

## English for Speakers of Other Languages (ESOL)

January 2011

A Briefing Paper issued by the Refugee Council

## Overview

English language support is key to refugees playing a full part in UK life. Unlike many other migrants, refugees do not have to meet English language requirements before arrival. Facing persecution, refugees are forced to leave their country to seek protection under the 1951 UN Refugee Convention.<sup>1</sup> Many refugees do not have any control over the country in which they find this safety. Some refugees, for example from Zimbabwe, are likely to already speak English fluently. However, for many arriving in the UK will mean having to cope with a new language, along with a very different society, job market and wider culture.

This briefing paper provides the background to recent changes to English for Speakers of Other Languages (ESOL), the main publicly funded English language provision in the England. It then considers a number of key areas in the government's agenda and shows why these should include ESOL support for refugees. The conclusion outlines recommendations to ensure that refugees are able to access ESOL in order to find and progress in work and contribute to British society.

A concise guide for refugees and asylum seekers' eligibility for Skills Funding Agency (SFA) funding and fee remission (2010/11) can be found [here](#).

## Background

### ESOL Policy under the previous government

English for Speakers of Other Languages (ESOL) is funded mainly through the Skills Funding Agency (SFA).<sup>2</sup> ESOL funding and strategy has changed significantly over the past few years. ESOL has remained part of Skills for Life throughout but no longer carries the automatic entitlement of numeracy and literacy. The withdrawal of automatic entitlement for fee remission in 2007 signalled the development of ESOL being linked to strengthening community cohesion. The Department for Business, Innovation and Skills (BIS) issued its *New Approach to ESOL* in May 2009 which saw local authorities taking a lead role in establishing ESOL provision for priority learners at a local level. Priority learners included refugees. Train to Gain funding continued to include ESOL for Work and a number of other ESOL qualifications.

The previous government also made a number of changes to the Knowledge of Language and Life in the UK (KLLUK) requirements for settlement and naturalisation. For example, in 2007 the KLLUK was made a part of applying for indefinite leave to remain; from April 2010 applicants for settlement will need to have gained an English language qualification from an 'accredited college'.<sup>3</sup>

### The government's position

The government had initially indicated that ESOL funding in the future will be targeted at those who are part of 'settled communities'<sup>4</sup> although this has not been defined and is absent from the Skills white

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1 *The 1951 Convention relating to the status of refugees* (referred to as the 'Convention') <http://www.unhcr.org/protect/PROTECTION/3b66c2aa10.pdf>, last searched 15 December 2010

2 The Learning and Skills Council became the Skill Funding Agency in April 2010

3 See <http://www.ukba.homeoffice.gov.uk/sitecontent/newsfragments/25-kol-settlement1>, last searched 15 December 2010

4 Department for Business, Innovation and Skills (BIS) response to the Comprehensive Spending Review, 20 October 2010 <http://nds.coi.gov.uk/content/Detail.aspx?ReleaseID=416110&NewsAreaID=2>, last searched 13 December 2010

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paper. The Department for Business, Innovation and Skills' (BIS) White Paper *Skills for Sustainable Growth*<sup>5</sup> issued in November 2010 outlined further the future direction of ESOL funding. This focuses eligibility on those actively seeking work (i.e. on Jobseekers Allowance or the Employment Support Allowance (work related activity group)). However, further education colleges will be expected to *identify particularly vulnerable learners in their community and will be able to prioritise support for them as part of their business planning and local engagement*.<sup>6</sup> Train to Gain has been discontinued with the view that employers should pay for English language training when recruiting from outside the UK and employed individuals should invest in developing their own English language ability.

