

# Assessing the impact of decisions to increase operations in schools and settings following the initial response to the COVID-19 pandemic

## SECTION 1. WHAT ACTION IS THE WELSH GOVERNMENT CONSIDERING AND WHY?

### 1. The initial education response

The Coronavirus (COVID-19) pandemic has resulted in an unprecedented situation where, in order to respond to and where possible mitigate the public health emergency, significant, complex and often difficult decisions have had to be taken often within very compressed timescales.

This Integrated Impact Assessment (IIA) focusses on assessing the impacts of policies relating to increasing operations in schools and settings in Wales following lockdown measures in March. It relates to the [IIA covering the impacts of the initial policy decisions](#) taken in relation to the provision of education in response to Covid-19 (the initial education response IIA). That IIA covers the immediate actions taken in March in light of evidence from the Scientific Advisory Group for Emergencies (SAGE), Technical Advisory Cell (TAC) and advice from Public Health Wales.

Importantly, the lessons learned from our experience in taking the initial decisions and the impact that these have had on groups of learners, the education profession and local communities has helped inform policies developed to support recovery in the education sector, such as increasing operations in schools and settings covered in this IIA.

For the purposes of this IIA, the term 'schools and settings' includes maintained primary, secondary and special schools in Wales, as well as Pupil Referral Units (PRUs). It should be noted, however, that ongoing assessment of impacts covered in this IIA include considerations for all children and young people of school age irrespective of how or where they receive learning.

Separate impact assessments are ongoing regarding the restart and recovery of the childcare and play sector, and post-16 education and training.

#### The evolving context

As set out in more detail in the IIA on the initial education response to the pandemic, on [18 March the Minister for Education made a statement](#) announcing schools and settings would close for statutory provision of education at the latest on 20 March. A further [statement was made on 20 March](#) stating from 23 March schools and settings would be closed for learners with the exception of provision for those who were vulnerable, or whose parents were critical to the COVID-19 response so they could continue to work where alternative childcare arrangements could not be made.

As noted by Ministers over recent months, disruption to education as a consequence of the COVID-19 pandemic will likely be with us for some time. As such, this IIA on increasing operations in schools and settings remains ongoing, with this summary representing a 'snapshot' in that process. However, it is not possible to predict with certainty what decisions will be necessary and when, as that depends entirely on developments with COVID-19 in Wales over the coming months, as well as the experience of learners, schools and settings as they increase operations into the autumn. At this point in time, we plan to review and update this impact assessment in both August and October.

## **2 Increasing operations in schools and settings**

### **2.1 Background to decisions**

Following initial decisions to re-purpose schools and settings (for the children of key workers and vulnerable children) and approaches to keep learners safe and learning were in train (as set out in the [Stay Safe Stay Learning](#) policy statement), planning for increasing operations in schools and settings got underway as part of a cross-Government response. Welsh Government has been clear that provision would not mirror what schools and settings would offer during normal times and, consequently, has considered how the legal framework can be altered to reflect this.

The First Minister published a [framework](#) to lead Wales out of the coronavirus pandemic on 24 April to help determine when the strict stay-at-home restrictions could begin to be relaxed and help to find a way for people to live and work alongside coronavirus.

On 7 May, Welsh Government published the [modelling update](#) from the Technical Advisory Cell (TAC). This provided more detailed information on the understanding of COVID-19 and its transmission at that time. That showed that while the number of COVID-19 cases in Wales was decreasing, the number of new hospitalisations were falling, and that social distancing adherence in the population was good, the time was not right for easement in restrictions in respect of schools and settings; this particularly so without other interventions yet being in place and operating (such as Test Trace Protect – TTP).

On 13 May, the Welsh Government published [Test, trace and protect](#), a strategy for enhanced health surveillance. This was implemented from 1 June, with [weekly updates](#) on testing being published. Contact tracing is being used in countries around the world to limit the spread of the virus in communities by breaking the link in transmission. The TTP strategy sets out the approach to tackling coronavirus in this phase; testing people with symptoms in the community, tracing those who have come into close contact with people who have tested positive for coronavirus, and protecting family, friends and our community by self-isolating.

