

An Adult ESOL Strategy for Scotland: a Race Equality Impact Assessment

Introduction

1. This is a Race Equality Impact Assessment (REIA) for the national adult ESOL strategy for Scotland.
2. Since April 2001, all public authorities have had a statutory general duty to promote race equality under the Race Relations Act as amended. This means that listed public authorities must have due regard to the need to:
 - eliminate unlawful racial discrimination;
 - promote equality of opportunity; and
 - promote good relations between people of different racial groups.
3. In addition to the general duty, Scottish Ministers have used their powers to make a statutory order placing more specific duties on the Scottish Executive and other public authorities. The specific duties require these bodies to publish a Race Equality Scheme describing their public functions that are relevant to the duty. Bodies must also set out their arrangements for:
 - assessing and consulting on the likely impact of the policies they are proposing to adopt;
 - monitoring any adverse impact of their policies on the promotion of race equality;
 - publishing the results of their assessments, consultations and monitoring;
 - ensuring public access to the information and to services; and
 - training staff in the duties under the Act.
4. In recognising our duty, we need to ensure that the implications for race equality have been thoroughly assessed as part of the process of developing an adult ESOL strategy for Scotland. Initial policy screening by FAED in November 2005 had identified the strategy as being likely to have a high impact on race equality.
5. This REIA has been performed using the guidance available from the Commission for Racial Equality (CRE), in particular the publication *A guide for public authorities in Scotland*.

Context

6. ESOL (English for Speakers of Other Languages) is the term most commonly used to describe English language learning for those whose first language is not English. ESOL encompasses the knowledge and skills needed by adult learners to communicate effectively and confidently in English in order to participate fully in education, employment and Scottish society.
7. In 2003, the Scottish Refugee Integration Forum (SRIF) recommended the development of a national ESOL strategy for Scotland. The SRIF recommendation was endorsed by Scottish Ministers; and the Scottish Executive pledged, in its lifelong learning strategy, *Life Through Learning; Learning Through Life*, also in 2003, to implement the recommendation through the creation of learning opportunities for refugees and asylum seekers.

8. Since 2000 the demographics of ESOL provision in Scotland have changed considerably. Glasgow City Council's agreement with the National Asylum Support Service led to the number of asylum seekers and refugees settled in Glasgow growing from 500-600 in 2000 to 10,000-11,000 in 2004. Smaller numbers of refugees have subsequently moved to other parts of Scotland. The most recent stage of EU enlargement has also seen a significant increase in the number of migrant workers from the EU accession states coming to work in Scotland. The First Minister's Fresh Talent Initiative, which aims to encourage people to come to live and work in Scotland, will also increase the number of people who may need access to ESOL provision.

9. Changes to UK naturalisation regulations, under the Nationality, Immigration and Asylum Act 2002, which require that applicants for British citizenship must show a specified level of English (or Welsh or Gaelic) language knowledge, may also contribute to an increased demand for ESOL provision in Scotland.

10. The Scottish Executive is committed to promoting equality of opportunity and social justice for all who live in Scotland. The Ministerial Foreword to the *Adult ESOL Strategy for Scotland: Consultation Paper*, published in July 2005, states that:

The importance of supporting the acquisition of English language skills for those for whom English is a second or other language is at the core of participation in a democratic society. Without adequate language skills, people can neither fully participate in their local and national communities nor are they given the opportunity to meet their full potential... Our changing demography reinforces the need for a coherent, learner-centred approach to these challenges.

11. There is no 'typical' ESOL learner: learners come from a wide variety of backgrounds and educational experiences, spanning all levels from non-literate in English and mother tongue to highly literate and skilled in both. That said, ESOL learners may be divided into various broad categories, including: settled communities; refugees and asylum seekers; EU citizens (students and migrant workers); non-EU migrant workers; international students; partners and spouses of migrant workers.

12. Existing ESOL provision is offered at every level, from beginners to proficiency, but should be viewed in the context of the diverse array of ESOL learners and their skills, ranging from large numbers of bilingual learners with sophisticated learning skills and styles, to smaller numbers of learners with little or no basic education. However, provision is limited and patchy in some areas. Appropriate courses will be needed to fill any gaps in provision, ranging from high-level English for Special Purposes short courses to workplace ESOL and courses for learners with special needs. The range of provision must also ensure that where learners require Core Skills development, this can be adequately addressed.

