



April 2008

**Equal Opportunities Commission's Response Upon
the Invitation of Legislative Council Bills Committee on Race
Discrimination Bill for Written Submissions on Vocational Training
and Interpretation Services at Hospitals for Ethnic Minorities**

- 1 The Equal Opportunities Commission (EOC) has been invited to provide written views on the provision of vocational training for ethnic minorities and interpretation services at hospitals to the Bills Committee on the Race Discrimination Bill.
- 2 The existing arrangements on the provision of these services are set out in a paper by the Administration (LC Paper No. CB(2)1385/07-08(01)).
- 3 Ethnic minorities themselves are in the best position to comment on the effectiveness of the relevant service provision. In preparing this submission, the EOC has made reference to discussions in the Ethnic Minorities Forum, organized by the Administration and attended by ethnic minorities concern groups to regularly discuss matters of concern to ethnic minorities.
- 4 The following may be observed:-

In relation to vocational training

4.1 The Administration and the Vocational Training Council (VTC) makes the point that admission to VTC's programmes and courses is based on academic qualifications irrespective of race or ethnicity. The following matters are relevant to vocational training for ethnic minorities:-

4.1.1 There is generally no Chinese language requirement for admission, except for a few courses such as in child care in which a pass in HKCEE Chinese Language was required for licensing purposes. Generally, the medium

of instruction is English, supplemented by Chinese where appropriate.

4.1.2 In addition to generally available courses, there are different types of VTC programmes and courses especially dedicated to non-Chinese speaking (NCS) people addressing their specific needs, ranging from full time diploma courses to shorter trade-specific courses (e.g., electrical and welding work) for NCS adults and vocational development programmes for NCS non-engaged youth. Short vocational Chinese language courses were also being explored.

4.1.3 VTC had plans to set up an Ethnic Minority Centre to provide dedicated support for NCS students.

4.1.4 The Employees Retraining Board (ERB) offers full-time placement-tied training courses and part-time generic skills courses to eligible people. Admission to these courses is open to NCS people. In addition to generally available courses, ERB has launched dedicated full-time placement-tied courses in areas such as security and property management and environmental hygiene and cleaning for NCS people. Dedicated job search skill courses and workplace Chinese programmes are being planned and developed.

Issues raised by users

4.2 The above measures reflect a formal recognition by the Administration and providers of vocational training that they have a responsibility to meet the needs of ethnic minorities. On the other hand, issues have been raised by ethnic minorities regarding vocational training. These issues include:-

4.2.1 Publicity efforts to inform ethnic minorities about programmes and courses could be strengthened;

- 4.2.2 Programmes and courses should be held in districts with high concentration of ethnic minorities;
- 4.2.3 Appropriate alternatives Chinese language requirements should be recognized;
- 4.2.4 Supposedly English courses were in fact conducted in Chinese;
- 4.2.5 More advanced courses should be provided;
- 4.2.6 Steps should be taken to enhance employability;
- 4.2.7 Opportunities for ethnic minorities and concerned groups to participate in identifying courses and programmes, planning publicity strategy and strategies for enhancing employability of ethnic minorities.

In respect of interpretation services at hospitals

- 4.3 The Administration and Hospital Authority maintain that quality medical services are available to all patients, irrespective of their race, colour or ethnic origin. The following matters are relevant:-
 - 4.3.1 A list of interpreters is available so that staff may call them to assist.
 - 4.3.2 Multilingual phrasebook had been issued to staff to facilitate communication;
 - 4.3.3 Information has been translated in different languages;
 - 4.3.4 For scheduled appointments, patients in need of interpretation service are encouraged to give advance notice. Patients may also bring friends and relative to act as interpreters

- 4.3.5 For emergency cases, medical treatment will be rendered as required by the situation;
- 4.3.6 For in-patients, interpretation service will be called for by staff when necessary.
- 4.3.7 Arrangements are being made to provide interpretation services through telephone conference calls.

Issues raised by users

- 4.4 Again while the above reflect a formal recognition of a responsibility towards ethnic minorities, issues have been raised by ethnic minorities and they include:-
 - 4.4.1 Staff were not in fact aware of the policy regarding interpretation services;
 - 4.4.2 Interpretation services actually are not provided or not effectively provided;
 - 4.4.3 Triage procedures and appointment information are not clearly explained;
 - 4.4.4 Cultural sensitivity training should be provided;
 - 4.4.5 Direct recruitment of a pool of interpreters could be considered;
 - 4.4.6 Information on communication channels should be enhanced;

Mainstreaming

- 5 It can be observed that while the Administration and the providers are formally aware of their responsibility towards ethnic minorities and are making efforts to address their needs, there are indications that actual service delivery is either ineffective or fails to remove actual barriers facing them (such as supposedly English courses being in fact conducted in Chinese; hospital staff actually not being aware of the policy on interpretation services; and various information not being effectively delivered).
- 6 Further, some of the intended efforts may not in fact be sufficiently relevant to ethnic minorities, as indicated by the calls for more advanced courses and further steps to enhance employability.
- 7 These issues reflect a lack of focus or thorough thoughts and consultation on how to effectively meet the actual needs and difficulties faced by ethnic minorities. In other words, racial equality has not been effectively mainstreamed into the operation of the providers.

Equality Plans

- 8 One way to achieve mainstreaming is through a requirement on the provider to draw up an equality plan. It is instructive to note that, for example, UK anti-discrimination legislation imposes legal obligations on public authorities to draw up, implement and review equality plans.
- 9 Thus, under the Race Relations Act (Statutory Duties) Order 2001 in the UK, specified public authorities (including providers of vocational training and healthcare services) are under a legal obligation to publish a Race Equality Scheme showing how they intend to fulfil their statutory duty of having due regard to eliminate racial discrimination and to promote racial equality (imposed by s.71(1) of the Race Relations Act).

- 10 The Race Equality Scheme has to identify the following matters:-
- 10.1 Functions and policies of the public authority relevant to race equality;
 - 10.2 Arrangements for assessing and consulting the impact of its policies on racial equality;
 - 10.3 Arrangements for monitoring its policies for any adverse impact on racial equality;
 - 10.4 Arrangements for publishing assessment and consultation and monitoring results;
 - 10.5 Arrangements for staff training relevant to racial equality
- 11 The Race Equality Scheme must be reviewed within 3 years after publication, and thereafter every 3 years.
- 12 Recognition of the responsibility towards ethnic minorities can stand a higher chance of translation to real equality only when racial equality is effectively mainstreamed into the core businesses of the providers and their operational arrangements through the drawing up and implementation of an Equality Plan.
- 13 Imposition of a legal obligation will provide a strong foundation for an Equality Plan. But even if a legal obligation is not imposed, there should preferably be a strong administrative commitment to draw up and implement such a plan.