The Home Secretary announced that the previous government's plans for earned citizenship have been dropped. These included the introduction of a points based approach to granting citizenship that could have varied the level or testing of English required to be naturalised. The government is expected to announce its own position on the future of citizenship in 2011 but it has already indicated that it wants cut the link between temporary stay in the UK and a right to settlement.<sup>7</sup> In addition, the government has introduced the requirement for partners of British citizens or people with settled status in the UK to reach a certain level of English before arriving in the country.<sup>8</sup> A minimal level of English language is being proposed for all international students coming to study in the UK.<sup>9</sup>

## The Refugee Council's response to the future of ESOL

English for Speakers of Other Languages (ESOL) support is particularly important to refugees rebuilding their lives in the UK. Refugees come here for protection having been forced to leave their country due to a well-founded fear of persecution. Many do not have a choice as to their destination and so cannot make preparations in advance, including learning English. As a result, refugees are faced with starting afresh in a country to which they had not prepared to move. Most refugees stay in the UK longer term, being unable to return to their country of origin and not enjoying fuller freedom of movement until they are granted UK citizenship. This makes learning English a priority for refugees in order to find employment, build wider social networks and apply for UK citizenship.

Research on levels of English amongst refugees varies. A recent study commissioned by the Home Office found that around half of refugees surveyed had qualifications and were more likely to speak English.<sup>10</sup> Lower levels of English were found amongst certain nationalities and ages. As with other studies it found that refugees who have been in the UK for longer were more likely to have higher levels of English. It also highlighted that English language ability is a key determinant of gaining employment. When combined with research that suggests new arrivals to the UK are more likely to make better progress in

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5 The Department for Business, Innovation and Skills *Skills for Sustainable Growth* (November 2010) <http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/s/10-1274-skills-for-sustainable-growth-strategy.pdf>, last searched 1 December 2010

6 Ibid, page 32.

7 See <http://www.ukba.homeoffice.gov.uk/sitecontent/newsarticles/2010/nov/14-theresa-may-speech>, last searched 16 December 2010

8 From 29 November 2010, migrants applying to enter the UK, with a few exceptions, as the partner of a British citizen or a person settled here will need to show that they can speak and understand English. See <http://www.ukba.homeoffice.gov.uk/sitecontent/documents/partners-other-family/guidance-for-applicants.pdf>, last searched 15 December 2010

9 See UKBA consultation paper *The Student Immigration System* (December 2010),

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/policyandlaw/consultations/students/student-consultation.pdf?view=Binary> last searched 16 December 2010

10 Daniel M, Devine C, Gillespie R, Pendry E, Zurawan A (2010) *Helping new refugees integrate into the UK: baseline data analysis from the Survey of New Refugees* (Research Report 36, UKBA).

learning English,<sup>11</sup> these studies support policies that ensure refugees have access to ESOL provision as soon as possible.

The government has specified a number of policy areas to which ESOL for refugees is relevant. These are outlined in the following section.

### **Jobseekers**

Early English language support is vital to creating job and training opportunities. The focus of the new strategy on ESOL for those actively seeking work has the potential to shape the type of support refugee jobseekers receive. Also, the type and quality of ESOL provision that Jobcentre Plus (JCP) customers can access varies greatly. Jobcentre Plus currently does not have any referral system for pre entry level learners who are left to find their own provision. This is usually in the voluntary sector and without a clear learning and training plan put in place by JCP. The ESOL provision that is offered to jobseekers is usually part of a wider Employability Skills Programme or a Flexible New Deal. Again, this can vary in quality and intensity. Too often the experience of refugee jobseekers with low levels of English has been that they are placed on job preparation training. This focuses on CV writing, job search and interview techniques rather than raising the level of a person's English language skills. The result is that people can only apply for jobs which require limited or no English.<sup>12</sup>

