Education Guidance for Refugee and Asylum Seekers
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## Guiding Principles

The Council’s vision for Gateshead is set out in its document Vision 2030. This policy for the education of refugee and asylum seekers supports this vision and, in particular, the outcomes identified for children and young people, that is:

“**Local people realising their full potential, enjoying the best quality of life in a healthy, equal, safe, prosperous and sustainable Gateshead.**”

The Council Plan 2012-17 also recognises the ‘inequality in educational achievement’ and the need to safeguard children and young people while narrowing the attainment gap of vulnerable young people.

The Council recognises that it cannot meet this challenge alone and must work closely and in partnership with all those who have a stake in the education of the children, young people and their families of Gateshead.
Introduction

Article 28 of the United Nations Convention on the Rights of the Child (UNCRC) recognises the right of the child to an education. In England, education is compulsory and it can be provided at school “or otherwise” (as set out in the 1996 Education Act, section 7). As a Local Authority we also have a statutory duty under the Race Relations Act (Amendment) 2000 to promote race equality and eliminate racial harassment.

Asylum seeker and refugee pupils aged 5-16 have exactly the same entitlement to full-time education as other UK pupils and economic migrants. This rule applies equally across Local Authority schools, academies and free schools.

This document has been produced to help schools support refugee and asylum seekers who move into Gateshead to continue their education and, in doing so, enable them to reach their full potential.

Definitions

An asylum seeker is a person who has fled from their home country in search of safety and who has applied for political asylum in another country.

Some asylum seeking children arrive in the UK with one or both parents, an older sibling or with a relative/family friend or customary care giver. There are also cases where children are passed off as children of a family when they are not related, but are with the carers under an agreement.

If a child arrives aged under 18 without an adult who is responsible for them they are then taken into care considered as an unaccompanied asylum seeker. Children can therefore be asylum seekers in their own right.

A refugee is a person whose claim for asylum has been accepted and who has been granted refugee status in the UK.

Refugees have often fled their home country and are unable to return there owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion.

Refugees are different from economic migrants: migrants have chosen to leave their country and have not necessarily had the traumatic experiences that most refugees have faced.

Some of the main countries that asylum seeker and refugee children have most recently come from, along with the language(s) they are most likely to know include:

<table>
<thead>
<tr>
<th>Country</th>
<th>Main language(s)</th>
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<tr>
<td>Syria</td>
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<td>Kosovo</td>
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<td>Pakistan</td>
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<td>Afghanistan</td>
<td>Pashto/Dari</td>
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<td>Sri Lanka</td>
<td>Sinhalese/Tamil</td>
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<td>Nigeria</td>
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<td>Albania</td>
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<td>Somalia</td>
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Claiming asylum

The 1951 Refugee Convention guarantees anyone the right to apply for asylum in another country that has also signed the Convention. It also guarantees that they can remain there until their claim has been processed.

Once submitted, an asylum request will have one of three outcomes:

- Full refugee status (indefinite leave to remain).
- Temporary leave to remain for between 1-5 years or until the age of 17½.
- A refusal, applicants may appeal against a refusal and can remain in the UK whilst appealing.

Cases can sometimes be open for a significant amount of time, meaning that asylum seekers and their children can be uncertain about whether they will be granted refugee status for a long time.

The Gateway Protection Programme is the UK’s contribution to the United Nations High Commissioner for Refugees (UNHCR) global resettlement programme, which allows a quota of refugees from ‘approved’ countries to settle in the UK. More recently (2015) the government has implemented the Syrian Vulnerable Persons’ Resettlement Programme as part of the Gateway Protection Programme.

Benefits/Housing

Most asylum seekers do not have the right to work in the UK and rely on state support. Asylum applicants are exempt from NHS medical charges and are entitled to free prescriptions under the same criteria as other patients. Refugees have full entitlement to UK Health Services.

Housing is provided for asylum seekers and is usually outside London and the Southeast of England, but asylum seekers themselves cannot choose where it is. Often, housing is provided in ‘hard to let’ Council properties or bed and breakfast accommodation. Asylum seekers have limited/if any access to ‘cash’.

