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**PILOT FRAMEWORK FOR EDUCATIONAL
PROVISION IN THE VOCATIONAL
EDUCATION SECTOR FOR MIGRANT WORKERS
WITH ENGLISH LANGUAGE NEEDS**



AN IVEA WORKING GROUP PUBLICATION, 2005

VOLUME IV - English Language Provision For Migrant Workers

IVEA 2005

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CONTENTS:

DEFINITIONS

- 5. LEGAL TERMS
- 5. TERMS REFERRING TO PEOPLE AND PRACTICES
- 6. TERMS REFERRING TO TEACHING PRACTICES

1. CONTEXT

- 9. 1.1 IVEA AND THE SPECIALIST WORKING GROUP
- 10. 1.2 SUGGESTED FRAMEWORK
- 10. 1.3 IVEA POLICY: NATIONAL STRUCTURES
- 11. 1.4 PURSUING IVEA POLICY AT NATIONAL LEVEL

2. LEGISLATIVE AND HUMAN RIGHTS/EQUALITY FRAMEWORK

- 12. 2.1 LEGAL CONTEXT
 - 12. 2.1.1 THE INTERNATIONAL DIMENSION
 - 13. 2.1.2 THE NATIONAL DIMENSION
- 16. 2.2 POLICY FRAMEWORK
 - 16. 2.2.1 INTRODUCTION
 - 16. 2.2.2 LIFELONG LEARNING AS A SYSTEMIC APPROACH
 - 16. 2.2.3 EQUALITY
 - 16. 2.2.4 INTERCULTURALISM
- 17. 2.3 DEVELOPMENTS SINCE THE WHITE PAPER

3. MIGRANT WORKERS IN IRELAND

- 18. 3.1 EU NATIONALS
- 18. 3.2 EMPLOYMENT PERMIT SCHEME
- 18. 3.3 ISSUES WITH THE EMPLOYMENT PERMIT SCHEME
- 19. 3.4 THE WORKING VISA/WORK AUTHORISATION
- 19. 3.5 HABITUAL RESIDENCY CONDITION
- 19. 3.6 IMMIGRATION FROM THE EXPANDED EU
- 20. 3.7 STATISTICS

4. INTERNATIONAL COMPARISONS

- 21. 4.1 AN ANALYSIS OF POLICY EVOLUTION IN SWEDEN
- 23. 4.2 PROVISION OF ENGLISH LANGUAGE CLASSES IN UNITED KINGDOM
- 24. 4.3 COMMENTARY
 - 26. 4.3.1 CASE STUDY: CANADA
 - 27. 4.3.2 CASE STUDY: AUSTRALIA
 - 27. 4.3.3 IRISH CASE STUDY: SIPTU – BASIC ENGLISH SCHEME AND ‘SECOND CHANCE – KEY SKILLS’

5. EDUCATIONAL NEEDS OF MIGRANT WORKERS

- 30. 5.1 IVEA CONSULTATIVE WORKSHOPS
- 30. 5.2 PROFILE OF PARTICIPANTS IN REGIONAL CONSULTATIVE WORKSHOPS
- 31. 5.3 GENERAL ISSUES OF CONCERN
- 31. 5.4 EDUCATIONAL ISSUES
 - 31. 5.4.1 ENGLISH LANGUAGE CLASSES
 - 31. 5.4.2 OTHER EDUCATIONAL NEEDS
 - 32. 5.4.3 REMOVING BARRIERS TO ACCESS
- 33. 5.5 FLEXIBILITY AS A MEANS TO ACCESS
- 33. 5.6 TYPE OF EDUCATIONAL PROVISION REQUIRED
 - 33. 5.6.1 ISSUES FOR VECS AS PROVIDERS
- 34. 5.6.2 CONCLUSIONS FROM RESEARCH CARRIED OUT BY IVEA WORKING GROUP
- 35. 5.7 FEES

6. RECOMMENDED MODEL EDUCATIONAL PROGRAMME

- 36. 6.1 ASSESSMENT AND NEEDS ANALYSIS
- 36. 6.1.1 PLANNING PROGRAMMES
- 36. 6.2 ASSESSMENT
- 36. 6.3 MODEL EDUCATIONAL PROGRAMME
- 36. 6.3.1 CONTENT
- 36. 6.4 RECOMMENDED MODEL - LEVELS
- 37. 6.5 RECOMMENDED MATERIALS
- 37. 6.6 SAMPLE FETAC COURSES
- 37. 6.6.1 LEVEL 3 ESOL
- 38. 6.6.2 LEVEL 4: ESOL

7. TRAINING

- 39. 7.1 ANTI-RACIST/CULTURAL AWARENESS TRAINING
- 39. 7.1.1 ALL STAFF
- 39. 7.1.2 EDUCATIONALISTS

8. SUPPORT SERVICES

- 40. 8.1 INTRODUCTION
- 40. 8.2 TRANSLATION
- 40. 8.3 CHILDCARE
- 40. 8.4 THE ROLE OF LOCAL COMMUNITIES
- 41. 8.5 REFERRALS

9. ROLE OF VEC MANAGEMENT

- 42. 9. ROLE OF VEC MANAGEMENT
- 42. 9.1 THE ROLE OF MANAGEMENT
- 42. 9.1.1 VEC LEVEL
- 42. 9.1.2 SCHOOL/CENTRE LEVEL

10. SUMMARY OF RECOMMENDATIONS

- 43. 10.1 STRUCTURES:
- 43. 10.2 PROVISION
- 43. 10.3 FEES
- 43. 10.4 ASSESSMENT
- 43. 10.5 STAFF TRAINING
- 43. 10.6 SUPPORT SERVICES
- 43. 10.7 GENERAL

APPENDIX

- 44. APPENDIX I
- 44. APPENDIX II
- 50. APPENDIX III
- 50. APPENDIX IV
- 53. APPENDIX V
- 54. APPENDIX VI

LEGAL TERMS

Alien

A non-Irish national is referred to as an 'alien' in the Aliens Act, 1935. This terminology is also used in a similar context in other countries.

Asylum seeker

A person who arrives independently in the State seeking to be granted protection under the Refugee Convention.

Employment Permit

The legal term for what is commonly referred to as a work permit [refer to definition of work permit]¹. In the Employment Permits Bill, 2005, the term refers to all forms of permission to work e.g. work permit, work visa and work authorisation but it is more commonly used to describe the 'employer specific' work permit.

Refugee

A person who has been recognised as needing protection under the Refugee Convention. In the Convention, a refugee is defined as someone who: has a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group, or political opinion; is outside the country they belong to; or normally reside in and is unable or unwilling to return home for fear of persecution.

Work Authorisation

Non-EEA/Swiss nationals require permission to work in Ireland. This permission may take the form of a work permit, a work authorisation, or a working visa depending on the type of employment, and whether the applicant is required to possess a visa in order to travel in Ireland. A work authorisation is the type of permission to work in Ireland issued to persons who have an offer and contract of employment from an employer in Ireland in a designated sector and who do not need to have a visa to travel to Ireland².

Work Permit

Non-EEA/Swiss nationals require permission to work in Ireland. This permission may take the form of a work permit, a work authorisation, or a working visa depending on the type of employment, and whether the applicant is required to possess a visa in order to travel in Ireland. A work permit is only valid for the named employee and the job specified. It is not granted to migrant workers themselves, but is obtained and held by their employer. It covers periods of one month to one year and can be renewed. The legal term for work permits is employment permits but they are commonly referred to as work permits³.

Working Visa

Non-EEA/Swiss nationals require permission to work in Ireland. This permission may take the form of a work permit, a work authorisation, or a working visa depending on the type of employment and whether the applicant is required to possess a visa in order to travel in Ireland. A working visa is the type of permission to work in Ireland issued to persons who have an offer and contract of employment from an employer in Ireland in a designated sector, and who need a visa to travel to Ireland⁴.

TERMS REFERRING TO PEOPLE AND PRACTICES

Anti-racism

Anti-racism refers to all strategies that contribute to the elimination of racism in all its forms, interpersonal and institutional⁵.

Assimilation

An approach to diversity which forces a minority ethnic group(s) to abandon its own cultural practices and values and be absorbed into the dominant culture. An assimilationist approach assumes the superiority of the dominant or host culture.

Bilingual

Bilingualism refers to the phenomenon of competence and communication in two languages. A bilingual individual is someone who has the ability to communicate in two languages alternately⁶. Most bilingual speakers will have learned two languages in the family from native speakers since infancy.

Ethnic minority

Ethnic minority is a generic term used to describe people who are identifiably different to the ethnic majority because of their ethnic origin (including language or religion).

Immigration Policy

Immigration policy is concerned with who should be allowed into a particular country or region and under what conditions⁷.

Institutional racism

"The collective failure of an organisation to provide an appropriate or professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitude and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotypes which disadvantage minority ethnic people"⁸.

¹ Kelleher Associates/Kelleher Patricia *Voices of Immigrants. The Challenges of Inclusion*. Immigrant Council of Ireland, Dublin: 2004: P. 117.

² Kelleher Associates/Kelleher Patricia *Voices of Immigrants. The Challenges of Inclusion*. Immigrant Council of Ireland, Dublin: 2004: P. 117.

³ Kelleher Associates/Kelleher Patricia *Voices of Immigrants. The Challenges of Inclusion*. Immigrant Council of Ireland, Dublin: 2004: P. 117.

⁴ Kelleher Associates/Kelleher Patricia *Voices of Immigrants. The Challenges of Inclusion*. Immigrant Council of Ireland, Dublin: 2004: P. 117.

⁵ Department of Education and Science *'Promoting Anti-racism and Interculturalism in education: Draft recommendations towards a National Action Plan'* Dublin: 2002. HYPERLINK "http://www.education.ie/servlet/blobServlet/fe_antiracism_report.doc"

⁶ Lam, A. "Bilingualism" in Carter, R. & Nunan, D. (ed.s) *The Cambridge Guide to Teaching English to Speakers of Other Languages*, Cambridge University Press, Cambridge: 2001.

⁷ Kelleher Associates/Kelleher Patricia *Voices of Immigrants. The Challenges of Inclusion*. Immigrant Council of Ireland, Dublin: 2004: P. 117.

⁸ MacPherson, W. *The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny*, presented to Parliament by the Secretary of State for the Home Department by Command of Her Majesty, London: 1999.

Interculturalism

Interculturalism: “acceptance not only of the principles of equality of rights, values and abilities but also the development of policies to promote interaction, collaboration and exchange with people of different cultures, ethnicity or religion living in the same territory...interculturalism is an approach that can enrich a society and recognises racism as an issue that needs to be tackled in order to create a more inclusive society”⁹.

Integration

“Integration means the ability to participate to the extent that a person needs and wishes in all of the major components of society, without having to relinquish his or her own cultural identity”¹⁰. Within educational practice, it generally means a limited recognition of the culture of minority ethnic groups, but from the perspective of the dominant culture. This approach generally ignores the need to implement systemic change in order to meet the educational needs of a culturally diverse society.

Migrant Worker

In Ireland the term “migrant worker” refers to an individual who has migrated to Ireland for the purposes of securing employment. The term may refer to EEA/Swiss nationals who have moved here to work or to non-EEA/Swiss nationals who have secured permission to come here for purposes of work. They may have done this by securing a working visa/work authorisation or through the employment permit system. Alternatively, they may also be self-employed and hold a business permission from the Minister for Justice, Equality and Law Reform.

Minority Linguistic Group

In Ireland, the term ‘minority linguistic group’ is used to describe people who were born in, or have family origins in countries where the mother tongue(s) is a language other than English.

Multiculturalism

The term multiculturalism is used in a variety of ways within different countries. In Ireland it is generally understood in a similar sense to that used in the British context, as a general statement of the co-existence of different cultures within society, although without necessarily any positive interaction between them. Within education, multiculturalism used in this sense, generally implies recognition of superficial elements of minority cultures, often taken out of context and emphasising the exotic. This approach ignores inequalities and fails to deal with institutional racism.

Multilingual

Multilingualism refers to the phenomenon of competence and communication in more than two languages.

Racial discrimination

Any distinction, exclusion, restriction or preference, based on race, colour, descent, national or ethnic origin, which has the purpose of modifying or impairing recognition, the enjoyment or exercise on an equal footing of human rights and fundamental freedom in the political, economic, social, cultural or any field of public life constitutes racial discrimination¹¹.

Racism

Racism is a specific form of discrimination and exclusion faced by black and ethnic minority groups. Racism is based on the false belief that some ‘races’ are inherently superior to others because of different skin colour, nationality, ethnic or cultural background. Racism deprives people of their basic human rights, dignity and respect. There are different forms of racism and it manifests itself at different levels¹².

Social Inclusion

In the context of migrant workers, the debate on social inclusion is concerned with the extent to which receiving societies facilitate migrant participation in the economic, political and social life of their societies¹³.

TERMS REFERRING TO TEACHING PRACTICES

English as a Foreign Language (EFL)

EFL refers to circumstances where English is not the primary language means of communication and instruction. Most EFL settings offer limited exposure of the target language outside the classroom and syllabi are carefully structured with extensive recycling of key target language items¹⁴. In EFL, accreditation mechanisms usually dictate course direction and the teacher has overall responsibility for introducing a cultural dimension to programmes. In addition, EFL is taught in the learner’s mother tongue and frequently in private language schools¹⁵.

English for Speakers of Other Languages (ESOL)

ESOL is primarily concerned with developing speaking and listening skills in functional language for everyday use. ESOL programmes are learner-centred and needs based with attainable short-term goals. ESOL prepares learners for independence and takes account of educational/employment aspirations. ESOL also incorporates communicative language techniques for mixed levels and cross-cultural approaches which recognises a learner’s other languages/cultures¹⁶. ESOL is traditionally used to describe English language teaching for adults.

English as an Additional Language (EAL)

EAL is used to describe English language teaching to bilingual and multilingual students in schools. EAL caters for a wide range of learners varying in age, first language background and fluency, English language fluency, previous experience of schooling, and prior and current exposure to English. EAL recognises that these learners need to acquire English at the same time as progressing through the mainstream curriculum. EAL is therefore primarily concerned with teaching English through the context of the whole curriculum.

EAL pedagogy recognises the need for learners to be able to use English for both social and academic purposes. It acknowledges the time taken for learners to gain fluency in the spoken and written language of the academic curriculum, whilst taking into account the need for learners to gain the knowledge, skills and understanding of all curricular subjects¹⁷.

⁹ NCCRI: 2001.

¹⁰ Interdepartmental Working Group on Integration of Refugees in Ireland. *Integration A Two Way Process – Report to the Minister for Justice, Equality and Law Reform By the Interdepartmental Working Group on the Integration of Refugees in Ireland*, Government Stationery Office, Dublin: 1999.

¹¹ Article 1, UN International Convention on the Elimination of All Forms of Racial Discrimination, 1969, signed by Ireland in 1986 and ratified in December 2000.

¹² Department of Justice, Equality and Law Reform. *Towards a National Action Plan Against Racism in Ireland – A Discussion Document to Inform the Consultative Process*, Department of Justice, Equality and Law Reform, Dublin: 2002.

¹³ Adapted from: Kelleher Associates/Kelleher Patricia *Voices of Immigrants. The Challenges of Inclusion*. Immigrant Council of Ireland, Dublin: 2004: P. 117.

¹⁴ Nunan, D. ‘Second Language Acquisition’ in Carter, R. & Nunan, D. *The Cambridge Guide to Teaching English to Speakers of Other Languages*, Cambridge University Press, Cambridge: 2001.

¹⁵ Jordan, J. *An Introduction to teaching English as an Additional Language to Adults* Basic Skills Agency, London: 2001.

¹⁶ Department of Education and Skills, United Kingdom. *Adult ESOL Core Curriculum*. DoFES: UK: 2001.

¹⁷ Definition supplied by Department of Education & Skills, United Kingdom.

GLOSSARY OF TERMS

AEO

Adult Education Officers are appointed by VECs to manage the Adult Education Service in each VEC administrative area.

ALO

Adult Literacy Organisers are appointed by VECs to manage the Adult Literacy and Basic Adult Education provision in VECs.

BTEI

Back to Education Initiative: A national Department of Education and Science initiative managed locally by VECs to provide opportunities for young people and adults to return to learning.

CDU

Curriculum Development Unit: Established by the City of Dublin Vocational Education Committee.

CEF

Community Education Facilitators are employed by Vocational Education Committees to manage community education programmes.

CEO

Chief Executive Officer of a Vocational Education Committee.

COE

The Council of Europe: Comprised of forty-six Member States including all the EU Member States together with Albania; Andorra; Armenia; Azerbaijan; Bosnia and Herzegovina; Bulgaria; Croatia; Georgia; Iceland; Liechtenstein; the former Yugoslav Republic of Macedonia; Moldova; Monaco; Norway; Romania; Russian Federation; San Marino; Serbia and Montenegro; Switzerland; Turkey; and the Ukraine. The Council of Europe strives to promote Europe's cultural identity and diversity, combats discrimination and social exclusion, as well as promoting democratic stability.

Convention (EU)

A practice or custom followed in government although not explicitly written in the constitution or in legislation. European Conventions and Agreement are not statutory acts of the organisation; they owe their legal existence simply to the expression of will of those states that may become parties thereto, as manifested *inter alia* by the signature and ratification of the EU Treaty¹⁸.

DES

Department of Education and Science in Ireland.

EEA

European Economic Area Agreement: In 1994, the EEA Agreement was signed between the European Union and Norway, Iceland and Liechtenstein. Nationals of these States enjoy rights within the EU that are similar to those of nationals of EU Members States and include those set out in the **European Communities (Right of Residence for Non-Economically Active Persons) Regulations, 1997**¹⁹.

ECHR

European Convention on Human Rights.

EO

Education Officer of a Vocational Education Committee.

EU

European Union.

FÁS

Foras Áiseanna Saothair: The National Training Authority in Ireland established under the Labour Services Act, 1987.

FETAC

Further Education and Training Awards Council: A statutory awards body with responsibility for further education and training established under the Qualifications (Education and Training) Act, 1999.

ICI

Immigrant Council of Ireland : An independent non-governmental organisation working with and for immigrants in promoting their rights through information, advocacy and awareness.

IILT

Integrate Ireland Language and Training: Established by the DES under the aegis of Trinity College, Dublin to co-ordinate language support for refugees and others with legal residency.

IRC

Irish Refugee Council: A membership based Non-governmental organisation responsible for public awareness and promoting asylum seeker/refugee rights.

IVEA

Irish Vocational Education Association: The IVEA is the national representative association for the thirty-three Vocational Education Committees.

Labour Court (LC)

The Labour Court: Provides a free, comprehensive service for the resolution of disputes about industrial relations, equality, organisation of working time and national wage matters.

Labour Relation Commission (LRC)

Labour Relation Commission: A statutory body that promotes good industrial relations through its Conciliation Service; Advisory, Development and Research Service and Rights Commissioner Service.

NALA

National Adult Literacy Agency: A membership based, non-governmental organisation concerned with national co-ordination, training and policy development in adult literacy work in Ireland.

¹⁸Kenny, Catherine & Parkinson, Orla (Ed.) *Handbook on Immigrants' Rights and Entitlements in Ireland*, Immigrant Council of Ireland, Dublin: 2003: p. 235.

¹⁹Kenny, Catherine & Parkinson, Orla (Ed.) *Handbook on Immigrants' Rights and Entitlements in Ireland*, Immigrant Council of Ireland, Dublin: 2003: p. 236.

NCGE

National Centre for Guidance in Education: An agency of the Department of Education and Science that supports and develops guidance practice in all areas of education.

NCCRI

National Consultative Committee on Racism and Interculturalism: A partnership organisation established by the Department of Justice, Equality and Law Reform to develop actions against racism and act in a public policy advisory role.

NGO

Non-governmental organisation.

P60

At the end of each tax year, employers in Ireland are required to give their employees a P60. It is a form on which the details of gross pay and all deductions made during the year for an employee are recorded²⁰.

PAYE

Pay as You Earn. Income tax deducted from the employee's salary at source.

PLC

Post Leaving Certificate: PLC programmes provide appropriate education/training to prepare individuals for work, further and higher education. The vast majority of PLC courses are available through local Vocational Education Committees.

PPS No.

Personal Public Service Number. This is an individual's unique reference number for dealing with the Public Service. Many government departments and public service agencies request that you supply your PPS No. before you can use their services.²¹

PRSI

Pay-Related Social Insurance. All employees in continuous employment between the ages of 16 and 66 years, whether casual or contract, compulsorily contribute to the Social Insurance Fund for the Department of Social and Family Affairs.

RIA

Reception and Integration Agency: Established by the Department of Justice, Equality and Law Reform and is responsible for co-ordinating reception and integration for asylum seekers and refugees.

