

RAS 22

Ymchwiliad i ffoaduriaid a cheiswyr lloches yng Nghymru

Inquiry into refugees and asylum seekers in Wales

Ymateb gan: Cymdeithas Genedlaethol yr Ysgolfeistri ac Athrawesau

Response from: National Association of Schoolmasters and Women Teachers

1. The NASUWT welcomes the opportunity to submit written evidence to the Equality, Local Government and Communities Committee (ELGCC) Inquiry into refugees and asylum seekers in Wales.
2. The NASUWT is the largest teachers' union in Wales representing teachers and school leaders.

GENERAL COMMENTS

3. The NASUWT acknowledges that the *Refugee and Asylum Seeker Delivery Plan 2016-2019* (the Delivery Plan) seeks to present a holistic approach to supporting refugees and asylum seekers and welcomes the statement in the Ministerial Foreword that it contains:

'...the collaborative actions which will enable asylum seekers and refugees to have the opportunities to learn, thrive and contribute to the economic, environmental, social and cultural life of Wales.'

4. The NASUWT views those collaborative actions as vital to supporting schools and colleges to meet the needs of refugee and asylum-seeker children and their families.
5. The Union maintains that schools and colleges must be resourced and funded effectively around all necessary aspects of the integration of refugee and asylum seeker children and families into the whole school community and that cross-agency working related to the eight areas of collaboration identified in the Delivery Plan, which in itself must be funded

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appropriately, must be available to school and college communities who are often the first point of contact for refugee families.

6. The NASUWT produced a position statement, *Children, Education and the Refugee Crisis*, on the global refugee crisis in July this year. In this position statement (a copy of which is attached as Annex A), the profound concerns of the Union are highlighted and 15 areas where specific action is needed by both the UK government and government administrations across the UK are identified.
7. The NASUWT urges the ELGCC to assess each of the four points under scrutiny in this inquiry against these 15 areas.
8. By way of example, the ELGCC should seek to establish if the commitments given in the Delivery Plan in relation to the protection of children and young people have been supported by the robust and accurate monitoring of the number of hate-related incidents targeting refugees in schools and colleges, as identified at point eight of the NASUWT position statement. The Union notes that the *National Community Cohesion Delivery Plan Progress Report 2015* references that schools in the Caerphilly Local Education Authority are required to complete and return termly reports on hate-related bullying. However, it is unclear whether this approach is replicated across Wales and/or how it is to be aligned to the refugee crisis.
9. In acknowledging the merit in the Delivery Plan of building on existing programmes of support for children and young people from minority ethnic backgrounds, the NASUWT suggests that the ELGCC should consider, possibly in conjunction with the Children, Young People and Education Committee (CYPEC), whether sufficient thought has been given to the need for contingency planning in circumstances where these programmes may not meet the specific needs of schools and colleges, and the refugee families they are working to integrate, such as addressing Post Traumatic Stress Disorder (PTSD).

10. The NASUWT notes that reference is made to the establishment of Ethnic Minority Achievement Services (EMAS) in all local authorities and the role they are able to play in assisting schools with the integration of refugee and asylum seeker children and young people.
11. Although it is acknowledged that EMAS is an essential aspect of the programme of support which schools will need to draw on to facilitate the successful integration of refugee and asylum-seeker children and young people, the NASUWT questions seriously whether the Education Improvement Grant (EIG) will prove to be an effective vehicle for funding EMAS, as the discrete Minority Ethnic Achievement Grant (MEAG) has been amalgamated into the EIG.
12. The NASUWT has recently provided written evidence to the CYPEC to assist in the *Inquiry into Education Improvement Grant: Gypsy, Roma and Traveller, and Minority Ethnic Children*. Amongst other things, the Union expressed grave doubts over the transparency and accountability of the EIG and suggested that the CYPEC should request sight of the Equality Impact Assessments (EIAs) which the Welsh Government and local authorities are required to carry out in relation to the Equality Act 2010 and the corresponding Public Sector Equality Duty (PSED) (a copy of the NASUWT written evidence to the CYPEC is attached as Annex B).
13. The NASUWT notes that the Delivery Plan has been equality impact assessed at Welsh Government level but suggests that the ELGCC request sight of the EIAs undertaken at local government level to assist in the deliberation of the points under scrutiny.