Education

Admissions

Refugee and asylum seeking children have equal access to the full curriculum, appropriate to their age, ability and aptitude and any special educational needs they may have. They are admitted to school/academies using the same local authority criteria as apply to any other child seeking a school place.

Admissions will be through the normal admissions process, although on occasion this might include placement through the primary Fair Access and secondary Pupil Placement panels if the criteria are met.

Schools/Academies

Every child under 16 has an entitlement to the full National Curriculum, but often asylum seeking and refugee children have had an interrupted education. Some will have never attended formal education, so you might need to take steps to make the mainstream curriculum offer accessible for them. The local authority Ethnic Minority and Traveller Service (EMTAS) is able to provide support to schools/academies in dealing with refugee and asylum seekers.

Appendix 1 sets out steps schools can undertake to prepare for welcoming asylum seeking and refugee pupils. Appendix 2 provides information on an induction to school life; Appendix 3 provides information on systems, policies and messages within school. Appendix 4 provides information on links to curriculum provision and Appendix 5 provides information on pastoral support.
Emotional Needs

Some teachers may conceptualise the experiences and needs of refugee children through a ‘mental health’ prism. In western societies, psychological explanations are frequently used in relation to people’s problems and experiences.

The word ‘trauma’ has become part of everyday language in many western countries, where people talk about experiences as having been ‘traumatic’ or someone having been ‘traumatised’ as a result of death, illness or accident.

The assumption is often made that experiences of war and persecution will automatically lead to ‘trauma’. Central to the notion of ‘trauma’ is the concept of post-traumatic stress disorder (PTSD). PTSD is often used as a universal concept applied to everyone regardless of cultural, ethnic, religious background, age, gender or context.

However, this notion has been challenged by researchers, and others who work with refugee children. It is known that symptoms of PTSD that are related to past experiences may offer only a partial view of the suffering and difficulties that may arise for children from being exposed to conflict.

Children and families are affected by events from the past, but also by current stressors and also positive factors in their lives. Experiences such as loss, bereavement and separation, along with problems related to asylum, poverty, housing and obstacles to integration, are equally important. In discussing how distress has become ‘medicalised’, Derek Summerfield concluded that:

‘Reducing experiences of children simply to a question of mental health tends to mean more focus on vulnerability in individual psychological terms rather than social ones. Ultimately, it is the economic, educational and socio-cultural rebuilding of worlds, allied to basic questions of equity and justice, which above all will determine the long-term well-being of millions of child survivors of war worldwide. For those for whom this does not happen, war may indeed turn out to have been a life sentence, but this is not ‘trauma’.

Teachers have a key role in assisting children to rebuild a social world. They need to think holistically about children’s lives and develop multifaceted forms of support that can promote resilience and positive coping.

Special Educational Needs

Although being an EAL learner is not in itself a special educational need, learners with EAL may themselves have additional educational needs. For example a Pakistani heritage child who speaks Panjabi and has a hearing impairment would be both EAL and SEN, as would a Turkish-speaking boy who has failed to learn to read after two years in the UK education system.

The new SEND Code of Practice (SEND code of Practice 2014) came into force in September 2014. The updated version covers the 0-25 age range and includes guidance relating to disabled children and young people as well as those with SEN. Appendix 6 provides information in relation to special needs that schools may want to consider.
Working with Parents and the Community

Parents of refugee or asylum seeking children may have particular support needs themselves. Schools need to be supportive and understanding of the parents' needs as well as the needs of their children. Some of the common areas requiring help and guidance are in:

- the English language
- understanding our school system
- dealing with officialdom
- social isolation

Schools can provide support for parents in:

- making them feel that they have a real contribution to make to school life
- being approachable, especially reception staff
- treating refugee parents' questions, views and concerns seriously and with respect
- establishing strong links with agencies or other groups that work locally with refugees

EMTAS can provide support in engaging with parents and the community.

Monitoring, Evaluation and Review

The policy will be reviewed on an annual basis.