Rights Commissioner

Rights Commissioners investigate disputes, grievances and claims that individuals or small groups of workers may refer under labour-related legislation.

SIPTU

Services, Industrial, Professional and Technical Union.

Social Welfare

Supports and services provided by the Government to people at various stages of their lives.

Sustaining Progress

Sustaining Progress is the Social Partnership Agreement (2003 – 2005) negotiated between Government, employers, trade unions, farming bodies and the community and voluntary sector. The Agreement outlines key initiatives to be undertaken by all social partners in regards to macroeconomic policy, economic development, prosperity and delivering a fair and inclusive society²².

Third Country Nationals

The term Third Country Nationals is used to refer to any person who is not a national of a EU Member State.

Teachers Union of Ireland

Trade Union representing staff at second, further education and third level.

UN

United Nations.

VAT

Value Added Tax.

VEC

Vocational Education Committee: Ireland's thirty-three VECs are statutory bodies responsible for the provision of a wide range of education, training and support services to all sectors of the community. VEC education and training programmes include second level, adult, community and second chance education, post-leaving certificate (PLC) programmes, prison education, traveller education and a variety of EU funded and co-operative training programmes.

VTOS

Vocational Training Opportunities Scheme: supported by the European Social Fund and provided by VECs, VTOS is a targeted intervention by the Department of Education and Science to assist unemployed adults progress into education, training and employment.

Youthreach

The Youthreach programme is aimed at young people aged between 15 and 20 years of age who have left school without formal qualifications. It aims to equip students with opportunities for basic education, personal development, vocational training and work experience. Youthreach programmes are provided primarily through VECs.

²⁰Kenny, Catherine & Parkinson, Orla (Ed.) *Handbook on Immigrants' Rights and Entitlements in Ireland*, Immigrant Council of Ireland, Dublin: 2003: p. 237.

²¹Ibid: p. 238.

²²Sustaining Progress: Social Partnership Agreement 2003 – 2005 (2003). Dublin: Stationary Office.

1. CONTEXT

1.1 IVEA AND THE SPECIALIST WORKING GROUP

The Irish Vocational Education Association (IVEA) is the national representative body of Ireland's thirty-three Vocational Education Committees (VECs). As the representative body, IVEA, in consultation with its membership, develops policy guidelines in a range of areas in the Vocational Education sector.

In recent years there has been a significant increase in the number of minority linguistic groups arriving in Ireland. These include migrant workers who are making an essential contribution to the Irish economy. This culturally enriching development poses a number of challenges to Irish political culture and governance, particularly to the education sector. Fortunately, Ireland is in a position to learn from the experiences of neighbouring European States who have met these obligations with varying degrees of success in earlier decades.

IVEA has researched the challenges posed to the Irish education system on a national and international basis. VECs are dedicated to ensuring access through a commitment to equality, diversity of choice and empowerment of the individual. Historically, VECs have tackled poverty and social exclusion through specialised services/ initiatives targeting marginalised communities. Meeting the needs of minority linguistic groups presents a considerable challenge to the vocational education sector. However, the working group's findings suggest it is imperative that the VE sector effectively addresses educational provision for new communities to prevent economic deprivation and social fragmentation.

Following an emergency resolution of IVEA Congress 2000, IVEA established a specialist working group charged with examining the potential opportunities and resources needed to cater successfully for the educational needs of asylum seekers and refugees. The working group later extended its brief to include minority linguistic groups with English language needs.

Membership of the specialist working group is comprised of educationalists and researchers with a keen interest in, or expert knowledge of, educational provision for asylum seekers, refugees and other minority linguistic groups. Members are drawn from a wide geographical catchment area, reflecting the dispersal and settlement of the minority linguistic population throughout Ireland.

Members of the IVEA specialist working group:

- Luke Murtagh, Chairperson
- former CEO Co. Tipperary North Riding VEC
- Lisa Ronan, Working Group Co-ordinator²³ -IVEA Secretariat
- Tom Costello, Adult Education Officer - Co. Roscommon VEC
- Eithne Cunneen, Adult Literacy Organiser - City of Limerick VEC
- Cróna Gallagher, Adult Education Officer -Co. Donegal VEC
- Rachel Hegarty, Language Tutor and Lecturer
- City of Dublin VEC
- Marie Humphries, TUI Representative and Educationalist
- Whitehall College of Further Education
- Gillian Kennedy, Education & Training Officer
- Immigrant Council of Ireland
- Piaras Mac Éinri, Lecturer - Department of Geography, UCC
- Frank Nash, Public Representative and Educationalist
- City of Cork VEC
- Olga Ncube, Educationalist
- Nominee of the Irish Refugee Council
- Karl Quinn, Adult Literacy Organiser - Co. Clare VEC

IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals (2001)

The research conducted by the working group during 2000/2001 resulted in a report with detailed findings and recommendations. The ***IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals*** was presented to IVEA Congress 2001 and unanimously adopted. The policy outlines broad parameters for the delivery of educational services to bilingual/ESOL learners by the VECs.

Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups. Volume I: Lifelong Learning (2002)

During 2001/2002 the working group focused on preparing a framework for implementation of IVEA policy. The group chose to focus initially on producing a pilot framework for the adult and community education (lifelong learning) sector as no guidelines or structures had been established to cater for the educational needs of bilingual/EAL learners within that sector. In October 2002 the IVEA published a Report entitled ***Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups. Volume I: Lifelong Learning.***

²³Replaced Ms. Sarah Kavanagh in August 2005.

The 2002 Pilot Framework contains a recommended framework for the delivery of services within the adult and community education sector. Upon publication the **Pilot Framework** was circulated to all Vocational Education Committees. After a period of three months, the VECs were invited to send delegates to a series of consultative workshops organised to seek feedback on the contents of the **Pilot Framework** (2002).

Over one hundred delegates including CEOs, EOs, AEOs, ALOs, VTOS Co-ordinators, practitioners and VEC administrative staff attended the workshops. IVEA received important feedback from delegates and has incorporated the suggestions and comments of delegates into the present document. In addition, the National Adult Literacy Agency (NALA) and other non-governmental organisations (NGOs) gave feedback to IVEA on the publication.

IVEA will adopt a similar consultative approach in relation to its recommendations in respect of educational provision for migrant workers.

Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups. Volume II: Second Level (2004)

Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups. Volume III: Further Education (2004)

In 2004 IVEA published pilot frameworks for educational provision for bilingual learners including asylum seekers and refugees in the second level and Further Education (Vocational Education) sectors. These publications were distributed to all schools and colleges in the VE sector and formally launched by Minister for Education and Science, Ms. Mary Hanafin, T.D. in February 2005.

Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups. Volume IV: English Language Provision for Migrant Workers.

IVEA, through this publication recognises the importance of supporting VECs and in meeting the needs of bilingual/ESOL learners. VECs are invited to implement the suggested framework on a pilot basis in 2006. IVEA will revise guidelines, incorporating feedback from education managers, practitioners and learners, to ensure that the scheme fully meets the needs of learners and providers.

1.2 SUGGESTED FRAMEWORK

The overall strategy adopted by IVEA following publication of the **IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals** in 2001 was to prepare implementation guidelines for the following areas of VEC activity:

- Adult and Community Education I (Lifelong Learning);
- Second Level;
- Further Education (including PLC/VTOS);
- Adult and Community Education II (Migrant Workers).

The present document focuses on educational provision for migrant workers and locates educational provision for bilingual/ESOL learners within an equality and human rights framework and forms part of a series of publications aimed at supporting VECs in providing a comprehensive service to bilingual/ESOL learners.

1.3 IVEA POLICY: NATIONAL STRUCTURES

This publication needs to be located within the overall IVEA policy framework in respect of educational provision for asylum seekers, refugees and minority linguistic groups. The following section describes this framework.

There is a wide range of agencies, statutory and voluntary, involved in the provision of services to refugees, asylum seekers and minority linguistic groups. Owing to the rapid increase in the numbers of such groups coming into Ireland over a relatively short period, services were introduced on an ad hoc basis.

In order to bring greater efficiency to existing services, IVEA recommends that a national co-ordinating body be established comprising all agencies, both statutory and voluntary, with a brief to ensure that services are delivered in the most efficient way possible and to eliminate the potential duplication of services.

IVEA recommends that the co-ordinating body be operated on **three levels: national, local and community**. This pillar of IVEA policy is elaborated upon in Appendix I.

1.4 PURSUING IVEA POLICY AT NATIONAL LEVEL

Following publication of the *IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals* (2001), IVEA promoted its recommendations with the Department of Education and Science and other education bodies. IVEA met directly with officials in the Further Education Section of the Department of Education and Science and the Reception and Integration Agency. IVEA also met with representatives from several political parties.

The IVEA Working Group has met with other agencies and providers at national level with a view to discussing policy positions and sharing information, for example the Irish Refugee Council (IRC), the National Consultative Committee on Racism and Interculturalism (NCCRI) and SIPTU. IVEA co-operates with and is represented on the following Working Groups:

- The National Council for Curriculum & Assessment (NCCA)
- Interculturalism and the Curriculum Steering Committee;
- Education Working Group on Awareness Programme for Anti-racism and Interculturalism;
- The NALA ESOL Working Group;
- The IILT Materials Development Working Group.

In researching the present document, IVEA has consulted internally and externally:

The external organisations consulted were:

- AONTAS (Irish National Association of Adult Education);
- Irish Business and Employers Confederation (IBEC);
- Irish Congress of Trade Unions (ICTU);
- Department of Education and Science (DES);
- Department of Enterprise, Trade and Employment (DETE);
- Immigrant Council of Ireland (ICI);
- Irish Human Rights Commission (IHRC);
- Irish Small and Medium Enterprises Association (ISME);
- National Adult Literacy Agency (NALA);
- Reception and Integration Agency (RIA);
- Services Industrial Professional & Technical Union (SIPTU);
- Teachers' Union of Ireland (TUI).

2. LEGISLATIVE AND HUMAN RIGHTS/EQUALITY FRAMEWORK

2.1 LEGAL CONTEXT

2.1.1 THE INTERNATIONAL DIMENSION

International public law incorporates European Union (EU)²⁴ law and international agreements/instruments. EU law is supranational in character and supersedes domestic law. EU law is legally binding and consists of Treaties, Directives, Regulations and European Court of Justice decisions. In addition, EU Resolutions, while not legally binding, influence national government policy in the Member States.

European Convention on Human Rights (1950)

The most effective human rights instrument in Europe, the European Convention on Human Rights (1950), is an international treaty of the Council of Europe²⁵. Formed at the end of World War II, the Council of Europe is a pan-European intergovernmental organisation. The First Protocol (which deals with education) was added to the Convention because the original document did not include Articles concerning education.

Article 2 of Protocol 1 reads:

No person shall be denied the right to education. In the exercise of any functions which it assumed in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching in conformity with their own religious and philosophical convictions.

Article 2 provides, in its initial sentence, that the State shall not deny any person the right to education. The State cannot interfere with an individual's exercise of the right to education, by excluding them from State provided educational opportunities. According to Glendenning²⁶, if challenged, the State is in a stronger position rather than if the duty were affirmatively stated. The burden is on the individual to prove they have been denied access to specific educational provision. Moreover, the second sentence of Article 2 provides the State with some discretion with regard to education and teaching. *"Generally, this indicates that the State is not obligated to establish certain types of educational opportunities or to ensure that each person achieves the education he or she desires"*²⁷.

The Convention was incorporated into domestic law when the *European Convention on Human Rights Act, 2003* was enacted in December 2003. The Irish Government has chosen an interpretative model whereby the Irish Courts will be expected to interpret the Convention in accordance with the Irish Constitution. Courts can also make a *declaration of incompatibility* when a clause of the Convention is deemed contrary to existing legislation or practice. This is an important development for the education sector and provides a human rights dimension to Irish education legislation.

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990).

The International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was adopted by the UN General Assembly in December 1990²⁸. It finally came into force in July 2003. In December 2002 the Irish Congress of Trade Unions (ICTU) called on the Irish Government to sign and ratify the Convention.

The following articles relate to the provision of education for migrant workers and their families:

Article 31:

1. States..... Parties shall ensure respect for the cultural identity of migrant workers and members of their families and shall not prevent them from maintaining their cultural links with their State of origin.
2. States.....Parties may take appropriate measures to assist and encourage efforts in this respect.

Article 43:

1. Migrant workers shall enjoy equality of treatment with nationals of the State of employment in relation to:
 - (a) Access to educational institutions and services subject to the admission requirements and other regulations of the institutions and services concerned;
 - (b) Access to vocational guidance and placement services;
 - (c) Access to vocational training and retraining facilities and institutions;
 - (d) Access to housing, including social housing schemes, and protection against exploitation of rents;

²⁴ EU Member States: Austria; Belgium; Cyprus; Czech Republic; Denmark; Estonia; Finland; France; Germany; Greece;

Hungary; Ireland; Italy; Latvia; Lithuania; Luxembourg; Malta; Poland; Portugal; Slovakia; Slovenia; Spain; Sweden; The Netherlands; and the United Kingdom.

²⁵ The Council of Europe is comprised of forty-six Member States including all the EU Member States together with Albania; Andorra; Armenia; Azerbaijan; Bosnia and

Herzegovina; Bulgaria; Croatia; Georgia; Iceland; Liechtenstein; the former Yugoslav Republic of Macedonia; Moldova; Monaco; Norway; Romania; Russian Federation; San Marino; Serbia and

Montenegro; Switzerland; Turkey; and the Ukraine. The Council of Europe strives to promote Europe's cultural identity and diversity, combats discrimination and social exclusion, as well as promoting democratic stability.

²⁶ Glendenning, D. *Education and the Law* Dublin: 2000. ,

²⁷ *Ibid.* ,

²⁸ www.ohchr.org/english/law

2.1.2 THE NATIONAL DIMENSION

National or domestic law comprises **Bunreacht na hÉireann, 1937** (the Constitution of Ireland), Irish statute law and Irish case law. In this context, the most significant sources are the *Education Act, 1998*; the *Equal Status Act, 2000*; and the *Vocational Education (Amendment) Act, 2001* (refer to Appendix II for salient features).

(a) *The Education Act, 1998*

This is the most important source of law for this policy from a practical point of view. Schools, teachers and VECs must keep in mind its provisions, and particularly bear in mind that there is no distinction between citizens of the State and non-citizens in relation to the provision of and right to receive education.

(b) *The Equal Status Act, 2000*

The *Equal Status Act, 2000* prohibits discrimination in the provision of goods, services, disposal of property and access to education, on any of the nine grounds referred to under the *Employment Equality Act, 1998*. These nine grounds include gender, marital status, family status, sexual orientation, religion, age, disability, race and membership of the Traveller Community. The Act prohibits discrimination (subject to certain exceptions) in all public and private services generally available to the public. These include public state services, provision of accommodation, educational establishments and registered clubs. Schools must not discriminate across the nine grounds and in four specific areas:

- The admission of a learner, including the terms of conditions of the admission of the learner;
- The access of a learner to a course, facility or benefit provided by the school;
- Any other term or condition of participation in the school;
- The expulsion of a learner or any other sanction²⁹.

In co-operation with the Equality Authority, the Department of Education and Science has launched a new document promoting the *Equal Status Act, 2000* in schools³⁰. Recognising that major challenges still exist for education, the document notes inclusion in mainstream education involves not only equality of access and participation but also equality of outcome. Taking account of and valuing difference, an inclusive school considers how decisions will impact on the student body across the nine grounds.³¹ In moving towards an inclusive school, it advises that equality should be promoted in: (1) the school development plan; (2) the admission policy; (3) the code of behaviour; (4) building awareness/understanding; and (5) training.

- (e) Access to co-operatives and self-managed enterprises, which shall not imply a change of their migration status and shall be subject to the rules and regulations of the bodies concerned;
 - (f) Access to and participation in cultural life.
2. States... Parties shall promote conditions to ensure effective equality of treatment to enable migrant workers to enjoy the rights mentioned in paragraph 1 of the present article [above] whenever the terms of their stay, as authorised by the State of employment, meet the appropriate requirements.

Article 45:

1. Members of the families of migrant workers shall, in the State of employment, enjoy equality of treatment with nationals of that State in relation to:
 - (a) Access to educational institutions and services, subject to the admission requirements and other regulations of the institutions and services concerned;
 - (b) Access to vocational guidance and training institutions and services, provided that requirements for participation are met;
 - (c) Access to social and health services, provided that requirements for participation in the respective schemes are met;
 - (d) Access to and participation in cultural life.
2. States of employment shall pursue a policy, where appropriate in collaboration with the States of origin, aimed at facilitating the integration of children of migrant workers in the local school system, particularly in respect of teaching them the local language.
3. States of employment shall endeavour to facilitate for the children of migrant workers the teaching of their mother tongue and culture and, in this regard, States of origin shall collaborate whenever appropriate.
4. States of employment may provide special schemes of education in the mother tongue of children of migrant workers, if necessary in collaboration with the States of origin.

International human rights instruments have a persuasive impact upon signatory countries, for example the *United Nations Convention on Economic and Social Rights (1976)*.

²⁹Equality Authority/DES. (2003) *Schools & the Equal Status Act, 2000*, Equality Authority: Dublin, p. 6

³⁰Ibid.

³¹Ibid, p.8.

(c) Vocational Education (Amendment) Act, 2001

The *Vocational Education (Amendment) Act, 2001* confers on Vocational Education Committees the role of policy making. The CEO and staff of a VEC are required to implement VEC policy. It is envisaged that all VECs will adopt in their Education Plan, the present IVEA framework so as to inform their overall Further Education policy.

(d) Disability Legislation

Learners who are identified as having a disability as defined by Section 2 of the *Education Act, 1998* and Section 2 of the *Equal Status Act, 2000* are entitled to the same level of assistance and support as any other learner. Education providers, therefore, must ensure that appropriate supports are made available to them. In this context education providers must be aware of the provisions relating to disability in these Acts and the anti-discrimination provisions in Section 4 of the *Equal Status Act, 2000*. Dedicated legislation catering for adults with disabilities was enacted in 2005.

(e) Equality Act, 2004³²

The *Equality Act, 2004* was enacted in the July 2004. It makes a number of changes to the *Employment Equality Act 1998*, the *Equal Status Act 2000*, and the *Pensions Acts 1990-2004*.

The main aim of the Act is to implement the EU equality directives but it also includes a number of other changes to the equality legislation. It proposes a substantial number of amendments to the existing equality legislation. Many of these proposed changes are technical. There are some changes to procedures and time limits for taking actions. There are also changes that may make it easier to establish indirect discrimination and others which may facilitate more positive action. Here we briefly outline the main changes.

The EU Directives

There are three recent EU Equality Directives which the *Equality Act 2004* seeks to implement:

1. The **Race Directive (Directive 2000/43/EC)** outlaws discrimination on the basis of race or ethnic origin in employment and other areas (broadly the provision of goods and services).
2. **Directive 2000/78/EC** outlaws discrimination in employment on the grounds of religion or belief, disability, age and sexual orientation. Member states are allowed to

take an extra three years to implement the age and disability provisions.

3. **Directive 2002/73/EC** updates the previous directives that outlaw discrimination in employment on the basis of sex.

The effect of the EU Directives is that discrimination in employment on the grounds of sex, race or ethnic origin, religion or belief, disability, age and sexual orientation is prohibited. Discrimination in access to goods and services on the grounds of race or ethnic origin is also prohibited. The Directives do not require that discrimination in access to goods and services on any of the other grounds be prohibited. The *Employment Equality Act 1998* and the *Equal Status Act 2000* outlaw discrimination in Ireland on all the grounds covered by the EU Directives and also on the grounds of marital status and membership of the Traveller community. The *Employment Equality Act* applies to discrimination in employment and the *Equal Status Act* to discrimination in goods and services.

Most of the requirements of the EU Directives are already covered by these two Acts and the *Equality Act* will deal with the remaining requirements. The requirements in relation to pensions are provided for in the *Social Welfare (Miscellaneous Provisions) Act 2004*.

People with disabilities

The EU Directives require that discrimination in employment on the grounds of disability be prohibited. They do not require that discrimination in access to goods and services on the grounds of disability be prohibited. The EU Directive requires that reasonable accommodation be made for people with disabilities. This means that employers must take appropriate measures to enable a person with a disability to have access to, participate in, or advance in employment, or to undergo training, unless such measures would impose a disproportionate burden on the employer. The Directive states that *the burden shall not be disproportionate when it is sufficiently remedied by measures existing within the framework of the disability policy of the member state concerned*. The *Employment Equality Act* already prohibits discrimination in employment on the grounds of disability. It also provides that employers must make provision for people with disabilities provided this can be done at a *nominal cost*. The *Employment Equality Act* is being amended to take account of the wording of the Directive. The Act provides that, when deciding if the measures in question would impose a disproportionate burden, account is to be taken of:

³²The following section is adapted from the Citizens' Information website:
<http://www.cidb.ie/live.nst/0/802567ca003e043d80256e98003c7ad9?OpenDocument>

- the financial and other costs involved;
- the scale and financial resources of the employer's business;
- the number of people who would benefit from the measures;
- any disruption that would be caused by these measures;
- the nature of any benefit or detriment that would accrue to any person likely to be affected by them;
- the possibility of obtaining public funding or other assistance and;
- any benefit that would accrue to the employer.

