

## Equality Impact Assessment (EIA) Template – Part 1

<b>Policy title and purpose (brief outline):</b>	<b>English for Speakers of Other Languages (ESOL) Policy for Wales</b>
<b>Name of official:</b>	<b>Helen Scaife</b>
<b>Department:</b>	<b>Department for Education and Skills</b>
<b>Date:</b>	<b>12 March 2014</b>
<b>Signature:</b>	

**1. Please provide a brief description of the policy/decision. For example what is the overall objective of the policy/decision, what are the stated aims (including who the intended beneficiaries are), a broad description of how this will be achieved, what the measure of success will be, and the time frame for achieving this?**

The English for Speakers of Other Languages Policy for Wales sets out the Welsh Government's commitment to the delivery of ESOL for learners in Wales, and gives the sector a steer on the priorities for delivery.

**2. We have a legal duty to engage with people with protected characteristics under the Equality Act 2010 (please refer to Annex A of the EIA guidance) identified as being relevant to the policy. What steps have you taken to engage with stakeholders, both internally and externally?**

The policy has been developed in full consultation with the sector. The ESOL Advisory Board, made up of experts from the sector, has steered the policy development process. Eight working groups were set up, which included representation from over 50 stakeholders across the sector, which examined specific aspects of the policy. Events were held in North and South Wales to enable a wider representation of stakeholders, including tutors, the opportunity to engage in the policy development process. Some of the stakeholders consulted representatives from BME communities, Asylum Seekers and Refugees in making their contributions to the consultation.

**3. Your decisions must be based on robust evidence. What evidence base have you used? Please list the source of this evidence e.g. National Survey for Wales. Do you consider the evidence to be strong, satisfactory or weak and are there any gaps in evidence?**

The evidence used has been collected from experts within the sector, including reports and research undertaken on behalf of the Welsh Government. External reports by experts in the field have also been used. A list of all documents referenced in the policy is included at Annex A to this EIA.

Data for the policy has been drawn from the Lifelong Learning Wales Record (LLWR). I consider the evidence used for this policy to be robust.

**Impact - Do you think this policy / decision / practice will have a positive or negative impact on people:**

**4.1 Because of their age?**

Age	Positive	Negative	None / Negligible	Reasons for your decision (including evidence) / How might it impact?
Younger people ( <i>Children and young people, up to 18</i> )			✓	This policy is aimed at adults and therefore the impact on young people will be negligible. There will be some impact on the children of adults who are helped by this policy but it would not be possible to evidence this impact effectively.
People 18- 50	✓			
Older people (50+)	✓			

**4.2 Because they are disabled?**

Impairment	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Visual impairment			✓	There is insufficient data to determine whether this policy will have any significant impact on this group. ESOL is available to these groups
Hearing impairment			✓	
Physically disabled			✓	
Learning disability			✓	
Mental health problem			✓	
Other impairments issues			✓	

**4.3 Because of their gender (man or woman)?**

Gender	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
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Male			✓	More women than men currently access ESOL provision – 4,493 women compared to 2,856 men in 2011/12. Increasing support for ESOL provision will therefore impact on more women than men.
Female	✓			

#### 4.4 Because they are transgender?

Transgender	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
			✓	We do not hold data on this. There would be no direct impact on this group. ESOL is available to these groups

#### 4.5 Because of their marriage or civil partnership?

Marriage and Civil Partnership	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Marriage			✓	The policy does not directly impact on whether an individual is married or not – however a large number of the migrants who access ESOL provision are the spouses of UK residents. ESOL is available to these groups
Civil Partnership			✓	

#### 4.6 Because of their pregnancy or maternity?

Pregnancy and Maternity	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Pregnancy			✓	Evidence provided by the Midwifery service shows that women who do not speak English are more likely to

Maternity (the period after birth)			✓	suffer complications during pregnancy. ESOL classes may help some of these women to engage with the medical services more effectively, but this would be difficult to evidence. ESOL is available to these groups
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## 4.7 Because of their race?

Race	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Ethnic minority people e.g. Asian, Black,	✓			A slightly greater number of ESOL learners are from BME communities. According to 2011/12 data, 3,687 learners identified themselves as non-white, compared to 3,159 who identified themselves as white. Increasing support for ESOL learners would impact on this group specifically.
National Origin (e.g. Welsh, English)		✓		It could be argued that focusing more funding and resources on ESOL could draw funding and resources away from mainstream provision
Asylum Seeker and Refugees	✓			Asylum seekers and refugees are a target group for ESOL provision. Wales does not impose the same restrictions on accessing provision as England which means this group have much greater access to provision
Gypsies and Travellers			✓	There is little evidence to show that Gypsies and Travellers access ESOL provision
Migrants	✓			The majority of ESOL learners are migrants. The policy recognises the huge impact ESOL can have in enabling migrants to access services and compete effectively in the workplace. ESOL is aimed at migrants who plan to settle in the UK.

Others			✓	The majority of ESOL learners fit into one of the categories listed above.
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#### 4.8 Because of their religion and belief or non-belief?