On 15 May, the First Minister published the roadmap, [Unlocking our society and economy: continuing the conversation](#) which built on its sister paper, '[Leading Wales out of the coronavirus pandemic: a framework for recovery](#)' published on 24 April as noted above. It signalled a phased approach to increasing operations in schools

when the time was right, and set out a red, amber, green traffic light system to define how restrictions could begin to ease.

## 2.2 Decision making process

On 15 May the Minister for Education published the [decision framework for the next phase of education and childcare: considerations, planning and challenges](#). That working document set out the approach to changing the operations of schools and other providers over time in response to COVID-19.

The development of the framework was informed by discussions with key stakeholder groups, including head teachers, unions, Public Health Wales and other education support organisations (as explored later in this IIA). It set out 5 key principles for the education sector in the next phase i.e. re-opening schools and increasing operations in schools:

- The safety and mental, emotional and physical **well-being of learners and staff**.
- Continuing our **contribution to the national effort** and strategy to fight the spread of COVID-19.
- Having the **confidence of parents / carers, staff and learners** – based on evidence and information – so that they can plan ahead.
- **Ability to prioritise** learners at key points, including those from disadvantaged backgrounds.
- **Consistency with the Welsh Government’s framework** for decision-making, to have guidance in place to support measures such as distancing, managing attendance and wider protective actions.

These principles, alongside consideration of children’s rights and related duties, weigh up a number of factors as part of the decision making process. In particular, any increase in operations would only be considered when certain scientific / medical criteria were met. However, that could not mean there would be no risk, but rather that Ministers were satisfied that all reasonable steps had been taken to mitigate risks, including as part of the wider lockdown restrictions. This includes having due regard to children’s rights and risks to them if they are not met; for example, their rights to survival and development, the highest attainable standard of health, and the right to education. Factors also include any adverse effects on well-being or access to learning arising from not going to school.

In publishing the decision framework, Ministers committed to giving time for schools and settings to prepare, and that advance work would take place with local authorities to ensure practical measures were in place, such as cleaning and hygiene operations.

The decision framework is designed to support Ministers to make ongoing decisions about the right level of operations in schools and settings each time they are reviewed – including through the summer and into the autumn term. Questions include:

- Should we increase/decrease operations in schools and other providers? Does the health context allow or require a change?
- Which groups of learners should physically attend? What is the most appropriate and viable level of operation at present?
- How do we plan to change this over time? Are our proposals sustainable if needed in the longer term?
- How do we ensure staff and learners are kept safe and well? What mitigating measures should be put in place to ensure social distancing and the mental, emotional and physical well-being of staff and learners?
- How do our proposals contribute to the national effort and strategy to fight the spread of COVID-19? Do they meet the wider Welsh Government tests for easing lockdown?

As part of analysis and planning of possible options for schools and settings, the Minister for Education engaged key stakeholders (including local authorities, Estyn, teaching unions, parent groups, and the findings from learner surveys). Inputs also drew from the experiences of local authority staff and the education profession in working with learners and parents in managing remote learning arrangements, addressing specific needs identified and supporting provision at 'hubs' for the children of critical workers and vulnerable children.

These engagement mechanisms remain in place and are critical to informing impact analysis and decision making over the coming months. They are also integral to supporting the wider review (and capture of data and evidence) as part of the process.

### **2.3 Key decisions**

Since the decision to close schools and settings in March, our understanding of the virus and its longer-term impacts has continued to develop. We know that we are going to have to live with the effects of COVID-19 for some time and that it will remain our biggest challenge for the foreseeable future.

On 3 June, the Minister for Education announced that schools and settings would increase operations from 29 June so all learners have the opportunity to 'check in, catch up and prepare for summer and September'. The new school year would start on or around 2 September. The Minister also proposed that the summer term could be extended by a week to 24 July, and where that was the case with the autumn half-term break in October being expanded by a week, subject to local authority agreement. This would allow schools and settings more time to organise 'check in, catch up, prepare' sessions for their learners in advance of the summer break to provide all with better opportunities to engage with their learning. It would also provide a longer break mid-autumn for learners and staff, during a period that is likely to place both under ongoing pressure.

