

<b>Title:</b> Overarching Impact Assessment - Immigration Bill  <b>IA No:</b> HO0214  <b>Lead department or agency:</b> Home Office  <b>Other departments or agencies:</b> Department of Health, Ministry of Justice, Department for Communities and Local Government, Department for Transport, HM Treasury, Department for Education	<b>Impact Assessment (IA)</b>		
	<b>Date:</b> 25 November 2015		
	<b>Stage:</b> Final		
	<b>Source of intervention:</b> Domestic		
	<b>Type of measure:</b> Primary legislation		
<b>Contact for enquiries:</b> Immigration Bill Team - ImmigrationBillTeam@homeoffice.gsi.gov.uk			
<b>Summary: Intervention and Options</b>		<b>RPC Opinion:</b> Not Applicable	

Cost of Preferred (or more likely) Option			
Total Net Present Value	Business Net Present Value	Net cost to business per year (EANCB on 2009 prices)	In scope of One-In, Two-Out? Measure qualifies as
N/A	N/A	Around £1m	Yes   IN

**What is the problem under consideration? Why is government intervention necessary?**

The Government is determined to reduce illegal immigration and to take a tougher approach to dealing with those who should no longer be here, including those who have either entered the country illegally or overstayed their visa. The Immigration Bill contains a raft of important measures to prevent illegal immigration and remove incentives for illegal migrants to enter or remain in the UK and encourage them to depart. It reforms support arrangements for certain categories of migrant. It also contains some wider measures, including fees and charging provisions and provisions requiring public sector workers to speak English.

**What are the policy objectives and the intended effects?**

Primarily, the measures contained in the Bill will make it easier to remove people who should not be in the UK; ensure that only those who are legally resident in the UK can access employment and public services; and enable illegal migrants who have made a human rights claim to be removed before they appeal where that does not breach their human rights. The Bill will also encourage those who are present in the UK illegally to depart.

**What policy options have been considered, including any alternatives to regulation? Please justify preferred option (further details in Evidence Base)**

Option 1: Do nothing and maintain the current position.  
Option 2: Introduce the Immigration Bill which will make a significant contribution to reducing illegal immigration.

Option 2 is the preferred option.

<b>Will the policy be reviewed?</b> It will be reviewed. <b>If applicable, set review date:</b> Review dates vary by measure					
Does implementation go beyond minimum EU requirements?				N/A	
Are any of these organisations in scope? If Micros not exempted set out reason in Evidence Base.		<b>Micro</b> Yes	<b>&lt; 20</b> Yes	<b>Small</b> Yes	<b>Medium</b> Yes
What is the CO <sub>2</sub> equivalent change in greenhouse gas emissions? (Million tonnes CO <sub>2</sub> equivalent)				<b>Traded:</b>	
				<b>Non-traded:</b>	

**I have read the Impact Assessment and I am satisfied that (a) it represents a fair and reasonable view of the expected costs, benefits and impact of the policy, and (b) that the benefits justify the costs.**

Signed by the responsible Minister:  Date: 30 November 2015

# Summary: Analysis & Evidence

# Policy Option 2

**Description:** Introduce the Immigration Bill.

## FULL ECONOMIC ASSESSMENT

Price Base Year	PV Base Year	Time Period Years	Net Benefit (Present Value (PV)) (£m)		
			Low:	High:	Best Estimate: N/A

COSTS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Cost (Present Value)
Low			
High			
Best Estimate	N/A	N/A	N/A

### Description and scale of key monetised costs by 'main affected groups'

Monetised costs are either detailed in individual impact assessments that accompany the Bill, where appropriate, or were or will be published alongside consultations where appropriate. There will be some costs to the public sector (including the Home Office and Local Authorities). Where there are direct costs to businesses from new regulations, these have been identified. Many Bill measures involve creating new powers or new penalties which will enable immigration officers to work more efficiently against illegal immigration. Costs accruing to non-compliant organisations are out of scope of impact assessments.

### Other key non-monetised costs by 'main affected groups'

Non-monetised costs are detailed in individual impact assessments.

BENEFITS (£m)	Total Transition (Constant Price) Years	Average Annual (excl. Transition) (Constant Price)	Total Benefit (Present Value)
Low			
High			
Best Estimate	N/A	N/A	N/A

### Description and scale of key monetised benefits by 'main affected groups'

Full details of main monetised benefits will be found in individual impact assessments. They will include public sector benefits from illegal migrants deterred from residing in the UK.