Religion and belief or non – belief	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Different religious groups including Muslims, Jews, Christians, Sikhs, Buddhists, Hindus, Others (please specify)			✓	A significant number of ESOL learners are from communities with strong religious links. Evidence shows that ESOL can help to create greater integration between communities. However, we do not collect data on religion and belief and therefore do not have the evidence to accurately reflect the potential impact. ESOL is available to these groups
Belief e.g. Humanists			✓	
Non-belief			✓	

#### 4.9 Because of their sexual orientation?

Sexual Orientation	Positive	Negative	None / Negligible	Reason for your decision (including evidence)/ How might it impact?
Gay men			✓	There is no evidence to suggest that the policy would impact have an impact on this area. ESOL is available to these groups
Lesbians			✓	
Bi-sexual			✓	

#### 4.10 Do you think that this policy will have a positive or negative impact on people’s human rights? *Please refer to point 1.4 of the EIA Annex A - Guidance for further information about Human Rights.*

Human Rights	Positive	Negative	None / Negligible	Reason for your decision (including evidence) / How might it impact?
Human Rights including Human Rights	✓			Ensuring ESOL has parity with Essential Skills would mean that



Act and UN Conventions				all individuals would have the right to access ESOL courses in the same way they have rights to Basic Skills education.
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## **Equality Impact Assessment – Part 2**

### **1. Building on the evidence you gathered and considered in Part 1, please consider the following:**

#### **1.1 How could, or does, the policy help advance / promote equality of opportunity?**

For example, positive measures designed to address disadvantage and reach different communities or protected groups?

The ESOL policy is aimed at improving the provision and support for ESOL in Wales. More women than men currently access ESOL, and a greater number of learners are from BME communities. Therefore improving this provision will have a positive impact on these groups of learners. The ability to communicate through the medium of English is seen as key to empowering people to engage in UK society and economy. A lack of English language skills was seen as a key barrier to integration and employment. (*Poverty and Ethnicity in Wales*; Holtom, Bottrill and Watkins; JRF October 32013). Improving the support and provision of ESOL in Wales will help to improve integration, community cohesion and employability.

#### **1.2 How could / does the policy / decision help to eliminate unlawful discrimination, harassment or victimisation?**

The inability to communicate in the English Language can make individuals more vulnerable to discrimination, harassment and victimisation. Improving support and provision of ESOL will contribute to improving this situation.

#### **1.3 How could/does the policy impact on advancing / promoting good relations and wider community cohesion?**

Improving access to ESOL will help to promote wider community cohesion. Language is a barrier to social integration so improving the provision of ESOL will contribute to this action, as set out in the Community Cohesion Strategy for Wales as well as the Refugee Inclusion Strategy and the Strategic Equality Plan. The ESOL policy responds to the commitments in these plans in recommending actions to improve support and quality of ESOL provision in Wales.

## 2. Strengthening the policy

**2.1 If the policy is likely to have a negative effect ('adverse impact') on any of the protected groups or good relations, what are the reasons for this?**

**What practical changes/actions could help reduce or remove any negative impacts identified in Part 1?**

The policy does include reference to the proposals to introduce a co-financing policy to Adult Community Learning provision in Wales – this will include ESOL learners. An assessment on the impact on any individual groups will be determined as part of the co-financing policy as it is developed.

**2.2 If no action is to be taken to remove or mitigate negative / adverse impact, please justify why.**

**(Please remember that if you have identified unlawful discrimination (immediate or potential) as a result of the policy, the policy must be changed or revised.)**

Government funding for all Adult Community Learning has been reduced significantly. This will affect ESOL learners, but no more than any other group at this stage. It is difficult as yet to determine exactly what the potential impacts will be on any individual learner group. Officials will be working with providers to monitor the impact and to develop a sustainable approach to ACL delivery and funding for the future.

## 3. Monitoring, evaluating and reviewing

**How will you monitor the impact and effectiveness of the policy?**

List details of any follow-up work that will be undertaken in relation to the policy (e.g. consultations, specific monitoring etc).

The data collected from the LLWR annually will be monitored to determine what impact the policy has had on the delivery of ESOL. The ESOL Advisory Group will remain in place and will work with the Welsh Government to support delivery of the new policy. They will provide invaluable expertise and experience of ESOL delivery, and act as a 'critical friend' in challenging the development and delivery of ESOL in Wales.

The results of all impact assessments where the impact is significant will be published on the Welsh Government's website.



#### 4. Declaration

##### The policy has an impact upon equality issues

<b>Official completing the EIA</b>
Name: Helen Scaife
Department: Department for Education and Skills
Date: 12 March 2014
Signature:
<b>Head of Division (Sign-off)</b>
Name: Andrew Clark
Job title and department: Deputy Director, Further Education and Apprenticeships Division
Date: 12 March 2014
Signature:
Review Date:

**References in the ESOL Policy for Wales**

Alexander, C, Edwards, R, and Temple, B. 2004. *Access to services with interpreters*. Joseph Rowntree Foundation.

Census 2011. [www.ONS.gov.uk](http://www.ONS.gov.uk)

Department for Business, Innovation and Skills. 2013. *Evaluation of the impact of learning below Level 2*. Crown Copyright.

Department of Health. 2003. *Getting the Right Start: National Service Framework for Children*. Crown Copyright.

Estyn. 2008. *English for Speakers of Other Languages: The impact of increased demand*. Crown Copyright.

GHK Consulting and Map Analysis Ltd. 2010. *Review of the Provision of English for speakers of other languages in Wales*. Crown Copyright.

Holtom, D, Bottrill, I, and Watkins, J. 2013. *Poverty and Ethnicity in Wales*. Joseph Rowntree Foundation.

Lewis, G. 2011. *Saving Mothers' Lives: Reviewing Maternal Deaths to make motherhood safer: 2006-2008*. Centre for Maternal and Child Enquiries (CMACE)

Schellekens, P. 2011. *Teaching and Testing the Language Skills of First and Second Language Speakers*. Cambridge: Cambridge ESOL

Scottish Executive. 2007. *The Adult ESOL Strategy for Scotland*. Crown Copyright

*Teacher's Guide to the Common European Framework*, Pearson Longman.