Dissemination of the Policy

This policy has been sent to all schools/academies and services within Gateshead Council. It is available on the council website and on request to parents through the Service Manager Education Support Service.

Other policies that have relevance are:

- Admission and Appeals Policy (DfE Dec 2014)
- School Attendance (DfE Nov 2013)
- Education Act 1996
- Children Missing out on Education (Ofsted Nov 2013)
- Race Relations Act (Amendment) 2000
- Gateshead Council Plan 2012-17
- Gateshead Vision 2030
Appendix 1

Welcoming asylum seeking and refugee pupils

When considering admissions into schools, schools might want to:

- Have systems in place to ensure that you are able to communicate effectively with families, this might mean:
  - Arranging a professional, independent interpreter in advance, ensuring that interpreters working with asylum seekers and refugees understand the context, including being mindful of the local context in the country of origin.
  - Considering the ethnicity/dialect of the interpreter should be the same as that of the family where possible and not from an ethnicity in current conflict in the countries of origin.
  - Or the school might have other systems in place

- If the new pupil is an unaccompanied minor, the designated teacher for Looked after Children should be invited to the admissions meeting and fully involved in any subsequent meetings.

- Aim to establish an ethos of trust and partnership from this first meeting. Explain why questions are being asked, as many parents of asylum seeking or refugee pupils may have prior experience of interrogation by officials which may have been intrusive and even distressing.

- Stress confidentiality.

- Make efforts to pronounce and spell names accurately.

- Find out the religion of the family so that you can respond in a culturally appropriate manner respecting their values.

- Be mindful that even if parents have difficulty speaking English they may still understand what you say.

- When communicating via an interpreter do talk to and include the parents or the child, not the interpreter.

- If necessary, offer to help fill in the admissions pro-forma ("Shall I write while you talk?"). Let the parents see what you are writing.

- Clarify any entitlement to uniform grants, free school meals, transport etc. and ensure the family are aware that the child is entitled to a free ear, sight and hearing test. The family can be asked if they receive benefits or asylum support vouchers.

- Proof of date of birth is required by the school, not passports or immigration documents. If necessary the Home Office will ‘age’ a child.

- Inform the parents of the name and contact details of the relevant person they should contact in the school if they need help or if there is a problem.

- Find out the names of any previous schools attended in their home country and in the UK, so that you can build up a picture of their strengths and weaknesses. If possible contact schools attended in the UK for information about the pupil.

- Check with parents if they have been informed about the school curriculum, school routines and expectations including parental involvement in education.

- Provide a guide for parents with useful information about homework, term dates and uniforms. This guide should be written in clear and simple English.

- Share information about any local agencies and community organisations that help asylum seeking and refugee children and families.

Further advice and support in these areas can be obtained from the local authority EMTAS service.
Appendix 2
Induction to school life

In order to aid in the smooth transition into school life, schools might want to:

- Organise for the child to start school three to four days after the admissions meeting if you can. This gives both the school and the family time to get organised.

- Arrange a quiet few days of acclimatisation before expecting a refugee or asylum seeking child to attend lessons. (Some may need more time than this, especially if they have never attended formal schooling or have been out of education for a while).

- Organise ‘buddies’ for the new arrival and brief them carefully. Buddies can show the new pupil where the toilets are, explain the procedures for school dinners and make sure they get on the right bus home. To assure continuity of support it is advisable to share the buddy role between two or three pupils, paying attention to cultural background, language or dialects.

- Arrange a quiet space for prayer if needed and allot time to do so.

- Arrange for the child to be observed and assessed informally from day one.

Postpone any formal testing of the child’s English for two to three weeks. Once they have had chance to settle, conduct a baseline initial assessment of their English proficiency using appropriate assessment tools. (Please note that it is not recommended that reading and spelling-age tests are conducted with EAL children, as vocabulary and cultural gaps often lead to skewed results, even if the child seems to have good English.)

The same applies to Cognitive Ability Tests (CAT), though the non-verbal reasoning score may be an indicator of general potential.

Teachers will need to carefully monitor the attendance and progress of each new pupil and also check on their well-being after break and lunch times.