### Other key non-monetised benefits by 'main affected groups'

Increased detection and removal of immigration offenders. A fairer distribution of unaccompanied migrant and asylum seeking children to ensure their needs are safeguarded.

Key assumptions/sensitivities/risks	<b>Discount rate</b>	3.5
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The above monetised and non-monetised costs and benefits are based on the main assumptions outlined in the individual impact assessments, which contain a breakdown of the risks and benefits in further detail. The net present value of each policy is presented in Table 1. These have not been totalled because a total figure would not accurately represent all the caveats to the individual figures and may be misleading.

## BUSINESS ASSESSMENT (Option 2)

Direct impact on business (Equivalent Annual) £m:			In scope of OITO?	Measure qualifies as
Costs:	Benefits: 0.0	Net:	Yes	IN

## **A. Strategic Overview**

### **A.1 Background**

The Government is committed to operating proper controls on immigration, to reducing net migration, and to ensuring that public confidence in the system is rebuilt and pressures on communities and public services are alleviated.

The Government is also determined to reduce illegal immigration and to take a tougher approach to dealing with those who have either entered the country illegally or overstayed their visa. The Immigration Bill contains a number of important measures to make it more difficult for illegal migrants to live in the UK, encouraging them to depart.

The Bill has three main themes: first, the Bill will crack down on exploitation of low-skilled workers, increase the consequences for employing illegal migrants and strengthen the sanctions for working illegally. A new Director of Labour Market Enforcement will coordinate our strategy for tackling worker exploitation. Measures in the Bill will also ensure that those working illegally or employing illegal workers cannot gain or retain licences to sell alcohol or late night refreshment, or licences as drivers or operators of private hire vehicles and taxis. Immigration officers will also have new powers to close businesses where illegal working is being conducted and where there is a history of non-compliance, with new powers for the courts to then order the close supervision of the business to prevent any continued use of illegal workers. Those who work illegally will also face criminal sanctions and their wages will be recoverable under the Proceeds of Crime Act 2002.

Secondly, the Bill will build on the Immigration Act 2014 to ensure that only those migrants who are lawfully present in the UK can access services, such as renting accommodation, holding a driving licence and using UK bank accounts. New powers will make it easier for landlords to evict those with no right to be in UK, and enable immigration staff to seize driving licences from illegal migrants and close or freeze their bank accounts. Those convicted of the new offence of working illegally will face confiscation of any money made through illegal activity.

Thirdly, to make it easier to remove people who should not be in the UK, the Bill will implement Conservative manifesto commitments to tag foreign criminals released on bail and to extend 'deport now, appeal later' certification powers to more immigration cases. The Bill will also equip immigration officers with additional search and seizure powers to better enforce our immigration laws.

In addition to these three key areas, the Bill will: reform support arrangements for certain categories of migrant, support the dispersal of unaccompanied asylum seeking children, strengthen our sea and air borders, make sure that only those with good English language skills can gain employment in customer-facing public sector roles, impose a new skills charge on businesses bringing migrant labour into the country and reform fees charged by the Home Office in relation to passports and civil registration.

This overarching impact assessment briefly describes each measure in the Bill and the rationale for intervention. It also sets out the costs and benefits of measures of the Bill where significant impacts have been identified and directs readers to individual impact assessments prepared for each part.

### **Measures and Rationale**

The specific measures in the Bill on these themes and the rationale for each measure are outlined below.