SPECIFIC COMMENTS

14. The NASUWT offers the comments and observation which follow on the points under scrutiny by the ELGCC.

The pace and effectiveness of the Welsh Government approach to resettling refugees through the UK Government's Syrian Vulnerable Persons Relocation Scheme (SVPRS)

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15. Although it is recognised that the publication of the Delivery Plan and the *Community Cohesion National Delivery Plan 2016-17*, both in March 2016, present comprehensive packages of measures and initiatives to assist in resettling refugees and, as such, evidences the urgency and pace of the Welsh Government approach, the NASUWT is concerned that the effectiveness of the approach may be compromised by the amalgamation of the MEAG into the EIG as referred to elsewhere in this written evidence.

The effectiveness of the Refugee and Asylum Seeker Delivery Plan

16. The Union recognises that, as constructed, the Delivery Plan demonstrates a commitment to meet many of the specific action points referred to in the NASUWT position statement. However, the information and details about the funding and the resources available to schools, especially where they may be integrating refugees for the first time, is noticeable by its absence.

17. The Union draws the attention of the ELGCC to the thirteenth specific action point on the NASUWT position statement which, amongst other things, calls on governments to recognise and respect the skills and qualifications of refugee teachers who are undocumented and recognise them as a precious and valuable resource.

The support and advocacy available to unaccompanied asylum seeking children in Wales

18. The NASUWT acknowledges the essential nature of providing support and advocacy to unaccompanied asylum-seeking children (UASC), not least, since it reflects the provision of article 12 of the United Nations Convention on the Rights of the Child.

19. Although the NASUWT has no experience of the services which are provided to UASC and is therefore unable to comment on the quality or effectiveness of the provision, it is an area where the Union suggests that the ELGCC should seek to establish if data in relation to the number of UASC using these services is being collected on a regular basis by local authorities and subsequently collated by the Welsh Government.

The role and effectiveness of the Welsh Government's Community Cohesion Delivery Plan in ensuring the integration of refugees and asylum seekers in Welsh communities.

20. As stated previously in this written evidence, the NASUWT acknowledges that the *Community Cohesion National Delivery Plan 2016-17* evidences the urgency and pace with which the Welsh Government is attempting to ensure the successful integration of refugees and asylum seekers in Welsh communities.

21. However, the Union asserts that the effectiveness of this plan will depend on the sufficiency and adequacy of the additional resources available from the Welsh Government to assist those organisations and services, especially, but by no means exclusively, schools and colleges charged with this responsibility.

22. Against this background, the NASUWT reminds the ELGCC that schools and colleges need to be resourced sufficiently around all necessary aspects of integration of refugee children and families into the whole school and college community.

23. The Union suggests that the ELGCC should consider whether the *Community Cohesion National Delivery Plan 2016-17* has identified the need to:

- recognise the school or college community context and the additional support needs arising from this in terms of addressing the integration of refugee and asylum-seeker children into communities in Wales; for instance, whether the school or college is in a homogenous community where local cultural attitudes may need to be challenged;
- consider whether placement schools and colleges have experience of working with refugees, or whether the school is integrating refugees for the first time;

- make available a significant pool of support resources and promote these to teachers in schools and colleges integrating refugees;
- provide access for schools and teachers to appropriate resources and specialist support when helping children who are experiencing PTSD.



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CHILDREN, EDUCATION AND THE REFUGEE CRISIS

QUALITY EDUCATION FOR ALL

The continuing impact of the global refugee crisis on the world's children and young people is of profound concern to the NASUWT.

There are over 60 million refugees and displaced people worldwide. Half of the world's refugees are aged under 18, many travelling unaccompanied. More than half of the refugees from the Middle East and North Africa – some of whom are seeking safety and security in the UK – are below 18 years of age.

