



Llywodraeth Cymru  
Welsh Government

IMPACT ASSESSMENT

# Alert levels and restrictions in Wales: children's rights

An impact assessment on the COVID-19 alert levels and restrictions and their effects on children's rights.

First published: 21 December 2020

Last updated: 19 February 2021

# Contents

## Definition of a child

---

## Overarching principles

---

## What are the proposed alert levels and restrictions in Wales?

---

## What does this mean for Children and young people?

---

## Which of the rights from the UNCRC are informing our decision making?

---

## What Welsh Government can do to reassure children?

---

## Definition of a child

Article 1 of the UNCRC defines a child as being a person under the age of 18 unless, in relation to a law applicable to a child, majority is attained earlier.

Consequently in considering the impacts of any changes to alert levels and restrictions in Wales underpinned by The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 on children we must consider the way in which those impacts vary by age, as well as by gender, ethnicity, socio-economic status and geography.

The Rights of Children and Young Persons (Wales) Measure 2011 states that Ministers must pay due regard to the United Nations Convention on the Rights of the Child (UNCRC). Article 12 of the UNCRC states that children have the right to say what they think should happen when adults are making decisions that affect them and to have their opinions taken into account. The First Minister met with young people on 28 October and he and the Deputy Minister for Health and Social Services met with young people on 19 November.

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 came into force on 26 March. These were replaced by The Health Protection (Coronavirus Restrictions) (No. 2) (No 3) and (No 4) (Wales) Regulations 2020.

In relation to regulatory restrictions in Wales, once the restrictions to be in place from Friday 4 December are agreed, a broad set of regulations will be in place which have underpinned different levels of restrictions since September which are analogous to those in the Tiers / Levels in England and Scotland.

The aim is to provide a stable set of regulations for different levels of risk which seek to ensure that chains of transmission are kept to a minimum, to save lives and to help the NHS.

While it is inevitable there will be impacts on children's rights, there will be some scope to mitigate the most significant impacts in the selection of measures and the package of support offered in each level but it will not be possible to address all of the disproportionate and negative impacts. These negative impacts continue to be tolerated on the basis of the risk to public health.

The levels and the proposed regulatory approaches will allow for assessment and action at any level. Further firebreaks and harsher restrictions, on top of the extended period of lockdown and local/national restrictions, compound negative impacts. In determining the shape of support at each level measures and support which mitigate the negative impacts on children's rights should be prioritised.

While there are many options in terms of what stays open, what is closed, whether we to stay home, stay local, work from home, which households can meet in each level - children's rights must factor in the decision making process.

We should remember that for every child in Wales – this is their childhood and this is the only childhood they will have.

Throughout the pandemic feedback from our stakeholders, parents and children and young people themselves has highlighted a range of children's rights issues as a result of lockdown and restrictions that we would want to learn from and ensure, as far as is practically possible, are not repeated.

The following overarching principles should continue to help inform the decisions on how we operate throughout the pandemic irrespective of the level Wales is in at the time.

## Overarching principles

1. Children and young people should be safe, seen, heard, nurtured and developing
2. Children should be able to go to school and childcare (including Flying Start)
3. Children should be able to go out to play and exercise
4. Younger children, under the age of 12, should be allowed to mix freely
5. Services that support families should continue to operate and be able to offer face to face services where the child/family need warrants it. Disadvantaged families may need support to access online services, including IT kit and/or 'data'.
6. Children with additional needs should receive the assessments and support they need – this may include a wider family/services support bubble to ensure no family is left to struggle on their own – it may mean a larger group going out to exercise to support the child
7. No child should go hungry
8. Support for parents should be available through a range of mechanisms, including new mothers/parents
9. Routine early years development assessments should be undertaken (where needed face to face with COVID protections in place) and interventions put in place (e.g. speech and language, sight and hearing)
10. All of the above should be communicated clearly, including with children and young people
11. If level 4 is instigated in the future:-
12. Children who have vulnerabilities should be prioritised via a multi-agency approach
13. Children with specific learning/additional needs should have a support plan in place
14. Children should have the IT kit and enough data available to access lessons and online school resources as well as be able to contact their friends
15. Third sector, school based and online mental health services should be

scaled up. Risk based approach taken to ensure young people who are most vulnerable continue to be supported by NHS Mental health services.

16. Children from families where English or Welsh are not the first language should be offered additional support alongside their parents
17. Everyone should be reminded to ensure children and young people are safe and know where to go to for help or to talk about concerns
18. Communications with children and young people should be in a language they can clearly understand, be reassuring and explain clearly what is happening and why

## **What are the proposed alert levels and restrictions in Wales?**

The proposed levels, restrictions and regulations being considered are:

- Level 1 / Low risk: Regulations in place during the summer (most relaxed), but allowing for some household mixing (e.g. rule of 6 as described in England).
- Level 2 / Medium risk: Post-firebreak regulations (i.e. those currently in place).
- Level 3 / High risk: Regulations that will be agreed for Friday 4 December.
- Level 4 / Very high risk: Firebreak regulations.

Greater detail is set out under each key heading below.

## **What does this mean for Children and young people?**

Young people have stated that they want one rule for the whole of Wales as this makes things simpler for them to understand.

