

## Appendix 12: English for Speakers of Other Languages (ESOL) (See Article 10)

Of the 187,000 adult ESOL learners in England in 2010, 66% were women, and 25% were women with children under the age of seven.<sup>1</sup> English language acquisition is central to the long-term educational, training and employment prospects of speakers of other languages in the UK. The ability to speak English is also important for fulfilling everyday tasks, and it allows communities and individuals to have active social and political lives.<sup>2</sup> The Commission on Integration and Cohesion, an independent body set up by the UK government in 2006, produced a list of barriers to integration and community cohesion in its final report. One of these barriers was difficulties accessing English classes that meet people's needs.<sup>3</sup>

In November 2010, the UK Government put forward proposals to change the eligibility criteria for funded ESOL provision. The proposals were that instead of providing full fee remission to learners in receipt of income related benefits, funding would only be available to "those actively seeking work on Jobseekers Allowance and Employment Support Allowance (work related activity group) benefits".<sup>4</sup> This meant that those ESOL learners claiming Income Support, Working Tax Credits and Housing Benefit, who had previously been eligible for fully funded English courses, would have to pay at least half the cost of their lessons. As the majority of ESOL learners are women,<sup>5</sup> with a significant proportion having childcare responsibilities affecting their ability to actively seek work, the proposals had obvious gender impacts.

In July 2011 the Government published an equality impact assessment of its proposals. The assessment showed that 42% of female ESOL learners were in receipt of income related benefits, while only 7% were in receipt of Job Seekers Allowance. As the many organisations and individuals who responded to the Government consultation on the proposals pointed out, going ahead with the proposals would exclude many already financially disadvantaged and socially marginalised people from ESOL provision, because they would not be able to fund themselves. Without English language skills, these people would have to rely more on their own families and communities to interpret for them, restricting their access to services, reducing their

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<sup>1</sup> Action for ESOL (2011) *ESOL News*, Issue 1, September 2011 <http://esolnews.org/2011/09/12/esol-news-issue-1/>

<sup>2</sup> Aspinall, P. and Watters, C. (2010) *Research Report 52: Refugees and asylum seekers: A review from an equality and human rights perspective*. EHRM: Manchester  
[http://www.equalityhumanrights.com/uploaded\\_files/research/refugees\\_and\\_asylum\\_seekers\\_research\\_report.pdf](http://www.equalityhumanrights.com/uploaded_files/research/refugees_and_asylum_seekers_research_report.pdf)

<sup>3</sup> Commission on Integration and Cohesion (2007) *Our Shared Future*  
[http://collections.europarchive.org/tna/20080726153624/http://www.integrationandcohesion.org.uk/Our\\_final\\_report.aspx](http://collections.europarchive.org/tna/20080726153624/http://www.integrationandcohesion.org.uk/Our_final_report.aspx)

<sup>4</sup> Department for Business, Innovation and Skills (2010) *Skills for Sustainable Growth and Investing in Skills for sustainable Growth – Equality Impact Assessment*. BIS: London  
<http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/s/10-1284-skills-for-sustainable-growth-investing-equality-impact>

<sup>5</sup> Moore, K. (2011) 'Women affected most' by English language funding cuts', *BBC News London*, 18<sup>th</sup> May 2011 <http://www.bbc.co.uk/news/uk-england-london-13412811>

employment opportunities, weakening their opportunities to support their children's learning and resulting in higher interpreting costs for public services and the segregation of communities. After the consultation and the publication of the equality impact assessment, the Government's Further Education Minister admitted his anxiety about the disproportionate impact of the proposals on ethnic minority women.<sup>6</sup> The Government made the decision not to go ahead with the proposals, but the situation was reviewed again in September 2012 and it is possible that they will be reactivated.

English language ability is an important part of the process of gaining UK citizenship for migrants. Currently, applicants for indefinite leave to enter or remain in the UK are required to show they have sufficient knowledge of language and life in the UK by passing the 'Life in the UK' test. The test is set at ESOL Entry Level 3 (B1 of the Common European Framework of Reference) and is taken on a computer, in English, Welsh or Scottish Gaelic. Migrants with a level of English below B1 have an alternative option; they can enrol on an ESOL course which includes a citizenship component. However, in June 2012 the Government announced changes to the Immigration Rules for non-European Economic Area (EEA) nationals applying to enter or remain in the UK on the family migration route. (See Article 9) As part of the changes, from October 2013, the ESOL course with citizenship will no longer be an option in gaining settlement; all applicants will be required to pass the 'Life in the UK' test and present an English language speaking and listening qualification at B1 level or above.