## Part 1 – Labour Market and Illegal Working

	Measure	Rationale
A	Director of Labour Market Enforcement	Labour market exploitation is an increasingly organised criminal activity; in response the government regulators that enforce workers' rights need reform and better coordination. The Bill establishes a new statutory Director of Labour Market Enforcement, creating a central hub of intelligence and facilitating the flexible allocation of resources across the different regulators.
B	New offence of illegal working	The Immigration, Asylum and Nationality Act 2006 (the 2006 Act) prohibits the employment of adults who are subject to immigration control and do not have leave to enter or remain in the UK, or who are subject to a condition preventing them from undertaking employment. Working in breach of a condition prohibiting employment is an offence under section 24(1)(b)(ii) of the Immigration Act 1971, but working without leave to enter or remain is not an offence. Such a person who requires but does not have leave to enter or remain may be committing an offence under another limb of section 24, but they do not currently commit a separate offence of illegal employment. Similarly, a person without leave to enter or remain does not commit a separate offence if they undertake self-employment. The Bill creates a new offence of illegal working to ensure that the act of illegal working is always an offence. The new offence will enable the earnings of illegal workers to be seized under the Proceeds of Crime Act 2002.
C	Tougher criminal offence for employers of illegal workers	The Government believes that prosecution remains an appropriate response in more serious cases involving employers who employ illegal workers. Some employers are wilfully not checking whether their employees have the right to work or deliberately turning a blind eye. This means that they can only be liable for a civil penalty and not be subject to a successful criminal prosecution. Civil penalties are served on businesses rather than individuals. However, section 21 of the 2006 Act provides that where a business is prosecuted for knowingly employing an illegal worker, it is also possible to prosecute individual company officers, including directors, who connived in or consented to the commission of the offence. This provides one of a number of important means for holding individuals personally to account, preventing them from escaping their liability and continuing the practice of using illegal workers by establishing new businesses. The Bill amends the criminal sanction in the 2006 Act to make it easier to bring prosecutions in these cases and to increase the maximum custodial sentence for those convicted of the offence in order to better deter the cynical or deliberate use of illegal workers and reflect more appropriately the social harm arising from this activity. Civil penalties will remain the principal means of dealing with more routine cases.
D	Prevention of illegal working on licensed premises.	The Government believes that a significant volume of illegal working happens on licensed premises, where there is the sale of alcohol or late night refreshment (hot food or drink sold between 11pm and 5am). The Bill tackles illegal working in these sectors by amending licensing legislation such that a licence cannot be issued to an illegal worker and to make the employment of illegal workers a factor that may be taken into consideration when issuing or revoking licences. Immigration officers will be provided with powers to enter premises to inspect compliance with these new conditions.

	<b>Measure</b>	<b>Rationale</b>
E	Prevention of illegal working in the private hire vehicles and taxi sector	Private hire and taxi drivers are usually self-employed and therefore not subject to existing right to work checks, which leaves scope for this sector to be exploited by illegal workers. The Bill adapts existing licensing regimes to ensure that licensing authorities do not issue driver or operator licences to people who do not have lawful status or the right to work in the UK. Where immigration leave is time-limited to less than the statutory length for a driver or operator licence, the licence will be issued for a duration which does not exceed the applicant's period of leave. Immigration offences and penalties will be added to the list of grounds on which licences may be revoked and where someone is disqualified for immigration reasons, it will be an offence not to return their licence.
F	New closure orders to tackle serial employers of illegal workers, and an associated criminal offence of breaching the order.	The Bill will provide new powers to deal with businesses that repeatedly use illegal workers or flout the law in this area. When immigration officers conduct an enforcement visit, under existing powers, to an employer's premises, any illegal workers identified may be arrested and detained and the employer may be liable for a civil penalty or prosecution for an offence. Despite this, the employer may continue to operate their business and there is a risk that they may be continuing to use illegal workers, possibly not detected by immigration officers as they were not present at the time of the visit. The Bill provides the power for immigration officers to close the premises for up to 48 hours in certain cases where the employer has previously been given a civil penalty, failed to pay such a penalty or been prosecuted for employing illegal workers. Unless the closure notice is cancelled an application must be made to a court for an illegal working compliance order. The compliance order may extend the closure of the premises or otherwise direct the employer to perform certain steps to ensure that illegal workers are not employed. The scheme is designed to be similar to the power to give closure notices to premises associated with nuisance or disorder in Part 4 of the Anti-social Behaviour, Crime and Policing Act 2014.

## Part 2 – Access to Services

	<b>Measure</b>	<b>Rationale</b>
A	New criminal offence of renting accommodation to an illegal migrant. Making it easier for landlords to evict illegal migrant tenants.	<p>Illegal migrants should have no expectation that they may take rented accommodation in the UK and set down roots and build ties here. The ability to find accommodation easily allows illegal migrants to establish a settled lifestyle in the full knowledge that they have no right to be here. The ability to change accommodation also assists them where they wish to evade the authorities and frustrate legitimate steps to remove them. The Immigration Act 2014 introduced restrictions on illegal migrants accessing the private rented sector for the first time in law. It is clear, however, that many landlords are concerned that they should be able to evict an illegal migrant from their property.</p> <p>The Government is also determined to tackle the rogue landlords who are often complicit in illegal migration and make profits where this occurs. Many of these landlords are also involved in exploitative or criminal behaviour and their activities damage their communities and harm the reputation of the private rented sector as a whole.</p> <p>Landlords can avoid prosecution by complying with the requirements to conduct simple right-to-rent checks on tenants and taking steps to</p>

