales



Report on the Legislative Consent Memorandum for the Immigration Bill: language requirements for public sector workers

Background

1. On 5 February 2016, the First Minister laid a [Legislative Consent Memorandum](#) ('the Memorandum') for the Immigration Bill currently before the UK Parliament.
2. On 9 February 2016, the Business Committee agreed to refer the Memorandum to the Communities, Equality and Local Government Committee for consideration. In referring the Memorandum, the Business Committee set a reporting deadline of 10 March 2016.
3. A Legislative Consent Motion relating to the Memorandum is scheduled for debate in plenary on 15 March 2016.

The Memorandum

4. Paragraphs 3 and 4 of the Memorandum summarise the Bill and its policy objectives. Briefly, the UK Government's policy objectives for the Bill are to tackle illegal immigration by making it harder to live and work illegally in the UK.
5. Paragraphs 5 to 13 set out the provisions in the Bill for which consent is sought. Paragraphs 14 to 17 detail the advantages, in the view of the Welsh Government, of utilising the Bill rather than Assembly legislation.

Provisions in the Bill for which consent is sought

6. The consent of the National Assembly is sought for Part 7 of the Bill, which would apply in relation to Wales.

7. Part 7 relates to language requirements for public sector workers. In Wales, it places a duty on public authorities to ensure that persons employed in a customer-facing role speak fluent English or Welsh. That duty will only apply to public authorities defined in the Bill.

8. The Bill also requires those public authorities to have in place procedures for handling complaints about breaches of the duty, and to have regard to a code of practice (provided for in the Bill) when deciding whether those procedures are adequate.

9. There is also a power for the relevant Minister to extend the statutory duty to cover private and voluntary sector providers of contracted-out public services.

Committee consideration and conclusion

10. We considered the Memorandum on 25 February 2016. We have no issues to draw to the attention of the Assembly.