## Restrictions on gatherings

	Level 1 (Low Risk)	Level 2 (Medium Risk)	Level 3 (High Risk)	Level 4 (Very High Risk)
<b>Requirement to stay at home</b>	N/A	N/A	N/A	Yes
<b>Meeting in private dwellings</b>	Rule of 6, excluding under 11s	Extended household only	Extended household only	Household or support bubble only
<b>Meeting indoors</b>	Rule of 6, excluding under 11s	Rule of 4, excluding under 11s	Rule of 4, excluding under 11s	Household or support bubble only
<b>Extended households</b>	Up to 3 households	Up to 2 households	Up to 2 households	Support bubble (single adults or single parents join with any other household)
<b>Meeting outdoors</b>	No more than 30 people, excluding under 11s and carers	Rule of 4, excluding under 11s  Extended household (if more than 6) in public outdoor spaces but not regulated setting	Rule of 4, excluding under 11s  Extended household (if more than 4) in public outdoor spaces but not regulated settings	Household or support bubble only
<b>Private</b>	Rule of 6, excluding	Rule of 4, excluding under	Extended household only	Household or support bubble

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

	Level 1 (Low Risk)	Level 2 (Medium Risk)	Level 3 (High Risk)	Level 4 (Very High Risk)
<b>gardens</b>	under 11s	11s		

## Organised activities and sport

	Level 1 (Low Risk)	Level 2 (Medium Risk)	Level 3 (High Risk)	Level 4 (Very High Risk)
<b>Organised indoor activities</b>	Up to 50 people	Up to 15 people	Up to 15 people (restricted by premises closures)	Limited to support groups, essential public services
<b>Organised outdoor activities</b>	Up to 100 people	Up to 30 people	Up to 30 people	Not possible
<b>Stadia and events</b>	Outdoor events (restricted numbers)  Stadia open to spectators (restricted numbers)  Indoor seated or ambulatory events (restricted numbers)	Outdoor events – pilots  Stadia closed to spectators  Indoor event – pilots	No events  Stadia closed to spectators	No events  Stadia closed to spectators

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

	<b>Level 1 (Low Risk)</b>	<b>Level 2 (Medium Risk)</b>	<b>Level 3 (High Risk)</b>	<b>Level 4 (Very High Risk)</b>
<b>Sports and exercise</b>	All permitted in line with guidance and mitigations (e.g. limited indoor contact sports)  Professional, elite and designated sports and training permitted	Limited to general activities rules (15 indoors, 30 outdoors), exceptions for children’s activities  Professional, elite and designated sports and training permitted	Limited to general activities rules (15 indoors, 30 outdoors), exceptions for children’s activities  Professional, elite and designated sports and training permitted	Outdoor individual exercise  Professional, elite and designated sports and training permitted
<b>Supervised children’s activities</b>	Allowed	Allowed	Allowed	Not possible (education and childcare exemptions remain)

The top three things young people (12-18) said the stay at home rules impacted on the most were ‘not being able to spend time with friends’ (72%), ‘not being able to visit family members’ (59%) and ‘school or college closing’ (42%) (Coronavirus and me survey<sup>[1]</sup>).

Coronavirus and me survey ran for the last 2 weeks of May (2 months after the first lockdown began) – more than 23,700 responses received from children and young people aged 3-18. Mainly online with some phone calls to ensure harder to reach groups were able to participate – it should be noted this was not a representative survey but it does provide a base of responses which we can draw from. According to UNICEF no other government has conducted anything similar.

Young people told the First Minister that they did not understand why they could not see school friends outside school hours. They were open to having

restrictions on the number of friends they could mix with.

The key issue for children and young people aged 11 and over will be the ability to be able to meet with friends from outside of their household. This is possible in all but level 4 when mixing is limited to household bubbles only. While the measures are stricter for mixing indoors retaining the rule of six (level 1) and the rule of four (levels 2 and 3) meeting outside the home will go some way to evidence that their voice has been heard and will allow them to socialise with friends rather than just parents/grandparents.

Rules on the number of people that can take part in organised outdoor activities and organised indoor activities reduce as risk levels increase. The options being considered only prevent organised activities indoor at level 4, with some restrictions linked to the type of premises usually used in level 3. Exemptions for public services, education activities, supervised activities for children, including wraparound care (before and after-school childcare), groups and activities for under 18s, and children's playgroups would be retained unless in level 4.

Article 6: All children have the right to life, Governments should ensure that children survive and develop healthily is important here.

- The right to life is more than being safe from the virus. It is about developing socially, emotionally, physically, mentally and spiritually.
- Being able to play and exercise are essential to a child's physical development and their mental health and well-being.
- Younger children, should be able to socialise – this is important for babies and toddlers as well as for children of primary school age.
- The 'Babies-in-Lockdown' survey reported that just over a quarter (28%) of those breastfeeding feel they have not had the support they required. Over half of respondents were breastfeeding (55%), but over half of those using formula had not planned to do so (53%).

Article 31: Children have the right to relax and play, and to join in a wide range of activities, should also be taken into account.

- BAME respondents were significantly less likely to say they had been exercising outdoors, across the age groups.

- BAME 7-11 year olds were significantly less likely to say they were playing more often than before.
- Young people advised the First Minister that they wanted more opportunities to play organised sports.
- They also advised that they wanted to attend organised youth projects

At Level 4, Health Visiting, Maternity, perinatal services and wider support services may offer contacts virtually rather than face to face, subject to the circumstances of the particular family and the professional judgment of key health professionals involved. Health Boards would be expected to Risk Assess all caseloads to identify vulnerable and at risk families. Where face-to-face contact is not practical, virtual contacts using 'Attend Anywhere', a tool that allows them to book appointments and send reminders are being utilised.