		evict illegal immigrants when served with a notice by the Home Office.
B	Power to seize the driving licence of illegal migrants (not just retrospective revocation of licences)	Revoked driving licences remain in circulation; accordingly, we wish to build on the 2014 Act provisions by creating an effective consequence for illegal migrants. Therefore, the Bill provides the police and immigration officers with a new power to search for and seize revoked UK driving licences and licences which have not yet been revoked but where we intend to request the issuing authority to revoke them.
C	New criminal offence of, driving while an illegal migrant. Conviction will enable vehicle seizure.	Although illegal migrants may have their Great Britain or Northern Ireland driving licence revoked, preventing them from legally driving, other illegal migrants may continue to drive legally with a licence issued overseas. Licences issued by non-EU countries may be used in the UK for 12 months <sup>1</sup> irrespective of immigration status. To close this loophole the Bill makes it an offence for illegal immigrants to drive. The Bill will allow police officers and immigration officers to seize and detain vehicles driven by illegal migrants and on conviction the court would have the power to order the forfeiture of the vehicle.
D	Obligation on banks to check against accounts and report any held by known illegal immigrants.	The Bill places a duty on banks and building societies to perform regular checks and to notify the Home Office where a person disqualified from holding a current account, by reason of their immigration status, is identified. The Bill specifies that secondary legislation may require the bank or building society to inform the Home Office of all accounts held by the individual concerned, not just current accounts. The Home Office may then either apply to a court to freeze the individual's accounts, except for essential living needs, or may instruct the bank or building society to take reasonable steps to prevent the person from continuing to access the accounts. The steps that the bank or building society must take depend on the individual nature of the state of the account(s) and a case by case approach is required. The bank or building society must provide the Home Office with information about the steps it has taken to comply with this duty.

### Part 3 - Enforcement

	Measure	Rationale
A	New powers for immigration officers to search for and seize evidence of immigration breaches - including evidence of illegal working or renting without a right to rent.	Immigration officers have powers to search for evidence of criminal immigration offences, but not for evidence where the intention is not to prosecute but to take civil action (either to remove an illegal migrant from the UK or to serve a civil penalty notice on an employer or landlord). The Bill provides additional powers of search and seizure. Typically this may involve searching for evidence of illegal working such as pay slips or time sheets, and evidence of illegal renting such as tenancy agreements and letting paperwork.
B	New powers for immigration officers to seize evidence of crime	While using existing powers to search premises, immigration officers may find evidence in relation to other criminal offences (for example, drugs). The Bill gives officers powers to seize items, where there are reasonable grounds to believe that they have been obtained in the commission of a criminal offence and where it is necessary to prevent them being concealed, damaged, or destroyed, and to pass them on to the police.

<sup>1</sup> For validity of non-GB licences see <https://www.gov.uk/driving-nongb-licence>

C	Allow detainee custody officer and prison officers to search for and seize nationality documents	Detainee custody officers or prison officers who find nationality documents during the course of routine security searches have no powers to seize such documents as they do not present a security risk to the removal centre/prison or detained person. The Bill creates a new power for them to be able to retain any nationality documents discovered when searching a person liable to removal or deportation, or their property, and also to search such a person, when authorised to do so by the Home Office, specifically for such documents.
D	Re-align immigration warrants with police warrants	Amendments to police legislation mean immigration entry warrants no longer closely match those of the police in England and Wales. This hampers efficient joint-working between immigration and police officers, as well as other agencies that are used to working alongside the police. The Bill ensures that warrants are re-aligned.
E	Supply of information	Illegal immigrants who have been in the UK for sometime before coming to the attention of immigration enforcement have given their identity, travel or other documentation to another public authority already, for example to seek employment or claim benefits. At the moment, that public authority might lack a power to hand such documentation to the Home Office. The Bill expands the scope for the voluntary supply of information, including documents, to the Secretary of State for immigration purposes to all public authorities other than the Houses of Parliament.
F	Conditions and sanctions on illegal migrants, including a restructured bail power.	The Government is committed to ensuring that satellite tracking is in place for every non-detained foreign national offender subject to an outstanding deportation order or deportation proceedings. A power is already in place to implement electronic monitoring arrangements for certain migrants, but the Bill gives the Secretary of State the ability to direct the First-tier Tribunal to apply an electronic monitoring condition when granting bail. The Bill also consolidates the complex legislative framework surrounding the imposition of bail conditions for illegal migrants and deportees awaiting removal.

