

Supporting Newcomer Pupils Department of Education, Public consultation

October 2019

1 Executive summary

- 1.1 The Commission welcomes the opportunity to respond to the Department of Education's review of its Newcomer Policy, and for the role it held on the Review's reference group.
- 1.2 We note the absence of reference to early years provision. The Commission has recommended the provision, and monitoring of uptake, of accessible and affordable early years provision to meet the diverse needs of all children.
- 1.3 Special Educational Needs (SEN) was noted as a key theme and observation within the summary of issues arising from the school focus. It would appear from the feedback included in that consideration is required within the Supporting Newcomer Pupils policy of how SEN issues are appropriately identified and actioned.
- 1.4 The policy should set out how parental engagement can be strengthened, and how it can be supported by the Department.
- 1.5 We note that question 3 relates to how schools can best be supported. Action is required at the Department of Education and Education Authority level, and within initial teacher education and continuous professional development. The Department of Education should assist schools in making effective use of dual language resources to help Newcomer learners access the curriculum.
- 1.6 The Department of Education should identify and address the complex emotional, educational and social needs of asylum seeking and refugee children

- 1.7 The Education Authority should put in place a system for learning from successful interventions, and disseminate and share these lessons with other schools.
- 1.8 Comprehensive action should be taken by the Department of Education, schools and other education bodies to embed equality of opportunity and good relations within the content and delivery of the curriculum.
- 1.9 Equality and good relations issues should be mainstreamed into initial teacher education (ITE) and continuous professional development (CPD).
- 1.10 The Commission continues to call for budget allocations for identified groups to be monitored to assess how they improve outcomes for pupils. This goes beyond 'reporting on how they use their Newcomer funding', as it considers not only how money was spent, but the outcomes to which it contributed.
- 1.11 A further issue relates to the availability of in-year funding. We recommend that the Department of Education ensure that adequate funding is available to meet the needs of those who arrive during the year.
- 1.12 Funding should be at a level, and distributed in a manner which is sufficient to meet the needs of Newcomer pupils.
- 1.13 We recommend that funding and supports remain in place for the duration of the period during which a pupil meets the definition of Newcomer. Monitoring and review of spend and sharing of best practice could contribute to improved outcomes. It is suggested that a review of annual reports proposed in the review could be assessed to determine the likely funding requirements.

2 Introduction

- 2.1 The Commission welcomes the opportunity to respond to the Department of Education's review of its Newcomer Policy, and for the role it held on the Review's reference group.
- 2.2 We support the 2009 stated policy to support the Education Authority and schools in: 'welcoming Newcomer pupils into their school communities, so that they are assisted in their acquisition of the language of instruction, whether it be English or Irish, in an inclusive manner, to enable them to access the curriculum in particular and partake in every aspect of school life.'
- 2.3 This response answers those consultation questions which fall within the Commission's remit, and also provides feedback on the options for change, as set out in the consultation document.
- 2.4 We note that a number of the issues within the policy and reason for funding are equally applicable to Traveller and Roma children. We urge the department to ensure that provision for those within Section 75 groups is appropriate and sufficient to meet their needs.
- 2.5 Barriers to accessing education will undoubtedly impact on attainment outcomes. For example, children and young people, including Travellers, Roma and Newcomers and children with disabilities, may be unable to access an education fully due to language, physical accessibility or institutional barriers.

3 Question 1 - how could the current policy be improved to ensure that Newcomer pupils receive effective and timely support to achieve their full potential.

Early years

- 3.1 We note the absence of reference to early years provision. The Commission has recommended the provision, and monitoring of uptake, of accessible and affordable early years provision to meet the diverse needs of all children.

- 3.2 The Department of Education has recognised the importance of early-years' provision¹. We recommend the monitoring of uptake by those equality groups experiencing educational underachievement, with action taken to address any shortfalls.
- 3.3 Research in Northern Ireland has found that children who did not attend pre-school showed poorer cognitive and behaviour outcomes than their peers who attended pre-school². European Commission research also found that children who attended high quality provision had better performance in school, and better economic and social outcomes in later life.³
- 3.4 We therefore recommend that consideration is given to the inclusion of early years (prior to primary school enrolment) within the Newcomer Policy, both as regards funding and support.

Special Educational Needs (SEN)

- 3.5 Special Educational Needs (SEN) was noted as a key theme and observation within the summary of issues arising from the school focus. It would appear from the feedback included in that consideration is required within the Supporting Newcomer Pupils policy of how SEN issues are appropriately identified and actioned.

Parental Engagement

- 3.6 In the same section of the consultation papers, parental engagement was identified as a significant barrier to Newcomer pupils achieving their potential. The policy should set out how parental engagement can be strengthened, and how it can be supported by the Department.

¹ DENI (2016) Press release O'Dowd launches pathway fund for early years education

² Sylva, Melhuish, Sammons et al (2010) Early Childhood Matters: evidence from the effective pre-school and primary education project, cited in Northern Ireland Assembly Research Paper (2013) Early Years Provision, NIAR 68-13

³ EU High Level Group of Experts on Literacy (2012) Final Report

4 Question 2 - what additional support services should be available to schools with Newcomer pupils.

4.1 No response.

5 Question 3 - how could schools best be supported and encouraged to embrace and share best practice in supporting Newcomer pupils?