For all other levels services could resume including running breastfeeding classes and parent and child classes, both to support maternal perinatal mental health and ensure young children are seen and their development assessed to enable early intervention as required. Broader support services via Flying Start would also resume, including face to face support, and support to reduce the impact of developmental delay that may have gone unnoticed during lockdown; unaddressed this will have long term implications for the child, family, support service and society as a whole leading to more costly interventions for some and irreversible damage for others. All face to face support would need to be conducted in line with COVID safe practice and guidance at that time.

Play facilities will remain open and accessible, in line with the child's right to play in levels 1 and 2 with indoor play areas closed in level 3 and all facilities restricted in level 4. Outdoor playgrounds and parks should remain open at all levels to mitigate the impact of restricted indoor services, and to ensure that children retain the opportunity to play. This is particularly important for children from households with no access to outdoor space and/or limited indoor space. For older children Youth Services should remain operational, providing safe spaces for children and older young people to meet, socialise and gain support as needed in all but the highest level.

Organised indoor activities such as parent and child groups play an important role in a child's development – social, emotional, physical and cognitive. We

know from the recent Ofsted report that children are suffering regression coming to school in nappies, with reduced speech and language skills etc. While Welsh Government has some mitigation in place in the financial year 2020/21 via the Child Development Fund this will have the greatest effect if these types of groups are able to meet in all but level 4.

Level 4 poses the greatest risks around children and young people not being seen with the resultant safeguarding concerns that this would raise.

Reintroducing these restrictions could have a significant detrimental impact on parental mental health and child development leading to a long tail of issues that may require significant and costly interventions and that may, in a small number of cases, be irreversible. In addition the effect on the mental and physical health of children and young people, as highlighted in the responses to the coronavirus and me survey will need to be mitigated. Some health services may not be able to operate at the optimum level if level 4 is instigated, this could have a detrimental impact on children and young people who rely on these services e.g. mental health support.

## Restrictions on businesses and services

	Level 1 (Low Risk)	Level 2 (Medium Risk)	Level 3 (High Risk)	Level 4 (Very High Risk)
<b>Licenced premises</b>	Can serve alcohol between 6am and 10pm. Premises (including BYO) must close by 10:20pm. Limited exceptions.	Can serve alcohol between 6am and 10pm. Premises (including BYO) must close by 10:20pm. Limited exceptions.	Off-sales only (alcohol can not be drunk on the premises but only taken away). Hospitality businesses close at 6pm, off licenses to stop selling alcohol at 10pm.	Closed. Takeaway and delivery only between 6am and 10pm.
<b>Non-essential</b>	Open	Open	Open	Closed (click and collect)

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

	<b>Level 1 (Low Risk)</b>	<b>Level 2 (Medium Risk)</b>	<b>Level 3 (High Risk)</b>	<b>Level 4 (Very High Risk)</b>
<b>retail</b>				allowed)
<b>Close contact services (hairdressers, nail and beauty salons, tattoo and massage parlours, etc.)</b>	Open	Open	Open	Closed (access for disabled people or rehabilitation)
<b>Hospitality (pubs, restaurants, cafes, bars, members clubs)</b> <b>[Table service, other mitigations, and takeaway at all levels. Usual exceptions]</b>	Licensed premises can serve alcohol between 6am and 10pm. Premises (including BYO) must close by 10:20pm. Limited exceptions	Licensed premises can serve alcohol between 6am and 10pm. Premises (including BYO) must close by 10:20pm. Limited exceptions	No alcohol for consumption on premises. Open between 6am and 6pm, and for takeaway after 6pm.	Closed, except for takeaway and delivery
<b>Holiday accommodation</b>	Open	Open	Open (travel restricted for people from high prevalence areas)	Essential only (for work or other reasons)
<b>Entertainment venues (cinemas, bowling alleys, indoor</b>	Open	Open	Closed	Closed

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

	Level 1 (Low Risk)	Level 2 (Medium Risk)	Level 3 (High Risk)	Level 4 (Very High Risk)
<b>play centres and areas, amusement arcades, theatres and concert halls)</b>				
<b>Indoor Visitor attractions (including museums, galleries, educational and heritage attractions, and heritage sites such as stately homes)</b>	Open	Open	Closed	Closed
<b>Ice skating rinks (public leisure use)</b>	Open	Closed	Closed	Closed
<b>Outdoor visitor attractions (including gardens, outdoor museums, theme parks, funfairs, heritage sites, farm attractions, zoos)</b>	Open	Open	Open, but indoor elements to close	Closed

	<b>Level 1 (Low Risk)</b>	<b>Level 2 (Medium Risk)</b>	<b>Level 3 (High Risk)</b>	<b>Level 4 (Very High Risk)</b>
<b>Leisure and fitness facilities (gyms, swimming pools, spas, fitness studios)</b>	Open	Open	Open	Closed
<b>Venues for events and conferences</b>	Open	Open for limited activities (e.g. pilot indoor events)	Closed	Closed

Most businesses can remain open in level 1, with the list of which should close or be subject to restrictions in terms of what can or cannot be sold and/or times of operation increasing with the level of risk.

