

DRAFT

- **Failure to consider the impact of communication on those with the protected characteristics will likely result in a breach of the PSED.** This relates to the chosen form of communication on ethnic minorities as well as, for example, LGBT people, disabled people and women. This is also a continuing duty which means that public bodies must have 'due regard' when a policy is developed and decided upon, implemented and reviewed. Therefore, if we are made aware of the need for certain language translation which may have been overlooked at the time of the initial assessment then this should be reconsidered.
- **Government policy³ on foreign language translation** to date has regarded any routine translation of official documents as potentially undermining equality outcomes and participation in public life, by discouraging migrant communities from learning English. Accordingly, it is not normally done except where it is considered that inability to comprehend an English-language document could expose an individual to physical or other harm⁴. This is of critical importance during a public health crisis.

The following policy and guidance aims to provide general advice and set a standard across government for consideration and implementation of foreign language policy during COVID-19.

It remains the responsibility of the creator of the guidance (e.g. on social distancing) or legislation (e.g. enforcement of local lockdowns) to consider the particular languages spoken by the audience members they wish to communicate with and tailor the format of their materials accordingly. Further detail can be found in Annex 1.

The scope of this policy is as follows:

- Guidance as characterised as public information published on gov.uk
- Marketing materials supporting the communication of public information

COVID-19 Guidance

1. Public bodies must comply with the PSED by completing Equality Impact Assessments (format and level of detail may vary depending on the issues considered) at the outset of policy development. This should include plans for development and publication of public health guidance.
2. Ahead of sharing draft guidance or communications materials with the COVID-19 Taskforce or the Covid Communications Hub, departments must ensure their Public Sector Equality Duty has been addressed. It is not appropriate to simply respond "no" to this question and such a response would heighten the risk of successful PSED challenges.
3. As of [current date] there will be a mandatory question attached to this, on consideration of foreign language translation.
4. This should be undertaken by considering:

³ MHCLG - written statement, 2013 - <https://www.gov.uk/government/speeches/translation-into-foreign-languages>

⁴ E.g. leaflets setting out rights of people in detention or for people who fear they may be being coerced into a forced marriage)