Refugees are protected in international law under the 1951 United Nations (UN) Refugee Convention and the 1967 Protocol. The 1951 Convention establishes the principle that refugees should not be expelled or returned to situations where their life and freedom would be under threat. This includes the right to safety, access to asylum procedures that are fair and efficient, and basic human rights to allow them to live in dignity and safety.

Worldwide over 60 million children, mainly girls, are denied the right to education. The failure to secure the right to education represents one of the greatest threats to global peace and security today.

The 1989 UN Convention on the Rights of the Child confirms the rights of all children and young people to shelter, protection from abuse, access to healthcare, freedom from violence, and to high-quality education.

The NASUWT believes that education transforms lives and life chances. Schools develop and realise human potential, they keep children safe from abuse and they represent a vital investment in children's futures and in the future of our communities and of our planet. The NASUWT advocates for quality education as an essential part of the global response to the challenge of securing a sustainable future for all.

In September 2015, the international community committed to the Global Goals for Sustainable Development. The 17 Sustainable Development Goals (SDGs) aim to end extreme poverty, fight inequality and injustice and tackle climate change. The NASUWT supports the 2030 Agenda for Sustainable Development.

The global goal for education (or SDG4) aims to 'ensure inclusive and equitable quality education and promote lifelong learning opportunities for all by 2030.' SDG4 requires governments around the world to invest in quality education and ensure that all children and young people, including the world's refugee children and young people, have access to such education.

The SDGs apply to everyone, including refugees and migrants. All governments have a critical role to play in delivering the 2030 agenda, working together with civil society organisations, including trade unions. The UK is a signatory to the SDGs.

NO ROOM FOR COMPLACENCY

The NASUWT welcomes the commitment by the UK Parliament to invest 0.7% of GDP in international development. But we should not be complacent. A key priority for the UK Government should be to ensure that all refugee children and young people living in the UK are provided with access to education, care and other forms of support.

- a. 25% of the world's children are now living in crisis situations, according to Unicef;
- b. many child refugees are denied fundamental rights in practice;
- c. one in six – or 75 million – children from pre-primary to upper-secondary age (3-18) living in nations affected by crises are classed as being in desperate need of educational support;¹
- d. only two per cent of global humanitarian appeals are spent on education;
- e. many refugee and displaced children have been exposed to violence as a consequence of schools in their countries of origin being occupied and used for military purposes;
- f. many child refugees continue to live with the trauma of rape, sexual violence and armed conflict, without access to appropriate and timely mental and emotional support.

The NASUWT looks to the UK Government and government administrations throughout the UK to play their full part in securing the right to quality education for refugee children and young people.

¹ Overseas Development Institute (2016), *Education Cannot Wait*.

SECURING TANGIBLE PROGRESS TOWARDS 2030

The NASUWT believes that specific action is needed to secure the rights of refugee children and young people, including:

1. continuing to support the needs of the world's refugee children and young people both at home and abroad. This includes ensuring that the UK welcomes refugees and those fleeing violence and persecution;
2. actively complying with international conventions and treaties on refugees and human rights, and on sustainable development (including the UN commitment to secure quality education for all children and young people by 2030);
3. ensuring investment in infrastructure and support programmes to assist refugee children, young people and families living in the UK;
4. ensuring that refugee children and young people in the UK have access to the full range of educational support, mental health services and resources they need to help them achieve and succeed;
5. ensuring that schools and colleges in the UK are provided with appropriate information, guidance and support to meet the needs of refugee children and young people. This should include information about the rights of refugee children, and guidance to dispel myths and to help protect refugee children and young people from abuse;
6. supporting UK schools and colleges in challenging anti-refugee prejudice, racism and religious intolerance and to advance equality and human rights in the classroom;
7. ensuring that the public narrative about refugees and migrants demonstrates dignity and respect, and taking action explicitly to confront anti-refugee sentiments and negative and sensationalist reporting about refugees and migrants. Given trends in the level of recorded hate crimes, this should take the form of a positive 'refugees welcome' commitment to which all political parties should be invited to be signatories;
8. ensuring systems for recording and reporting the number of hate-related incidents in schools and colleges, including monitoring of incidents targeting refugees;
9. promoting awareness in schools, colleges and communities of modern-day slavery, human trafficking and sexual violence, including the particular risks faced by refugees;
10. ensuring that all refugee children and young people have access to free, high-quality education and examining, specifically, the progress of refugee pupils in relation to their education participation, attainment and outcomes/destinations;
11. reviewing and expanding the provision of specialist support services for refugee children and young people, including those with special/additional educational needs. Government/administrations should consider the need for additional investment, given the range of demands on existing services for children and families;
12. recruiting additional specialist staff in schools to assist the inclusion and integration of refugee pupils and to help overcome barriers to participation;
13. recognising refugee teachers in the UK as a valuable resource in the education of all children, including refugee children, and in the context of promoting knowledge and understanding on global issues. It is vital that the skills, experience and rights of refugee teachers in the UK are recognised and respected. This should include recognising and respecting the skills and qualifications of refugee teachers who are undocumented;
14. continuing to support international education and assistance programmes for children and young people living in refugee transit camps overseas;
15. committing to work with international bodies to ensure that all schools are safe sanctuaries, free from militarisation, military occupation and targeted violence. This should include active consideration of endorsing the Unicef Safe Schools Declaration.