The measures which an employer may be obliged to take are measures to adapt the place of business to the disability concerned and include adaptation of premises and equipment, patterns of working time, distribution of tasks or the provision of training or integration resources, but does not include the provision of any treatment, facility or thing that the person with a disability might ordinarily or reasonably provide for himself or herself.

The *Equal Status Act* has a similar "nominal cost" provision in respect of access to goods and services - this is not being changed as the EU Directives do not require any change.

Age

The *Employment Equality Act* applies to people aged between 18 and 65 years (with some exceptions for vocational training for people under 18). The *new Act* applies to people who are above the school leaving age, which is currently 16. However, employers may set a minimum age, up to 18, for recruitment. The upper age limit of 65 is being abolished but some exceptions are introduced.

The changes mean that people over the age of 65 who are at work will be covered by the equality legislation. They will be able to claim unfair dismissal under the *Unfair Dismissals Act*. People over 66 will still not be eligible for redundancy payments.

This does not mean that there is any change in compulsory retirement arrangements. Retirement age is generally set in the contract of employment. (Changes are being made, in separate legislation, to compulsory retirement ages for newly recruited civil servants. This is a separate matter from equality legislation.)

Employers may offer a fixed term contract to people who are aged above the compulsory retirement age for that job or they may offer such a contract to a particular class of employees without being considered to be discriminatory on the age grounds.

The *Equal Status Act* applies to people aged 18 and over. It is also proposed that licensed drivers under the age of 18 will be able to take actions related to equality of treatment in the provision of motor insurance.

Harassment

The Act gives a broader definition of harassment. At present, the *Employment Equality Act* prohibits sexual harassment but this does not include same sex harassment. The *Equal Status Act* already prohibits same sex harassment and the *Employment Equality Act* is being amended to do the same.

Pregnancy and Maternity Leave

The Act provides that discrimination on gender grounds includes less favourable treatment on a ground related to pregnancy or maternity leave.

Self employed people and partners in firms

The Act provides that self-employed people who have a contract to personally carry out work and partners in firms may not be discriminated against in employment. This had only applied to people who have contracts of employment.

People excluded under the *Employment Equality Act*

By the *Employment Equality Act*, for example, the Gardai or to the Defence Forces. Changes are being made which mean that the blanket exclusions will not apply but there are provisions for allowing discrimination on age and disability grounds in certain circumstances. The Defence Forces continue to be excluded from the age and disability provisions.

People with learning disabilities

The Act provides that a parent or a representative of a person with an intellectual or psychological disability may act for that person when looking for redress under the equality laws.

Equality Tribunal

The Office of the Director of Equality Investigations has been calling itself the Equality Tribunal for some time. The Act formally reflects this change.

Education Grants

The Act provides that the Minister for Education may limit education grants to people who are EU nationals or may make different rules for EU nationals. Higher education grants were restricted to EU nationals, refugees and people who have humanitarian leave to remain in Ireland. The Equality Tribunal had

ruled that this was contrary to the *Equal Status Act* but the Act is now being amended to allow this practice to continue. It means that third country nationals who come here to work and asylum seekers are not eligible for grants.

Race

The Act allows for asylum seekers to be treated differently in the provision of public services, for example, education.

2.2 POLICY FRAMEWORK

2.2.1 INTRODUCTION

The Government *White Paper on Adult Education – Learning for Life (2000)* represents an important new departure in education policy in Ireland. The White Paper seeks to accommodate difference based on three central principles:

- 1) Lifelong learning as a systemic approach;
- 2) Equality;
- 3) Interculturalism.

2.2.2 LIFELONG LEARNING AS A SYSTEMIC APPROACH

Lifelong learning, as defined in the White Paper (2000), refers to adult learning in a multiplicity of sites including schools, conventional education institutes, training centres, homes and in community groups.

It also requires ease of movement and progression between learning sites based on parity of esteem between providers; the development of methods of assessment of learning independently of the context in which such learning occurs; the need to provide the requisite infra-structural supports to the learner in the form of guidance and counselling; the provision of childcare and transport and appropriate mechanisms of accreditation and assessment³³.

This has particular significance for asylum seekers and refugees who, as a group of learners regularly attend programmes in a multiplicity of learning sites, most of which are in community based settings. These initiatives are often crucial to ensure participation by individuals who may not be able to attend mainstream institutions (e.g. cultural constraints and lack of childcare facilities can be determining factors in participation). Community based learning requires considerable co-ordination and support. The

White Paper (2000) further recognises the necessity of tackling education disadvantage in a systematic way and states that lifelong learning encompasses the individual's education from *the cradle to the grave*.³⁴

2.2.3 EQUALITY

A number of tentative steps have been taken by the Irish Government to accommodate an intercultural and diverse Ireland. The ratification of EU Treaties and Directives, the Good Friday Agreement and the Partnership Agreement, *Sustaining Progress, 2002* set the context for new initiatives in all sectors including education. Recent legislation, such as the *Employment Equality Act, 1998* prohibits discrimination on nine grounds of gender, marital status, family status, sexual orientation, religion, age, disability, race, and traveller community. *The Equal Status Act, 2000*, further prohibits discrimination (with certain exceptions) regarding access to education on these nine grounds. The *White Paper on Adult Education, (2000)*, marks the first time the Department of Education and Science has made a pledge to promote equality in all sectors of education. For example, there has been an allocation of IR£19.6m (€24.9m) for several equality initiatives.

The White Paper defines equality in terms of:

Equality of access, participation and outcome for participants in adult education, with pro-active strategies to counteract barriers arising from differences of socio-economic status, gender, ethnicity and disability. A key priority in promoting an inclusive society is to target investment towards those most at risk³⁵.

2.2.4 INTERCULTURALISM

The *White Paper on Adult Education - Learning for Life* recognises the new environment of an intercultural and diverse Ireland and defines interculturalism as:

.... the need to frame educational policy and practice in the context of serving a diverse population as opposed to a uniform one, and the development of curricula, materials, training and in-service, modes of assessment and delivery methods which accept such diversity as the norm. This refers not only to combating racism and encouraging participation of immigrants, refugees and asylum seekers in education, but also to a recognition that many minority groups such as travellers, people with disabilities, older adults, participants in

³³Department of Education and Science White Paper on Adult Education *Learning for Life*, 2000: 32.

³⁴*ibid*: 30.

³⁵*ibid*: 13.

disadvantaged areas may have distinct needs and cultural patterns which must be respected and reflected in an educational context. It also envisages a more active role by adult educators in the promotion of Irish language and culture³⁶.

Definition of ‘Literacy’

The letter of sanction issued to VECs in 2002 in relation to the Back to Education Initiative (BTEI) defines literacy as:

...the integration of reading and writing, listening, speaking, and mathematics or numeracy for everyday life. Personal development, improving self-esteem and confidence are an integral part of the process, as well as the use of basic ICT skills. The key objective is empowerment to facilitate the target group to actively participate in social, civic and economic life, to communicate effectively, and to develop the skills of learning to learn.

2.3 DEVELOPMENTS SINCE THE WHITE PAPER

Appointment of Community Education Facilitators

From October 2002, VECs were authorised to appoint Community Education Facilitators (CEFs), one of the significant measures announced in the Department of Education and Science’s ***White Paper on Adult Education: Learning for Life (2000)***.

As the Community Education Facilitators develop networks and contacts and increase their visibility in communities, they will often be the point of contact between VECs and migrant workers. As members of the VEC Adult Education team, they are well placed to liaise with the Basic Education Service and the Adult Education Guidance Service to ensure that the most appropriate provision is made to meet the needs of the various individuals or groups.

³⁶ibid.

3. MIGRANT WORKERS IN IRELAND

3.1 EU NATIONALS

There are several ways in which individuals enter Ireland for the purposes of work. EU nationals from the twenty-five Member States are entitled to come to work in Ireland without the need for a permit. Ireland, along with the UK and Sweden, allowed immediate access to its labour market for nationals from the ten new Member States³⁷ that joined the European Union on the 1st May 2004. Since then approximately 128,000 PPS numbers³⁸ have been issued to EU nationals who have come to work in Ireland, the majority of which are Polish nationals (See Table 1). There are also a large number of Latvians, Lithuanians, Czechs and Slovaks working in Ireland.

Although many people from the new accession states have arrived in Ireland since May 1st, 2004 it should be noted that large numbers of them had been living and working in the country prior to EU accession, under the employment permit scheme as outlined below.

3.2 EMPLOYMENT PERMIT SCHEME

For non-EEA nationals wishing to come to Ireland for employment purposes the options have become increasingly limited since EU accession in 2004. Prior to this those wishing to come here for work purposes had the option of finding an employer in Ireland to secure an employment permit for them which would then allow them to travel to Ireland to take up employment. Once the permit has been granted to an employer it is valid only for **that** employer, ie if the individual wishes to change employers s/he must find another employer who is willing to apply for a new permit for him.

The Department of Enterprise, Trade and Employment (DETE) issued 33,266 employment permits in 2004 (23,246 were renewals and 10,020 were new permits) and 27,086 were issued for 2005³⁹. The majority of these were issued to people in Eastern Europe, the former Soviet Union and the Philippines. In the months before EU accession the DETE announced that it was changing its policy with regards to the issuing of permits and that applications for permits on behalf of accession state nationals would be prioritised. After May 1st 2004 all nationals from the accession states no longer required permits to work. Current DETE policy is to issue permits on behalf of highly skilled personnel of which there is a demonstrable shortage in the labour market. Employers are generally directed to fill vacancies with labour migrants from within the expanded EU.

3.3 ISSUES WITH THE EMPLOYMENT PERMIT SCHEME

The Immigrant Council of Ireland identified some of the difficulties that migrant workers under the work permits scheme experience in Ireland:

- The employment permit system, described as one of 'bonded servitude' by Mary Robinson, former President of Ireland and United Nations High Commissioner for Human Rights⁴⁰, leaves migrant workers open to exploitation by their employers. Our service-users have talked of their experiences with us which range from being underpaid, over-worked, dangerous working conditions, no paid annual leave, racism, verbal abuse and sometimes physical or sexual abuse.
- The permit has to be renewed on a yearly basis, which makes it difficult for migrant workers to settle in to Ireland. Often they are unsure whether their employer will renew their permits. Practical difficulties often occur, e.g. banks may not wish to give mortgages to people on permits, as they do not have permanent residency within the country. Many migrant workers apply for citizenship through naturalisation after five years in the country but at the time of writing the processing time for these applications was thirty months. The Department of Justice, Equality and Law Reform recently introduced a policy of allowing people to apply for a five-year residency permit if they have been working in Ireland under work permit conditions for five years. This five-year permit will allow people to work for any employer they wish.
- People on employment permits can apply for family reunification after working in Ireland for 12 months and have confirmation of a further work permit. However, their spouses are not allowed to work, which can effectively stop them from coming here at all. If an employment permit holder cannot show adequate funds to be able to support their spouse and/or children then a visa can be refused. This can result in a situation where migrant workers are apart from their families for years at a time, suffering tremendous isolation and loneliness as a result.
- The work permit system can often lead to a poverty trap for some individuals. The majority of employment permits are granted for semi-skilled and low-skilled jobs and workers may often be earning the minimum wage or less in some cases. Sometimes a person's working hours may be reduced, particularly in the tourism industry or in other seasonal work. This can mean that some people will have difficulty supporting themselves and their families.

³⁷The 10 new member states of the European Union are the Czech Republic, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovakia, Slovenia,

³⁸Department of Social and Family Affairs statistics

³⁹Taken from Department of Enterprise, Trade and Employment website at www.entemp.ie

⁴⁰From a speech given at 'Immigration - Ireland's future', December 12, 2003, a conference organised by the Immigrant Council of Ireland.

3.4 THE WORKING VISA/WORK AUTHORISATION⁴¹

Working visas/work authorisations are restricted to specified skilled occupations that are in short supply, such as professionals and technicians in IT and computing, construction professionals, nurses and other high skilled professions. They are issued directly to the individual in their local Irish embassy or consulate. To be eligible for a working visa or work authorisation, the prospective employee must have a job offer and contract of employment in one of the designated sectors.

These visas/authorisations are valid for two years and workers are allowed to change their employer. In general, spouses and dependant children may join the worker after three months in the country. Since February 2004, spouses of workers on working visas/work authorisations are allowed to take up employment if they find an employer who is willing to apply for a permit on their behalf. The number of migrant workers in this category is much smaller than those from the newly expanded European Union and those working in Ireland under the employment permit scheme. [Refer to: Table 4].

Migrant workers in these categories are all highly skilled and well educated. Their educational needs are, therefore, different to those of migrant workers in semi-skilled or low-skilled positions. They will generally have very good English but may still require classes on 'English language for the workplace'. They would also benefit from induction courses which would help them to adjust to living and working in Ireland and would inform them of their rights and entitlements with regards to health, education, social welfare etc.

3.5 HABITUAL RESIDENCY CONDITION

The Minister for Social and Family Affairs introduced the Habitual Residency Condition (HRC) in May 2004 after EU accession. This severely restricted the rights of all those wishing to access means-tested social welfare payments like Unemployment Assistance, One-Parent Family Payment, Disability Allowance, Child Benefit, Supplementary Welfare Allowance and Rent Allowance are also restricted. All applicants must be able to show that they have been 'habitually resident' in Ireland for the previous two years. If they do not satisfy this requirement they may not be granted a payment.

These new restrictions are applied to Irish people as well as migrants in the country but anecdotal evidence suggests that the Habitual Residency Condition is having a disproportionate impact on migrants and in particular, those who have arrived from the new EU states since EU accession in May 2004. In the face of a possible EU challenge to the legality of restricting certain benefits to EU Nationals, there have recently been some welcome changes which mean that EU migrant workers will now be able to access Child Benefit and the One-Parent Family payment if they are working in the State. Also EU workers will be able to apply for basic payments if they can show some work history in the State. However the central provisions of the Habitual Residency Condition remain unchanged and non-EEA workers are particularly affected.

3.6 IMMIGRATION FROM THE EXPANDED EU

As outlined above, nationals from the expanded EU no longer need employment permits to enter Ireland. Ireland, as well as the UK and Sweden have waived the right to defer access to the labour market to nationals of the new Accession States. Since accession, several thousand nationals from the new Member States have come to Ireland to find work⁴³.

⁴¹A work visa is issued to nationals of a country who require visas to travel to Ireland; Authorisations are issued to nationals of a country who do not require visas to enter the State.

⁴²The 10 countries which joined the EU on May 1st last are Latvia, Estonia, Lithuania, Poland, Hungary, Malta, Cyprus, Slovenia, Slovakia and the Czech Republic.

⁴³Refer to Table 5 for Department of Social and Family Affairs statistics on PPS numbers issued to nationals from the new member states.

3.7 STATISTICS

Table 1: Top 10 nationalities to whom work permits were issued in 2005⁴⁴:

Country	Number of permits
Philippines	4172
Brazil	1332
China	1362
India	1724
USA	1048
Australia	927
Bangladesh	900
Latvia	96

Table 3: Breakdown of employment permits granted by county in 2004 and 2005⁴⁶:

County	Number of permits 2004	Number of Permits 2005
Carlow	275	205
Cavan	629	469
Clare	780	622
Cork	2237	1689
Donegal	287	266
Dublin	15531	13023
Galway	1382	1154
Kerry	776	546
Kildare	2203	2088
Kilkenny	362	305
Laois	219	182
Leitrim	117	72
Limerick	1143	863
Longford	148	114
Louth	480	366
Mayo	434	381
Meath	1545	1063
Monaghan	540	276
Offaly	416	206
Roscommon	340	247
Sligo	181	133
Tipperary	1154	854
Waterford	445	371
Westmeath	592	386
Wexford	664	367
Wicklow	1134	838
Total	34014	27086

Source: ICI Briefing paper for IVEA working group on educational provision for asylum seekers, refugees and other linguistic minorities.

Table 2: Work Permits for Sector (2005)⁴⁵:

Sector	2005
Service	10952
Catering	6976
Agriculture/Fisheries	2139

Other significant sectors would be medical/nursing, industrial and domestic.

Table 4: Number of working visas/work authorisations⁴⁷

Year	Visas	Authorisations	Total
2001	2,667	1,082	3,749
2002	1,753	857	2,610
2003	791	367	1,158
2004	1098	346	1,444

Table 5: Number of PPS numbers issued to Accession State nationals between May 1st 2004 and December 2005⁴⁸

Country	Number
Poland	90320
Lithuania	30245
Latvia	15178
Slovakia	13844
Czech Republic	7597
Hungary	4760
Estonia	3658
Malta	257
Slovenia	140
Cyprus	48
Total	166,047

⁴⁴Taken from The Department of Enterprise, Trade and Employment's website, www.entemp.ie

⁴⁵Ibid

⁴⁶Ibid

⁴⁷www.entemp.ie

⁴⁸Department of Social and Family Affairs statistics

4. INTERNATIONAL COMPARISONS

4.1 AN ANALYSIS OF POLICY EVOLUTION IN SWEDEN

The Government of Sweden website (www.sweden.se) contains some information, articles and links in respect of Swedish policies on migrant workers and the changing nature of same. These include two articles entitled *From Immigration Policy to Integration Policy*⁴⁹ and *Sweden as a Multicultural Society*⁵⁰. The following section is adapted from these articles.

A Short Account of Immigration to Sweden

Sweden provides interesting parallels with Ireland. Like Ireland, Sweden was transformed from a relatively homogeneous country into a multiethnic society within a short period of time.

*This development has enriched Sweden in many ways but has also created tensions and problems. Individuals, organizations, public agencies and the responsible politicians at all levels are thus under greater pressure to deal with integration issues in a new, more energetic way. A few years ago, Swedish public discourse focused on the immigration issue. Today it no longer focuses as much on immigration and immigrants, but instead on integration and the “new Swedes”.*⁵¹

Like Ireland, Sweden has always had small populations of immigrants and like Ireland it is a country that, for many years during the late 19th and early 20th centuries, was more familiar with emigration (predominantly to the US) than migration. However, in Sweden large-scale emigration in the late 19th and early 20th century created a labour shortage in most economic sectors and a wave of immigration followed. Access to Sweden for economic migrants was straightforward until World War I when the *Aliens Act, 1914* introduced some restrictions. During World War II, circa 5,000 German refugees were allowed into Sweden and thereafter restrictions were tightened. However, from 1942 onwards restrictions were eased and all those who sought refuge in neutral Sweden were permitted to remain. The labour shortage that followed the war brought a substantial number of migrant workers into Sweden. In the 1950s an average 10,000 people immigrated to Sweden each year. By 1955, about 116,000 migrant workers accounting for 3.7% of the gainfully employed resided in Sweden. The 1960s were also a period of large-scale immigration.

The pattern of immigration to Sweden is referred to as “waves” by both authors indicating different ethnic groups arriving for different reasons over a long period of time. Runblom ascribes

Sweden’s immigration policies as a mixture of realpolitik and humanitarianism. During World War II, 40,000 Norwegians arrived in the country, 6,000 Danish Jews and 25,000 Estonians. In 1954 free labour market mobility among the Nordic countries (Denmark, Finland, Iceland, Norway and Sweden) was introduced. *‘This created a mechanism governing the largest sources of immigration after the war, neighbouring countries, and it helped ease Sweden’s labor [sic] shortage’*⁵². Until the 1960s Sweden operated an open door policy and welcomed communities of Italians, Greeks, Turks and Yugoslavians. *‘As early as the late 1940s, the Swedish government – in collaboration with major employer and employee organizations – had sent teams to Central and Southern Europe to recruit skilled workers and technicians’*⁵³. Sweden welcomed refugees including Kurds from Turkey, Iran and Syria; Sino-Vietnamese from South East Asia; Iranians and, the largest category in this context, war refugees from ex-Yugoslavia. In the 1970s Chileans and Nicaraguans also fled to Sweden.

According to Runblom, for many years the traditional attitude was that immigrants should be integrated into Swedish society according to Swedish social norms, i.e. they should speak Swedish, adopt Swedish customs and behave like Swedes⁵⁴. However, in the 1960s this “assimilation model” began to be questioned.