13. The ESOL strategy consultation paper proposes ways in which the Scottish Executive and all involved in ESOL provision can better meet the needs of ESOL learners, Scottish society and the economy.

14. We hope to launch the strategy in Spring 2006.

Identifying the aims of the strategy and how it will work

15. The vision of the strategy, as expressed in the consultation paper is:

That all Scottish residents for whom English is not a first language have the opportunity to access high quality English language provision so that they can acquire the language skills to enable them to participate in Scottish life: in the workplace, through further study, within the family, the local community, Scottish society and the economy. These language skills are central to giving people a democratic voice and supporting them to contribute to the society in which they live.

16. The strategy focuses on the provision of publicly funded ESOL in Scotland for a community of learners including asylum seekers, refugees and migrant workers, as well as settled minority ethnic communities. Coherent and consistent high quality provision will benefit all adult ESOL learners, i.e. those for whom English is not a first language and who need spoken and written English for everyday life and to participate in the labour market. The strategy fully supports the Scottish Executive's ambitions of growing the economy and encouraging active citizenship in a diverse and pluralistic society.

17. The strategy also seeks to ensure that all ESOL learners receive the full range of accessible guidance and support services at a level appropriate to their needs and circumstances.

18. The strategy proposes the establishment of a National Panel and regional fora to facilitate greater cooperation and collaboration between sectors providing ESOL, dissemination and promotion of good practice, and more effective promotion of opportunities for learners. Representation on the National Panel and regional fora would be subject to public appointment procedures and may include students and representatives of community groups.

19. The strategy also suggests collaboration with job centres, schools and community health partnerships as a way of reaching out to long settled ethnic minority communities – anecdotally, the largest latent group of learners – as well as new Scots, to promote ESOL learning opportunities.

20. By requesting more rigorous and comprehensive data collection – on learner and teacher numbers, types of learners and funding streams – across the sectors providing ESOL, it is anticipated that provision can be better targeted to meet the needs of learners and track learner outcomes more clearly.

Examining the data and research available

21. Until 2005, research data on the supply of, and demand for, ESOL in Scotland was very limited. Research into ESOL provision in Scotland was commissioned in May 2004 by the Scottish Executive, with the *Learning Connections* branch of Communities Scotland, to inform the strategy by providing robust figures on demand, type, quantity and quality of ESOL provision in Scotland. 100 nationalities were represented among the learners who participated in the research. Amongst the regions of origin represented were Central and East Asia (25% of the learners), the Near East (19%), Africa (17%), Indian Sub-Continent (14%), Eastern Europe (10%), Western Europe (10%), and Central/South America (2%) (not all participants gave their nationality or region of origin).

22. The research indicated that during 2003-04 there were over 9,000 enrolments for publicly funded ESOL classes. 71% of all enrolled ESOL students were learners who had settled in Scotland and needed English to participate more fully in Scottish society or the economy.

23. The research illustrated the complexities and speculative nature of quantifying ESOL demand – and, consequently, of planning ESOL provision – but indicated a significant degree of unmet demand. In Scotland, changing demography is likely to raise that demand further.

Assessing the likely impact on race equality

24. It is implicit to the vision of the ESOL strategy that no racial group should be affected adversely or differently by its implementation. To restate that vision, as quoted in paragraph 15 above: “... *all Scottish residents for whom English is not a first language [should] have the opportunity to access high quality English language provision*”. The ESOL strategy is founded on the assumption that language is intrinsic to economic, social and political empowerment. It may also reasonably be expected that those delivering ESOL provision and supporting ESOL learners are likely to be aware of the needs of all learners and will tolerate neither implicit institutional bias or discrimination, nor personal prejudice.

25. The strategy’s recommendations on learning and teaching should ensure improved quality of ESOL provision which will benefit all adult ESOL learners, regardless of their origin, background or circumstances. Integral to the strategy’s proposals on the ESOL curriculum is that learning opportunities should be tailored to learners’ needs to enable them to achieve their full potential, whether that be in progression to further study, in the labour market, in family life, in their local communities or in wider Scottish society. These developments will be linked to Her Majesty’s Inspectorate of Education inspection frameworks. Key themes in these inspection frameworks, for Further Education Colleges, Community Learning and Development partnerships and Adult Literacy partnerships alike, include equality of opportunity and diversity, which themes will be integral to deliberations on the ESOL curriculum and staff development.