A review of early progress with the pupil and key staff after the first few weeks is essential to ensure that the pupil is in learning groups that are appropriately challenging; and any extra support that is needed is put in place. Gifted and talented new arrivals can be identified. If progress is reviewed with parents then more effective home school partnerships can be developed, any anxieties tackled and the pupil’s wider needs further assessed.

Further advice and support can be obtained from the local authority EMTAS service.
Appendix 3
Systems, policies and messages

Consider within existing systems and structures what you might want to include:

**Building staff knowledge**

- Brief all staff with clear, factual information and guidance before the refugee pupil starts school. Find out as much information as possible about the country of origin, especially languages and education systems. The British council website can provide this information as well as [https://eal.britishcouncil.org/teachers/refugees-and-asylum-seekers](https://eal.britishcouncil.org/teachers/refugees-and-asylum-seekers)

**Exploring help available**

- Find out about any support available locally for refugees and their families from charities, community groups and voluntary agencies.
- EMTAS services can also provide advice and support

**Reviewing systems, policies and messages within the school**

- Establish effective systems for sharing information within the school, and between school and home that take account of the fact that parents may not speak, read or write English. Make sure that all communication is written in clear simple English.

- Evaluate your school policies to check they are inclusive of asylum seeking and refugee pupils, starting with your policies on inclusion, equality, anti-racism, bullying and SEN.

- Some schools will need to draw up an asylum seeking and refugee policy or add related section to other policies. You might also consider writing an EAL or language policy for your school, if you do not already have one.

- Use your website, school newsletter and any other vehicles to communicate to all readers that your school welcomes all children and values the contribution they can make. Give out a clear message that you operate an inclusive school environment. Pupils should be prepared, through assemblies or PSHE work.
Appendix 4

Links to curriculum provision

Every child under 16 has an entitlement to the full National Curriculum, but often asylum seeking and refugee children have had an interrupted education. Some will have never attended formal education, so you might need to take steps to make the mainstream curriculum offer accessible for them.

A new refugee or asylum seeking child is likely to need EAL support. For most pupils acquiring proficiency in English is a priority. As you compile their timetable, leave several hours free each week for your new arrival to work on their English, review learning from recent lessons and complete homework. This time should be supervised and structured.

Students who are not literate in their first language need rapid intervention to learn to read and write in English, especially at secondary school. Any materials used to support language and literacy development need to be age-appropriate.

For the remaining time the refugee or asylum seeking child should join mainstream lessons and should not be placed in SEN classes or special provision for excluded pupils. Where and when appropriate, the initial placement of refugee and asylum children in a low ability set should be avoided, as these children tend to learn better when working with peers who can provide good linguistic and behavioural models.

At Year 9 and KS4 level do not ask students to choose options until they have some experience of the curriculum. It can help to arrange some taster lessons in subjects that are new or of interest. Speak to the student about their ambitions and interests, and about qualification pathways.

At KS4, curriculum pathways need to be appropriate, so that the courses offered match the learner’s ability and potential. Avoid placing KS4 late arrivals into options where there is a space available, rather than considering their abilities and interests. As there is just as much English involved in a vocational course as in a Higher Level GCSE a less academic pathway should not be the automatic choice. Additional opportunities for extra study or EAL support should be built in too.

The local authority EMTAS service can also provide advice and support to schools regarding the above issues.
Appendix 5

Pastoral support

Asylum seeking and refugee children are a very vulnerable pupil group, who may experience emotional or mental health problems, discrimination and racism. Pastorally, the school’s first aim is to provide a safe and supportive environment for a refugee or asylum seeking child, both physically and emotionally.

Many refugees have come from unstable social situations and have high levels of anxiety or emotional distress as a result of the trauma of leaving their home country and their initial experiences of the host country.

Some asylum seeking and refugee children may exhibit behaviour which can be related to their recent experiences. These behaviours can be disruptive, emotional, social or learning-related. Such behaviours are equally associated with SEN and mirror other social, emotional and mental health difficulties, making it difficult to determine the cause and provide the right support. It is important to make contact with the right agency locally to seek support in these situations.