For young people it is important to them that they can meet up with friends outside of the school environment. A regulated setting probably provides a safer place to meet for those that can afford to purchase drinks in a café for example. For the most disadvantaged young people they may not be able to take advantage of this opportunity.

The closure of businesses and/or reduced operating hours will have an economic impact. This could lead to greater hardship in low income families and could lead to more families experiencing financial hardship. Additional stresses could have a negative impact on family life and inter-parental relationships.

It is likely that Article 26: The Government should provide extra money for the children of families in need is engaged.

- BAME children reported in the survey that were more likely to say they needed help making sure their family had enough food. They are more likely

to report indications of food insecurity. This has also been reported by stakeholders who work directly with the BAME community.

In response Welsh Government has prioritised

- families who are in poverty through the DAF, FSM, foodbanks etc – this needs to continue so that no child goes hungry.
- Provided local authorities with funding for inter-parental relationship support

Article 27: Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this, is also likely to be engaged.

- BAME children and young people are more likely to be living in overcrowded and poorer housing which makes staying at home and learning at home more difficult.
- BAME children and young people reported that the restrictions affected their ability to keep a healthy body and mind, and how limited space or living in over-crowded housing had made this harder.
- Disabled children and young people were more likely to report a negative impact on their mental health and that the closure of services was having a big impact on how they felt.
- The 'Babies-in-Lockdown' report noted almost half (47%) of parents reported that their baby had become more clingy. One quarter (26%) reported their baby crying more than usual. The numbers of those reporting increases in babies crying, having tantrums and being more clingy than usual was twice as high amongst those on the lowest incomes than those on the highest.
- This report also reported that 6 in 10 parents shared significant concerns about their mental health.

In response Welsh Government has prioritised

- families who are in poverty through the DAF, FSM, foodbanks etc – this needs to continue so that no child goes hungry.
- children at risk of development delay through the Child Development Fund

## Community facilities

---

	<b>Level 1 (Low Risk)</b>	<b>Level 2 (Medium Risk)</b>	<b>Level 3 (High Risk)</b>	<b>Level 4 (Very High Risk)</b>
<b>Places of worship</b>	Open	Open	Open	Open
<b>Community facilities</b>	Open	Open	Open	Limited opening (e.g. for essential public services)
<b>Crematoriums</b>	Open	Open	Open	Open
<b>Public facilities (libraries, recycling centres, etc.)</b>	Open	Open	Open	Closed to public (click and collect only)
<b>Sports courts, skate parks, golf courses, enclosed pitches</b>	Open	Open	Open	Closed
<b>Playgrounds, public parks</b>	Open	Open	Open	Open

---

This includes places of worship which would remain open in levels 1-3 but would be closed for communal services in level 4. They should remain open for the delivery of childcare services at all levels

Article 14: Children have the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights, is important here. It is positive that places of worship will remain open in all but the most severe level of restrictions. Consideration needs to be given to young people's rights in attending different ceremonies, especially

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

if they are 12 or above.

Community centres, public facilities, such as libraries and sports courts and skate parks will remain open in all but the highest category of restrictions. This will support all children and young people but specifically BAME 7-11 year olds who were significantly more likely to say the closure of community centres and not being able to go outside affected their learning (Coronavirus and me survey). BAME children and young people across all the age ranges of the survey were also more likely to say they felt the closure of libraries had affected their learning. Communications will need to be clear that parks and green spaces will remain open, this is important because not everyone has a private garden or outside space – children need to play.

## School and childcare

	Level 1 (Low Risk)	Level 2 (Medium Risk)	Level 3 (High Risk)	Level 4 (Very High Risk)
<b>Childcare providers</b>	Open	Open	Open	Open
<b>Informal childcare</b>	Allowed	Allowed	Allowed	Allowed (but should be essential only)
<b>Primary schools</b>	Open	Open	Open	Open
<b>Secondary schools</b>	Open	Open	Open	Open
<b>Colleges, FE</b>	Open	Open	Open	Open

This document was downloaded from GOV.WALES and may not be the latest version.

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

	<b>Level 1 (Low Risk)</b>	<b>Level 2 (Medium Risk)</b>	<b>Level 3 (High Risk)</b>	<b>Level 4 (Very High Risk)</b>
<b>institutions</b>				
<b>HE institutions</b>	Open	Open – mix of in-person and remote learning	Open – mix of in-person and remote learning	Open – mix of in-person and remote learning
<b>PRUs, Special Schools and EOTAS</b>	Open	Open	Open	Open

Childcare, schools, HE and FE institutions all remain open across all levels although there may be options for blended learning when restrictions are greatest.

Article 28 is supported overall through this approach however level 4 restrictions are likely to have very significant adverse impacts for disabled children and children with additional learning needs, children who are already experienced socio-economic disadvantage and some Black, Asian and Minority Ethnic Children.

Children and young people are, in the main, supportive of being able to continue their education and to go to school and college. In a recent discussion with the First Minister and Deputy Minister HSS young people were asked about their views of education during the firebreak, they said:

- Online sessions should be seen as a last resort as some young people feel less confident to email and ask for help, much easier in the classroom face to face.
- If online is used properly with the right support it can work really well but there are cases of young people just being sent powerpoints or bulk work

and not checked on.