#### Part 4 - Appeals

	Measure	Rationale
A	'Deport first, appeal later': extending the scope of the power to require individuals to appeal only once they have left the UK from deportation cases to all human rights cases where to impose that requirement would not breach the individual's human rights.	<p>The Immigration Act 2014 reduced the number of rights of appeal against immigration decisions from 17 to 4. It also created a new power to allow foreign criminals to be deported first and appeal later where that would not breach their human rights. One measure of this is whether it would cause serious irreversible harm.</p> <p>With more than 230 foreign criminals deported under this new power from end July 2014 to end July 2015, the Home Office plans to extend this power to apply to all immigration human rights cases.</p> <p>The Bill provides that an individual may be refused entry, required to leave or removed from the UK before they can exercise a right of appeal against the refusal of a human rights claim, where this would not breach their human rights or cause a real risk of serious irreversible harm or other breach of their human rights if removed before the appeal. This change will not affect asylum claims, where existing certification powers will continue to apply if the claim has been refused and is manifestly unfounded.</p>

A		<p>Where a breach of human rights would arise or there was a real risk of serious irreversible harm if any appeal had to be lodged from overseas, this new power could not be used to require individuals to depart from the UK before their appeal had been determined.</p> <p>This change will create more opportunities for prompt removals in human rights cases. Individuals whose case is certified will be liable to removal soon after the refusal decision is made. This will reduce detention costs. There will be an increased incentive to cooperate with removal in order to access the right of appeal where this is only available from overseas. The absence of an in-country right of appeal will remove the opportunity to exploit the appeal process to extend the individual's stay in the UK, and remove the scope for existing human rights to be strengthened or additional rights accumulated while awaiting the outcome of that in-country appeal.</p>
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### Part 5 – Support for certain categories of migrant

	<b>Measure</b>	<b>Rationale</b>
A	Reform support arrangements for certain categories of migrant	Public money should not be used to support certain categories of migrant who can leave the UK and should do so. The Bill reduces the scope for such support to be provided by the Home Office, consistently with the UK's international and human rights obligations, and removes incentives for migrants to remain in the UK where they have no lawful basis for doing so. The Bill ensures that asylum seekers who would otherwise be destitute continue to receive adequate support while their claim is under consideration; rebalances the support system so that certain categories of migrant have no financial incentive to remain in the UK and avoid return to their own countries; retains important safeguards for children; and reduces costs to the public purse.
B	Availability of local authority support	The Bill simplifies the basis on which local authorities in England assess and provide accommodation and subsistence for destitute families without immigration status. It also prevents adult migrant care leavers who have exhausted their appeal rights accessing Children Act support; the Bill makes alternative provision for their pre-departure support. It is wrong to create incentives for more unaccompanied children to seek to come to the UK to make unfounded claims for asylum, often by using dangerous travel routes controlled by people smugglers and traffickers.
C	Reducing eligibility for adult migrant care leavers with limited leave to remain/an outstanding application awaiting decision to receive support for university tuition fees	<p>A burdensome duty on local authorities, established by the Court of Appeal in <i>Kebede v Newcastle City Council</i> in 2013, is the requirement to pay student tuition fees – normally at the international rates – for migrant care leavers who do not meet the Student Support Regulations. International rates vary depending on the course and place of study. Most range from £12,000 to £15,000 per year, but fees can be as high as £30,000 per year to study medicine. This is a matter of concern to local authorities and out-of-step with the position of other migrants who do not meet the Student Support Regulations and who are therefore required to wait until they do so or self-fund their higher education.</p> <p>The Bill therefore prevents local authorities in England from paying the higher education tuition fees of adult migrant care leavers deemed to be overseas students because of their immigration status. Instead, to obtain such support, the person will be required to qualify under the Student Support Regulations.</p>



D	Support the dispersal of unaccompanied asylum seeking children (UASC)	The crisis in Syria and events in the Middle East, North Africa and beyond have seen an unprecedented number of migrants and asylum seekers arriving in Europe by sea and several thousand people in Calais trying to reach the UK illegally. We have seen an increase in the number of UASC arriving in Kent: as of 19 November 2015, they had nearly 1,000 in their care. It is clear that a national response is needed to disperse UASC to the care of other local authorities around the country so that there is a more even and fairer distribution of cases. It is intended that this will be a voluntary mechanism, but to support that the Bill creates a mechanism in England to facilitate the transfer of responsibility for the care of these cases from one local authority to another. It also enables the Secretary of State to direct local authorities in England to provide information about the support and accommodation provided to children in their care and to direct the provision of written reasons as to why a local authority in England refuses to comply with a request to accept responsibility for an unaccompanied migrant child from another local authority. Finally, the Bill creates a mechanism for the Secretary of State to require local authorities in England to co-operate in the transfer of particular categories of unaccompanied migrant children from one local authority to another.
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## Part 6 - Border Security