Asylum seeking and refugee children can experience racism, bullying and discrimination within and outside school. Ensure that pupils and staff are clear that this is unacceptable and that they must report any incidents. Make it clear what constitutes unacceptable behaviour.

Be alert to the needs of school staff, who may not be skilled and knowledgeable in meeting the needs of asylum seeking and refugee pupils. Be ready for questions and reply honestly. Don’t be afraid to say “I don’t know but let’s find out”.

The local authority EMTAS service can also provide advice and support to schools regarding the above issues.
Appendix 6

Considerations for EAL learners with SEN

Sometimes specific learning needs are difficult to identify if the learner is not fluent in English. There are numerous factors to consider at whole school, class and individual level.

Whole school considerations

At whole school level it is good practice to monitor the learning needs register by language and ethnicity to ensure that no groups are under- or over-represented. Research has shown that EAL learners are likely to be under-identified in terms of dyslexia and over-represented in terms of speech and language difficulties.


Responsibility for all teachers

In England, the National Curriculum (2014) states that it is the responsibility of all teachers to plan their lessons to ensure that there are no barriers to learning for any child or young person, whether they have EAL or additional needs. It is important for all staff to understand that having English as an additional language is not a special educational need but that some learners may fall into both camps.

The learning environment

A school would be expected to consider all the factors in the learning environment before assuming that an EAL learner who fails to make progress has an additional need. Considerations may include the quality of teaching and support; peer groupings; use of appropriate texts and tasks.

Managing inclusion

It is common for a range of additional adults to have regular contact with an EAL learner who is failing to make good progress. Therefore it is important that there is close co-operation between additional needs and EAL staff. Inclusion staff should also have access to training in working with EAL learners so that their observations can also be included in any assessment of the child.

Class level considerations

Importance of learner grouping

Newly arrived learners with EAL may be very quiet and reluctant to join in class activities at first. The silent phase is a normal stage in second language development, and does not mean that the learner has a special need. Where new learners are grouped with those who speak their language or with friendly and supportive English speakers, they will normally start to join in within a few months.

Small group intervention

Schools may provide specific, small group intervention for EAL learners whose attainment is significantly behind their peers. It is important that these lessons provide learning experiences which are at least as good as the work of the mainstream class. Where teaching assistants are taking intervention groups, they should have appropriate training and qualifications in working with EAL learners whose needs are distinctive. Ofsted recommends that all withdrawal of EAL learners is time-limited and linked to the work of the mainstream class.
Individual level considerations

Where a learner with EAL is failing to progress, the hypothesis model is recommended for staff who are trying to decide whether the learner has additional needs. This process asks a set of questions to eliminate the external factors that may be affecting progress before making a decision that the difficulty is within the child.

Using a hypothesis model:

- Learner is learning slowly because of specific factors related to language
- Learner is learning slowly because of high task demands
- Learner is learning slowly because of past or present environmental stress
- Learner is learning slowly because of physical or sensory needs
- Learner is learning slowly because of a specific learning difficulty (e.g. dyslexia or dyspraxia)

Involving bilingual staff and families

In England, the SEND Code of Practice (September 2014) puts children and families at the centre of any assessment of need or provision planning. For EAL learners this may require schools to offer additional support for parents such as use of interpreters, in-depth first language assessment; sensitive handling of meetings with educational psychologists. See pages (in the SEND Code of Practice) about New arrivals and Assessing EAL learners. For many cultures, mention of special needs may raise fears about mental health and concerns about stigmatisation.

Making progress

Initially, EAL learners should be expected to make progress in learning across the curriculum at the same rate as their peers whatever their starting point. Once they have secure literacy skills in at least one language they should be able to make faster progress than their peers as their bilingualism will be a cognitive advantage. So a child who is not making good progress after 6 to 12 months in a supportive learning environment with EAL support would need further investigation by additional needs experts. Do not be anxious about intervening quickly if you have concerns.

The local authority EMTAS service can also provide advice and support to schools regarding the above issues.