- They felt they had a lot less time to get to know their teachers so don't always feel comfortable to ask for help – some may have only been in school for part of the first half of term due to self-isolation requirements so had not built a relationship with new teachers.
- Some have been facing digital poverty issues – not just devices but access to decent wifi connections
- There were not as many well-being checks this time, a mindfulness powerpoint had been sent out.
- Feel like it's seen as a send it out and it's done. They expressed concerns for those in unhealthy households and felt maybe they should be called on as well
- Special school open all through and using flexibility to do the best we can, adapted quite a bit.

Over the longer term, consequences associated with an interrupted or limited access to education and/or developmental assessment and support are persistent and scarring:

- Reduced ability or appetite to access further or higher education;
- Reduced employment possibilities;
- Increased poverty levels, and an exacerbation of the attainment gap;
- Increased adverse childhood experiences;
- Increased gender inequality;
- Poor health.

Developmental delay even in one area can have a significant impact on an individual's life course.

- Over 50% of children in socially deprived areas may start school with impoverished speech, language and communication skills<sup>[2]</sup>.
- One in four children who struggled with language at age five did not reach the expected standard in English at the end of primary school, compared with one in 25 children who had good language skills at age five<sup>[3]</sup>.
- After controlling for a range of other factors that might have played a part (mother's educational level, overcrowding, low birth weight, parent a poor reader, etc.), children who had normal non-verbal skills but a poor

vocabulary at age 5 were, at age 34, one and a half times more likely to be poor readers or have mental health problems and more than twice as likely to be unemployed as children who had normally developing language at age 5<sup>[4]</sup>.

- Vocabulary at age 5 is found to be the best predictor (from a range of measures at age 5 and 10) of whether children who experienced social deprivation in childhood were able to 'buck the trend' and escape poverty in later adult life<sup>[5]</sup>.

Adverse childhood experiences (ACEs) are stressful events occurring in childhood, such as being a victim of abuse, neglect, or growing up in a household in which alcohol or substance misuse, mental ill health, domestic

violence or criminal behaviour resulting in incarceration are present<sup>[6]</sup>. Other experiences can also have a detrimental impact on a child's life such as poverty and experiences such as a global pandemic.

- ACEs are common, with approximately half of the adult population (aged 18-69 years) in Wales reporting having experienced at least one ACE, and 14% reporting four or more<sup>[7]</sup>.
- ACEs can have a detrimental impact on health across the life course, contributing to a wide range of poorer outcomes, including poorer educational outcomes, increased health inequality and morbidity. In Wales, those who suffer four or more ACEs are six times more likely to be a smoker, four times more likely to drink alcohol at harmful levels<sup>[8]</sup>, twice as likely to suffer from a chronic disease (e.g. asthma, cancer, obesity, heart and respiratory disease;<sup>[9]</sup>, and six times more likely to have ever received treatment for mental illness (e.g. depression or anxiety)<sup>[10]</sup>.

A history of exposure to ACEs has also been associated with an increased demand on health services<sup>[11]</sup>. ACEs and their negative effects can extend beyond a single generation, with their replication driven by complex interactions between personal and social environmental factors, leading to their intergenerational transmission<sup>[12]</sup>.

While access to education is not a panacea for all socio-economic impacts, it is clear that access to high quality education helps redress a range of longer term

factors. This is recognised in Taking Wales Forward. Furthermore maintaining time in schools would help address some of the concerns regarding socialisation, isolation and mental health. It would enable children and young people to have contact with trusted adults outside of the home environment which is one of the key resilience factors in terms of ACEs.

Welsh Government has set aside funding of £29m over 2 years to support children and young people to 'catch up' however it is not yet known how successful this will be especially for those who are most disengaged and those who are not attending school.

The child development fund of some £3.5m in 2020/21 has been developed to focus specifically on children under the age of 5. It will enable support to be provided in all local authorities in Wales where there is delay or potential delay especially in speech, language and development; fine and gross motor skills and social and emotional development. In addition programmes such as Flying Start and Families First alongside the childcare offer continue to support children and young people and their families.

[1] Coronavirus and me survey ran for the last 2 weeks of May (2 months after the first lockdown began) – more than 23,700 responses received from children and young people aged 3-18. Mainly online with some phone calls to ensure harder to reach groups were able to participate – it should be noted this was not a representative survey but it does provide a base of responses which we can draw from. According to UNICEF no other government has conducted anything similar.

[2] Locke et al, 2002

[3] Save the Children, 2016

[4] Law, 2010

[5] Blanden, 2006

[6] (Felitti et al., 1998).

[7] (Hughes et al., 2018)

[8] (Bellis et al., 2015a

[9] Ashton et al., 2016

[10] Hughes et al., 2018

[11] Bellis et al., 2017a; Chartier et al., 2010.

[12] Larkin et al., 2012; Leitch, 2017; Lomanowska et al., 2017

## Which of the rights from the UNCRC are informing our decision making?

Article 1: Everyone under the age of 18 has all the rights in the Convention.

Article 2: The convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.

Article 3: All organisations concerned with children should work towards what is best for each child.

