

August 12th 2015

All public sector employees who work directly with the public to have fluent English

The Government has confirmed that, under a new Immigration Bill to be published in autumn 2015, all public sector workers in public-facing roles will be required to speak fluent English to at least school leavers' level. The legislation is expected to stipulate a minimum English language requirement of 'level 2', which is equivalent to a GCSE grade C or above. This requirement would increase depending on the nature of the role and profession. For example, doctors are already required to have a much higher level of English.

The legislation will affect many public sector organisations, including the NHS, armed forces, state-funded schools, police, social workers, Jobcentre Plus workers and local government employees and it will apply to both new and existing employees working in public-facing roles.

A new Code of Practice will also be introduced following a consultation in the autumn.

Consultation on a public sector exit payment cap

The Government has issued a consultation document on its proposals to introduce a £95,000 cap on the total value of exit payments made to an individual who leaves public sector employment. The new cap will apply to all entities classified within the central and local government and non-financial public corporation sectors (including councils, schools and the health service), with a small number of proposed exemptions. The consultation seeks views on the scope, level and design of the cap.

The proposal is to introduce clauses in the Enterprise Bill, to be published in autumn 2015, to give effect to the £95,000 cap, which will apply to all types of arrangements for determining exit payments. It is proposed that it will cover payments made in relation to leaving employment, including redundancy payments for both compulsory and voluntary exits, other voluntary exits with compensation packages, settlement agreements, ex gratia payments, special severance payments, the monetary value of any extra leave, allowances or other benefits granted as part of the exit process which are not payments in relation to employment, payments or compensation in lieu of notice and payments relating to the cashing up of outstanding entitlements. It will not cover compensation payments in respect of death or injury attributable to employment, serious ill-health or ill-health retirement and neither will it cover payments made following litigation for breach of contract or unfair dismissal.

The default position would be that any waiver of the cap would require consent from the relevant Minister, subject to Treasury controls and delegations to departments. The bodies affected would also need to maintain records and publish annual details of all exit payments made within a financial year.

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The consultation closes on 27 August 2015.

Between 2011-12 and 2013-14 the cost of exit payments in the public sector was around £6.5 billion and more than £1 billion of this cost came as a result of exit payments costing more than £100,000.