The Refugee Council is also concerned that restricting full funding of ESOL to those on active benefits (i.e. Jobseekers Allowance and Employment Support Allowance – work related activity group) will exclude a significant number of refugees. These include parents on income support, carers and older refugees for whom ESOL will be the key to their integration into society and work. The particular need for refugees to learn English full time has been recognised by DWP in the regulations governing entitlement to Income Support.<sup>13</sup> This needs to be extended further to all refugees with English language needs, both in and out of employment. The government cannot assume that a refugee who is in work will be able to afford English language classes. A majority of refugees come to the UK with very little. Indeed the asylum support system is premised on a person being destitute and unable to provide for themselves. As outlined above, where refugees are able to find work, particularly within the first few years of being granted leave to remain in the UK, they are unlikely to be in well paid jobs.<sup>14</sup> We recognise that there is a point when an individual's investment in their own training, including English language, will have pay offs. However, a refugee should not be expected to get themselves into debt in order to reach that level of English, whether they are in or out of work.<sup>15</sup>

### **Social Mobility**

The Refugee Council welcomes the government's commitment to social mobility. ESOL provision is a clear part of this in unlocking the skills and experience that refugees may already have. A refugee's

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11 For example, Maynham M, Roberts C, Cooke M, Simpson J, Ananiadou K (2007) *Effective Teaching and Learning ESOL* (National Research and Development Centre for adult literacy and numeracy)

12 See *Refugee Jobcentre Plus customers' experiences of ESOL provision* (Refugee Council, 2010) submitted to the Department for Work and Pensions in October 2010. <http://www.refugeecouncil.org.uk/policy/briefings/2011/dwpandesol>, last searched 6 January 2011

13 This is outlined further in Schedule 1, Para 16, Income Support (General) Regulations 1987

14 For example, Bloch A (2002) *Refugees' opportunities and barriers in employment and training* (Research Report 179). 'Refugees were also less well paid than their ethnic minority counterparts. The average hourly rate of pay for refugees was £7.29 an hour compared to £9.26 an hour earned by ethnic minorities. Thus, refugees' hourly earnings were on average only 79 per cent of those of other ethnic minority people. Eleven per cent of refugee respondents were earning less than the National Minimum Wage.' (page 3.)

15 The principle of ongoing support while in work has been recognised in the Department for Work and Pension's proposals for Universal Credit. People moving into work will be able to keep more of their benefit payment (Universal Credit) as they increase their earnings. The concern at present is that the potential loss of benefits when starting a job can act as a disincentive to people moving into work. The same principle should be recognised for continuing ESOL eligibility when an ESOL learner starts work. This could link ESOL entitlement to receiving in work Universal Credit payments or being able to study up to a particular level/certain number of guided learning hours whether in or out of work.

ability to requalify in the UK and to use their previous training and experience is often dependent on them reaching a particular level of English. But ESOL is also vital for all refugees who have lower levels of English on arrival. Without appropriate ESOL provision soon after their arrival in the UK, refugees are likely to be restricted to entry level, low skilled work over the longer term. The parent's English language level can also affect a child's learning and longer term social mobility across generations.<sup>16</sup>

## **Big Society**

Improving the social mobility of refugees will strengthen the role refugee communities play in the Big Society. English language support is vital to enabling refugee communities and individuals to have active social and political roles. The Refugee Council and University of Birmingham's report *Refugees experiences of integration*<sup>17</sup> highlighted the central importance to refugees of learning English. Interviewees who described their level of English as fluent or fairly good were more likely to have friends from outside their own national or linguistic group. This ranged from being able to have contact with neighbours through to the types of employers for whom they worked. The report highlights the importance of refugees having access to ESOL early on in order to develop those key, everyday social relationships which develop into economic and political engagement over time.

Strengthening the English language provision available to refugees at an early stage, including during the asylum process, will mean that they are able to move outside of their own communities and be part of wider social networks and partnerships. This involves the ESOL class itself where refugees meet as equals with learners from other walks of life.