Sweden’s modern immigration policy, launched in the mid-1970s, was based on experiences and ideas from the 1960s immigration to Sweden. As formulated in 1975, its three immigration policy objectives can be summarized as follows: Equality; Freedom of Cultural Choice; and Cooperation and Solidarity.

*The equality objective implied that immigrants should have the same opportunities, rights and obligations as the rest of the population. The freedom of cultural choice objective meant that members of linguistic minorities should be allowed to choose to what extent they wished to adopt a Swedish cultural identity and to what extent they wished to retain and enhance their original identity. The cooperation and solidarity objective meant that immigrant groups and the Swedish-born population should work together to resolve issues of common interest.*⁵⁵

In the 1970s and 1980s Sweden welcomed a large number of refugees and asylum seekers [10,000 – 30,000 per annum]. *‘Put simply, the 1950s and 1960s were decades of man-power immigration, the 1970s a decade of family reunification and the 1980s a decade of immigration....Starting in the 1970s,*

⁴⁹Author: Jederlund, Lars. Published by the Swedish Institute, 1 December 1998. Refer to: <http://www.sweden.se>

⁵⁰Author: Runblom, Harald. Published by the Swedish Institute, 1 April 1998. Refer to: <http://www.sweden.se>

⁵¹Jederlund: 1., ⁵²Runblom: 2., ⁵³ibid., ⁵⁴Runblom: 1., ⁵⁵Jederlund: 1

immigration to Sweden became increasingly global. Fewer people were arriving from other Nordic countries and the rest of Europe, and more from Asia and other continents.⁵⁶

*These refugees arrived unprepared for a society that, in turn, had a difficult time integrating them into its housing market, labor [sic] market and educational system. Many refugees ended up living in the suburbs of major cities, especially Stockholm, Göteborg (Gothenburg) and Malmö. Some time in the late 1980s, the segregation that we see in today's Swedish society began to appear. By the mid-1990s, nearly 950,000 of Sweden's 8.8 million inhabitants were people born in another country. The total number with "foreign backgrounds" (born abroad or having at least one foreign-born parent) was 1.6 million, or nearly one fifth of all Swedish inhabitants. A new multicultural society has emerged in only a decade or so: a society that is here to stay.*⁵⁷

Compared to Ireland, Sweden has had a long experience with immigration – or both economic migrants and refugees. As such, how Sweden dealt with the language issue is of great interest.

New languages have accompanied the influx of new people. In Sweden, perhaps 200 languages are spoken. Most of these will probably die out with the first and second immigrant generations. One exception is Finnish. It is a native language in Sweden, especially in the far northern Tornedalen region, but it is also an immigrant language. Because of large-scale immigration from Finland after World War II, Finnish has become a common language in many central Swedish cities and towns.

*In some areas with high concentrations of immigrants, new variations on Swedish have become widespread. The best known is "Rinkeby Swedish," named for an outlying neighbourhood [sic] of Stockholm with a high concentration of immigrants. Rinkeby Swedish is spoken mainly by young people with poor Swedish language skills, but it also has a certain appeal to other young people in the same environment. Rinkeby Swedish is a form of Swedish, but it includes words and expressions from immigrant languages.*⁵⁸

According to Jederlund, during the 1970s Sweden gained substantially in economic terms from its immigrants. However, by the late 1990s the economic situation had changed and many immigrants are somewhat dependent on state services such as housing. This led to dissatisfaction in Sweden and in the 1990s Sweden underwent a public debate on racism, xenophobia and

the meaning of a multicultural society. This led to a shift in public policy from an "immigration policy" to an "integration policy".

*Today most people feel that there must be a greater emphasis on integrating immigrants with Swedes, and Swedes with immigrants. Segregation is not mainly an ethnic problem, but rather an economic problem. As long as many Swedes with immigrant backgrounds cannot land jobs, do not speak Swedish and do not participate in Swedish institutions and organizations, segregation will be a problem.*⁵⁹

In 1998 the Swedish Government established a new central government agency entitled the 'Integration Office' to oversee integration efforts throughout Swedish society. The responsibilities of this new agency include:

- monitoring and evaluating trends in Swedish society from an integration standpoint;
- promoting equal rights and opportunities for everyone, regardless of ethnic and cultural background;
- preventing and combating xenophobia, racism and discrimination.⁶⁰

Attempts to house immigrants in apartments in the suburbs have created serious segregation based on economic, educational and ethnic fault-lines. Many of these neighbourhoods also suffer from high crime rates. The Government has provided large-scale funding to reverse the trend towards segregated cities. Part of this initiative involves **appropriating funding to Swedish language instruction programmes for immigrant children in these neighbourhoods.**⁶¹

Sweden addressed discrimination in the workplace in 1986 by introducing the Act on Discrimination at Work and established the Office of the Ombudsman Against Ethnic Discrimination. In 1994, this Act was tightened and the position of the Ombudsman was strengthened and broadened to include discrimination in other fields of public life including education and housing. In 1998 the Ombudsman handled 900-1,000 complaints and, at that time, the figure was growing by almost 30% per annum.

One problem is that many employers still seem to have a negative attitude toward hiring people with immigrant backgrounds, whether they have a university degree or little formal education. The current DO, Margareta Wadstein, believes that people find it hard to gain acceptance and to land a job in Sweden if they do not fulfil [sic] clearly defined "Swedish

⁵⁶Runblom: 2., ⁵⁷Jederlund: 2., ⁵⁸Runblom: 2., ⁵⁹Jederlund: 2., ⁶⁰Ibid., ⁶¹Jederlund: 3.

qualifications,” such as language skills, cultural norms and an awareness of unspoken social rules. Many highly qualified, academically educated immigrants have told the media how they were eliminated from consideration when they applied for jobs because of foreign surnames, accents or skin color [sic]. The janitors and ticket agents in the Stockholm subway system, who often have immigrant backgrounds, are often described as the most highly educated janitors and ticket agents in all of Europe.⁶²

Growing racism which flared up in school classrooms has resulted in a zero tolerance approach to racist symbols, music, clothing or any other expressions of racism. Racism is also being tackled through the school curricula.

4.2 PROVISION OF ENGLISH LANGUAGE CLASSES IN UNITED KINGDOM

In Britain English language classes are available through a range of accredited institutions. The British Council runs the ‘English in Britain Accreditation System’ (EiBA). Accredited Centres have been inspected by the British Council and meet a set of quality standards⁶³. If the course is running at a college of further education or a university, it will be inspected by Government inspectors as part of a routine inspection.

Learners have the freedom to choose the type of language institution they want to study at: a specialised language school, a college of further education or a university.

Learners over the age of 16 are entitled to study at one of the following institutions:

- Private Language Schools (Full and part-time courses at all levels. Short and long term courses. Primacy of English language only schools in this sector. Fees for these courses vary greatly. Persons can expect to pay around £100 (€148.02) per week for classes in a group of around eight to 12 people and up to £300 (€444.07) per week for more specialised or intensive small-group tuition.)⁶⁴
- Private and state language centres.
- Independent schools and tutorial colleges.
- Further Education institutions.
- Higher Education institutions.
- British Council teaching centres.

Fees

Some non-governmental organisations offer free courses but they are limited by funding. Organisations such as the Northern Ireland Council for Ethnic Minorities (NICEM) run small scale free English classes for asylum seekers only but are severely limited in capacity due to funding. There is also the question of accreditation, if the Organisation cannot receive official accreditation. Providing from the Home Office the classes will not be recognised.

In England, Wales and Scotland the Essential Skills Programme offers free language classes to all immigrants free of charge. These classes are offered through the Further Education institutions and are currently suffering from demand heavily outweighing supply. Other than the demand/supply issue, there are no barriers to accessing these classes such as a time requirement for residency etc⁶⁵. This programme is also supposed to cover Northern Ireland but is underdeveloped at the time of writing.

Language and Citizenship

As a prerequisite for applying for naturalisation, the British Home Office’s has set out that applicants for citizenship must prove sufficient knowledge of the English language. From July 28th 2004 the standard of knowledge of English required for applicants was defined as ESOL (English for Speakers of Other Languages) Entry 3. This level requires people to be able to follow straightforward spoken explanations and to hold a conversation on a familiar topic. (There are certain exemptions to this requirement resulting from such debilitating factors as physical or mental disability or long term illness).

If an applicant feels that they meet ESOL Entry 3 but do not hold any certificate to prove this, the applicant must undergo an Initial Assessment in ESOL. A suitably qualified teacher should carry out this assessment and applicants are encouraged to try an ESOL provider in the form of private language college or further education colleges in the area. They are advised that they will be charged for this initial assessment.

If an applicant’s language is not up to this level they are advised that they will need to improve their English and to enrol in further education colleges. Much of the Home Offices’ position on this matter was in response to a report from the Life in the United Kingdom Advisory Group, (*The New and the Old: The Report of the Life in the United Kingdom Advisory Group*⁶⁶).

⁶²Ibid.

⁶³For further information refer to [HYPERLINK http://www.britishcouncil.org/accreditation](http://www.britishcouncil.org/accreditation) www.britishcouncil.org/accreditation

⁶⁴Currency exchange as of December 2005.

⁶⁵For more information refer to <http://www.niace.org.uk> www.niace.org.uk

⁶⁶Available at http://www.ind.homeoffice.gov.uk/ind/en/home/0/reports/life_in_the_uk.html http://www.ind.homeoffice.gov.uk/ind/en/home/0/reports/life_in_the_uk.html

4.3 COMMENTARY

The European Commission's first '*Annual Report on Immigration and Integration*', demonstrates that language skills, along with access to the labour market and a sufficient level of education, constitute the most important objectives for securing successful integration⁶⁷. While in many European countries labour market integration is the area with the most clearly defined policy objectives, language provision policy in other countries requires further development. It is essential that newly arrived immigrants become proficient in the host country language in order to be able to integrate into all aspects of the host society. The employment prospects of immigrants increase if they can speak the local language, as does their ability to establish social connections.

As yet the Irish Government has not developed a comprehensive language instruction programme for migrants. However, the Irish Trade Union Trust (ITUT) does provide ESOL classes for non-Irish workers who are members of the Trade Union, SIPTU. The large number of migrants workers who have come to Ireland for work purposes in the last decade means that it is essential that a structured programme is developed in order to ensure that migrants settle into their new communities as quickly as possible. The IVEA believes that becoming proficient in English will make the transition to living in Ireland smoother and will also enable them to more fully participate in all areas of Irish society including the workforce, social, cultural and political life. We have seen how poor English language skills can contribute to the exploitation of migrant workers, a case in point being the recent controversy regarding Gama workers.

This section looks at best practice provision in the area of English language provision for migrants. The two examples used are Canada and Australia, as both of these countries have well-established language provision programmes for newly arrived migrants. In Canada the Language Instruction for Newcomers to Canada programme (LINC) and Adult Migrant English Programme (AMEP) in Australia offer good examples of government sponsored programmes in the area of language provision. An overview is also given of Siptu's Basic English Scheme and '*Second Chance – Key Skills*'.

4.3.1 CASE STUDY: CANADA

Between 1991-2001, 60% of migrants to Canada came from Asia and the Middle East. Not surprisingly, 60% of Canada's recent immigrants reported speaking a language other than English or

French at home, with Chinese spoken in one third of these households⁶⁸. In a feature article on the economic performance of migrants in Canada, *Monitor* magazine stated that economic migrants earn less than Canadian citizens. This gap however narrows the longer an economic migrant lives in Canada. A number of reasons are given to account for this including knowledge of the French and/or English languages.

To address these issues, the Federal Government of Canada, in co-operation with provincial governments and other bodies offers free language training across the country for recently arrived adult permanent residents. In most provinces, the name of the programme is LINC.

The 'Citizenship and Immigration Canada' website states:

*Although many services are available to immigrants, language training is essential for those who do not speak English or French. By providing basic language instruction to adult newcomers in English and French, LINC facilitates the social, cultural and economic integration of immigrants and refugees into Canada. In addition, the LINC curriculum includes information that helps to orient the newcomers to the Canadian way of life. This, in turn, helps them to become participating members of Canadian society as soon as possible.*⁶⁹

LINC Offers:

- Free language training for adult newcomers who need basic English or French;
- Language classes given by school boards, colleges and local organisations;
- The choice of studying part-time, full-time, evenings or weekends, depending on your needs and your schedule; and Transportation and child-minding, if necessary.

Learners may participate in LINC for up to three years from the time they start training. This limit is set to allow clients flexibility in accessing language training while meeting family, social, medical, employment and other commitments. Learners who begin LINC training overseas are still eligible for up to three years from the time they begin their LINC training in Canada.⁷⁰

⁶⁷Annual Report on Immigration and Integration, European Commission, Brussels 2004.

⁶⁸Source: Monitor magazine, Spring, 2004: <http://www.monitor.ca/monitor/>

⁶⁹LINC: Guide for Applicants. Taken from: <http://www.cic.gc.ca/english/newcomer/linc-2e.html>

⁷⁰Ibid.

LINC Components:

- Linguistic eligibility determination and related services:
 - Rating clients to assess their current language skill level.
 - Determining clients' needs.
 - Recommending language-training providers
- Language training.
- Delivery assistance.

The next section examines examples of assessment schemes to determine the language levels and needs of learners.

Canadian Language Benchmarks Assessment

Before language training can be provided, clients must be rated to determine their level of language proficiency. The Canadian Language Benchmarks Assessment (CLBA) is used for this purpose [refer to Appendix IV]. It is based on the Canadian Language Benchmarks, a set of task-based level descriptors of English or French language ability. The CLBA provides an indication of the amount of training that may be required for clients to achieve the LINC program outcome competency level. CLBA results are provided to both clients and language training providers.

Only a rater (a person who is trained in the use of the CLBA) can use the CLBA. A client must show proof of immigrant status before being assessed by a rater.

Related Services

Besides administering the CLBA, raters assess clients' needs and recommend language training providers. This "one-stop service" helps clients gain fair access to training and provides up-to-date information on all training programs available in the community. Clients are given this information to enable them to apply to the language training provider of their choice.

LINC training providers must, therefore, market their services to CLBA raters. Raters need to know about the operations of language training providers, such as courses, schedules, training sites and methods of instruction (the use of videos, language laboratories, etc.). They also need to know what related services are offered, such as child minding, wheelchair accessibility and services for special needs groups. As well, LINC raters inform language training providers about clients' needs.

Language training providers who are not funded by CIC are also invited to provide information about their services.

Language Training

LINC strives to achieve a uniform quality of language training across the country. All LINC providers should be in a position to teach CLBA stage 1 of listening, speaking, reading and writing skills. Where enrolment numbers permit, all students in a LINC class should be working at the same level. In addition, participants should be placed in classes that best meet their personal needs. The LINC curriculum should meet provincial standards and should be rich in orientation information.

A LINC graduate is a client who has completed LINC training and has reached the LINC outcome competency level. Every graduate receives a CIC LINC Certificate of Success. The amount of training clients need varies according to their background, circumstances and abilities. The progress of each participant should be charted and assessed against the CLBA benchmarks.

Delivery Assistance

Delivery assistance is provided to improve and assist with the delivery of both language training and assessment within the LINC Program.

Some examples include:

- studying the traits and language training needs of local immigrant groups;
- monitoring the progress of LINC participants;
- bringing together people with language training expertise to examine ways to improve LINC Program delivery; and
- finding new cost-effective training methods.

English language classes are organised on three levels, i.e. beginner, intermediate and advanced. These classes help students to achieve fluency in reading, writing, natural stress, intonation and rhythms in conversation.

In 2003 the Canadian Government allocated \$1.4 million Canadian dollars to attract skilled immigrants and students into the Canadian labour market and facilitate their integration into society. The 2004 budget allocated \$15 million Canadian dollars per annum for advance language training that is custom-designed for the immigrant and his/her potential job.

4.3.2 CASE STUDY: AUSTRALIA

In Australia, the Adult Migrant English Programme (AMEP) provides up to 510 hours of basic English language tuition to migrants and refugees from non-English speaking backgrounds.

The programme is provided by the Australian government through the Department of Immigration and Multicultural and Indigenous Affairs to help newly-arrived migrants and refugees settle successfully in Australia. Around 6 million hours of adult English language tuition are provided each year from an annual budget of AUS\$100 million.

There is a choice of learning options:

- Part-time or full-time course: offered at a range of times (during the day, at nights or on weekends) and in a variety of venues (formal learning centres, community settings such as Migrant Resource Centres, mosques or churches);
- Home study: either through a distance learning programme which includes books, cassettes, videotapes and telephone contact with an AMEP teacher, or with the help of a Home Tutor who is a trained volunteer who will work with people at their own pace in their own homes.

AMEP tuition is provided free of charge to the majority of clients. Free childcare can also be arranged if required. The programme is available to adult migrants (18 years or over) for whom English is not the first language, and who have been assessed as not having functional English language skills.

The next section outlines the key curricula areas of the Adult Migrant English programme.

Curriculum

AMEP tuition aims to help clients achieve “functional” English, that is, the basic language skills necessary to deal with everyday social situations and some work situations in English. Tuition is based on the Certificates in Spoken and Written English, a competency-based curriculum framework specially developed for the AMEP to meet the needs of newly-arrived migrants. As well as building English skills, AMEP courses provide information on the Australian way of life and advice on accessing essential services. Trained counsellors are available to AMEP students throughout their enrolment in the Program [sic]. They help with the identification of learning needs and goals,

options for further study, and Government-funded employment assistance programs [sic] which may be available to clients when they leave the AMEP.”⁷¹

What is covered in the course?

The course covers many aspects of Australia and the Australian way of life, as well as how to become an Australian citizen. Some topics covered include:

- the values and principles of Australian society;
- Australian geography;
- national symbols and emblems;
- multiculturalism and reconciliation;
- Australia’s parliamentary system of government;
- the responsibilities and privileges of being an Australian citizen;
- Australian law; and
- how to become an Australian citizen.

AMEP and Australian citizenship

The Australian Citizenship Act requires that applicants for Australian citizenship who are under the age of 50 must possess a basic knowledge of the English language. This is usually tested at the citizenship interview.

However, if a person has:

- participated in the AMEP for 300 actual hours;
 - been awarded the Certificate in Spoken and Written English (CSWE) level II or above; or
 - achieved functional English;
- they won’t have to have their knowledge of English assessed at their citizenship interview.

The Australian Citizenship Act also requires that applicants for Australian citizenship who are under 60 years of age must have an adequate knowledge of the responsibilities and privileges of being an Australian citizen. This knowledge is usually tested at the citizenship interview.

Since July 2001, all AMEP service providers have been offering a course in which people can learn about becoming an Australian citizen. It is titled *Let’s participate: A course in Australian Citizenship*. If a person successfully completes this course their AMEP provider gives them an “AMEP Australian Citizenship Responsibilities and Privileges Record”. When attending at a citizenship interview a person can present this document to the interviewer and they will not have to have their knowledge in this area tested.

⁷¹Source: Australian Government, Department of Immigration and Multicultural and Indigenous Affairs. <http://www.immi.gov.au/amep/what/what2.htm>

4.3.3 IRISH CASE STUDY: SIPTU – BASIC ENGLISH SCHEME AND ‘SECOND CHANCE – KEY SKILLS’

In Ireland, Irish Trade Union Trust, the Social Solidarity arm of SIPTU, has been providing free ESOL tuition for non-Irish workers who are SIPTU members in the greater Dublin area since 2000.

This has been offered in 2 distinct settings.

- SIPTU Basic English Scheme, located in Liberty Hall in Dublin City centre
- “*Second Chance-Key Skills*” workplace communications programme delivered within the Health Services

ESOL Tuition in the SIPTU Basic English Scheme

This is provided in Liberty Hall for SIPTU members from other countries. They attend free of charge, in their own time.

Originally funded entirely by SIPTU, the Basic English (Adult Literacy) Scheme has, since 2002, also received an annual grant through the City of Dublin VEC. (The level of grant aid, incidentally, is unchanged since 2002).

Development of ESOL Service

The Basic English Scheme started in 1990 as a literacy service for SIPTU members and their spouses. The expansion to include ESOL tuition occurred in response to demand from members as a result of the changes taking place within the Irish labour market. The first ESOL student was a Russian from a SIPTU-organised workplace from which several Irish literacy students had already been recruited: this worker arrived on the reasonable assumption that appropriate tuition would also be organised for her.

Over 2% of the total SIPTU membership are now workers from abroad, and not surprisingly, there is a higher concentration in Dublin. Moreover, whereas Irish members requiring literacy tuition can choose whether they avail of the service in Liberty Hall or attend their local VEC classes, non-Irish members, (particularly those from the new EU countries) can at the moment find free classes only in Liberty Hall.