FURTHER INFORMATION

If you would like to discuss any of the issues contained in this briefing, please contact us at:

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#ActForRacialJustice

**Children, Young People and Education Committee
Inquiry into Education Improvement Grant: Gypsy, Roma and Traveller,
and Minority Ethnic Children
18 November 2016**

1. The NASUWT welcomes the opportunity to submit written evidence to the Children, Young People and Education Committee (CYPEC) inquiry into the impact of amalgamating the previously ring-fenced grants from 2015/16 into the Education Improvement Grant (EIG) on Gypsy, Roma and Traveller, and Minority Ethnic Children (the EIG inquiry).
2. The NASUWT is the largest teachers' union in Wales representing teachers and school leaders.

GENERAL COMMENTS

3. The NASUWT maintains that the development of effective provision to support the progress and achievement of minority ethnic pupils and those with English as an Additional Language (EAL) and/or Welsh as an Additional Language (WAL) would provide a hallmark in Wales for a genuinely inclusive education system in which all children and young people are given the fullest possible opportunity to make the most of their potential as learners.
4. The Union asserts that while levels of funding made available to support ethnic minority achievement and EAL and WAL services are an essential aspect of an effective programme in this area, evidence also makes clear that securing good-quality provision in practice depends on the establishment of mechanisms that seek to ensure that resources made available to support such services are used for the purpose for which

they are intended and are not diverted to support other areas of activity. For example, the removal of dedicated funding for EAL services in Northern Ireland following funding reforms introduced in 2005 led to significant deterioration in the extent and quality of provision across the greater part of the education system.

5. The NASUWT is concerned that the decision to amalgamate the previously ring-fenced grant for specific areas relating to Gypsy, Roma and Traveller, and Minority Ethnic children into the EIG in Wales could result in problems similar to those experienced in Northern Ireland.
6. NASUWT members working in these service areas, and other related services, have expressed strong opposition to the decision to amalgamate the Minority Ethnic Achievement Grant (MEAG) and the Gypsy and Traveller Grant into the EIG, as it is felt that the lack of ring-fencing of these grants is seriously compromising the effectiveness of support for the intended learners.
7. The Union notes that in March 2014, the Minister for Education and Skills stated:

'Unlocking every child's potential is at the heart of the Welsh Government's strategy for education and reflects article 29 of the United Nations Convention on the Rights of the Child. We have high aspirations for all learners, and are committed to supporting the success of students from all backgrounds. This vision is equally true for our minority ethnic pupils who may need English and/or Welsh language support, or face risk of underachieving for other reasons. I recognise that some pupils from minority ethnic backgrounds may need additional support to fully embrace the educational opportunities in Wales. That is why we have continued to provide Minority Ethnic Achievement Grant and the Gypsy and Traveller Education Grant – discrete funding through which, we ensure pupils from minority ethnic backgrounds needing our support are provided with it, to reach their potential.'