A paper from the COVID-19 TAC, dealing with the [understanding of the virus with respect to children and education](#) at the time is available. That is part of an ongoing series of published updates and sets the context for informed decisions based on the decision framework referenced in section 2.2 above. For example, the paper notes

the impact of early years returning having a smaller impact than scenarios with older children; smaller groups returning on a staggered or rotating basis having the potential to reduce transmission if groups do not mix (including staff); and that younger children might be less susceptible to clinical disease than adults. However, it is also clear that our understanding of COVID-19, while growing, is far from complete and further and ongoing investigative work is necessary and underway to monitor progress and the impact of decisions. The paper notes that the indirect effects of re-opening schools (regardless of which approach is taken) would likely have a greater impact on transmission than the schools themselves (for example, work-related reopening, behaviour changes).

A summary of advice from the SAGE Children's Task and Finish Group is included in the published TAC paper. SAGE makes the point that schools do not only affect children. Staff and parents would also be directly impacted; it is probable that opening of schools and settings will increase transmission in these groups. So any relaxation of closures would also need to consider how to reduce risk from the potential mixing of adults at school gates, in the staff room etc, and have protocols in place for vulnerable groups.

That advice has, therefore, been used to directly inform the guidance for schools and settings noted in section 2.9 below. Further detail on wider evidence used to inform decisions, and how the situation will be monitored and reviewed is also set out in the relevant sections below.

Creating the opportunity for learners to 'check in, catch up and prepare' provides most learners with vital contact time before the summer holiday. This will have important social, learning and attainment gap benefits in the short term, as some of the negative effects of lockdown on learners (explored in greater detail in the [IIA on the initial education response](#)) are mitigated. This period will also help prepare learners for contact time after the summer holidays and also allow schools and settings to test and refine operations before the autumn term.

In using the [decision framework](#), consideration of overarching points were undertaken in the first instance. For example, consideration of options resulted in the approach from a children's rights perspective that all learners (that are able) should be given the opportunity to return to their school or setting before the summer. The establishment of this broad approach first then allowed further consideration of how this could be applied in practice, including for those not able to attend.

None of the potential options targeting particular groups of learners for earliest return to operations in schools or settings (by age, year or learner type) addressed all the inequalities of provision highlighted during lockdown. Each option for early return by learner group would result in greater disadvantage to other learner groups. While evidence and inputs from some stakeholders did favour prioritising particular groups, there was no overall consensus on which groups should be targeted, and which should not. While the assessment of impact on children and young people remains key, there also remain important logistical considerations that need to be taken into account.

The decision to introduce a phased approach to increasing operations in schools and settings from 29 June, with choice being provided to parents/carers, was influenced by a range of factors. These are explored in greater depth throughout this IIA, including in the sections below based on the five key principles of the decision framework.

## 2.4 Well-being of learners and staff

The operation of a school or setting has an [important impact](#) on learners' physical, mental and emotional and social well-being. The safety and mental, emotional and physical well-being of learners and staff has, therefore, been set out at the first key principle for decisions regarding increasing operations in schools and settings as part of the education response to the COVID-19 pandemic.

The Minister for Education has consistently said that operations in schools and settings would only increase when the health context allows. The current trend is that infection and cases are reducing, allowing an easing in lockdown measures in a managed way. Younger children (under 11) seem to be generally less susceptible to infection than adults. [Our latest understanding of COVID-19 with respect to children and education](#) which informs decision making was published on 3 June. A further formal 3 week review point occurred on 18 June in advance of the increase in operations from 29 June. [A Health Impact Assessment of the 'Staying at Home and Social Distancing Policy' in Wales in response to the COVID-19 pandemic](#) has been undertaken by Public Health Wales. It provides an overview of the potential health and well-being impacts of the Staying at Home and Social Distancing Policy (commonly referred to as 'Lockdown') on the population of Wales in the short, medium and long term. In addition, details of [testing of key workers](#) in Wales is published weekly, with positivity rates for education staff across the UK generally being amongst the lowest within the key worker cohort.

Local authorities continue to work with schools and settings to consider how best to support the ongoing well-being needs of all learners and staff at this time. Building our evidence base continues, and will inform the next phase of considerations and decisions regarding the operation of schools and settings through the autumn. This evidence includes outputs such as on [the complex and long-standing disadvantages exposed by coronavirus pandemic](#); the disproportionate impact coronavirus is having on Wales' black, Asian and minority ethnic (BAME) communities.