Article 6: All children have the right to life, Governments should ensure that children survive and develop healthily

- The right to life is more than being safe from the virus. It is about developing socially, emotionally, physically, mentally and spiritually.
- Being able to play and exercise are essential to a child's physical development and their mental health and well-being.
- Younger children, should be able to socialise – this is important for babies and toddlers as well as for children of primary school age.
- The 'Babies-in-Lockdown' survey reported that just over a quarter (28%) of those breastfeeding feel they have not had the support they required. Over half of respondents were breastfeeding (55%), but over half of those using formula had not planned to do so (53%).

Article 12: Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account.

- The 'Coronavirus and Me' survey has provided an insight of the views of the 23,700 children aged 3-18 who chose to respond in May/June 2020. Some of the findings are set out below. Children said
  - They had worries about how long the situation would last and fears that they or those they love will catch the virus. Some felt they were being kept safe at a time when daily numbers of deaths were decreasing and children were less affected. They may feel differently now that infection rates are increasing and their lives will be disrupted again.
  - Disabled children were more likely to be feeling worried about the virus and were concerned about catching it.
  - The top three things young people (12-18) said the stay at home rules which impacted on the most were how they feel are 'not being able to spend time with friends' (72%), 'not being able to visit family members' (59%) and 'school or college closing' (42%)
  - 12-18 year olds are reporting worries about their education: only 11% of respondents in this age group stated they did not feel worried about their education, with the main concern being worried about falling behind (54%). BAME respondents were more likely to say they were worried about getting behind with their learning.
  - The main barriers to home learning were access to electronic devices and pressures in the home environment. There are also specific challenges raised for children with additional learning needs.
  - Only 17% of young people felt happy that exams were cancelled. Young people were more likely to feel uncertain (51%) or worried (18%). Young people also report feeling angry (6%) and sad (5%).
  - The majority of children report playing more than usual (53%) with a wide range of online and offline play described including outdoor play, imaginary play, playing with toys or games, sports, and creative play. This was during the time when the regulations had changed to allow children to go out to play and exercise more often. BAME children were more likely to say they were playing less.
- It is important that we continue to listen to children and young people and

use their responses to inform key decisions that affect them. Young people appreciated speaking directly with the First Minister in October 2020 so that he could hear their opinions. They said:

- They were very worried about constantly being assessed and tested in school
- They are struggling to find a balance between time for education and time for family within the home
- They are struggling to accept that they cannot meet school-friends outside school
- They want the same rules to apply to all of Wales
- They want information to be accessible and via media channels they use
- They want access to more opportunities to play organised sport and attend organised youth clubs

Article 13: Children have the right to express their thoughts and opinions and to get and share information as long as the information is not damaging to them or to others.

- Young people have said they want more information that is relevant to them regardless of their background.
- We need to ensure that messaging is appropriate for different age ranges and levels of understanding.
- Ministers should speak directly with children and young people to hear their views and concerns. Young people advised the First Minister that they rarely watched television. They asked whether the Welsh Government used social media. They commented that press events tended to be held at lunchtime when they were in school.

Article 14: Children have the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights.

Article 15: Children have the right to meet with other children and to join groups and organisations, as long as this does not stop other people enjoying their rights.

Article 17: Children have the right to reliable information from the mass media,

Television, radio and newspapers should provide information that children can understand, and should not promote materials that could harm children.

- Young people have said they want more information that is relevant to them regardless of their background.
- We need to ensure that our messaging is appropriate for different age ranges and levels of understanding.
- We should seek to reach children and young people through a range of media and ask for their feedback.

Article 18: Governments must support parents by creating support services for children and giving parents the help they need to raise their children.

- Families who would not normally contact Social Services for help have made contact because they have struggled with the impact of lockdown and wider pandemic arrangements on family life. Sources of support include -
  - Parenting Give it Time where parents can find information, advice and support
  - Families First
  - VAWDASV – support services, refuges. We have planned a targeted multi-media communication campaign to run through the festive period and beyond adapted for the levels of restrictions in Wales. Messaging will be issued under the ‘Home shouldn’t be a place of Fear’ campaign to highlight that support services for victims and families are available and anyone concerned about their own or their children’s welfare/safety can access support through Live Fear Free 24 hour helpline. The campaign will also highlight that the helpline can be accessed by concerned others.
  - Children’s Social Services remain operational to provide care and support for children and parents in greatest need.

Article 19: Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.

- Children’s Social Services rely on universal and preventative services to spot the signs of risk of harm or abuse and report them. The initial lockdown arrangements reduced the number of safeguarding referrals about children.

- Levels of safeguarding referrals have recovered but when schools returned to full operation the cases that were referred were more complex. Recent trend reported of increased anonymous referrals by neighbours/community members worried about children.
- Children's Social Services remain operational and have kept in contact with children at risk and their families. The nature and frequency of that contact informed by regularly reviewed risk assessment.
- Children's Social Services need the support of partner agencies to retain sight on children and respond to pressure on services still in operation throughout the period since March in order to keep children safe.
- Information to support the identification of child abuse and disclosure has been developed and promoted to the public, practitioners and to children and young people themselves.
- Work to deliver actions under the National Action Plan on preventing and responding to child sexual abuse reactivated and progressing well.

Article 21: the process of adoption should be safe, lawful and prioritise children's best interests.