26. The strategy’s emphasis on focussed ESOL provision tailored to giving learners readier access to the language skills they need to be able to participate more fully in their local communities and in wider Scottish society, on a more equal basis with other groups, will contribute to the promotion of equality of opportunity. Access to ESOL classes is key to the acquisition of the language skills which can help dispel misunderstandings which might arise from cultural differences and language barriers, thus also supporting the Scottish Executive’s aim of promoting good relations between different racial groups. Similarly, confidence and competency in English enables people to report on, and express opposition to, discrimination and bigotry, thus reinforcing the Executive’s commitment to the promotion of social justice.

27. The ESOL strategy proposes a number of ways in which learning providers might promote equality of opportunity. These can largely be categorised as proposals for collaboration between learning providers and other bodies – e.g. regional access fora, Local Enterprise Companies and the Scottish Further Education Unit – to identify and facilitate access to progression opportunities, to ensure good practice in learning support and

promotion (by the National Panel and regional fora – see paragraph 18 above) and use (by learning providers) of equality and learner support toolkits.

Consulting people likely to be affected

28. Public consultation on the proposed national adult ESOL strategy for Scotland ran from 25 July to 31 October 2005. A full list of those invited to respond is at **Annex A**. 55 responses were received: 16 from Further Education colleges; 12 from Local Authorities/Community Learning or Adult Literacy partnerships; 25 from other organisations; and 2 from individuals. Among the respondents whose interests might particularly include race equality are the Scottish Refugee Council, the Glasgow Anti-Racist Alliance, Refugees into Teaching in Scotland, the Bridges programmes and New Roots Scotland.

29. In addition, a series of consultation workshops were held around Scotland in August, attended by representatives from the aforementioned range of organisations, and by individual ESOL learners.

30. The great majority of responses to the consultation endorse the vision and principles of the strategy and compliment its inclusive, learner-centred approach. However, a full analysis of the issues raised in the responses to the consultation will inform the production of an updated strategy, to be published later in 2006.

31. The consultation responses (except one where the respondent requested confidentiality) are available in the Scottish Executive library.

Considering other ways of achieving the same policy goals/ Deciding whether to introduce the strategy

32. Development of the proposed strategy was informed by the ESOL research referred to in paragraphs 20 and 21 above and by recommendations from the ESOL Steering Group (chaired by a member of Her Majesty's Inspectorate of Education and including ESOL practitioners and representatives of the Scottish Refugee Council, Communities Scotland and the SQA) which, with ETLTD, oversaw the research. Examples of international good practice were also taken into account.

33. The strategy's development was overseen by the national ESOL Strategy Group, of similar composition to the Steering Group referred to above. The Strategy Group considered all practicable options to produce its best possible proposals for the direction and structure of adult ESOL provision in Scotland and support for the ESOL teaching community.

34. As mentioned in paragraph 6 above, in 2003 the SRIF recommendation for the development of a national ESOL strategy for Scotland was endorsed by Scottish Ministers; and the Scottish Executive pledged to implement it. The responses to the public consultation being broadly supportive of the vision and principles underpinning the proposed strategy, a national adult ESOL strategy for Scotland, updated as appropriate in light of the issues raised in the responses to the consultation, will be put in place later in 2006.

Arrangements to monitor and review the strategy and its impact

35. It is envisaged that the role of the National Panel (see paragraph 18 above) will include monitoring the implementation of the strategy and, through an annual report and routine contact with officials in Communities Scotland and ETLLD, informing policy developments. The annual report, to be submitted to Scottish Ministers, should report on and review the supply, demand and quality of adult ESOL provision across public sector, post-compulsory providers; and should include information on the ethnicity of ESOL learners.

Publishing the results of the assessment

36. Arrangements for the publication of the annual report to Ministers are yet to be finalised, but it is envisaged that it will be made available in the Scottish Executive library and/or website. (A national ESOL website, proposed in the strategy, may be an appropriate medium through which the annual report and any other relevant material may be published.)