There has been a dramatic increase in the numbers of non-Irish members looking for English classes since EU enlargement. However, because CDVEC Schemes cannot at present accept workers from other EU member states into ESOL classes, aspiring

students, predominantly from Eastern Europe, present themselves at Liberty Hall without appointment every day, many of them not understanding that tuition can only be offered to Union members. Explaining the concept of a western European trade union to someone with minimal English is challenging, (the difficulties are cultural, as well as linguistic), and every aspiring student must be interviewed to determine whether s/he is in fact a SIPTU member. If they are not members, they are referred to the People’s College or their local VEC. Unfortunately, there is generally nowhere else to refer them if they arrive later than October in the academic year, when it is too late for them to enrol for the very small number of moderately priced general ESOL classes in the city.

Present Scope of the Scheme

In the academic year from September 2004 to July 2005, 153 ESOL students received tuition and a further 32 were still on the waiting list at the end of July. At the time of writing (late October, 2005), 72 ESOL students have received tuition since the beginning of September, and there are already 42 members on the waiting list. (New students are admitted to classes 4 or 5 times a year as places become vacant, so the number of those who have received tuition rises all through the year.) It seems certain that by July 2006, last year’s student total will have been exceeded.

Organisation of Classes

Prospective students are assigned to a class of 8 to 12 members at an appropriate level on the basis of an informal interview. This assesses the level of comprehension, extent of vocabulary, degree of grammatical accuracy, and previous level of education. (A complete beginner with higher education and previous foreign language learning experience would be tutored differently from a beginner with little or no formal education in his/her native country.) A small number of ESOL students with specialised needs or unusual working hours receive one-to-one tuition.

Classes are organised to accommodate as many levels and working rosters as possible, within the constraints of finance, tutor availability, and space available in Liberty Hall. At present, there are 6 ESOL groups – 4 in the evening, at advanced, intermediate, upper elementary and virtual beginners’ level, and 2 in the late afternoon, a time that suits hotel, restaurant and airport staff. One of these groups is reserved for women, and so attracts Moslem and Hindu women, although it also has European members. It is planned that a new, **absolute** beginners’ class and a night workers’ class will start shortly.

As changing shift patterns and unexpected overtime prevent many students from attending every week, each lesson has to be self-contained. There is a balance between formal grammar teaching (demanded by many students), and a situational, communicative approach.

Present Trends

Four years ago, the ESOL classes attracted “improvers” rather than beginners. There is now increasing demand from workers with very little knowledge of English.

It is also noticeable that ESOL students are now spending longer in the Scheme, wanting to progress beyond “survival” level. In the advanced class, students who have, or aspire to have, supervisory, customer service or union representative roles work on vocabulary extension, knowledge of different language registers, telephone English, and coping with a range of authentic materials. If workplaces are to give equal opportunities to all workers, it is important that non-Irish employees can avail of promotional opportunities and have sufficient command of English to do so.

Accreditation

Although ESOL FETAC accredited modules are offered if the student wishes to attain this level, very few students are interested in ESOL accreditation. However, many want to improve their English in order to gain some form of external accreditation, such as passing the taxi driver test, or studying for some other FETAC vocational module, e.g. in catering or as a care attendant.

ESOL Tuition in “*Second Chance–Key Skills*” Workplace Communications Programme

Free ESOL tuition, as well as literacy tutoring for Irish workers, has been offered to Health Services staff, mainly in service grades, in the course of our “*Second Chance–Key Skills*” Projects, between 2001 and 2005.

Origin

The original idea for such a Project came in 2000, from a SIPTU shop steward in the Health Services, who pressed for ESOL tuition for hospital staff from abroad, seeing this as a means of combating racism in the workplace.

At the time, Irish Trade Union Trust were looking at ways of developing Workplace Literacy initiatives, the Project evolved to include Literacy Tuition for Irish workers, ESOL Tuition for Non Irish workers and Basic IT Training.

Rolling out the programmes

The programme has, to date, been delivered in the following hospitals:

Beaumont Hospital, Dublin	2001
Cork University Hospital	2001 – 2002
Beaumont Hospital, Dublin	2003
St. Vincent’s Hospital, Dublin	2004
St. James’s Hospital, Dublin	2004 – 2005
Rotunda Hospital, Dublin	2005

Funding for the first two (pilot) Projects was provided by the National Health Services Partnership Forum. Subsequent Projects were funded either directly by the individual hospitals, or by the Partnership bodies in the individuals hospital. Due to the success of the initial Project, some hospitals have decided to organise a second programme.

The ratio of ESOL students to literacy participants in each Project varied, depending on the demand at the time of recruitment. In both the Beaumont and the St. Vincent’s Hospital projects, ESOL students formed 50% of the total but in Cork, St. James’s and the Rotunda, less than a quarter were ESOL students. In all the Projects, it appeared that the fact of offering ESOL had the effect of de-stigmatising tuition for the literacy learners.

Participants in the “*Second Chance*” programmes received 60 hours of tuition (2x2 hour classes for 15 weeks). **A key element in the success of these programmes was that they took place during working hours.** Most of the ESOL students chose not to avail of the computer training option, but have additional language training hours instead.

The Language needs of participants

In one hospital, Romanian catering assistants with virtually no English received tuition on the programme. Prior to the programme, they and their supervisors depended on the presence of Romanian colleagues with a better command of the English language for even the most basic communication in the workplace, which had considerable implications for Health and Safety.

In two other hospitals, some non-Irish nurses attended ESOL classes. Although they had received their third level education through English, and passed a standardised English language test before being given employment, many reported difficulty understanding patients (especially in geriatric wards), speaking on the telephone, and making social conversation with Irish colleagues.

The workplace projects demonstrated the need for workplace ESOL if staff from abroad are to achieve their full potential and integrate easily with Irish colleagues. Following the “*Second Chance*” programmes, managers and union representatives have reported that staff members from overseas are less “ghettoised”, and can be assigned more tasks involving direct contact with patients.

Conclusion

Experience in providing quality ESOL tuition in the SIPTU Basic English Scheme over the last five years, and the more than four and a half years experience of the “*Second Chance-Key Skills*” workplace Projects, clearly demonstrates the need for such classes to be made widely available. In particular, there is a strong belief that, with the support of management and unions, the model that has been developed through the ‘*Second Chance - Key Skills*’ programme is sufficiently relevant and adaptable to any workplace.

5. EDUCATIONAL NEEDS OF MIGRANT WORKERS

5.1 IVEA CONSULTATIVE WORKSHOPS

IVEA Working Group members held two consultative meetings in researching the educational needs of migrant workers. During April 2004, workshops with migrant workers availing of VEC literacy services, facilitated by IVEA Working Group members or other VEC staff, were held in Co. Donegal VEC; Co. Roscommon VEC; Co. Mayo VEC; Co. Clare VEC and City of Limerick VEC. Efforts were made to ascertain the views of participants at the workshops through translation of questionnaires and using the language of the group although this was not always possible.

In addition, consultations took place in Dublin with various migrant groups including 'The Migrant Forum' which is a monthly meeting of migrant workers facilitated by The Migrant Rights Centre. Discussions were also held in Dublin with some ethnic minority led organisations such as 'The Lithuanian Support Group' and 'Filipino Nurses Association'.

A similar picture of needs was presented in all locations where consultations took place.

5.2 PROFILE OF PARTICIPANTS IN REGIONAL CONSULTATIVE WORKSHOPS

Country of Origin	Family Situations	Length of time in Ireland	Employment
<ul style="list-style-type: none"> • Poland • Latvia • Belarus • Brazil • Russia • Czech Republic • Spain • SE Asia (including Philippines, Malaysia, & Vietnam) • Lithuania • Ukraine • Pakistan • Syria • Libya • Morocco • China • Italy • Germany • Japan • Peru • Congo • Cameroon 	<ul style="list-style-type: none"> • Most: single men; • Some whole families with children attending school; • Some lone parents. 	<ul style="list-style-type: none"> • Periods ranged from 3 months to 3 years, some slightly longer; • Some Eastern Europeans planned to return home after Accession if the home economy improved. 	<ul style="list-style-type: none"> • Most in low-skilled, semi-skilled jobs; • Small no. employed in a professional capacity; • Those surveyed were employed in: meat factories; waste disposal; bakery; restaurants; quarry; engineering works; mushroom production; electrical services; retail construction; and the hospitality industry.

5.3 GENERAL ISSUES OF CONCERN

General issues raised during the consultative process spanned all areas of workers' lives, including economic, social and domestic concerns.

Economic/Work related	Social	Domestic
<ul style="list-style-type: none"> • Long working hours; • Employer holds work permit, making it difficult to raise any concerns/objections re work conditions; • Unfavourable treatment from employers compared to that received by Irish workers; • Language difficulties; • Difficulty in accessing basic information – PAYE, Employment legislation, advice. 	<ul style="list-style-type: none"> • Low income restricts activities; • No venues for socialising. • Isolation. 	<ul style="list-style-type: none"> • Lack of educational opportunities for their children who do not qualify for third level grants; • Difficulty in accessing services for children; • Unable to help children with homework; • Lack of support systems/advocates; • High rent; • Poor accommodation. • Lack of contact with local community.

5.4 EDUCATIONAL ISSUES

The following educational issues emerged from the consultative process:

5.4.1 ENGLISH LANGUAGE CLASSES

The need for English language classes varies widely across the different nationalities. Filipinos, for instance, have learned English from primary school and therefore have high levels of competency in the language. However, migrant workers from the Philippines will have learned English from primary school and therefore would benefit from 'English for the workplace' classes.

On the other hand, migrant workers from the new EU states, former USSR and Central and Eastern Europe may have need for English language classes as they do not learn the language at school. The majority of the workers from these countries would be bi- or multi-lingual, speaking Russian, their own native language and sometimes a third language other than English. The vast majority of migrant workers are from these countries so it is essential for workers to be able access affordable or free Engl

5.4.2 OTHER EDUCATIONAL NEEDS

Other educational issues included the need for induction courses on Irish society, culture and politics, access to vocational courses relevant to their jobs in Ireland, access to third level courses following a period spent living in Ireland and recognition of migrant worker's qualifications. Each of these are discussed below:

Many people expressed a need for induction courses on Irish society, culture and politics. Courses such as these would assist people in integrating into Irish society. Information on rights and entitlements should also be given as part of these courses as many migrant workers are ignorant of their employment, social welfare, education and health entitlements. This can lead to a situation where migrant workers can be exploited by their employers and feel they are unable to seek redress.

Access to vocational courses relevant to their jobs in Ireland: This was a particular issue for people working in the social care/ domestic sphere. Many of these workers have qualifications from their own country in this sector but feel that access to relevant courses in the Irish context would be useful.

Access to third level courses at EU fees following a period of living and working in Ireland: This is one of the most important issues for many immigrants. Many migrant workers have lived, worked and paid taxes in Ireland for many years and are still unable to access third level courses at EU fees. Many of them have children of college going age and they too are unable to access third level courses and Higher Education Authority grants on the same basis as EU nationals. As overseas student fees are prohibitive, this policy effectively bars a considerable section of the population from accessing education and will have a detrimental effect on the development of immigrant communities in Ireland. It is important to recognise that many migrants will be here for extended periods of time and it is therefore imperative that the Irish government invests in their education, as this investment will maximise the contribution they will make to Irish society.

Recognition of qualifications: This is an important issue for migrant workers in general. Many who are working here in low-skilled or semi-skilled jobs are highly qualified in various fields but cannot work in those areas due to the lack of a system for establishing equivalence of foreign educational qualifications. Many migrant workers spoke of their frustrations that their skills are not recognised in Ireland. The lack of access to third level courses is compounding this difficulty with migrants unable to access courses that would up-skill them to the level required to access Irish qualifications.

5.4.3 REMOVING BARRIERS TO ACCESS

This section identifies several barriers to access. Facilitating access involves removing the barriers where possible. These barriers include working hours; family commitments (both in Ireland and in home country); lack of transport to get to centres, especially in rural areas; possible costs of courses; lack of information on what is available; language difficulties; access to third level courses at EU fees; lack of recognition of qualifications and the role of the employer.

Working hours.

Addressing this issue requires co-operation with employer, trade unions and training providers.

Family commitments, including here in Ireland and in home country

Addressing family commitments in the home country is outside the remit of IVEA and its member VECs. However, the provision of adequate childcare facilities would go some way towards

addressing issues relating to family commitments in Ireland, which are preventing migrant workers from accessing available educational provision.

Moreover, IVEA recommends that equal access for refugees and asylum seekers to language classes should be extended to cover Migrant Workers and their spouses.

Lack of transport to get to centres, especially in rural areas

Although VEC schools and centres are located all over Ireland, it is not always possible for those living in rural areas to access such facilities without their own means of transport. One possible solution to this issue is the provision of workplace learning, which would require co-operation between FÁS, employers and VECs. VECs are currently engaged in successful programmes of workplace learning with the local authorities and FÁS. The IVEA is also presently establishing a partnership agreement with Skillnets. In addition, a small number of pilot programmes involving workplace learning for migrant workers are underway and this provision could be extended.

Possible costs of courses

This issue will be explored further on in this chapter.

Lack of information on what is available

This issue requires a multifaceted approach. Following identification of what the key languages of migrant workers in their geographical area are, VECs could provide posters/flyers with information translated into key languages. Being imaginative about where posters/flyers are made available will also help VECs to communicate with the target group e.g. Health Information and Social Services Centres; FÁS outlets; Trade Union Information Services; Embassies and Consulates; ethnic shops, other supermarkets, churches etc as well as VEC offices, Adult Education Centres, schools and colleges. In addition, those availing of educational provision should be encouraged to spread the word among their colleagues.

Language difficulties

English language provision by the VECs should address this issue in the medium-long term. In the immediate term, to facilitate communication, VECs should consider translation of key information (see previous point). Where necessary one to one interviews and use of a translator should be used to appraise those with English language difficulties of their learning options.

Access to third level courses at EU fees.

Migrant workers who have lived, worked and paid taxes here are unable to access third level courses at EU fees; this also applies to their children and effectively bars this section of population from accessing third level education because of prohibitively expensive fees.

Lack of recognition of qualifications.

Many migrant workers are working in low or semi skilled positions here because they are unable to get their qualifications recognised in Ireland. The National Qualifications Authority is addressing this issue.

The Role of the Employer

The employer has a critical role to play in ensuring that migrant workers in employment can be effective employees and in helping them integrate into the firm and the local community. A contented employee who is well integrated into the workforce and the country of employment makes a good employee.

The employer can assist the migrant worker in employment as follows:

- Make the employee aware of statutory employment rights and apply these rights in a fair and transparent way. A useful summary of these rights is contained in *The Handbook on Immigrants Rights and Entitlements in Ireland* (2003: 36 – 42).
- Ensure that the employee has adequate language skills to do the job effectively and safely. If there are language issues provide or arrange suitable language courses as recommended in this policy document.
- Make use of IBEC, SFA services to support migrant worker employees.
- Provide information that will assist the employee to establish contacts in the local community.
- In large companies, the employer should designate a person responsible for supporting migrant workers.

IVEA will be addressing this issue with the Department of Education and Science and the Department of Enterprise, Trade and Employment.

5.5 FLEXIBILITY AS A MEANS TO ACCESS

IVEA recognises that all employers may not support workplace learning. Therefore, flexibility is required on the part of providers. VECs should consider adopting the following approaches:

- Weekend learning;
- Learning in a place other than a school;
- Early morning or late evening learning;
- Part provision of distant learning;
- Supported self-directed learning.

Such an approach would need the consent and approval of VEC management and their staff. However, there must be recognition that innovative methods are needed to enable migrant workers to avail of educational provision.

5.6 TYPE OF EDUCATIONAL PROVISION REQUIRED

What type of provision is required?

- Language courses (functional English) mainly, to include topics such as: shopping; banking; health; government; driving theory; social issues; pubs; hotels; police; immigration; airports; working conditions; nature and environment;
- 'Professional' English: applied English or work-related courses;
- Literacy skills;
- Computer skills;
- Courses which assist in understanding Irish society e.g. Irish history, social issues, politics, culture, the Irish education system etc;
- Legal rights and entitlements;
- Family Learning Courses.

The Canadian and Australian model provides useful guidelines on the nature of provision for Migrant Workers.

5.6.1 ISSUES FOR VECs AS PROVIDERS

There is a need for VECs to be flexible and creative in their approach to the provision for migrant workers, including:

- Timetabling and location of classes;
- How classes are structured in terms of catering for the needs of learners with language and, possibly, literacy difficulties also;
- Provision of appropriate materials;
- Providing translation services where possible;
- Developing helpful relationships with employers which encourage access.

The needs of potential learners must be properly assessed and Individual Learning Plans (ILPs) prepared which offer opportunities for certification. The provision of programmes for this group also has implications in terms of the training/up-skilling of tutors.

5.6.2 CONCLUSIONS FROM RESEARCH CARRIED OUT BY IVEA WORKING GROUP

Resulting from research undertaken by the IVEA Task Group, IVEA has drawn following the conclusions regarding educational needs for Migrant Workers in Ireland.

Language and literacy needs:

Competence in the English language is an essential pre-requisite to social integration and effective participation in civic society in Ireland. Migrant workers (in common with other immigrant communities) have many and diverse needs in relation to language and literacy needs. These range from poor literacy skills and no spoken English to excellent literacy skills in their own language and good spoken English but poor written English.

Relatively weak position of migrant workers:

Although increasingly large numbers of migrant workers in Ireland are from the enlarged European Union, many thousands of workers are still working in the employment permit system. It is employers, not employees, who apply for and hold these permits and the majority are issued for low and semi-skilled jobs. Many migrant workers are consequently in low paid employment (at or below the minimum wage) and are fearful of “rocking the boat”, particularly if they are in jobs where they may be seasonal reduction of hours etc. Combined with a lack of information about labour laws and entitlements and language and literacy difficulties, this leads to situations where migrant workers are open to exploitation and even abuse in terms of working conditions as evidenced by the recent controversy about GAMA workers.

Access to educational provision:

In common with other adult learners suffering from educational disadvantage, access is a major issue for migrant workers wishing to avail of educational opportunities. Issues include location, timing and cost of classes, possible loss of earnings, transport, and childcare [refer to section 5.4.2].

There is also a group of migrant workers employed in low or semiskilled jobs here because they are unable to get their qualifications recognised. The issue of those people who have been working here for a number of years and who are unable (with their children) to access third level education because of prohibitively expensive fees for non-EU members needs to be examined.

Importance of involving the employer:

At present, there is no requirement on the part of the employer that employees are either informed of or allowed access to educational opportunities for migrant workers. However, as the employer is in the position of granting access to educational provision, it is of vital importance that s/he is part of the equation when guidelines are being drawn up regarding best practice in this area and that educational programmes reflect some of his/her requirements for employees.

Importance of involving the Trade Unions:

Trade Unions have a critical role to play in helping workers integrate into the workforce, in supporting language provision where needed and in protecting migrant workers rights. Experience to date in Ireland suggests that without active trade union involvement migrant workers are often exploited and denied their basic rights. Trade Unions can support migrant workers at both national and individual firm level.

At national level they can:

- Help create awareness of issues affecting migrant workers;
- Raise issues with appropriate Government Departments;
- Include working conditions and encouragement of social integration through language provision and training on the agenda for National Partnership Agreements

At individual firm level they can:

- Ensure that migrant workers get their basic rights and are not exploited;
- Contribute to the development of a welcoming workplace for all employees;
- Facilitate the provision of basic language classes for migrant workers through co-operation with the employer and the VEC.

Importance of involving the community and voluntary sector

A number of Community and voluntary organisations including ethnic-led minority organisations have been established in the last few years in response to the growing number of immigrants living in Ireland. They are providing a variety of services to immigrants and are therefore very well placed to offer insights and expertise on their educational needs. Any initiative of this nature should involve consultation with these groups.

Migrant workers are a vital resource to the Irish economy. The Irish State has a responsibility to ensure that they are provided with an opportunity to access the basic English language skills required to participate safely in the workplace and to function in Irish society.

Classes up to and including FETAC Level 3

Basic education classes are provided free of charge by VECs to people with literacy and numeracy difficulties so that they can participate more fully in society. IVEA recommends that the same principle should apply to migrant workers who do not have the basic language skills to function in Irish society.

English language classes should be provided free of charge to all migrant workers up to and including current FETAC Level 3.

The Department of Education and Science in co-ordination with the Department of Enterprise, Trade and Employment should provide VECs with a specific budgetary allocation for this service.

Classes above FETAC Level 3

Access to all other classes should be determined by the normal criteria for admission to such classes.

6. RECOMMENDED MODEL EDUCATIONAL PROGRAMME

The following model educational programme for migrant workers was devised following consultative workshops organised by the IVEA [refer to chapter 5 for more details of the consultation process]. The model programme consists of sections on planning; assessment; programme content; recommended materials; and a sample of two FETAC modules. The programme outlines the subject areas relevant for migrant workers and the FETAC modules most relevant to each area. The modules used will depend on the results of the assessment and needs analysis of the learners.