The application of a rights based approach regarding greater equity allows learners of all ages, stages and needs who are not subject to shielding to experience 'check in, catch up, prepare' sessions in advance of the summer break. Given likely capacity issues in schools and settings, targeting particular learner groups for early return would directly result in others having to miss out; it may also result in stigmatisation for some.

Allowing most learners contact time before the summer holiday provides for important social, learning and attainment gap benefits. Feedback from education professionals and [evidence](#) demonstrates that contact time is more effective for learning, as well as allowing learners to revisit and develop relationships. It also

allows schools and settings better access to help identify well-being needs, safeguarding issues, and any residual digital accessibility issues before a further break in contact over the summer period.

- Even though schools will have been engaged in transition planning and experiences for some time before the lockdown, it provides a final space for learners about to transition to say goodbye to their old class, teachers and setting. Something evidenced in the '[Coronavirus and me](#)' survey as important for year 6 learners.
- Prioritising full return for early years learners first would be difficult to manage for the short summer period, and adequately staff over a more sustained period, given finite capacity in schools and settings and the need for smaller groups of learners. Ensuring the well-being of whole cohorts of our youngest learners is more staff intensive, which would draw staff time away from supporting remote learning for other age groups.
- Expanding the 'hubs' provision would not result in additional educational benefits or address the ongoing and growing well-being and learning needs of learners, particularly across various groups. It would not best meet children and young people's right to education.

Allowing more time for most learners to have the opportunity to engage 'check in, catch up, and prepare' before the summer was also an important consideration; this linked to the proposal for local authorities to extend the summer term by a week. It would provide schools and settings more time to apportion between learners attending during a period of better weather (when we know the spread of COVID-19 can be more manageable).

Clearly if a learner or member of staff lives in a household with someone who is vulnerable or extremely vulnerable, they should only attend a school or setting where they can adhere to social distancing and the learner is able to understand and follow those instructions. Guidance is, therefore, being provided to schools and settings regarding those shielding and [clinically vulnerable children and adults](#).

The [operational guidance](#) published on 10 June (see section 2.9 below) states that when planning to increase operations, schools and settings should consider how this impacts on well-being. They also need to consider the potential impacts on the health and well-being of staff and leaders, including work–life balance.

[Learning guidance](#) is clear that schools and settings should have particular regard to meeting the needs of those unable to attend contact time. The need for outdoor learning is also highlighted on multiple levels. This has clear [learning and well-being benefits](#) but also has important benefits during the COVID-19 outbreak as:

- [evidence](#) indicates that the risk of infection is reduced outdoors and that the virus does not survive long for long periods in sunlight
- social distancing can be easier to observe and maintain outside.

Additional resources are being made available, including through the [Hwb](#) online education platform, to support learners and practitioners in distance or blended learning. This includes a focus on supporting learners' mental and emotional health and well-being and providing well-being support in the new environment. The first of these resources was launched on 1 June and is a '[young person's mental health toolkit](#)' comprising a variety of online resources which can help them through lockdown and beyond. It contains information on websites, apps, helplines, and more which support mental health and well-being.

## **2.5 Contribution to the national effort**

The Minister for Education highlighted as her second key principle in the decision framework the need to continue our contribution to the national effort and strategy to fight the spread of COVID-19.

Sections 1 and 2.1 above provide information on the broader arrangements for review in response to COVID-19 in Wales, links to relevant documents, and how increasing operations in schools and settings fits into that approach. Legislative provisions remain under review and the cycle of 21 day formal reviews is ongoing, drawing on a range of advice and guidance available at each point.

Information on the education response both draws from and informs the national effort across Wales, and in the UK. Welsh Government education officials remain engaged in internal cross-government considerations, including through: the TAC children and education sub-group; the 21 day review group; and the safeguarding and vulnerable children and young people work stream. We also maintain close contact with colleagues in the other UK education jurisdictions, as well as regularly reviewing approaches and results from other jurisdictions internationally.

Discussion with stakeholders included option proposals to change term dates for the summer term and the next academic year. [Evidence](#) suggests that [COVID-19](#) is less transmittable in the sunlight, so there may be benefits to organising school holidays to provide for greater opportunities for outdoor learning. Engagement with parent groups highlighted the decision framework principles, for which there was broad support. Equally, learners' views on how COVID-19 is impacting them, as expressed through the '[Coronavirus and me](#)' children and young people survey, are being taken into account.