8. The NASUWT asserts that the discrete nature of the funding referred to in this statement has been lost because the EIG is now distributed through the Consortia/local authorities and has then been devolved directly to schools to be used at they see fit. This has led to a reduction in the number of centrally employed staff who can be deployed on a needs basis.
9. In addition, the Union maintains that the identification of discrete, ring-fenced funding provided a greater degree of transparency and accountability over the money provided by the Welsh Government for the MEAG and Gypsy, Roma and Traveller learners each year.

SPECIFIC COMMENTS

10. The NASUWT offers the comments and observations which follow on the three areas under scrutiny by the CYPEC.

How the Welsh Government monitors the way local authorities use the Education Improvement Grant and how the new, amalgamated grant supports Gypsy, Roma and Traveller, and Minority Ethnic children, with specific reference to improving educational outcomes.

11. The Union is not sure how the Welsh Government monitors the way the EIG is used by local authorities but the perception of NASUWT members working in related services is that the Consortia hold the purse strings and, as such, influence how each local authority uses the EIG.
12. The NASUWT maintains that, under the terms of the EIG, the specialist teachers, previously employed to provide support for Gypsy, Roma and Traveller, and Minority Ethnic children, are having to change, or have changed, to new models of support which distance them from directly supporting these children. The focus on outcomes within the EIG has diminished the nurture that was provided previously.

13. The CYPEC should note that the EIG has only been in place for two years. Consequently, the NASUWT suggests that any correlation between the outcomes achieved through the EIG and previous outcomes would lack security as children may have already received specialist support which could have impacted positively on their education under the previous grant support system.
14. The NASUWT reminds the CYPEC that the Welsh Government and all public authorities have a legal duty to demonstrate how they are meeting the Equality Act 2010 and the corresponding Public Sector Equality Duties (PSED).
15. The PSED make clear that public authorities are required to demonstrate how they are eliminating unlawful discrimination, advancing equality and fostering good relations for groups with protected characteristics. The educational outcomes and support for Gypsy, Roma and Traveller, and Minority Ethnic children fall within the remit of these duties as groups with a protected characteristic.
16. Consequently, in assessing how local authorities monitor the use of the EIG, the NASUWT suggests that the CYPEC should consider how the Welsh Government met its statutory equality obligations under the Equality Act 2010.
17. The Union believes that the CYPEC would be assisted in this endeavour by requesting sight of the Equality Impact Assessments (EIAs) that have been, or should have been, undertaken in relation to the decision to amalgamate the previously ring-fenced grants into the new EIG, and those that have been undertaken subsequently by local authorities on the use of the EIG, as these should demonstrate, or otherwise, that 'due regard' has been given to the Equality duties in terms of the move to, and distribution of, the EIG as it applies to Gypsy, Roma and Traveller, and Minority Ethnic children.
18. The NASUWT maintains that scrutiny of the EIAs should enable the CYPEC to contextualise the experiences of NASUWT members working

in the related services referred to here, and elsewhere in this written evidence.

The effectiveness of other Welsh Government policies and strategies for supporting the education of Gypsy, Roma and Traveller, and Minority Ethnic children.

19. In acknowledging that it could be argued that other funding streams - for example, the Pupil Deprivation Grant (PDG) and/or Fresh Start - may address particular needs for some Gypsy, Roma and Traveller, and Ethnic Minority children who are eligible for free school meals (eFSM), the NASUWT asks the CYPEC to note that those needs are not specific to all the learners within these areas, and that these initiatives do not address the very specific needs of these learners generally, such as language acquisition, or of those who fall into the eFSM categories because they are asylum seeker or refugee children.

Any key issues arising from the amalgamating the other previously separate grants into the Education Improvement Grant.

20. The NASUWT maintains that the EIG does not lend itself to addressing appropriately and adequately the huge variation in need in relation to Gypsy, Roma and Traveller, and Minority Ethnic children across the Consortia regions. Furthermore, the Union questions seriously the understanding within the Consortia of the needs of these learners and maintains that they are not prioritised in the way envisaged by the Minister for Education and Skills in March 2014.



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