ETLLD: FAED
February 2006

List of those invited to respond to the consultation on ‘An Adult ESOL Strategy for Scotland’

Letters enclosing a copy or copies of the Strategy were sent to the following:

- Members of the ESOL Strategy Group (see Annex B of consultation paper for details).
- Members of the former ESOL Steering and Working Groups (operative in 2004; see Annex B of consultation paper for details).
- All Principals of Scotland’s – at that time – 45 Colleges
- Named ESOL contacts at the colleges most heavily engaged in provision
- Community Learning and Development (CLD) Lead Officers at all of Scotland’s 32 local authorities
- Adult Literacy and Numeracy Managers at all of Scotland’s 32 local authorities (where those named differed from the CLD Lead Officers for those authorities)
- The organisations who provided, or collaborated on, a ‘Stakeholder Platform’ for the consultation paper (see Annex B of consultation paper for details)
- All of the mandatory consultation bodies/groups (viz. the Commission for Racial Equality, the Disability Rights Commission, the Equal Opportunities Commission and all Scottish MEPs).
- The Scottish Further Education Unit
- The University of the Highland and Islands Millennium Institute
- The Scottish Executive’s Equality Unit
- The Analytical Services Division of ETLLD – for info.
- The Head of ETLLD – for info.
- Other selected members of ETLLD – for info.
- The Deputy First Minister – for info.
- The Minister for Communities – for info.

An e-mail message containing a link to the electronic version of the consultation paper on the Scottish Executive website was sent to the following:

- The Confederation of British Industry (CBI)
- The Glasgow School of English
- The Refugee Council
- Black and Ethnic Minority Infrastructure in Scotland (BEMIS)
- The Black Community Development Project
- The Council of Ethnic Minority Voluntary Organisations (CEMVO) Scotland
- The Central Scotland Racial Equality Council
- The Centre for Education for Racial Equality in Scotland (CERES)
- The Scottish Chambers of Commerce
- Children in Scotland
- The Clerk of the Education Committee, Scottish Parliament
- The Clerk of the Enterprise Committee, Scottish Parliament
- Universities Scotland
- Lifelong Learning UK
- Reed recruitment
- Edinburgh Racial Equality Council

- Ethnic Minority Enterprise Centre (EMEC) Glasgow
- English UK
- The Ethnic Minorities Law Centre
- The Glasgow ESOL Forum
- The British Council
- Fairness, Race Awareness and Equality (FRAE) Fife
- Federation of Small Businesses (FSB) Scottish Office
- The Glasgow Anti-Racist Alliance
- Glasgow Overseas Professionals Into Practice (GOpIP)
- Grampian Racial Equality Council
- Hemat Gryffe Women's Aid
- National Association for Teaching English and other Community Languages to Adults (NATECLA) Scotland
- KA Javid & Co Accountants
- Learndirect Scotland
- Jobcentre Plus
- The Open University
- Scottish Enterprise
- The Bridges Programme
- National Co-ordinator for Widening Participation (c/o Napier University)
- The Scottish Trades Union Congress (STUC)
- UNISON Scotland
- National Union of Students (NUS) Scotland
- MERIDIAN (Black and Ethnic Minority Women's Information and Resource Centre)
- The Muslim Women's Resource Centre
- National Association for Teaching English and other Community Languages to Adults (NATECLA)
- The Initiative
- Positive Action in Housing
- The REACH Community Health Project
- Glasgow Council for the Voluntary Sector (GCVS)
- Highlands and Islands Enterprise
- Saheliya (Black and Minority Ethnic Women's Mental Health organisation)
- The Scottish Association of Teaching English as an Additional Language (SATEAL)
- The Scottish Association for the Teaching of English as a Foreign Language (SATEFL)
- Shakti Women's Aid
- The Educational Institute of Scotland (EIS)
- Careers Scotland
- The West of Scotland Racial Equality Council
- Young Scot
- Glasgow Chamber of Commerce
- Selected colleagues from other ETLLED divisions (Transitions to Work, Skills for Life and Work, Funding for Learners, Higher Education and Science, Enterprise Networks)
- Selected colleagues from other SE departments (Fresh Talent Team, Equality Unit, International Projects Division, Cultural Policy Division, Schools Group).

ETLLD: FAED
February 2006