These proposals are part of the Government's aim to *"reform all immigration routes to the UK to reduce net migration back to sustainable levels: tens of thousands a year. The goal is a more selective, more responsive system that commands public confidence and serves the UK's economic interests"*. The new language requirements supposedly will *"help ensure that those who settle here are able to participate in British life and are better able to gain employment"*.<sup>7</sup> But ESOL teachers and groups working with the most vulnerable migrants, including many women, argue that improving access to ESOL provision is a much better route to integration and employment for migrants. The new measures raise the bar too high for many migrants who have a lot to offer the UK.

Case study:<sup>8</sup>

Northumberland Sisters, a regional project of the Angelou Centre in Newcastle, delivers training confidence and skills development to Black and minority ethnic women in rural areas. There is a real need for ESOL classes but there are issues around eligibility and the cuts mean that ESOL participants must now be actively seeking work. Transport and childcare are major issues and act as a barrier to both

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<sup>6</sup> Exley, S. (2011) 'Ethnic minority women hit hardest by ESOL cuts', *TES Connect website*, 22<sup>nd</sup> July 2011 <http://www.tes.co.uk/article.aspx?storycode=6105726>

<sup>7</sup> Home Office (2012) *Policy equality statement on family migration*.

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/news/brp-impact-statement1.pdf>

<sup>8</sup> In North East Women's Network (2012) *Findings and recommendations from interim case study: The impact of austerity measures upon women in the North East of England*, October 2012 and updated April 2013. NEWomen's Network and Women's Resource Centre <http://www.newomens.net/index.php/research-leftmenu-56>

learning and development. Some migrants have gained professional qualifications in their home countries but are unable to use their skills here because they haven't gained sufficient knowledge of English. The result is they are working in low paid jobs and the economy is not benefiting from their skills and experience.

Some vulnerable groups will be exempt from the new requirements: those with a physical or mental condition that prevents them from meeting the requirements, those aged 65 and over, refugees, those with humanitarian protection, bereaved spouses and partners, and victims of domestic violence. However evidence shows that the requirements will impact disproportionately on women migrants. The Government's equality statement on the policy shows that many more women than men currently follow the ESOL with citizenship option which will no longer be available under the new rules. Indeed in 2011 8,788 women took this route compared to 4,892 men. As the equality statement points out, this figure suggests that the English level for migrant women applying for settlement is on average lower than for migrant men. The Government argues that "*any indirect discrimination on the basis of sex is proportionate because of the benefits of enhanced integration and reduced language burdens on public services*".<sup>9</sup> The equality statement argues that gender is not a factor preventing language learning, and does not consider the extra barriers faced by women learners such as domestic responsibilities and lack of childcare. We disagree.

#### **Recommendation:**

**Promote integration and active citizenship, as well as improving access to ESOL for vulnerable groups including many women which will also aid social mobility for these groups**

Case study:<sup>10</sup>

ESOL for me by Hana Fesiha

*"When I came here eight years ago as asylum seeker I didn't speak English at all. I have been under social service, I used to have a key worker but we didn't understand each other because of my English so I used to cry a lot.*

*He used to take me to the doctor, shopping and any where I want. After, he would take me to free ESOL course in Harlesden community centre in half term. One year later I went to Queen's park college, again for free ESOL course. My ESOL course helped me a little to improve my communication with people. I started to look for a job but nobody employed me because of my English and my home office papers. Now after eight years I got my papers, I started doing my ESOL for Care at Hammersmith and West London College and working part-time.*

*My ESOL is very important to me because in the future I want to do nursing so ESOL will help me to improve my spelling, grammar, speaking skills, to get better job and to*

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<sup>9</sup> Home Office (2012) *Policy equality statement on family migration*.

<http://www.ukba.homeoffice.gov.uk/sitecontent/documents/news/brp-impact-statement1.pdf>

<sup>10</sup> Action for ESOL (2011) *ESOL News*, Issue 1, September 2011 <http://esolnews.org/2011/09/12/esol-news-issue-1/>

*be independent. If ESOL funding cuts will happen in September this will affect all my dreams and I won't be able to have good education or a good life for the rest of my life."*

Case study:<sup>11</sup>

Submission to the UK Government consultation on ESOL provision 2010 from an ESOL teacher:

*"Many women with young children, single or married, do not work in paid employment and have few financial resources. At present they pay limited fees and this is often contingent on assessment of their husband's/partner's income. If full fee remission is only available to people in receipt of 'active benefits' in their own right, this will probably prevent most such students from participating. They have often come from contexts where they have initially no education and cannot read or write in any language. They are the mothers of the next generation of British children."*

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<sup>11</sup> Department for Business, Innovation and Skills (2011) *English for speakers of other languages (ESOL) equality impact assessment* <http://www.bis.gov.uk/assets/biscore/further-education-skills/docs/e/11-1045-english-for-speakers-of-other-languages-equality-impact.pdf>