

Circular Number: FE 07/26

Date of Issue: September 2026

Subject: Eligibility and Coding for English for Speakers of Other Languages (ESOL) Classes in Further Education Colleges

Target Audience:

- Chairs of Governing Bodies
- Secretaries of Governing Bodies
- FE College Principal/Chief Executive
- FE College Heads of Finance
- FE College MIS Officers

Summary of Contents:

This circular sets out the arrangements for the eligibility requirements and coding for access to English for Speakers of Other Languages (ESOL) provision in Further Education (FE) colleges.

Enquiries:

Any enquiries about the contents of this circular should be addressed to:

FE Policy Branch
Department for the Economy
Adelaide House
39-49 Adelaide Street
Belfast
BT2 8FD

Superseded Documents: FE 10/22 and FE 10/22 Addendum 1

Expiry Date: This circular will remain in effect until otherwise notified by the Department and will be reviewed alongside the ESOL policy from June 2027.

Website: www.economy-ni.gov.uk

E-Mail: fepolicy@economy-ni.gov.uk

1. INTRODUCTION

1.1 This circular provides guidance to accompany the ESOL policy, published in March 2026. This circular sets out the eligibility and coding requirements, including access to free ESOL through an FE College for the following groups:

- Asylum seekers;
- Refugees;
- Those granted Humanitarian Protection;
- Participants in the Afghan Relocations and Assistance Policy (ARAP);
- Participants in the Afghanistan Citizens Resettlement Scheme (ACRS);
- Participants in the Ukraine Family Scheme;
- Participants in the Ukraine Sponsorship schemes, commonly referred to as 'Homes for Ukraine';
- Those under the Ukraine Extension Scheme who have been granted 6 months leave; and,
- Those under the Ukraine Permission Extension Scheme (UPE)

1.2 For the purposes of this circular,

- Asylum seekers are defined as those who have made an application to the UK Border Agency for refugee status.
- Refugees are defined as those having been granted leave to remain in the UK by the Home Office; that is, asylum seekers who are granted refugee status.

- Humanitarian Protection is defined as those who have been granted Humanitarian Protection by the UK Home Office.

2. ESOL (AND OTHER FE) FOR ASYLUM SEEKERS, REFUGEES AND THOSE GRANTED HUMANITARIAN PROTECTION

- 2.1 Asylum seekers, Refugees and those granted Humanitarian Protection, are eligible to access free ESOL provision in an FE College as soon as they have made an application for refugee status or are granted refugee status.
- 2.2 Asylum seekers (including those appealing a decision regarding Refugee status), Refugees and those granted Humanitarian Protection are eligible for access to free ESOL provision. However, if they wish to access other FE provision, the colleges' normal fees policies will apply.
- 2.3 FE colleges can provide free non-regulated Pre-Entry ESOL courses to asylum seekers, Refugees and those granted Humanitarian Protection, who have come to Northern Ireland and who have no English language skills, when the initial assessment indicates that they are not ready to access Entry Level provision.
- 2.4 The spouse/civil partner of an Asylum Seeker, Refugee, or those granted Humanitarian Protection who has been so since the date of application for refugee status, and the child/children of the asylum seeker or of the spouse/partner of an asylum seeker, who was under 18 when the application for refugee status was made, will also be eligible as outlined above in respect of asylum seekers.
- 2.5 Students accessing free ESOL provision may have a maximum of three free attempts at the same level. After three attempts, the college's normal fees policy will apply unless extenuating circumstances are accepted under the college's usual process. Attempts prior to September 2026 will not be counted. When the student progresses to the next level, they will revert to having three attempts for

the new level. It is the responsibility of each college to monitor the number of attempts for students at each level.

3. ESOL (AND OTHER FE) FOR UKRAINIANS UNDER THE UKRAINE RESETTLEMENT SCHEMES

- 3.1 Ukrainians who have been resettled in Northern Ireland under the Ukraine Family Settlement Scheme, the Ukraine Sponsorship Scheme, the Ukraine Extension Scheme and the Ukraine Permission Extension Scheme (UPE) are immediately eligible to access free ESOL in the FE colleges.
- 3.2 Ukrainians accepted under the four Ukraine schemes are eligible to access free ESOL provision. However, if they wish to access other FE provision, colleges' normal fee policies will apply.
- 3.3 Ukrainians who have settled in Northern Ireland under the four Ukraine schemes (listed in 3.1) and who have no English skills can access free non-regulated Pre-ESOL through the FE colleges when the initial assessment indicates that they are not ready to access Entry Level provision.
- 3.4 Students accessing free ESOL provision may have a maximum of three free attempts at the same level. After three attempts, the college's normal fees policy will apply unless extenuating circumstances are accepted under the college's usual process. Attempts prior to September 2026 will not be counted. When the student progresses to the next level, they will revert to having three attempts for the new level. It is the responsibility of each college to monitor the number of attempts for students at each level.