5.1 We note that question 3 relates to how schools can best be supported. Action is required at the Department of Education and Education Authority level, and within initial teacher education and continuous professional development.

The Department of Education should assist schools in making effective use of dual language resources to help Newcomer learners access the curriculum.

5.2 Newcomer children⁴ face a number of barriers to educational achievement, including limited English language ability, lack of knowledge of the education system, racist bullying and social exclusion.

5.3 Barnardo's 2015 research Feels Like Home⁵ explores the experiences of Newcomer pupils and school staff in primary schools across Northern Ireland. The findings from the research show there are a number of factors which impact on Newcomer children's experiences in the classroom including the language barrier, an unfamiliar education system and a feeling of isolation. Teachers also highlighted a number of challenges including low school readiness and difficulties in identifying a potential learning problem or special educational needs because of the language barrier.

5.4 The research also pointed to a number of areas of good practice including after school clubs, translated newsletters and a growing use of technology to communicate with parents. Such good practice should be disseminated.

⁴ The DE defines a Newcomer as 'a pupil who does not have satisfactory language skills to participate fully in the school curriculum and does not have a language common with the teacher.'

⁵ Kernaghan D, Webb MA and Cariddi C, (2015) Feels Like Home: Exploring the experiences of Newcomer pupils in primary schools in Northern Ireland

The Department of Education should identify and address the complex emotional, educational and social needs of asylum seeking and refugee children

- 5.5 With regard to providing appropriate support for asylum seeker children we recommend that the Executive and the DE work with the IES to understand and improve the experiences of and outcomes for asylum seeker children. This includes identifying and addressing any attainment differentials; assessing educational needs; reviewing the effectiveness of current English as an Additional Language (EAL) support; identifying appropriate strategies to support the teaching of Newcomer pupils and the provision of accessible information on the education system in Northern Ireland.

The Education Authority should put in place a system for learning from successful interventions, and disseminate and share these lessons with other schools.

- 5.6 Currently, there does not appear to be any formal mechanism or procedure in place for schools to share their learning, both positive and negative, from different interventions or initiatives undertaken to raise attainment. The Commission has sought to highlight successful interventions through a number of video case studies⁶.
- 5.7 JRF⁷ recommends developing a ‘what works’ centre to compile and promote high-quality evidence of ways schools can improve attainment for low income pupils and evaluate how successful these are. This type of approach could be extended to include pupils from the different equality groups with organisations such as the IES feeding in.
- 5.8 The Education Authority, through its regional role, has the potential to provide and oversee a formal mechanism to make possible the sharing, across schools in Northern Ireland, of successful interventions.

Comprehensive action should be taken by the Department of Education, schools and other education bodies to embed

⁶ ECNI (2017) Equality Commission case studies - Key Inequalities in Education

⁷ Joseph Rowntree Foundation (2016) A prosperous, poverty free Northern Ireland

equality of opportunity and good relations within the content and delivery of the curriculum.

5.9 We reiterate our 2008 call for the adoption of a number of strategic actions that could be taken to embed equality and good relations in education. These included reviewing curriculum support materials and developing good practice guidance, setting strategic actions and outcomes and developing equality and good relations elements to the training programmes for student teachers, existing teachers, heads and governors.

5.10 Embedding equality and good relations in education requires: adopting a positive action plan to addressing equality through the curriculum.

Equality and good relations issues should be mainstreamed into initial teacher education (ITE) and continuous professional development (CPD).

5.11 The Commission has consistently called for equality and good relations to be embedded in teacher training, both initial and continuing. In light of the diversity of life experiences and educational needs within the Northern Ireland student population, we consider it essential that all teachers are equipped to ensure students' particular requirements are understood and met. Initial teacher education (ITE) and continuing professional development (CPD) are key methods of achieving this.

5.12 While noting the implementation of a 10-year strategy for teacher professional learning⁸, we are concerned about its lack of reference to equality and diversity issues, particularly given the issues that are being highlighted on teacher training needs. These include issues already referenced within this paper, for example, regarding Newcomer children's access to the curriculum or how prejudice-based bullying is tackled. They demonstrate a need for training to equip teachers to meet the needs of an increasingly diverse student / pupil population.

⁸ DE (2016) Learning Leaders, A strategy for teachers Professional Learning

6 Question 4 - in your experience, are Newcomer pupils given opportunities to maintain their home language(s) in school? What are the difficulties / challenges in facilitating this?

6.1 No response.

7 Question 5 - should schools be required to report on how they use their Newcomer funding? If so, how do we ensure this reporting remains proportionate to the amount of funding received?

7.1 The Commission continues to call for budget allocations for identified groups to be monitored to assess how they improve outcomes for pupils. This goes beyond 'reporting on how they use their Newcomer funding', as it considers not only how money was spent, but the outcomes to which it contributed.

7.2 Barriers faced by BME groups such as a lack of English proficiency; stereotyping and low expectations; inability of mainstream schools to meet the needs of individual pupils⁹ could be tackled by ensuring and monitoring the targeted spend of this additional resource.