	<b>Measure</b>	<b>Rationale</b>
A	To issue civil penalty notices to carriers and port operators for failing to present arriving passengers at the primary control point.	Border Force has a problem with the misdirection of some passengers arriving on scheduled aircraft; the result being that they are not presented to the arrivals control and do not therefore undergo the required checks before entry into the UK. The Government has worked closely with the air sector over the last 18 months to raise awareness of this issue and the resulting risks. This has resulted in a greater understanding of the problem, more cooperation from the sector and some concrete outcomes, for example, more secure door arrangements in some airports, and circulation of awareness raising material. Passenger information is obtained in advance from airline passengers travelling to the UK, and this helps manage the risks resulting from misdirected passengers as the information is processed to identify those of interest to law enforcement agencies, enabling the appropriate response. Also, in instances of misdirected flights, although individuals concerned will not have been subject to a full immigration control on arrival, appropriate checks will have taken place when the misdirection has come to light. Nonetheless several hundred passengers still enter the UK each year without receiving the required checks on arrival because of failings in this area. So some risk remains, and the operational response to a misdirection can have a significant resource impact on Border Force. The Bill introduces a civil penalty to further improve carrier and airport operator behaviours.
B	To enable Border Force officers to deal with vessels in UK territorial waters suspected of involvement in facilitating illegal entry and to divert them to a UK port for law enforcement action	At present, immigration officers have no maritime enforcement powers – their powers do not extend to UK territorial waters. This prevents Border Force from tackling illegal immigration until a vessel has reached the UK and those on board have disembarked. The Bill extends some immigration officer powers into UK territorial waters. The Bill also gives these powers to police officers and the Royal Navy.

C	Consolidation of legislation on the exclusion from the UK of individuals who are subject to international travel bans, allowing certain immigration powers to take effect as soon as a person is listed by the UN or EU.	Travel bans restrict the movement of named individuals associated with regimes or groups, including terrorist groups, whose behaviour is considered unacceptable by the international community. The decision to impose a travel ban is made either by the United Nations' Security Council or by the Council of the European Union. For the UK to implement travel bans to their fullest effect, secondary legislation is required to amend the Immigration (Designation of Travel Bans) Order 2000. Until this happens a travel ban subject must be refused access to the UK on an alternative legal basis. The Bill removes the need for secondary legislation. Instead international travel bans imposed against non-EU nationals will have immediate immigration effect in the UK.
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## Part 7 - Language Requirement for Public Sector Workers

	<b>Measure</b>	<b>Rationale</b>
A	All public sector workers in public facing roles to speak fluent English.	The Government is committed in its manifesto to legislating to ensure that every public sector worker operating in a customer-facing role must speak fluent English. This commitment intends to improve the quality, efficiency and safety of public service provision. A provision will be included in the Bill that imposes a duty on public sector bodies to have regard to a statutory Code of Practice on English speaking requirements for public sector workers. This duty will apply to all directly employed workers or workers substituting for direct employees. A full consultation will be launched in the Autumn to invite views on the Code of Practice. The Bill will also include a power to extend the statutory duty to cover private and voluntary sector providers of contracted-out public services within the next three years.

## Part 8 - Fees

	<b>Measure</b>	<b>Rationale</b>
A	Immigration Skills Charge - a power to enable the Secretary of State to make regulations levying a charge on employers of non-EEA migrants, the proceeds of which will fund skills development in the UK.	The Bill provides for an Immigration Skills Charge, intended to help address current and projected skills needs in the UK economy and contribute to reducing net migration. By making it more expensive than at present for employers to recruit skilled workers from outside the European Economic Area (EEA), the intention is to encourage employers to change their approach, so that where possible they recruit and train up UK-resident workers. The Migration Advisory Committee has been asked to advise on the scope and impact of the charge and the Government will be consulting on its collection and expenditure.
B	Passport fees - amend charging powers to ensure all relevant costs may be recovered through fees and to increase charging flexibility, in particular for premium services.	<p>Our aim is to develop a more transparent and flexible passport fee framework that:</p> <ul style="list-style-type: none"> <li>• Enables fees calculations to have regard to the costs arising from all passport-related functions, including UK passport checks at the border.</li> <li>• Permits higher charges for premium services appropriate to the service provided, in order to maintain or reduce basic passport fees.</li> <li>• Maintains existing concessions within the passport fees framework, including the reduced fee for child passports.</li> <li>• Ensures that the cost of a standard adult passport does not</li> </ul>

		increase as a result of these provisions.
C	Civil registration fees - to reform existing legal framework	There are a number of registration and certificate services currently provided free of charge by the General Register Office (GRO) and Local Registration Services (LRS). The Bill enables us to introduce a framework for fees to be charged for Registrar General legislative and administrative services provided by GRO and LRS, which are currently provided without charge to customers.