6.1 ASSESSMENT AND NEEDS ANALYSIS

6.1.1 PLANNING PROGRAMMES

Planning programmes to meet the needs of learners involves a number of steps which relate to initial enrolment and record keeping; carrying out a needs analysis in conjunction with new adult learners; and an initial assessment of skills. Initial enrolment and record keeping are important aspects of organising and co-ordinating education programmes. Detailed attendance records are required for future analysis and to track the progress of learners.

Planning programmes and analysing needs involves four steps:

- Finding out about a learner;
- Analysing goals;
- Diagnostic assessment of a student's current language skills;
- Negotiating a programme of work.

6.2 ASSESSMENT

Following an initial interview, assessment should take place in a non-threatening environment. Information required includes: aspirations/aims, analysis of aims, prior learning, perceived needs and assessment of needs. Working in co-operation with the learner and analysing goals, courses should be broken down into short manageable targets. Diagnostic assessment of new learners enables teachers and second language learners to establish what skills the learner has at a fixed point in time. As yet there is no standardised ESOL assessment framework in Ireland to evaluate a learner's literacy and language skills.

Operating in collaboration, practitioners from a broad range of fields need to come together under the auspices of the Department of Education and Science to devise tools for initial and ongoing assessment of ESOL learners. A similar approach

was adopted in the UK. A model assessment instrument needs to be flexible given the diversity of learning experiences and linguistic abilities of asylum seekers and other minority linguistic groups and practical use for each service provider.

In addition, the IVEA recommends an English language assessment framework be devised for placement in Adult and Further Education (Adult Literacy, ESOL, VTOS and PLC). The IVEA, in consultation with relevant bodies, including the Department of Education and Science will develop such a framework.

Following the initial interview and assessment, a model educational programme is organised around the needs of the learners. This programme is based on the FETAC modules outlined in the model educational programme. While this list is by no means exhaustive, it does contain the relevant subject areas to meet the needs of migrant workers.

6.3 MODEL EDUCATIONAL PROGRAMME

6.3.1 CONTENT

IVEA recommends that a programme for migrant workers:

- Include instruction in six specific areas, namely: (1) functional English; (2) work/career English; (3) rights and entitlements; (4) interculturalism; (5) health and safety; and (6) literacy needs;
- Provide certification for the programmes that are offered;
- Include modules from FETAC (Level 3, 4 and 5) programmes, which best suit the needs of migrant workers. (Some areas may not be specifically identified in the FETAC modules but a degree of flexibility is allowed to include them.);⁷²
- Include at least three to five modules at each level before attempting modules at the next level.

6.4 RECOMMENDED MODEL - LEVELS

The following is a guide to the recommended Migrant Worker programme:

(a) Functional English (ESOL) for day-to-day living.

Content to include issues such as shopping, banking, using the post office, health, schools etc.

- English as a Second Language (L3, L4, L5);
- Communications (L3, L4, L5)
- Computer Literacy (L3)

⁷²FETAC levels have been changed in accordance with the National Qualifications Framework. Here we are using the levels contained in the Framework. FETAC is currently working on the development of awards at levels 1 & 2. It may be necessary to review these recommendations when the new awards have been developed and align them with new Awards.

(b) Work / Career Specific, English / 'Professional' English

- Work Orientation (Includes 2 weeks work experience) (L3);
- Preparation for work (L3);
- Work Experience (L4 and L5).

Professional English

Preparation for IELTS (International English Language Testing system), Cambridge, TOEFL (Test of English as a Foreign Language) and TOEIC (Test of English for International Communication) exams.

(c) Rights and Entitlements

Content to include information on labour laws in Ireland, rights and entitlements, PAYE/tax issues, social welfare, immigration, health etc.

- Career Information (L3).

(d) Interculturalism,

Content to include Irish history, social issues, cultural issues, and politics, tackling racism.

- Transnational Experience (L3);
- Living in a Diverse Society (L3);
- Cultural Studies (L4);
- Understanding Interculturalism (L4);
- Historical Studies (L4);
- Appreciation of Irish Culture (L5);
- Intercultural Studies (L5).

(e) Health & Safety

Health and Safety issues are contained in Modules on Career Information Level 3 and Work Experience Level 3.

- Occupational First Aid (L5);
- Safety and Health at Work (L5).

(f) Literacy Needs

- One to one tuition;
- Group Tuition;
- Language and Literacy specific classes.

6.5 RECOMMENDED MATERIALS

Integrate Ireland Language and Training (IILT) has developed materials, which will be useful for migrant workers learning basic English. Details are provided below.

- *Anseo; English for Living in Ireland*, Integrate Ireland Language and Training 2003.
- *Féach, Looking at language and literacy*, Integrate Ireland Language and Training 2003.

Useful materials have also been developed by City of Dublin Vocational Education Committee (CDVEC) and the National Adult Literacy Agency (NALA).

6.6 SAMPLE FETAC COURSES⁷³

6.6.1 LEVEL 3 ESOL

8 General Aims

Candidates who successfully complete this module will:

- 8.1** develop the ability to use the target language in a range of personal and social situations;
- 8.2** acquire some basic language skills necessary for progression to further study;
- 8.3** gain an awareness of the culture of countries or regions where the target language is spoken.

9 Units The Foundation Level Language Programme is not divided into units as in Levels 2 and 3 etc.

10 Specific Learning Outcomes

Candidates must achieve all of the following Specific Learning Outcomes:

- 10.1** communicate in a social setting;
- 10.2** give personal information in response to spoken and written questions;
- 10.3** repair a breakdown in communication;
- 10.4** enquire about and express notions of time and quantity;
- 10.5** enquire about and express notions of space and location;
- 10.6** read and write simple passages;
- 10.7** make purchases;
- 10.8** communicate about food and drink.

⁷³Adapted from FETAC website -<http://www.fetac.ie/guide/modules.htm>

8 General Aims**Learners who successfully complete this module will:**

- 8.1** develop the ability to use the language effectively for practical communication;
- 8.2** acquire the basic language skills, knowledge and attitudes necessary for advancement to further study or into employment;
- 8.3** gain an awareness of the culture and civilisation of countries where the target language is spoken.

9 Units The specific learning outcomes are grouped into 4 units.**Unit 1 Interpersonal Communication****Unit 2 Travel and Accommodation****Unit 3 Food and Drink****Unit 4 Shopping and Making Purchases****10 Specific Learning Outcomes****Unit 1 Interpersonal Communication****Learners should be able to:**

- 10.1.1** enquire about and express the following:
 - notions of time, including point of time, length of time, age, calendar, reference to present;
 - notions of quality, including colour, comparison, similarity;
 - notions of quantity, including numerals, amounts, sizes, weights and measures;
 - notions of space, including location, relative position, distance, motion, direction;
- 10.1.2** give and seek information;
- 10.1.3** communicate in a social setting by greeting, attracting attention, taking leave;
- 10.1.4** express and find out attitudes such as satisfaction, dissatisfaction, likes, dislikes, preferences, regret, apology;
- 10.1.5** get things done by requesting, accepting, asking for assistance;
- 10.1.6** repair a breakdown in communication by signaling non-understanding, asking for repetition;
- 10.1.7** state and spell their names, address, telephone numbers, email, addresses and those of others;
- 10.1.8** state age and make comparative comments about age, such as older than, younger than;
- 10.1.9** state nationality, date of birth, marital status, occupation;
- 10.1.10** give information about family, interests and elicit similar information from others;
- 10.1.11** describe a loss or theft;

10.1.12 describe missing items;**10.1.13** give and request information about daily routine.**Unit 2 Travel and Accommodation****Learners should be able to:**

- 10.2.1** ask and pay for a ticket using public transport;
- 10.2.2** request and understand information regarding time of departure and arrival;
- 10.2.3** use a ticket vending machine;
- 10.2.4** book and pay for accommodation;
- 10.2.5** make and answer enquiries about accommodation and leisure facilities;
- 10.2.6** ask for and understand directions.

Unit 3 Food and Drink**Learners should be able to:**

- 10.3.1** order and pay for food and drink in a variety of settings;
- 10.3.2** understand a menu, which course etc;
- 10.3.3** recognise basic ingredients such as types of meat, vegetables and dairy products;
- 10.3.4** know the typical food and drink of the target country;
- 10.3.5** enquire about and tell meal times in the target country.

Unit 4 Shopping and Making Purchases**Learners should be able to:**

- 10.4.1** know the different types of shops and the various departments within a department store;
- 10.4.2** ask about the location and opening times of shops and department stores;
- 10.4.3** ask and pay for items of clothing/gifts/souvenirs/food/drink etc;
- 10.4.4** ask about the size, quantity, colour, price;
- 10.4.5** say something is suitable/unsuitable/too big/small/expensive;
- 10.4.6** understand the currency and rate of exchange;
- 10.4.7** enquire about postal rates;
- 10.4.8** ask and pay for stamps/telephone card in a post office/shop;
- 10.4.9** follow operating instructions when using a public telephone, vending machine, cyberpost;
- 10.4.10** read signs, notices, advertisements, articles, brochures, telephone book/directory.

7. TRAINING

7.1 ANTI-RACIST/CULTURAL AWARENESS TRAINING

7.1.1 ALL STAFF

IVEA recommends the following initiatives be undertaken for **all** staff:

- Anti-racist and cultural awareness training programmes be developed and delivered to all staff (managers, tutors, support staff, frontline staff) in consultation with organisations with expertise who are already active in this area of work, and involving target groups in the design and delivery of programmes;
- Staff would also benefit from training on the rights and entitlements of the different categories of immigrants living in Ireland;
- Specific training programmes for specialist areas be developed e.g. women, survivors of torture, unaccompanied minors;
- Information sessions be provided for staff on asylum policy and process, working with groups with special needs etc;
- Accredited training programmes be developed for staff which could be undertaken on a modular basis.

7.1.2 EDUCATIONALISTS

Staff development and training for educationalists working with the target groups should take the following form:

- Specialised training to allow educationalists to develop new areas of expertise English for Speakers of Other Languages (ESOL), Literacy for ESOL etc.;
- Information sessions on new areas of knowledge e.g. legislation, equality, refugee women, torture survivors and separated children;
- **All training should be accredited.**

Tutors need to acquire a broad range of skills to enable them to tutor minority linguistic learners, including migrant workers. Existing tutors with a TEFL background need to be updated on current ESOL methods, trained in adult education theory, literacy, some didactic skills and interculturalism. Tutors with only a literacy background also require similar training with the addition of linguistics.

Training is a matter for each VEC locally. A range of organisations can be of assistance in this regard including the Equality Authority and the NCCRI. The Immigrant Council of Ireland offers courses nationally on the rights and entitlements of immigrants to a number of statutory, community and voluntary organisations.

8. SUPPORT SERVICES

8.1 INTRODUCTION

In the context of educational provision for minority linguistic groups, there are certain general supports that are appropriate to provide to students and their parents/guardians to support their education. These supports may include translation, childcare and psychological services/counselling. Providing such supports corresponds to intercultural best practice.

8.2 TRANSLATION

Research conducted by the Irish Centre for Migration Studies, University College Cork, on the migrant population of Cork (city & county)⁷⁴ suggests that translating relevant materials into as few as three languages will cover more than 90% of the migrant population of Cork. The relevant languages may vary from location to location; however, the basic principle likely applies throughout Ireland.

The statistics detailed in Table 5, Chapter 3 show that the majority of migrant workers in Ireland post-accession come from States of the former USSR. It is therefore likely that most would have Russian as a second language. The resources of bilingual/ESOL learners can be drawn on to help tackle this issue.

IVEA will take up this issue with the Department of Education and Science and with the Department of Enterprise, Trade and Employment. Should the Department of Education and Science fail to provide adequate funding for these essential services, VECs may wish to draw on the resources of the target community in respect of interpretative services. However, providers need to be aware of issues concerning sensitivity, confidentiality and equity.

8.3 CHILDCARE

As for many learners, the absence of childcare for migrant workers can be a barrier to education. This area needs further consideration and resources.

Since 2000, City and County Childcare Committees have been established around the country as a key element of the Government's co-ordinated strategy to develop quality childcare in Ireland. The primary function of County Childcare Committees is to assist in the co-ordination of childcare in their areas and to promote a quality childcare service.

VECs are represented on County Childcare Committees and on various sub-committees of the County Committee. Lack of childcare is a barrier to participation in classes for many migrant workers and VEC representatives are in a good position to highlight this so that County Childcare Committees can address it in their plans.

8.4 THE ROLE OF LOCAL COMMUNITIES

Host communities have a vital role to play in the integration process. The interaction of host communities and the migrant community is an enriching and important process for both groups. One successful mode of interaction among host communities and the migrant community is through recreational programmes, which prove enjoyable and beneficial educational opportunities for all those involved.

A variety of programmes may be offered through the Community Education programme, in the form of a series of classes, taster workshops etc. Local VEC community education groups and support groups should be encouraged and facilitated to promote contact of the target groups with Irish people through provision of funding and other support to organise classes and workshops e.g. arts and crafts, music, yoga, dance. Programmes may also be organised which cater for the migrant community only, by themselves or by support groups.

Community-based intercultural awareness initiatives can be supported through the Community Education programme e.g. a series of seminars on world religions, workshops on interculturalism. Such initiatives can be organised directly by VECs or through appropriate locally based organisations (and funded by VECs).

Anti-racism programmes and initiatives may be developed through links with groups which are already active in challenging racism and prejudice e.g. Traveller, disability and development education groups. Many of these groups have already developed appropriate training programmes which can be adapted as necessary; this may be done by involving current target groups in design of specific modules and in delivery of the programmes. VECs should facilitate and support the development and delivery of new programmes aimed at increasing understanding and acceptance of migrant workers and all minority ethnic groups in local communities.

⁷⁴Research conducted by Aki Stavrou and Jennifer O'Riordan for the Irish Centre for Migration Studies, UCC 2002/3 (unpublished). Refer to: <http://migration.ucc.ie> <http://migration.ucc.ie>

Community Education Facilitators, employed by VECs have a remit to support communities in helping migrant workers integrate and in facilitating access to education.

8.5 REFERRALS

The migrant learners who access VEC courses will often have a variety of needs above and beyond those of Irish students, which extend outside the remit of the individual VEC, e.g. information on their immigration status, racism, etc. It is important therefore, that all staff are able to make appropriate referrals to other relevant organisations which would be in a position to offer the necessary support to students. There should be a directory of such organisations available in all VECs with a list of the services provided, contact details, opening hours etc. It is important that staff receive appropriate training in making referrals as inappropriate referrals can cause increased and unnecessary difficulties for students.

9. ROLE OF VEC MANAGEMENT

9. ROLE OF VEC MANAGEMENT

9.1 THE ROLE OF MANAGEMENT

Senior Management at both institutional and VEC levels have an important role to play in the implementation of the policy to provide a service for the client group AEOA, ALOA and CEFA .

9.1.1 VEC LEVEL

At VEC level senior management needs to familiarise itself with the recommended policy and adapt it to the own particular circumstances. They also need to ensure that the resources and training necessary to implement the policy are put in place or are sought from the Department of Education and Science. If the issues around provision for bilingual/ESOL learners are to be resolved it is important that senior management engage in dialogue through the IVEA Committee for Executive Support and associations including AEOA, ALOA and CEFA to develop and implement a cohesive national response by VECs to the needs of bilingual/ESOL learners.

9.1.2 SCHOOL/CENTRE LEVEL

The Principal/Manager has a key role in implementing the policy on Migrant Workers. An important aspect of the role is ensuring that the culture of the school/college/centre is a welcoming and encouraging one for learners.

10. SUMMARY OF RECOMMENDATIONS

10.1 STRUCTURES:

- A **National Co-ordinating Committee** should be established with the purpose of linking all relevant national agencies in both the co-ordination of services and the formulation of policy. IVEA therefore calls on the Government to set up a National Co-ordinating Committee, which would incorporate all the relevant Government departments and state agencies.
- At local (regional or county) level, **Local Co-ordinating Committees**, which include representatives from a wide range or relevant and interested statutory, voluntary and community organisations should be established to co-ordinate formulation of policy and delivery of services at local levels and to feed into the National Co-ordinating Committee.
- **Community Support Groups** aimed at co-ordinating services at community level and providing practical support and information to individuals would be of benefit to migrant worker communities and also to host communities. These support groups could link back to the Local Co-ordinating Committees.
- At **VEC level** provision for migrant workers should be located within the Adult and Community Education Service. Senior management at VEC level and individual institution levels has responsibility for the implementation of policy on migrant workers.

10.2 PROVISION

- The education sector should be responsible for the language and literacy needs of migrant workers and their spouse/partner as a pre-requisite to social integration and effective participation in civic society in Ireland.
- Programmes should cover the following curricular areas;
 - Language courses at all levels up to level 6
 - Courses on understanding Irish Society
 - Basic computer skills
 - Legal and employment framework
 - Family learning
- Provision should be in accordance with best adult education practice and be flexible to meet the needs of learners. The programme content should be as recommended in Chapter 6.

10.3 FEES

- All classes up to and including FETAC Level 3 should be provided free of charge, whereby funding to VECs is provided by both the Department of Education and Science and the Department of Enterprise, Trade and Employment, in respect of all courses (on an agreed programme basis) offered to migrant workers
- Access to all other classes should be determined by the normal criteria for admission to such classes.

10.4 ASSESSMENT

- There should be an initial assessment of all learners which will include the following elements:
 - Finding out about the learner
 - Analysing goals
 - Diagnostic assessment of the learners current language skills to facilitate appropriate placement in Adult and Further Education Programmes.
 - Negotiating an individual learners' plan.
 - An English language assessment framework be devised to facilitate for placement in Adult and Further Education (Adult Literacy, ESOL, VTOS and PLC).

10.5 STAFF TRAINING

- All staff should receive training as recommended in Chapter 7.

10.6 SUPPORT SERVICES

- The following support services should be provided as appropriate:
 - Translation
 - Childcare
 - Community support
 - Referral

10.7 GENERAL

- Policy makers should take careful note of the Case Studies, as described in Chapter 4 and the lessons they have for Ireland.

APPENDIX I

NATIONAL STRUCTURES

The following section is adapted from IVEA's 2001 policy publication entitled: *'IVEA Policy on Educational Provision for Asylum Seekers, Refugees and other Non-nationals'*.

Over-arching Co-ordinating Structure

There is a wide range of agencies, both statutory and voluntary involved in the provision of services to asylum seekers, refugees and minority linguistic groups. As the situation in this area developed so rapidly and to such an extent over the last number of years, it appears that services were introduced on an ad hoc basis in order to deal with the issue.

In order to bring greater efficiency to existing services it is vital that a national co-ordinating body be established comprising all agencies, both statutory and voluntary, with a brief to ensure that services are delivered in the most efficient way possible and to eliminate overlapping of services.

The many agencies working in this area include: Local Authorities, Regional Authorities, Health Services Executive, various Government Departments, FÁS, VECs, primary and secondary schools etc., as well as a large number of voluntary bodies, drawn from all sections of society. Much of their work is done quietly and efficiently. The introduction of a co-ordination service would be of tremendous help in delivering a more efficient and improved service.

The IVEA recommend that the co-ordinating body be operated at three levels: national, local and community:

- A **National Co-ordinating Committee** should be established with the purpose of **linking** all relevant national agencies in both the co-ordination of services and the formulation of policy. The IVEA therefore calls on the Government to set up a National Co-ordinating Committee, which would incorporate all the relevant Government departments and state agencies.
- At local (regional or county) level, **Local Co-ordinating Committees**, which include representatives from a wide range of relevant and interested statutory, voluntary and community organisations should be established to co-ordinate formulation of policy and delivery of services at local level and to feed into the National Co-ordinating Committee.

- **Community Support Groups** aimed at co-ordinating services at community level and providing practical support and information to individuals would be of benefit to the asylum seeker/refugee communities and also to host communities. These support groups could link back to the Local Co-ordinating Committees.

APPENDIX II

Annex II details the most relevant sections of the various pieces of legislation⁷⁵ applicable in the context of educational provision for asylum seekers, refugees and other minority linguistic groups in the Further Education sector.

Extract from: The Education Act, 1998

Objects of Act.