7.3 The 2013 Review of the Common Funding Scheme¹⁰ proposed that schools should be made fully aware of their responsibilities to plan and use public funding effectively, with close monitoring and interventions when outcomes are not satisfactory.

7.4 A further issue relates to the availability of in-year funding. We recommend that the Department of Education ensure that adequate funding is available to meet the needs of those who arrive during the year. The current system provides funding only for those children counted on the annual school census day. However, children may enter the school system throughout the academic year. Currently, schools are not allocated additional in-year funding to meet their needs¹¹. We

⁹ ECNI (2017) Statement of Key Inequalities in Education

¹⁰ DE (2013) An Independent Review of the Common Funding Scheme

¹¹ Apart from those entering via the Vulnerable Syrian Relocation Scheme

therefore recommend that adequate funding is available to meet the needs of those who arrive during the year.

8 Question 6 - should there be different levels of funding depending on whether the pupil is at primary school or post primary school? Should there be additional funding provided to help support pupils who have experienced disruption to their education (i.e. those pupils who have been out of school for a long time or who have never been to school before)?

8.1 Funding should be at a level, and distributed in a manner which is sufficient to meet the needs of Newcomer pupils.

9 Question 7 - should there be a limit on the maximum amount of total Newcomer funding a school can receive? Should there be a minimum amount of total Newcomer funding that a school can receive (this could benefit schools with very low numbers of Newcomer pupils)?

9.1 As regards the calculation of funding, it should be at a level and distributed in a manner which is sufficient to meet the needs of Newcomer pupils. We understand that further work is planned to model funding options. We suggest that this process includes engagement with those affected by any cap on funding with a view to understanding and mitigating any impact.

10 Question 8 - should there be a limit to the number of years that a pupil is eligible for Newcomer funding? What would be reasonable and how could ongoing need be assessed / shown?

10.1 We note from the research cited in the consultation document (at paragraph 55) that it takes on average five to seven years for a Newcomer pupil to 'become fully founded and competent in a completely new language.' We recommend that funding and supports remain in place for the duration of the period during which a pupil meets the definition of Newcomer. Monitoring and review of spend and sharing of best practice could contribute to improved outcomes. It is suggested that a

review of annual reports proposed in the review could be assessed to determine the likely funding requirements.

11 Question 9 - do you have additional comments?

11.1 We note that the consultation document includes options for change. The Commission comments on these options as follows. As above, responses are not provided in relation to all of the options.

Removal of funding from the common funding formula, on the basis that it would allow funding to be given rapidly, on a pro-rated basis depending on the date of admission.

11.2 While welcoming the benefits potentially arising from removal of funding from the common funding formula, a number of concerns exist:

- It would create additional administrative arrangements, and less easy access to funding if it is a separate resource.
- Duplication of effort by schools in seeking funding via this and the common funding formula.
- The potential for a disparity in funding between, for example Newcomer pupils and those from Traveller / Roma backgrounds, which may not be based on need.

Annual report from schools on how they have spent the funding.

11.3 A report of itself is insufficient to demonstrate that the Newcomer policy goals are being met. Scrutiny is required of the effectiveness of actions, with remedial steps and suggested support provided as necessary. Such reporting, scrutiny and follow up should be included in relation to broad common funding formula additional educational need expenditure.

Build teachers' expertise

11.4 It would appear that the role set out is the existing role of the Intercultural Education Service. It is not clear from the consultation document how this is planned, and in the absence of the anticipated review by the Education and Training Inspectorate of best practice in schools, it is difficult to assess this option.

12 Equality and Human Rights Policy Screening

- 12.1 The Commission has reviewed the Equality and Human Rights Policy screening for the Review of Supporting Newcomers Policy and set out some general feedback below.
- 12.2 We welcome the high level of pre-consultation work with Newcomer pupils, their parents, teachers and other stakeholders including statutory and voluntary organisations which included gathering evidence on funding arrangements and school support services available to Newcomer pupils and their parents.
- 12.3 The use of questionnaires, focus groups and school visits has generated a significant amount of rich qualitative evidence of the experiences to date of pupils, their parents and teachers in schools and identifies some of the barriers and difficulties that pupils, parents and schools are dealing with as well as lots of suggestions for improvement. Unfortunately this valuable information is not well reflected in the screening documentation.
- 12.4 The screening document should increase transparency for members of the public to enable them to very quickly see what the equality considerations are in relation to a specific policy without having to read through the actual policy, consultation responses etc.
- 12.5 We feel that better use could have been made of the qualitative data obtained from the pre-consultation to enable the public to have a better understanding of some of the barriers for newcomer pupils and their parents, as well as some of the suggestions and considerations to improve outcomes.
- 12.6 Given the level of engagement and consultation that has been undertaken by DE the Commission is of the opinion that it would have been pragmatic for the Department to carry out a full EQIA on this policy.
- 12.7 We would welcome the opportunity to discuss this with the Department in more depth and will be in contact to arrange a suitable date for a meeting where we will provide more detailed feedback.

Equality Commission for Northern Ireland
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