## Costs and Benefits

The section below summarises the costs and benefits of each measure where particular impacts have been identified and an impact assessment prepared. Table 1 sets out which measures meet the criteria for an impact assessment or a regulatory triage assessment form and the Net Present Value (NPV) of the measure. Where there are direct costs to businesses, the equivalent annual net cost to business (EANCB) has also been quoted.

The NPVs of each measure have not been summed as this does not give an appropriate NPV for the Bill. In some of the individual impact assessments it has not been possible to quantify the benefits; therefore an overall NPV may be misleading. The individual impact assessments should be consulted for further detail on the costs and benefits.

The impacts of all of the measures discussed above but not cited in Table 1 fall below the thresholds required for either an impact assessment or a regulatory triage assessment form. There are no direct costs to businesses or civil society organisations, no information requirement is being imposed or removed from bodies that deliver public services and the cost to the public sector does not exceed £5 million per annum. Where these thresholds have not been met, an impact assessment has not been prepared. Some items included in the Bill will enable particular measures or changes to occur in future, but are not specific proposals for change at this stage. In these instances, where an IA is required, they will accompany a future consultation or policy announcement. Other measures concern additional powers or penalties to enable action against immigration offenders. These measures will allow immigration officers to work more effectively, using current resources. As the costs from these measures accrue to those engaging in illegal activity, these costs are not relevant for impact assessments.

**Table 1 – Summary of impact assessment NPV and EANCB, £ million.**

Part	Measure	NPV	EANCB
5A	Support for certain categories of migrant	479.0	N/A
2D	Access to bank accounts	-0.8	0.21
1D	Illegal working in licensed premises	-1.4	0.10
1E	Illegal working in relation to private hire vehicles etc.	-0.5	0.06
7A	English Language requirement for Public Sector Workers		TBC
	<b>Total</b>		Around £1m

Note: RTA: Regulatory Triage Assessment forms are completed for all measures where the gross direct cost to business of the impacts of the policy measures on business do not exceed £1 million in any given year of the 10 year appraisal period. Where an RTA is completed as an initial assessment of impact, this will be followed up with a validation impact assessment that will be sent to the Regulatory Policy Committee (RPC) for clearance.

## 1 - Support for certain categories of migrant

A consultation impact assessment was prepared for this measure and was published on 4 August 2015. It is available at:

<https://www.gov.uk/government/publications/reforming-support-for-failed-asylum-seekers-and-other-illegal-migrants-impact-assessment>

The costs and benefits are summarised in Table 2 below and reflect the assumptions made at that time. See the consultation impact assessment for further detail. Figures may not sum to the totals shown owing to rounding. A final impact assessment will be developed and published in light of the consultation responses. The costs and benefits will be updated and may differ from those in Table 2.

**Table 2 – Support for certain categories of migrant – Summary of costs and benefits, £ million PV**

<b>Summary of Costs and Benefits</b>	<b>10 yr impact (£m) PV</b>
<b>Costs</b>	
Cost of extending s95 support to those formerly supported under s4 during grace period + extensions	12.3
Cost of assisted voluntary returns	13.2
Cost to DWP of earlier support of individuals granted Discretionary Leave	5.3
Cost to Local Authorities of supporting Article 8 applicants while a leave to remain application is decided	31.9
<b>Total costs</b>	<b>62.8</b>
<b>Benefits</b>	
Saving to Home Office from withdrawal of s95 support	350.4
Saving to Home Office from withdrawal of s4(2) support	192.4
<b>Total benefits</b>	<b>542.8</b>
<b>Net present value</b>	<b>479.0</b>

There are no direct impacts on businesses as a result of this measure.

**Note: This impact assessment is being updated as a result of the consultation. The final impact assessment will include updated estimates of local authority support and the impact of 5B.**

## 2 - Access to Bank Accounts

An impact assessment for this measure has been published and is available at <https://www.gov.uk/government/publications/immigration-bill-part-2-access-to-services>

The costs and benefits are summarised in Table 3 below. See the full impact assessment for further detail.