4. ESOL (AND OTHER FE) FOR THOSE UNDER AFGHAN RELOCATIONS AND ASSISTANCE POLICY (ARAP) AND THE AFGHANISTAN CITIZENS RESETTLEMENT SCHEME (ACRS)

- 4.1 Afghans who have resettled in Northern Ireland under the Afghan Relocations and Assistance Policy (ARAP) and the Afghanistan Citizens Resettlement Scheme (ACRS) are immediately eligible to access free ESOL in the FE colleges.
- 4.2 Afghans who have settled in Northern Ireland under the government's ARAP and ACRS are eligible to access free ESOL provision. However, if they wish to access other FE provision, colleges' normal fee policies will apply.
- 4.3 Afghans who have settled in Northern Ireland under the two Afghan schemes (listed in 4.1) and who have no English skills can access free non-regulated Pre-ESOL through the FE colleges when the initial assessment indicates that they are not ready to access Entry Level provision. The spouse/civil partner and children of an Afghan under ARAP or ACRS will also be eligible for provision upon arrival.
- 4.4 Students accessing free ESOL provision may have a maximum of three free attempts at the same level. After three attempts, the college's normal fees policy will apply unless extenuating circumstances are accepted under the college's usual process. Attempts prior to September 2026 will not be counted. When the student progresses to the next level, they will revert to having three attempts for the new level. It is the responsibility of each college to monitor the number of attempts for students at each level.

5. FUNDING

- 5.1 Funding for free ESOL and Pre-Entry ESOL will be met from the FE colleges'

resource budget allocation.

6. CODING

6.1 To identify the immigration status for students on ESOL courses, the following descriptors must be used:

Immigration Status

“Please indicate if you are an asylum seeker, migrant or refugee”

Year	Values	Description
2019	A	Asylum Seeker
2019	R	Refugee
2019	N	Neither an Asylum Seeker, Migrant nor a Refugee
2022	B	Ukrainian Migrant
2022	C	Afghan Migrant

6.2 To identify the specific schemes, the following additional descriptors must be used in the Resettlement Scheme field:

Resettlement Scheme Field

Year	Values	Description
2018	0	Learner <i>is not</i> a participant in a resettlement scheme
2018	1	Learner <i>is</i> a participant in the Vulnerable Persons Relocation Scheme (VPRS)
2022	A	Learner <i>is</i> a participant in the Homes for Ukraine Scheme
2022	B	Learner <i>is</i> a participant in the Ukrainian Family Visa Scheme
2022	C	Learner <i>is</i> a participant in the Ukrainians Visa Extension scheme
2022	D	Learner <i>is</i> a participant in the Afghan Relocation and Assistance Programme (ARAP)
2022	E	Learner <i>is</i> a participant in the Afghan Citizens Resettlement Scheme (ACRS)
2024	F	Learner <i>is</i> a Hong Kong British National Oversea (BN(O))
2025	G	Learner <i>is</i> a participant in the Ukraine Permission Extension Scheme (UPE)

The identification procedure

- 6.3 Ukrainian migrants who arrive under Ukraine Sponsorship Scheme (Homes for Ukraine), Ukraine Family Scheme, Ukraine Extension Scheme and Ukraine Permission Extension Scheme (UPE) can verify their immigration status using the UKVI online service, with a share code provided by the applicant to confirm their right to study or reside.
- 6.4 Afghans who arrive under Afghan Relocations Assistance Policy (ARAP) and Afghan Citizens Resettlement Scheme (ACRS) can verify their immigration status using the UKVI online service, with a share code provided by the applicant to confirm their right to study or reside.

7. ACCOUNTABILITY

7.1 The Principal/Chief Executive of each college shall:

- Ensure that, for the purposes of administering funds the college maintains and operates an adequate system of record keeping, financial management and internal controls, including safeguards against fraud, and shall require the college's external auditors, as part of their audit, to report on the adequacy or otherwise of that system.
- Ensure that the college uses the funding provided in a manner consistent with the purposes for which the funding was given by the Department and complies with any terms and conditions attached to it;
- Provide such returns as may be required by the Department; colleges are reminded that full student records should be maintained; and,
- Ensure that the application of the three-attempt limit is recorded consistently and can be evidenced for audit and assurance purposes.