- 6.** — Every person concerned in the implementation of this Act shall have regard to the following objects in pursuance of which the Oireachtas has enacted this Act:
- (a) to give practical effect to the constitutional rights of children, including children who have a disability or who have other special educational needs, as they relate to education;
 - (b) to provide that, as far as is practicable and having regard to the resources available, there is made available to people resident in the State a level and quality of education appropriate to meeting the needs and abilities of those people;
 - (c) to promote equality of access to and participation in education and to promote the means whereby students may benefit from education;
 - (d) to promote opportunities for adults, in particular adults who as children did not avail of or benefit from education in schools, to avail of educational opportunities through adult and continuing education;
 - (e) to promote the right of parents to send their children to a school of the parents' choice having regard to the rights of patrons and the effective and efficient use of resources;
 - (f) to promote best practice in teaching methods with regard to the diverse needs of students and the development of the skills and competences of teachers;
 - (g) to promote effective liaison and consultation between schools and centres for education, patrons, teachers, parents, the communities served by schools, local authorities, health boards, persons or groups of persons who have a special interest in, or experience of, the education of students with special educational needs and the Minister;

⁷⁵The full text of the Acts listed is available on the following website: www.irishstatutebook.ie

- (h) to contribute to the realisation of national educational policies and objectives;
- (i) to contribute to the realisation of national policy and objectives in relation to the extension of bi-lingualism in Irish society and in particular the achievement of a greater use of the Irish language at school and in the community;
- (j) to contribute to the maintenance of Irish as the primary community language in Gaeltacht areas;
- (k) to promote the language and cultural needs of students having regard to the choices of their parents;
- (l) to enhance the accountability of the education system, and
- (m) to enhance transparency in the making of decisions in the education system both locally and nationally.

- (j) ensure that the needs of personnel involved in management functions and staff development needs generally in the school are identified and provided for,
- (k) establish and maintain systems whereby the efficiency and effectiveness of its operations can be assessed, including the quality and effectiveness of teaching in the school and the attainment levels and academic standards of students,
- (l) establish or maintain contacts with other schools and at other appropriate levels throughout the community served by the school, and
- (m) subject to this Act and in particular section 15 (2) (d), establish and maintain an admissions policy which provides for maximum accessibility to the school.

Functions of a school.

9.—A recognised school shall provide education to students which is appropriate to their abilities and needs and, without prejudice to the generality of the foregoing, it shall use its available resources to—

- (a) ensure that the educational needs of all students, including those with a disability or other special educational needs, are identified and provided for,
- (b) ensure that the education provided by it meets the requirements of education policy as determined from time to time by the Minister including requirements as to the provision of a curriculum as prescribed by the Minister in accordance with section 30,
- (c) ensure that students have access to appropriate guidance to assist them in their educational and career choices,
- (d) promote the moral, spiritual, social and personal development of students and provide health education for them, in consultation with their parents, having regard to the characteristic spirit of the school,
- (e) promote equality of opportunity for both male and female students and staff of the school,
- (f) promote the development of the Irish language and traditions, Irish literature, the arts and other cultural matters,
- (g) ensure that parents of a student, or in the case of a student who has reached the age of 18 years, the student, have access in the prescribed manner to records kept by that school relating to the progress of that student in his or her education,
- (h) in the case of schools located in a Gaeltacht area, contribute to the maintenance of Irish as the primary community language,
- (i) conduct its activities in compliance with any regulations made from time to time by the Minister under section 33,

Functions of a board.

15.—(1) It shall be the duty of a board to manage the school on behalf of the patron and for the benefit of the students and their parents and to provide or cause to be provided an appropriate education for each student at the school for which that board has responsibility.

(2) A board shall perform the functions conferred on it and on a school by this Act and in carrying out its functions the board shall—

- (d) publish, in such manner as the board with the agreement of the patron considers appropriate, the policy of the school concerning admission to and participation in the school, including the policy of the school relating to the expulsion and suspension of students and admission to and participation by students with disabilities or who have other special educational needs, and ensure that as regards that policy principles of equality and the right of parents to send their children to a school of the parents' choice are respected and such directions as may be made from time to time by the Minister, having regard to the characteristic spirit of the school and the constitutional rights of all persons concerned, are complied with,
- (e) have regard to the principles and requirements of a democratic society and have respect and promote respect for the diversity of values, beliefs, traditions, languages and ways of life in society,
- (g) use the resources provided to the school from monies provided by the Oireachtas to make reasonable provision and accommodation for students with a disability or other special educational needs, including, where necessary, alteration of buildings and provision of appropriate equipment.

Functions of Principal and Teachers.

22.(1) The Principal of a recognised school and the teachers in a recognised school, under the direction of the Principal, shall have responsibility, in accordance with this Act, for the instruction provided to students in the school and shall contribute, generally, to the education and personal development of students in that school.

(2) Without prejudice to *subsection (1)*, the Principal and teachers shall—

(c) collectively promote co-operation between the school and the community which it serves...

Extract from: The Equal Status Act, 2000

Discrimination (general)

3.—(1) For the purposes of this Act, discrimination shall be taken to occur where—

(a) on any of the grounds specified in *subsection (2)* (in this Act referred to as “the discriminatory grounds”) which exists at present or previously existed but no longer exists or may exist in the future, or which is imputed to the person concerned, a person is treated less favourably than another person is, has been or would be treated,

(b) (i) a person who is associated with another person is treated, by virtue of that association, less favourably than a person who is not so associated is, has been or would be treated, and

(ii) similar treatment of that person on any of the discriminatory grounds would, by virtue of *paragraph (a)*, constitute discrimination,

or

(c) (i) a person is in a category of persons who share a common characteristic by reason of which discrimination may, by virtue of *paragraph (a)*, occur in respect of those persons,

(ii) the person is obliged by the provider of a service (within the meaning of *section 4(6)*) to comply with a condition (whether in the nature of a requirement, practice or otherwise) but is unable to do so,

(iii) substantially more people outside the category than within it are able to comply with the condition, and

(iv) the obligation to comply with the condition cannot be justified as being reasonable in all the circumstances of the case.

(2) As between any two persons, the discriminatory grounds (and the descriptions of those grounds for the purposes of this Act) are:

(a) that one is male and the other is female (the “gender ground”),

(b) that they are of different marital status (the “marital status ground”),

(c) that one has family status and the other does not or that one has a different family status from the other (the “family status ground”),

(d) that they are of different sexual orientation (the “sexual orientation ground”),

(e) that one has a different religious belief from the other, or that one has a religious belief and the other has not (the “religion ground”),

(f) subject to *subsection (3)*, that they are of different ages (the “age ground”),

(g) that one is a person with a disability and the other either is not or is a person with a different disability (the “disability ground”),

(h) that they are of different race, colour, nationality or ethnic or national origins (the “ground of race”),

(i) that one is a member of the Traveller community and the other is not (the “Traveller community ground”),

(j) that one—

(i) has in good faith applied for any determination or redress provided for in *Part II or III*,

(ii) has attended as a witness before the Authority, the Director or a court in connection with any inquiry or proceedings under this Act,

(iii) has given evidence in any criminal proceedings under this Act,

(iv) has opposed by lawful means an act which is unlawful under this Act, or

(v) has given notice of an intention to take any of the actions specified in *subparagraphs (i) to (iv)*, and the other has not (the “victimisation ground”).

(3) Treating a person who has not attained the age of 18 years less favourably or more favourably than another, whatever that other person’s age, shall not be regarded as discrimination on the age ground.

(4) The Minister shall, not later than two years after the commencement of this section, review the operation of this Act to assess whether there is a need to add to the discriminatory grounds specified in *subsection (2)*.

Educational establishments.

7.—(1) In this section “educational establishment” means a pre-school service within the meaning of Part VII of the **Child Care Act, 1991**, a primary or post-primary school, an institution providing adult, continuing or further education, or a university or any other third-level or higher-level institution, whether or not supported by public funds.

(2) An educational establishment shall not discriminate in relation to—

- (a) the admission or the terms or conditions of admission of a person as a student to the establishment,
- (b) the access of a student to any course, facility or benefit provided by the establishment,
- (c) any other term or condition of participation in the establishment by a student, or
- (d) the expulsion of a student from the establishment or any other sanction against the student.

(3) An educational establishment does not discriminate under subsection (2) by reason only that—

- (a) where the establishment is not a third-level institution and admits students of one gender only, it refuses to admit as a student a person who is not of that gender,
- (b) where the establishment is an institution established for the purpose of providing training to ministers of religion and admits students of only one gender or religious belief, it refuses to admit as a student a person who is not of that gender or religious belief,
- (c) where the establishment is a school providing primary or post-primary education to students and the objective of the school is to provide education in an environment which promotes certain religious values, it admits persons of a particular religious denomination in preference to others or it refuses to admit as a student a person who is not of that denomination and, in the case of a refusal, it is proved that the refusal is essential to maintain the ethos of the school,
- (d) without prejudice to **section 3 of the Refugee Act, 1996**, where the establishment is an institution providing adult, continuing or further education or a university or other third-level institution—

- (i) it provides different treatment in relation to—
 - (I) fees for admission or attendance by persons who are nationals of a member state of the European Union and persons who are not, or
 - (II) the allocation of places at the establishment to those nationals and other nationals,

or

- (ii) it offers assistance to particular categories of persons—
 - (I) by way of sponsorships, scholarships, bursaries or other awards, being assistance which is justifiable, having regard to traditional and historical considerations, or
 - (II) in relation to the allocation of places at the establishment, where the allocation is made pursuant to an agreement concerning the exchange of students made between the establishment and an educational institution or authority in a jurisdiction other than the State,

or

- (e) where the establishment is a university or other third-level institution, it provides different treatment in the allocation of places at the establishment to mature students (within the meaning of the **Local Authorities (Higher Education Grants) Acts, 1968 to 1992**).

(4) Subsection (2) does not apply—

- (a) in respect of differences in the treatment of students on the gender, age or disability ground in relation to the provision or organisation of sporting facilities or sporting events, to the extent that the differences are reasonably necessary having regard to the nature of the facilities or events, or
- (b) to the extent that compliance with any of its provisions in relation to a student with a disability would, by virtue of the disability, make impossible, or have a seriously detrimental effect on, the provision by an educational establishment of its services to other students.

Extract from: The Vocational Education (Amendment) Act, 2001

Functions of Vocational Education Committee.

9.—(1) Without prejudice to the operation of any other enactment by or under which functions are conferred on a vocational education committee, a vocational education committee shall—

- (a) plan, coordinate and review the provision of education and services ancillary thereto in recognised schools and centres for education established or maintained by that committee,
- (b) assess whether the manner in which it performs its functions is economical, efficient and effective,
- (c) adopt and submit, in accordance with section 30, an education plan,

(d) adopt and submit a service plan to the Minister in accordance with section 25,

(e) where it considers appropriate, make all reasonable efforts to consult, in relation to the performance by it of its functions, with—

(i) boards of management of schools established or maintained by that vocational education committee,

(ii) persons performing, in relation to centres of education established or maintained by that vocational education committee, functions the same as, or substantially the same as, those exercised by boards of management in relation to schools referred to in subparagraph (i),

(iii) students registered at such schools or centres for education,

(iv) parents of students who are so registered and who have not reached the age of 18 years,

(v) members of the staff of that vocational education committee, and

(vi) such other persons as it considers are likely to be affected as a result of the performance by it of its functions, or as it considers have a particular interest or experience in relation to the education or training provided in recognised schools or centres for education established or maintained by it,

and

(f) in the performance of its functions and in so far as is practicable, cooperate with other vocational education committees, schools and such persons providing services similar to or connected with those provided by the vocational education committee concerned in relation to the vocational education area of that committee as the vocational education committee considers appropriate.

(2) (a) A vocational education committee may, with the consent of the Minister, cause such one or more private companies to be formed and registered under the *Companies Acts, 1963 to 1999*, as it considers appropriate, to perform such of its functions, as it considers appropriate.

(b) A company formed and registered pursuant to paragraph (a) shall be wholly owned by the vocational education committee concerned.

(c) The memorandum and articles of association of a company formed and registered pursuant to paragraph (a) shall be in such form consistent with this Act as may be determined by the vocational education committee concerned with the consent of the Minister and the Minister for Finance.

(d) For the purposes of this subsection a company shall be wholly owned by a vocational education committee if it has no members other than that vocational education committee and its nominees.

Conferral of additional functions on Vocational Education Committee.

10.—(1) The Minister may, by order, confer on a vocational education committee such additional functions connected with the functions for the time being of that committee as he or she thinks fit, subject to such conditions (if any) as may be specified in the order.

(2) An order under this section may contain such incidental, supplementary and additional provisions as may, in the opinion of the Minister, be necessary to give full effect to the order.

(3) The Minister may by order amend or revoke an order under this section (including an order under this subsection).

Reserved Functions.

11.—(1) Each vocational education committee shall, subject to section 31, perform by resolution of the vocational education committee concerned such of its functions as are declared by or under this Act to be reserved functions and “reserved functions” shall in this Act be construed and have effect accordingly.

(2) A function of a vocational education committee under an enactment specified in column (3) of Schedule 2 is hereby declared to be a reserved function.

(3) The Minister may by order declare any function conferred by him or her on a vocational education committee under section 10 to be a reserved function.

(4) Any dispute as to whether or not a particular function is a reserved function shall be determined by the Minister.

(5) The chief executive officer of a vocational education committee shall assist the vocational education committee for which he or she is the chief executive officer in the performance of its functions, in such manner as that vocational education committee may require.

(6) The Minister may by order amend or revoke an order under this section (including an order under this subsection).

(7) A vocational education committee shall not perform by resolution of its members, or give a direction in relation to the performance of, a function of that vocational education committee that is not a reserved function.

Executive Functions.

12.—(1) Every function of a vocational education committee that is not a reserved function shall be an executive function of that vocational education committee, and “executive function” shall, in this Act, be construed and have effect accordingly.

(2) The executive functions of a vocational education committee shall be performed by the chief executive officer of that vocational education committee.

(3) A chief executive officer shall in the performance of an executive function act in accordance with the policies for the time being of the vocational education committee for which he or she is the chief executive officer.

(4) A chief executive officer shall provide such information to the vocational education committee concerned regarding the performance of his or her functions as the vocational education committee may from time to time require.

(5) A chief executive officer shall provide such information to the Minister regarding the performance of his or her functions as the Minister may from time to time require.

(6) A chief executive officer shall, in relation to the performance of his or her functions, be accountable to the vocational education committee for which he or she is the chief executive officer.

Chief Executive Officer.

15.—(1) There shall be a chief executive officer of each vocational education committee who shall be known as and is referred to in this Act as a “chief executive officer”.

(2) The appointment of a chief executive officer shall be a reserved function.

(3) A chief executive officer shall perform for the vocational education committee for which he or she is the chief executive officer the executive functions of that vocational education committee.

(4) Subject to section 11, a chief executive officer shall, in addition to the functions conferred on him or her by or under this Act or any other enactment (whether passed before or after the passing of this Act)—

(a) carry on and manage, and control generally, the administration and business of the vocational education committee for which he or she is the chief executive officer, and

(b) ensure that a service plan adopted under section 22 by that vocational education committee is implemented.

(5) Subject to sections 7 and 8 of the *Vocational Education (Amendment) Act, 1944*, and section 11, a chief executive officer shall, in addition to the function conferred on him or her by or under this Act or any other enactment (whether passed before or after the passing of this Act), perform any function relating to the control, supervision, service, remuneration, privileges or superannuation of members of the staff of that vocational education committee, or any one or more of such members of staff.

(6) A chief executive officer shall hold office upon and subject to such terms and conditions (including terms and conditions relating to remuneration and allowances) as may be determined by the vocational education committee for which he or she is chief executive officer with the consent of the Minister.

APPENDIX III

LEGAL INSTRUMENTS

International Instruments

- European Convention on Human Rights (1950).
- United Nations Convention on Economic and Social Rights (1976).
- United Nations Convention on the Protection of the Rights of Migrant Workers and Members of their Families (1990).

National Instruments/Legislation

- Bunreacht na hÉireann (Constitution of Ireland), 1937.
- Education Act, 1998.
- Employment Equality Act, 1998.
- Equal Status Act, 2000.
- European Convention on Human Rights Act, 2003.
- Vocational Education Acts, 1930-2001.
- Qualifications (Education & Training) Act 1999.

APPENDIX IV

CANADIAN LANGUAGE BENCHMARKS ASSESSMENT⁷⁶

CLBA Level Descriptors

The Canadian Language Benchmarks Assessment (CLBA) focuses on four areas of language ability: listening, speaking, reading and writing. Each of these skill areas has 12 levels of competency called benchmarks. Clients eligible for the LINC Program are those assessed at benchmarks 1-4 in listening and speaking skills; benchmarks 1-3 in the reading skill; or benchmarks 1-3 in the writing skill. The benchmarks are as follows.

Speaking

Benchmark 1

- Can speak very little, mostly in response to basic questions about personal information and immediate needs in familiar situations;
- Speaks in isolated words or strings of two to three words.
- Demonstrates almost no knowledge of basic grammatical structures and verb tenses;
- Demonstrates very limited vocabulary. No evidence of connected discourse. Makes long pauses; often repeats the other person's words;
- Depends on gestures to express meaning and may also switch to first language at times;
- Pronunciation difficulties may significantly impede communication;
- Needs considerable assistance.

Benchmark 2

- Can communicate in a very limited way some immediate and personal needs in familiar situations and everyday contexts;
- Asks and responds to simple, routine, predictable questions about personal information, mostly in isolated words or short phrases;
- Demonstrates little knowledge of basic grammatical structures and tenses;
- Demonstrates limited vocabulary and only a few simple learned phrases. No evidence of connected discourse;
- Makes long pauses and depends on gestures to express meaning;
- Pronunciation difficulties may significantly impede communication;
- Needs frequent assistance. (At this stage, the learner's grammatical structures are often incomplete, with word inflections or missing function words. Examples: I no go to school yesterday. He work here. What you like?)

Benchmark 3

- Can communicate basic immediate needs and personal experience with some difficulty in short informal conversations;
- Asks and responds to simple, familiar questions, including who-what-where-when-why questions; uses single words and short sentences;
- Demonstrates some knowledge of very basic grammatical structures and tenses. Many structures are incomplete;

⁷⁶Taken from: LINC Guide for Applicant: <http://www.cic.gc.ca/english/newcomer/linc-2e.html>

- Uses basic time expressions (e.g., yesterday, today, every day, tomorrow); uses the correct past tense only with some common verbs;
- Evidence of some connected discourse (and, but); somewhat limited vocabulary for basic, routine everyday topics;
- Pronunciation difficulties may often impede communication. Sometimes needs assistance.

Benchmark 4

- Can take part in short, routine conversations about needs and familiar topics of personal relevance with supportive listeners;
- Can communicate basic needs and personal experience, can ask and respond to simple familiar questions, can describe a situation, tell a simple story, describe the process of obtaining essential goods (e.g., purchasing, renting) or services (e.g., medical);
- Uses a variety of short sentences;
- Demonstrates knowledge of basic grammatical structures and verb tenses; some simple structures may still be incomplete. Uses the correct past tense with many common verbs;
- Demonstrates adequate vocabulary for basic, routine everyday communication. Clear evidence of connected discourse (and, but, first, next, then, because); Pronunciation difficulties may impede communication.
- Needs only a little assistance;
- Can use the telephone only for very short, simple, predictable exchanges; communication without visual support is very difficult for him or her.

Listening

Benchmark 1

- Can understand a very limited number of common individual words and simple phrases in a predictable context and on everyday personal topics;
- Can follow greetings;
- Can follow simple instructions that depend on the use of gestures and other contextual clues; struggles to understand other instructions;
- Needs extensive assistance (such as speech modification, explanation, demonstration, translation).

Benchmark 2

- Can understand a limited number of individual words, simple phrases and simple short sentences on topics of immediate personal relevance, when spoken slowly and with frequent repetitions;
- Can follow simple personal information questions and simple commands or directions related to the immediate context;
- Struggles to understand simple instructions if they are given without clear contextual clues;
- Needs considerable assistance (such as speech modification, explanation, demonstration, translation).

Benchmark 3

- Can understand key words, formula phrases and most short sentences in simple predictable conversations on topics of immediate personal relevance, when spoken slowly and with frequent repetitions;
- Can follow questions related to personal experience and an expanded range of common daily instructions, positive and negative commands, and requests related to the immediate context;
- Frequently needs assistance (such as speech modification, explanation, demonstration).

Benchmark 4

- Can follow, although with considerable effort, simple formal and informal conversations as well as short presentations on topics of immediate personal relevance, if spoken at a slower than normal rate of speech;
- Can recognize many topics by familiar words and phrases;
- Can follow simple, short and direct questions related to personal experience and general knowledge;
- Can understand many common everyday instructions and directions related to the immediate context;
- Can follow simple, short and predictable telephone messages;
- Needs a little assistance (such as speech modification or explanations);
- Often requests repetition.