- Safeguarding children and ensuring that children in care and care leavers are supported is our top priority therefore, we are not considering amending regulations at this time as some other nations have done. Feedback from local authority partners supports this position.
- Welsh Government has produced guidance to support local authorities' delivery of children's services. This includes direction on ensuring that children in care and care leavers continue to get the support they need and arrangements for them to have continued contact with families wherever this can be safely maintained.
- There is one exception. Following dialogue with Heads of Children's Services, the Children's Commissioner for Wales and Third Sector stakeholders, interim flexibilities to certain procedural requirements and timescales associated with the Stages in the Regulations were granted, to ensure the consistent delivery of services within the adoption sector could continue.
- To support local authorities plan for a phased restoration of routine children's services Welsh Government has worked with Heads of Children's Services

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

and stakeholders to develop a Recovery Framework. The Framework sets out a realistic and consistent roadmap for the recovery of children's social services; adapting to new ways of working and learning from the positive experiences that lockdown has brought about. It sets out principles of working to help local authorities plan in a consistent way and at a pace determined by individual local authorities. These principles are focussed on supporting the prioritisation of work and services, maintaining the wellbeing of the workforce, delivery of placements, contact with children and families and engagement with the Judiciary.

Article 23: Children who have any kind of disability should have special care and support so that they can lead full and independent lives.

- Parents of children with additional needs have reported feeling abandoned, uncertain of where to get help and support.
- Disabled children and young people were more likely to about the negative impact on their mental health in their response to the survey.
- Concerns have been raised about the initial blanket approach to not being able to go outside more than once a day – some parents decided to break the law to ensure the 'best care' for their child.
- Clear and simple messaging about potential dispensations would help families with ALN children and young people.

Article 24: Every child has the right to the best possible health.

Mental health impact and mitigating work

- Mental health has been a real concern for children and young people during the pandemic as identified through various surveys and research including the coronavirus and me survey, and the discussions held with young people. Welsh Government continue to monitor national and international surveys on children and young people's mental health to ensure we use the most valid and up to date information in our decision making.
- There are many ways that, as a nation, we are trying to manage the risk of transmission of the coronavirus including through specific guidance to the general population about the important measures each person can take personally; guidance for childcare, schools and colleges; self isolation

requirements and the latest alert levels plan. While all of these things are important to reduce transmission the other harms that the effects of these actions could have on children and young people need to be taken into account. This includes disproportional impacts on some communities including the most disadvantaged, Black, Asian and Minority Ethnic families and the digitally excluded.

## Immunisation

- Routine vaccination of children is essential to ensure other childhood diseases do not spread throughout the population. These immunisation programmes have continued.
- Maintaining immunisation programmes is a key priority to protect public health from preventable infections. Childhood immunisation programmes have continued as essential services during the coronavirus pandemic, with appropriate assurance to parents and infection control measures in place.
- The Chief Medical Officer wrote to all general practitioners and health boards in March to emphasise the importance of continuing childhood immunisation programmes during the response to COVID-19 to protect public health not only during the outbreak but in the future.
- In September, a joint letter was sent to all schools (via WLGA) from the Chief Medical Officer, Chief Nursing Officer and Director of Education, Welsh Government stressing the importance of maintaining all immunisation programmes, including flu, at this time and encouraging head teachers to support these sessions by allowing access to schools in line with safety protocols.
- Public Health Wales has developed monthly enhanced immunisation uptake reports to monitor the impact of COVID-19 on uptake of routine childhood immunisations across Wales. Current data shows uptake in young children and infants due their immunisations over the last seven months remains similar to before the pandemic. Uptake in one year olds has remained above 95% for all vaccinations (with the exception of rotavirus at 94.0%, which can only be given up to 24 weeks of age).
- School immunisation sessions for older children were suspended after the closure of schools on 20 March 2020. A phased return to schools began on 29 June 2020, with full reopening on 1 September 2020. Current uptake of

vaccinations due in 2019-20 are lower compared to 2018-19 14 at the same time last year due to further interruptions to the school timetable. 'Catch-up' sessions are being scheduled to offer immunisations as soon as possible.

- The Welsh Government will monitor uptake of all national immunisation programmes closely with key NHS stakeholders to encourage uptake and enable people to continue to have immunisations safely.

Article 25: If a child has been placed away from home for the purpose of care or protection (for example, with a foster family or in hospital), they have the right to a regular review of their treatment, the way they are cared for and their wider circumstances.

- Lockdown arrangements had an obvious impact on the arrangements for children in care to have contact with their families. However we published operational guidance for Children's Social Services to set out our expectations on the ways in which support to children in care and care leavers should continue to happen in a safe way. Children's Social Services have continued to operate throughout 2020.
- The **Operational Guidance** has been updated a number of times to reflect changing arrangements in response to Covid-19. This includes advice on family time (contact arrangements for children and their families)

Article 26: The Government should provide extra money for the children of families in need.

- Welsh Government has prioritised families who are in poverty through the DAF, FSM, foodbanks etc – this needs to continue so that no child goes hungry.
- BAME children reported in the survey that were more likely to say they needed help making sure their family had enough food. They are more likely to report indications of food insecurity. This has also been reported by stakeholders who work directly with the BAME community.
- VAWDASV has provided additional funding for children and young people services across Wales, including trauma informed counselling and children's workers in refuge.

Article 27: Children have a right to a standard of living that is good enough to

meet their physical and mental needs. The Government should help families who cannot afford to provide this.