## **Excluded learners in local communities**

Another part of the Big Society is ESOL classes delivered by and in partnership with the voluntary sector. Since the restrictions introduced in 2007, voluntary and community organisations have seen an increased demand for English language classes. The Refugee Council, for example, now runs a number of classes each week for learners, particularly at the lower levels. However, we rely heavily on volunteer ESOL teachers who can spare a few hours each week and donations to keep them running. ESOL in the voluntary sector should not be viewed simply as a safety net for those excluded from statutory funded provision. It should complement that provision. We welcome BIS' commitment to seeing further education colleges engage with local communities and vulnerable learners as outlined in the Skills White Paper. Partnerships, both formal through sub contracted ESOL provision, and informal ones need to be developed between colleges and local voluntary organisations. Along with ensuring that the voluntary sector is properly resourced, these measures will help strengthen the capacity, quality and range of ESOL opportunities available, often as the first step to lifelong learning in the UK.

The Refugee Council is particularly concerned that these changes further disempower people who have already undergone significant loss. Asylum seekers should not be penalised for the increasing costs of ESOL as their numbers are much less than people coming to the UK for economic and other reasons. Although their stay in the UK may be temporary depending on the result of their claim, the policy of dispersing asylum seekers to live in towns and cities across the UK makes access to ESOL a priority for social inclusion. It is irresponsible not to support people with the English language skills that ESOL provides. Without this, it is difficult to see how asylum seekers with poor or non-existent English will get by in their area of dispersal. Prevented from working, they have no other sources of funding to learn English. ESOL classes also provide important personal support, helping people to cope with a particularly difficult period of their lives. Although the UK Border Agency is processing claims for asylum more efficiently than in previous years, people can still wait for several months or longer before they receive a

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<sup>16</sup> This is argued strongly by O'Leary D (2008) *A Common Language: making English work for London* (Demos). Furthermore, low levels of English amongst parents can change some of the dynamics in the relationship with their children and the child's relationship with other parties. The child can become the interpreter, guiding the parent through often complicated decisions with public bodies. See for example Doyle L, McCarriston M (2008) *Beyond the school gates: supporting refugees and asylum seekers in secondary schools* (KPMG Foundation, Refugee Council)

<sup>17</sup> Atfield G, Brahmhatt K, O'Toole T (2007) *Refugees' experiences of integration* (Refugee Council and University of Birmingham)

decision on their claim for asylum. If they are then granted refugees status, it can be a number of weeks or months before they are able to start on an ESOL course. This leads to an unacceptable delay in refugees starting to learn English. It is therefore important for the SFA to continue with its current eligibility criteria for asylum seekers.<sup>18</sup>

## Refugee Council's recommendations

We support the government's ambition that vulnerable ESOL learners should be prioritised for support and that English language provision is an important mechanism for developing wider skills, finding work, increasing social mobility and creating the Big Society. However, we consider that the focus on 'settled communities' and restricting funding to those on active benefits could have the reverse effect. We recommend that:

1. The Department for Business, Innovation and Skills (BIS) ensure:
  - Refugees and those granted Humanitarian Protection or Discretionary Leave to Remain are eligible for Skills Funding Agency (SFA) funded English for Speakers of Other Language (ESOL) provision
  - Refugees in low income employment continue to be eligible for SFA funded ESOL provision<sup>19</sup>
  - the current SFA learner eligibility guidance is maintained for asylum seekers and people on Section 4 support.
2. The Department for Work and Pensions (DWP) to ensure that refugees with English language needs who are on active and non-active benefits are able to access full time English language support.
3. Jobcentre Plus to ensure that refugees at pre-entry ESOL levels are referred to appropriate English language provision.
4. The government and grant making trusts to fund capacity building measures to strengthen the voluntary sector's ESOL provision to complement BIS' skills strategy.
5. Further Education colleges to:
  - sub contract accredited refugee community organisations (RCOs) to deliver ESOL to vulnerable learners
  - establish working partnerships with RCOs to run ESOL classes in community venues
  - make active links with regional/local refugee fora to promote ESOL provision to refugees and individual refugee community organisations where a particular group of learners has been identified (e.g. nationality, gender).

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<sup>18</sup> Asylum seekers on asylum support after six months, on Section 4 support or aged 16-18 years old are currently eligible for SFA funding, including ESOL.

<sup>19</sup> From 2013 to include those in employment but continuing to receive Universal Credit