Reading

Benchmark 1

- Is literate in the same alphabet in another language but has minimal understanding of written text in English;
- Shows little word sight recognition except for a small number of familiar words and simple phrases in predictable contexts, related to immediate needs;
- A limited knowledge of language and a limited exposure to sound-symbol relationship and spelling conventions in English limit the learner's ability to decode unfamiliar words;
- Can match simple illustrations and short written sentences containing some familiar words.

Benchmark 2

- Can read personal and place names, common public signs and other short texts with familiar words and simple phrases in predictable contexts, related to immediate needs;
- A limited knowledge of the English language limits the learner's ability to decode unfamiliar words;
- Able to find a specific piece of information in a simple text, mostly in simple formatted text with clear layout.

Benchmark 3

- Understanding of written text has expanded with the learner's knowledge of the language and with increasing awareness of the sound-symbol relationship and spelling conventions in English;
- Can phonetically decode familiar and some unfamiliar words;
- Can read a simple passage within a familiar, predictable context of daily life and experience: simple narratives of routine events (e.g., stories written and read in class); descriptive prose about people, places and things; a set of simple instructions;
- Can find specific detailed information in plain language texts with clear layout (e.g., in very short news items; weather forecasts; sales promotion coupons and flyers).

Benchmark 4

- Is able to read a simple two-to-three paragraph passage within a mostly familiar, mostly predictable context of daily life and experience: simple narrative, biographical or descriptive prose, set of simple instructions, plain language news items, classified ads, sales promotion coupons and flyers;

- Can locate, compare and contrast one or more specific pieces of information in larger texts;
- Is able to make low-level inferences and to tolerate some ambiguity, e.g., when guessing the meaning of the unknown words in the text;
- Uses a bilingual dictionary almost constantly.
- Reads in English for information, to learn the language, and to develop reading skills;
- Can read silently for meaning, with little visible or audible vocalization efforts, but reads slowly.

Writing

Benchmark 1

- Is literate in the same alphabet in another language; can write all letters of the alphabet, and all numbers and numerals;
- Can write down basic personal identification information;
- Can copy or record time, addresses, names, numbers and prices;
- Can write a small number of familiar words, simple phrases and sentences about himself related to immediate needs;
- A limited knowledge of language and a limited exposure to sound-symbol relationship and spelling conventions in English limit the learner's ability to write down (encode) unfamiliar words.

Benchmark 2

- Can write a few sentences and phrases about himself and family or other very well-known information such as simple descriptions, answers to written questions, or information required on simple forms;
- Can copy basic factual information from directories and schedules;
- A limited knowledge of language and a limited exposure to sound-symbol relationship and spelling conventions in English limit the learner's ability to write down (encode) unfamiliar words.

Benchmark 3

- Demonstrates adequate competence in simple, familiar, personal writing tasks within predictable contexts of everyday needs and experience;
- Can write a number of one-clause sentences about him/herself and family (simple descriptions and narration);
- Can copy or write down a set of simple instructions or a simple message;
- Can fill out simple application forms and bank slips.

Benchmark 4

- Can effectively convey in writing simple ideas and information about personal experience within predictable contexts of everyday needs;
- Can write simple descriptions of events, stories, future plans for himself and family, or other very familiar topics;
- Can write short messages: postcards, notes, directions, letters;
- Can fill out simple application forms;
- Can copy information from dictionaries, encyclopaedias, manuals;
- Can take slow, simple dictation, with frequent repetitions. Shows ability to correctly use one-clause sentences or coordinated clauses with basic tenses.

APPENDIX V

REFERENCES/FURTHER READING

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IVEA 'Pilot Framework for Educational Provision for Asylum Seekers, Refugees and Minority Linguistic Groups; Volume I: Lifelong Learning'. IVEA, Dublin: 2002.

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Kenny, Catherine & Parkinson, Orla (Ed.) 'Handbook on Immigrants' Rights and Entitlements in Ireland'. Immigrant Council of Ireland, Dublin: 2003.

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Ward, Tanya. 'Asylum Seekers in Adult Education: A Study of Language and Literacy Needs'. City of Dublin VEC & Co. Dublin VEC, Dublin: 2002.

Ward, Tanya. 'Immigration and Residency in Ireland: An Overview for Education Providers' City of Dublin VEC in association with County Dublin VEC, Dublin: 2003.

APPENDIX VI - USEFUL NAMES AND ADDRESSES

EDUCATIONAL ORGANISATIONS

Irish Vocational Education Association

McCann House
99 Marlborough Road
Donnybrook
Dublin 4
Tel: 01 496 6033
Fax: 01 496 6460
Email: info@ivea.ie
Web: www.ivea.ie

Integrate Ireland Language and Training (IILT)

126 Pembroke Road
Ballsbridge
Dublin 4
Tel: 01 6677232/6677295
Fax: 01 6643726
Website: www.iilt.ie

Vocational Educational Committees

Co. Carlow VEC

Administrative Office
Athy Road
Carlow
Tel: 059 9138560
Fax: 049 4331417
Email: info@carlowvec.ie
Website: www.carlowvec.ie

Co. Cavan VEC

Administrative Office
Keadue
Co. Cavan
Tel: 049 4331044
Fax: 049 4331044
Email: info@cavanvec.ie
Website: www.cavanvec.ie

Co. Clare VEC

Administrative Office
Station Road
Ennis
Co. Clare
Tel: 065 6828107
Fax: 065 6824928
Email: headoffice@clarevec.ie
Website: <http://clarevec.ennis.ie>

City of Cork VEC

Administrative Office
Emmet Place
Cork
Tel: 021 4273377
Fax: 021 4275680
Email: info@corkvec.ie
Website: www.corkvec.ie

Co. Cork VEC

Administrative Office
QC House
Cork Business & Technology Park
Model Farm Road
Cork
Tel: 021 4800900
Fax: 021 4800950
Email: ceo@cocorkvec.ie
Website: www.cocorkvec.ie

Co. Donegal VEC

Administrative Office
Ard O'Donnell
Letterkenny
Co. Donegal
Tel: 074 9161600
Fax: 074 9122439
Email: info@donegalvec.ie
Website: www.donegalvec.ie

City of Dublin VEC

Administrative Office
Town Hall
Merrion Road
Ballsbridge
Dublin 4
Tel: 01 6680614
Fax: 01 6680710
Email: info@cdvec.ie
Website: www.cdvec.ie

Co. Dublin VEC

Administrative Office
Main Road
Tallaght
Dublin 24
Tel: 01 4529600
Fax: 01 4515196
Email: website@codubvec.ie
Website: www.codubvec.ie

Dun Laoghaire VEC

Administrative Office
Century Court
100 Upper George's St
Dun Laoghaire, Co. Dublin
Tel: 01 2147200
Fax: 01 2147234
Email: info@dlvec.ie
Website: www.dlvec.ie

City of Galway VEC

Administrative Office
Island House
Cathedral Square
Galway
Tel: 091 567194/562292
Fax: 091 562358
Email: info@cgvec.ie
Website: www.cgvec.ie

Co. Galway VEC

Administrative Office
Colléar Bán
Baile Atha an Rí
Co. na Gaillimhe
Tel: 091 874260
Fax: 091 874270
Email: enquires@cogalvec.ie
Website: www.countygalwayvec.com

Co. Kerry VEC

Riverside House
Dan Spring Road
Tralee
Co. Kerry
Tel: 066 7121488
Fax: 066 7121311/7121531
Email: info@cokerryed.ie
Website: www.cokerryed.ie

Co. Kildare VEC

Administrative Offices
Limerick Road
Naas
Co. Kildare
Tel: 045 897358/879502
Fax: 045 879916
Email: cooffice@kildarevec.ie
Website: www.kildarevec.ie

Co. Kilkenny VEC

Administrative Offices
Seville Lodge
Callan Road
Kilkenny
Tel: 056 77 70966
Fax: 056 77 65281
Email: cooffice@kilkennyvec.ie
Website: www.kilkennyvec.ie

Co. Laois VEC

Administrative Offices
Ridge Road
Portlaoise
Co. Laois
Tel: 0502 21352/22435/22316/22015
Fax: 0502 21877
Email: headoffice@laoisvec.ie
Website: www.laoisvec.ie

Co. Leitrim VEC

Administrative Offices
St. George's Terrace
Carrick-on-Shannon
Co. Leitrim
Tel: 071 96 20024/20513
Fax: 071 96 21362
Email: vecoffice@leitrimvec.ie

City of Limerick VEC

Athenaeum Building
30 Upper Cecil Street
Limerick
Tel: 061 417688
Fax: 061 417242
Email: ceo@clvec.ie
Website: www.clvec.ie

Co. Limerick VEC

Administrative Offices
Marshall House
Dooradoyle
Co. Limerick
Tel: 061 442100
Fax: 061 442199
Email: admin@limerickvec.ie
Website: www.colvec.ie

Co. Longford VEC

Administrative Offices
Battery Road
Longford
Tel: 043 46493/46384/41030
Fax: 043 45360
Email: admin@longfordvec.ie
Website: www.longfordvec.ie

Co. Louth VEC

Administrative Offices
Chapel Street
Dundalk
Co. Louth
Tel: 042 93 34047
Fax: 042 93 39412
Email: admin@louthvec.ie
Website: www.louthvec.ie

Co. Mayo VEC

Administrative Offices
Newtown
Castlebar
Co. Mayo
Tel: 094 90 24188
Fax: 094 90 24187
Email: admin@mayovec.ie

Co. Meath VEC

Administrative Offices
Abbey Road
Navan
Co. Meath
Tel: 046 9021447
Fax: 046 9029821
Email: information@meathvec.ie
Website: www.meathvec.ie

Co. Monaghan VEC

VEC Administration Centre
Market Square
Monaghan
Tel: 047 30888
Fax: 047 30889
Email: educ@monaghanvec.ie
Website: www.monaghanvec.ie

Co. Offaly VEC

Administrative Offices
O'Connor Square
Tullamore
Co. Offaly
Tel: 0506 21406
Fax: 0506 51400
Email: headoffice@offalyvec.ie
Website: www.offalyvec.ie

Co. Roscommon VEC

Administrative Offices
Lanesboro Street
Roscommon
Tel: 090 66 26151
Fax: 090 66 26537
Email: reception@roscommonvec.ie
Website: www.roscommonvec.ie

Co. Sligo VEC

Quay Street
Sligo
Tel: 071 9142621
Fax: 071 9144121
Email: info@sligovec.ie
Website: www.sligovec.ie

Co. Tipperary (N.R.) VEC

Church Road
Nenagh
Co. Tipperary
Tel: 067 31250
Fax: 067 32273
Email: admin@tippnorthvec.ie
Website: www.tippnorthvec.ie

Co. Tipperary (S.R.) VEC

Administrative Offices
Western Road
Clonmel
Co. Tipperary
Tel: 052 21067/23067
Fax: 052 25951
Email: admin@tippsouthvec.ie
Website: www.tippsouthvec.ie

City of Waterford VEC

Administrative Offices
30 The Mall
Waterford
Tel: 051 874007/873672
Fax: 051 872822
Email: info@waterfordvec.ie

Co. Waterford VEC

Administrative Offices
Wolfe Tone Road
Dungarvan
Co. Waterford
Tel: 058 41780
Fax: 058 41166
Email: watvecco@eircom.net
Website: www.wd-vec.ie

Co. Westmeath VEC

Office of Committee
Marlinstown Office Park
Mullingar
Co. Westmeath
Tel: 044 48389
Fax: 044 43533
Email: headoffice@westmeathvec.ie
Website: www.westmeathvec.ie

Co. Wexford VEC

Iberius House
Common Quay Street
Wexford
Tel: 053 23799
Fax: 053 24109
Email: info@cowexfordvec.ie
Website: www.cowexfordvec.ie

Co. Wicklow VEC

Administrative Offices
Wentworth Place
Wicklow
Tel: 0404 20460
Fax: 0404 62556
Email: headoffice@wicklowvec.ie
Website: www.wicklowvec.ie

GOVERNMENT DEPARTMENTS AND AGENCIES

Immigration and Citizenship Division,
Department of Justice, Equality and Law Reform
13/14 Burgh Quay
Dublin 2
Tel: 01 6167700
Web: www.justice.ie

Passport Office

Setanta House
Molesworth Street
Dublin 2
Tel: 01 6711633
Web: <http://foreignaffairs.gov.ie/services/passports/default.asp>

Visa Office**Department of Foreign Affairs**

13/14 Burgh Quay
Dublin 2
Tel: 01 6117700
Web: <http://foreignaffairs.gov.ie/services/visa/default.asp?m=s>

Gàrda National Immigration Bureau

13/14 Burgh Quay
Dublin 2
Tel: 01 666 9100
Web: <http://www.garda.ie/angarda/gnib.html>

**Work Permits & Employment Rights
Department of Enterprise, Trade and
Employment**

Davitt House
65A Adelaide Road
Dublin 2
Tel: 01 631 3333
Web: www.entempie/labour/workpermits

FÁS

27 – 33 Upper Baggot Street
Dublin 4
Tel: 01 607 0500
Web: www.fas.ie

National Consultative Committee on Racism and Interculturalism (NCCA)

3rd Floor
Jervis House
Jervis Street
Dublin 1
Tel: 01 858 8000
Web: www.nccri.com

The Office of the Ombudsman

18 Lower Leeson Street
Dublin 2
Tel: 01 678 5222
Locall: 1890 223030
Web: <http://ombudsman.gov.ie>

Garda Racial and Intercultural Office

Community Relations
Harcourt Street
Dublin 2
Tel: 01 666 3150
Web: <http://www.garda.ie/angarda/racial.html>

Tourist Victim Support Service

Garda Headquarters
Harcourt Street
Dublin 2
Tel: 01 478 5295
Freephone: 1800 661 771
Web: <http://www.victimsupport.ie/tourist.html>

Equality Authority

2 Clonmel Street
Dublin 2
Tel: 01 417 3333/ 417 3336
Locall: 1890 245 545
Web: www.equality.ie

Equality Tribunal (Office of the Director of Equality Investigations)

Clonmel Street
Dublin 2
Tel: 01 477 4100
Locall: 1890 344 424
Web: www.equalitytribunal.ie

Employment Appeals Tribunal

Davitt House
65A Adelaide Road
Dublin 2
Tel: 01 631 2121
Web: <http://www.entemp.ie/employment/appeals/work.htm>

Labour Court

Tom Johnson House
Haddington Road
Dublin 4
Tel: 01 613 6666
Web: www.labourcourt.ie

Labour Relations Commission

Tom Johnson House
Haddington Road
Dublin 4
Tel: 01 613 6700
Locall: 1890 220 227 (outside (01) area).
Web: www.lrc.ie

Employment Rights Information Unit

Davitt House
65A Adelaide Road
Dublin 2
Tel: 01 631 3131
Locall: 1890 201 615
Web: <http://www.entemp.ie/employment/rights/about.htm>

Reception and Integration Agency Department of Justice, Equality and Law Reform

Block C, Ardilaun Centre
112-114 St. Stephen's Green West
Dublin 2
Tel: 01 418 3200
Web: www.ria.gov.ie

Department of Education and Science

Marlborough Street
Dublin 1
Tel: 01 889 6400
International Section: 01 889 6721
Web: www.education.ie

Department of Social and Family Affairs

Áras Mhic Dhiarmada
Store Street
Dublin 1
Tel: 01 704 3000
Web: www.welfare.ie

MIGRANT ORGANISATIONS

Afghan Community and Cultural Association of Ireland

20 Ashington Garac
Off Navan Road
Dublin 7
Tel: 01 868 3577

Africa Solidarity Centre

Terenure Enterprise Centre
17 Rathfrarnham Road
Dublin 6W
Tel: 01 490 3237

African Cultural Project

4 Lower O'Connell Street
Dublin 1
Tel: 01 878 0613

African Refugee Network

90 Meath Street
Dublin 8
Tel: 01 473 4523

AKIDWA

19 Belvedere Place
Dublin 1
Tel: 01 855 2143

Algerian Solidarity Group

10 Upper Camden Street
Dublin 2
Tel: 01 478 3490 / 840 5469
Web: <http://homepage.eircom.net/~irelandalgeriagroup/who.htm>

Bosnian Community Development Project

40 Pearce Street
Dublin 2
Tel: 01 671 9202
Web: <http://www.iol.ie/EMPLOYMENT/integra/projects/bcd.html>

Children of Zimbabwe

10 Camden Street
Dublin 2
Tel: 086 328 7711.

Congolese Irish Partnership

19 Belvedere Place
Dublin 1
Tel: 01 855 2143

Cuban Support Group - Ireland

15 Merrion Square
Dublin 2
Tel: 01 843 6448
Web: <http://homepage.eircom.net/~csg/aboutus.htm>

Galway One World Centre

4th Floor
The Halls
Quay Street
Galway
Tel: 091 530590

Irish Chinese Information Centre

63 Fitzwilliam Square
Dublin 2
Tel: 01 611 4666

Irish Sudanese Association

3 Belgrave Road
Rathmines
Dublin 6
Tel: 01 498 3926

Islamic Cultural Centre

19 Roebuck Road
Clonskeagh
Dublin 14
Tel: 01 208 0000
Web: <http://iccislam.org/>

Islamic Foundation of Ireland

163 South Circular Road
Dublin 8
Tel: 01 453 3242
Web: www.islaminireland.com

Latin American Solidarity Centre

5 Merrion Row
Dublin 2
Tel: 01 676 0435
Web: www.lasc.ie

Nigerian Support Group

10 Upper Camden Street
Dublin 2
Tel: 086 870 4051

Roma Support Group

Pavee Point
46 North Great Charles Street
Dublin 1
Tel: 01 878 0255

Society for Russian Speakers

The Friary
4 Merchants Quay
Dublin 8
Tel: 01 677 1128

Vietnamese Irish Association

45 Hardwicke Street
Dublin 1
Tel: 01 874 2331

HUMAN RIGHTS ORGANISATIONS**Amnesty International**

48 Fleet Street
Dublin 2
Tel: 01 677 6361
Web: www.amnesty.ie

Comhlamh

10 Upper Camden Street
Dublin 2
Tel: 01 478 3490

Immigrant Council of Ireland (ICI)

2 St. Andrews Street
Dublin 2
Tel: (01) 674 0200 / 674 0202
Website: www.immigrantcouncil.ie

Integrating Ireland

10 Upper Camden Street
Dublin 2
Tel: 01 478 3490
Web: www.integratingireland.ie

Irish Commission for Justice and Peace

169 Booterstown Avenue
Blackrock
Co. Dublin
Tel: 01 288 5021

Irish Council for Civil Liberties

Dominick Court
40 - 41 Lower Dominick Street
Dublin 1
Tel: 01 878 3136/7
Web: www.iccl.ie

Irish Human Rights Commission

4th Floor, Jervis House
Jervis Street
Dublin 1
Tel: 01 858 9601
Web: www.ihrc.ie

Sports Against Racism

135 Capel Street
Dublin 1
Tel: 01 873 5077
Web: www.sari.ie

ADVICE ORGANISATIONS**Comhairle (Information for All)**

7th Floor
Hume House
Ballsbridge
Dublin 4
Tel: 01 605 9000
Web: www.comhairle.ie

Emigrant Advice Centre

1a Cathedral Street
Dublin 1
Tel: 01 873 2844
Web: www.emigrantadvice.ie

Free Legal Advice Centre (FLAC)

13 Lower Dorset Street
Dublin 1
Phone: 01 874 5690
Web: www.flac.ie

Irish Immigrant Support Centre (NASC)

St. Mary's of the Isle
Sharman Crawford Street
Cork
Tel: 021 431 7411
Web: <http://nasc.ucc.ie>

Irish National Organisation for the Unemployed

Araby House
North Richmond Street
Dublin 1
Tel: 01 856 0088
Web: <http://www.inou.ie/>

Irish Refugee Council

88 Capel Street
Dublin 1
Tel: 01 873 0042
Web: www.irishrefugeecouncil.ie

Law Society of Ireland

Blackhall Place
Dublin 7
Tel: 01 672 4800
Web: www.lawsociety.ie

Longford Women's Centre

Willow House
Ardnacassa Avenue
Longford
Tel: 043 41511

Migrant Rights Centre Ireland

55 Parnell Square West
Dublin 1
Tel: 01 889 7570

Refugee Information Service

27 Annamoe Terrace
Dublin 7
Tel: 01 838 2740
Web: www.ris.ie

Refugee Legal Service

Timberlay House
79-83 Lower Mount Street
Dublin 2
Tel: 01 631 0800
Freephone: 1800 22 92 22

Tallaght Intercultural Project

Brookfield Enterprise Centre
Tallaght
Dublin 24
Tel: 01 462 3222

Vincentian Refugee Centre

St. Peter's Church
Phibsboro
Dublin 7
Tel: 01 810 2580
Web: www.vincentians.ie/VRC.htm