- BAME children and young people are more likely to be living in overcrowded and poorer housing which makes staying at home and learning at home more difficult.
- BAME children and young people reported that the restrictions affected their ability to keep a healthy body and mind, and how limited space or living in over-crowded housing had made this harder.
- Disabled children and young people were more likely to report a negative impact on their mental health and that the closure of services was having a big impact on how they felt.
- The 'Babies-in-Lockdown' report noted almost half (47%) of parents reported that their baby had become more clingy. One quarter (26%) reported their baby crying more than usual. The numbers of those reporting increases in babies crying, having tantrums and being more clingy than usual was twice as high amongst those on the lowest incomes than those on the highest.
- This report also reported that 6 in 10 parents shared significant concerns about their mental health.

Article 28: Children have a right to an education. Discipline in schools should respect children's human dignity. Primary education should be free. Wealthy countries should help poorer countries achieve this.

- Young people were more likely to say that they enjoyed not going to school or preferred learning at home if they were disabled.
- 7-11 year old Black Welsh or British respondents were significantly more likely to say they felt confident or very confident about their education than White Welsh or British respondents.
- BAME respondents were significantly more likely to say they were worried about getting behind with their learning, worried about starting a new school year or new school in September.
- BAME children and young people were significantly more likely to say the closure of libraries has affected their learning, across age ranges. 7-11 year olds were significantly more likely to say the closure of community centres and not being able to go outside affected their learning.
- Digital needs have made it difficult for some children to access help and

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

support – this could be due to not having IT kit or because they do not have enough ‘data’ to access online learning or relevant support services. This was true for some families who needed additional support in Flying Start areas. We need to ensure that families are not disadvantaged due to poverty and/or a lack of IT and data. Young people advised the First Minister that they were constantly being tested and assessed in school and that the pressure was too much. They also advised that those who were home-schooled felt left behind.

Article 29: Education should develop each child’s personality and talents to the full. It should encourage children to respect their parents, and their own and others cultures.

- Young people have reported concerns for their own futures in terms of employment and education opportunities
- BAME respondents were significantly less likely to say they have been learning new skills than White Welsh or British respondents, among the 7-11 age group), but were significantly more likely to say this than White Welsh or British respondents in the 12-18 age group.
- BAME respondents were significantly more likely to say they have been reading and writing (among 12-18 year olds), and cooking (among 7-11 year olds), during lockdown.

Article 31: Children have the right to relax and play, and to join in a wide range of activities.

- BAME respondents were significantly less likely to say they had been exercising outdoors, across the age groups.
- BAME 7-11 year olds were significantly less likely to say they were playing more often than before. Young people advised the First Minister that they wanted more opportunities to play organised sports.
- They also advised that they wanted to attend organised youth projects

Article 35: children should be protected from being abducted, sold or moved illegally to a different place in or outside their country for the purpose of exploitation

- Organised criminal networks have adapted their operations throughout the pandemic so that they can continue to secure financial gain through the exploitation of children.
- The third sector have reported that children and young people have been at increased risk of on-line grooming and exploitation.
- Information to support the identification of child abuse and disclosure has been developed and promoted to the public, practitioners and to children and young people themselves.
- We continue to liaise with safeguarding partners including the police on this issue and regular meetings with the Home Office established.
- Independent Child Trafficking Guardian Service continues to operate across Wales.
- We have continued to fund MEIC, an information, advice and advocacy helpline for children and young people in Wales and have provided further funding of £27,500.00 (excluding VAT) to Pro-Mo Cymru to support the delivery of MEIC provision in response to the Covid-19 outbreak, to ensure that the MEIC service is able to fully meet the needs of young people in Wales for the immediate response to Covid-19.

## What Welsh Government can do to reassure children?

Children have been and remain anxious and they have questions about how restrictions will affect them, their families and their futures. Direct communication with children and young people has been well received. It goes some way towards helping children to understand why they can/cannot go to school, see their friends and family members or take part in many of their usual activities. Young people appreciated the time the First Minister has taken to explain why these decisions are being made. In order to be compliant with the UNCRC we must continue to ask for their views through this next phase.

We can utilise existing comms campaigns, and networks, to distribute information and advice to parents, for example the Parenting. Give it Time campaign which can be used to get messages out to parents; the Flying Start facebook page; and our Parenting Expert Action Group, Childcare, Flying Start

**This document was downloaded from GOV.WALES and may not be the latest version.**

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

Get [information on copyright](#).

and Families First Networks.

Information and advice distributed in this way could include:

- How parents can reassure children and explain what is happening
- How parents can support their children to continue to enjoy some of their critical rights, e.g. right to enjoy relaxation and play. In relation to education, education communication channels would lead, but parenting network and comms campaigns could signpost etc. and how children can support their own mental health through online mechanisms.
- Highlight services that remain open – children’s services, mental health services etc and how to contact them
- Provide easy to read FAQs for children and parents via schools and colleges
- But there is a clear gap in information being made available to young people, the channels used and the timing of the availability of information being received and understood by them. We must also be clear that our information and messages are written in a way children and young people can understand.

## About this document

This document is a copy of the web page [Alert levels and restrictions in Wales: children's rights](#) downloaded.

Go to <https://gov.wales/alert-levels-and-restrictions-wales-childrens-rights-html> for the latest version.

This document may not be fully accessible, for more information refer to our [accessibility statement](#).

Get [information on copyright](#).