**Table 3 – Access to Bank Accounts – Summary of costs and benefits, £ million PV.**

<b>Summary of Costs and Benefits</b>	<b>10 yr impact (£m) PV</b>
<b>Costs</b>	
Set up costs to banks of checks	0.2
Ongoing costs ( process change costs, debt loss, ongoing public sector costs)	2.3
<b>Total costs</b>	2.5
<b>Benefits</b>	
Income	£0.1
Prevention of Debt Loss Cost	£0.0
Public Sector Benefit	£1.6
<b>Total benefits</b>	1.7
<b>Net present value</b>	-0.8

### 3 - Introduction of an immigration status check to alcohol and late night refreshment licence applications

A regulatory triage assessment (RTA) has been prepared for this measure and was published on 9 October 2015. It is available at:

<http://www.parliament.uk/documents/impact-assessments/IA15-008A.pdf>

The costs and benefits are summarised in Table 3 below and reflect the assumptions made at that time. See the RTA for further detail. Figures may not sum to the totals shown owing to rounding. A final validation impact assessment will be developed and published to take account of all the consultation. The costs and benefits will be updated and may differ from those in Table 3.

**Table 3 – Introduction of an immigration status check to alcohol and late night refreshment licence applications Summary of costs and benefits, £ million PV**

<b>Summary of Costs and Benefits</b>	<b>10 yr impact (£m) PV</b>
<b>Costs</b>	
Familiarisation to private sector applicants	0.2
Ongoing checks costs to private sector applicants	0.6
Administration costs	0.0
Public sector familiarisation	0.0
Public sector staff costs	0.5
<b>Total costs</b>	<b>1.4</b>
<b>Benefits</b>	
There are no quantifiable benefits to this policy	0.0
<b>Total benefits</b>	<b>0.0</b>
<b>Net present value</b>	<b>-1.4</b>

The gross costs to business as a result of this measure do not exceed £1 million in any year over the period of appraisal, 2015/16 to 2024/25.

Note: This impact of this measure will be updated following further information from the consultation with the sector. A final validation impact assessment will be prepared and following Regulatory Policy Committee (RPC) clearance it will be published.

#### 4 – Illegal working in relation to private hire vehicles etc.

A regulatory triage assessment form (RTA) has been prepared for this measure. It is available at: <https://www.gov.uk/government/publications/immigration-bill-part-1-labour-market-and-illegal-working>

The costs and benefits are summarised in Table 4 below and reflect the assumptions made at that time. Figures may not sum to the totals shown owing to rounding. A final validation impact assessment will be developed and published and will take into consideration all of the consultation and survey responses. The costs and benefits will be updated and may differ from those in Table 4.

**Table 4 – Illegal working in relation to private hire vehicles etc. – Summary of costs and benefits, £ million PV**

<b>Summary of Costs and Benefits</b>	<b>10 yr impact (£m) PV</b>
<b>Costs</b>	
Familiarisation to private sector applicants (operators and drivers)	0.2
Ongoing checks costs to private sector applicants	0.2
Photocopying costs	0.0
Potential travel costs to private sector applicants	0.1
Public sector familiarisation	0.0
Public sector ongoing staff costs	0.0
<b>Total costs</b>	<b>0.5</b>
<b>Benefits</b>	
There are no quantifiable benefits to this policy	0.0
<b>Total benefits</b>	<b>0.0</b>
<b>Net present value</b>	<b>-0.5</b>

The gross costs to business as a result of these measures do not exceed £1 million in any year over the period of appraisal, 2015/16 to 2024/25.

Note: This impact of this measure will be updated following further information from the consultation with the sector and from survey responses. A final validation impact assessment will be prepared and following Regulatory Policy Committee (RPC) clearance it will be published.

## Equality impacts

The public sector equality duty under section 149 of the Equality Act 2010 requires public bodies to have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The equality duty covers the following eight protected characteristics: age; disability; gender reassignment; pregnancy and maternity; race (including ethnic or national origins, colour or nationality); religion or belief; sex; and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marital or civil partnership status.

Schedule 18 to the 2010 Act sets out exceptions to the equality duty. In relation to the exercise of immigration and nationality functions, section 149(1)(b) – advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it – does not apply to the protected characteristics of age, race or religion or belief.

The Home Office has published the following equality statements in relation to the Immigration Bill:

- Access to services (residential tenancies, driving and bank accounts):  
<https://www.gov.uk/government/publications/immigration-bill-part-2-access-to-services>
- Appeals:  
<https://www.gov.uk/government/publications/immigration-bill-part-4-appeals>
- Support for certain categories of migrant:  
<https://www.gov.uk/government/publications/immigration-bill-part-5-support-for-certain-categories-of-migrant>