

Circular Number: FE 10/22

Date of Issue: August 2022

## **Subject: Access to English 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

### **Summary of Contents:**

1. This circular sets out the arrangements for the eligibility requirements for access to English Speakers of Other Languages (ESOL) in Further Education (FE) colleges for asylum seekers, refugees, those granted Humanitarian Protection, persons granted Indefinite leave to remain under Afghan Relocation and Assistance Policy (ARAP) and the Afghanistan Citizen Resettlement Scheme (ACRS), Ukrainians under 'Homes for Ukraine', Ukrainian Family Resettlement schemes and Ukrainians granted a six month settlement visa whilst they apply for one of the afore mentioned schemes.

### **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

Related Documents: FE 12/14

Superseded Documents: FE 12/15, FE12/15 addendum 1, FE 12/15 addendum 2

Expiry Date: **This circular will remain in effect until otherwise notified by the Department.**

Website: [www.economy-ni.gov.uk](http://www.economy-ni.gov.uk)

E-Mail: [fepolicy@economy-ni.gov.uk](mailto:fepolicy@economy-ni.gov.uk)

### 1. INTRODUCTION

1.1 This circular sets out the eligibility requirements for access to ESOL, for the following groups

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

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.

## PROVISION OF ESOL IN FURTHER EDUCATION COLLEGES

---

- 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.
- 1.3 The scheme aims to support the most vulnerable individuals, particularly victims of torture and violence, women and children at risk and those in need of advanced medical care.

## 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 ESOL provision, and other further education courses, as soon as they have made an application for refugee status or are granted refugee status.
- 2.2 Asylum seekers, Refugees and those granted Humanitarian Protection are eligible for free access to ESOL provision. However, if they wish to access other FE provision, 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 Most Asylum Seekers whose claim to refugee status has been refused lodge an appeal. Individuals will continue to be eligible as outlined above while their appeal process is underway – FE colleges will want to be satisfied that such an appeal is under way.
- 2.5 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.

### **3. ESOL (AND OTHER FE) FOR UKRANIANS UNDER THE UKRAINIAN RESETTLEMENT SCHEMES**

- 3.1 Ukrainians who have been resettled in Northern Ireland under the Ukrainian Family Settlement Scheme, the Ukrainian Sponsorship Scheme and the Ukrainian Extension Scheme are eligible for immediate access to ESOL and other FE courses.
- 3.2 Ukrainians accepted under the three Ukrainian schemes are eligible for free access to 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 three Ukrainian 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.

### **4. ESOL (AND OTHER FE) FOR THOSE UNDER AFGHAN RELOCATION AND ASSISTANCE POLICY (ARAP) AND THE AFGHANISTAN CITIZEN RESETTLEMENT SCHEME (ACRS)**

- 4.1 Afghans who have resettled in Northern Ireland under the Afghan Relocation and Assistance Policy (ARAP) and the Afghanistan Citizen Resettlement Scheme (ACRS) can access free ESOL through the FE colleges.
- 4.2 Afghans who have settled in Northern Ireland under the government's ARAP and ACRS who have no English skills can access free non-regulated Pre-Entry ESOL through the FE colleges when the initial assessment indicates that they are not ready to access Entry Level provision
- 4.3 Afghans who wish to access other FE provision, colleges' normal fee policies will apply.
- 4.4 The spouse/civil partner and children of an Afghan under ARAP or ACRS will also be eligible for provision upon arrival.

### 5. FUNDING

- 5.1 Funding for free ESOL and Pre-Entry ESOL will be met from the FE colleges resource budget allocation.
- 5.2 For those who do not fall under the aforementioned groups, colleges' normal fee policies will apply.

### 6. ACCOUNTABILITY

The Principal/Chief Executive of each college shall:

- 6.1 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.
- 6.2 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; and
- 6.3 provide such returns as may be required by the Department; colleges are reminded that full student records should be maintained.