The more equitable approach to ensuring most learners have some contact time with trusted education professionals before the summer would become particularly important if operations in schools and settings have to be decreased again in the autumn in a response to a second peak of the COVID-19 pandemic. The summer holiday also acts as a natural pause and review point in learner attendance to check for any adverse effects on COVID-19 transmission.

The decision framework option for prioritising children of parents who need to work, whilst worth exploration given the potential benefits in releasing capacity and greater work / life balance at home, didn't receive notable support from stakeholder groups engaged. These included parent, practitioners and local authorities. In addition, in



practice it would be very difficult to define such groups of parents beyond existing definitions for critical workers, could likely result in larger groups of learners returning than capacity would allow, and would still result in inequity between those covered and those not.

## 2.6 Confidence of those involved

The Minister for Education's decision framework highlighted the confidence of parents / carers, staff and learners as the third principle. It noted that the basis of confidence would be evidence and information, for the purpose of being able to plan ahead. Therefore, how decisions are made, as well as the evidence for decisions, would draw on a range of expertise and evidence.

In addition to the wide range of evidence linked to throughout this IIA, regular discussion is taking place with the following groups for the purpose of agreeing approaches and informing advice on decisions:

- TAC: children and education subgroup – this includes a range of Welsh Government officials and expert advisors to provide evidence on the scientific and health factors and implications.
- Headteachers and leaders stakeholder group –a reference group of leads of schools and other providers from childcare through to university.
- Strategic Education Delivery Partners stakeholder group – providing reference from local authorities, regional consortia, Estyn, further education and Qualifications Wales.
- Diocesan Directors of Education
- Parent Advisory Group
- Trade Unions partnership.
- Colegau Cymru Principals' forum.
- Childcare and Play Stakeholder Reference Group – includes representation from the childcare and play sector, Care Inspectorate Wales, Estyn, local authorities, Social Care Wales and the Future Generations, Children's and Welsh Language Commissioners.

The confidence of parents / carers and learners was highlighted as key factors in our consideration. This included capturing the views of parents / carers on the issues raised in the decision framework, The establishment of the Parent Advisory Group, alongside drawing from parental surveys (via the advisory group and ParentKind) work continues to ensure we gather their attitudes, views and opinions systematically to inform decision-making.

To seek the views of children and young people, the Minister for Education is engaged with the Youth Parliament and the Welsh Government launched a 'Coronavirus and me' online survey in partnership with the Children's Commissioner for Wales, Children and Wales and the Youth Parliament. The survey provided a snapshot over a two week period of the views of over 23,000 children and young people on a variety of issues relating to their health, education, social lives and their feelings through the COVID-19 crisis. The [results](#) have been published on the Children's Commissioner's website, though it should be noted that feedback from the

survey into the decision making process happened in real time; thus allowing learners' views to be taken into account.

This consultation signals a range of different experiences since the outbreak of the pandemic. Some learners have experienced bereavement, distress and worry. Many have missed friends, families and feel they are missing out on their education. At the same time, many learners have described how they have valued a chance to spend more time with their family, to play and relax more, or to learn in a different way. More detail is contained in the Children's Rights Impact Assessment (CRIA) at Annex A.

In addition, discussion with parents / carers are important to understand their, and learners' experiences during this ongoing period of disruption. Additional support will be required for many, such as learners who are experiencing grief, learners with special educational needs (SEN) or other barriers to learning and those with existing mental health problems. Learners who may have been resilient and performing well before lockdown may have been equally affected during this period and need additional support for their well-being and/or learning on return.

The more equitable approach of providing for most learners to attend 'check in, catch up, prepare' sessions before the summer provides for a smoother transitional experience for learners into a period of blended (face-to-face and remote) learning, which may run for some time. For parents and teachers too, the decision to start a phased increase in operations from 29 June is an important opportunity to experience and become confident about the safety measures in place. It remains essential that direct and indirect [communications](#) regarding both learner and parental expectations are clear and consistent throughout this ongoing period of education disruption.

## **2.7 Ability to prioritise**

Ability to prioritise learners at key points, including those from disadvantaged backgrounds represented the further key principle in the Minister for Education's decision framework.

There is [evidence](#) that the long summer holidays has an adverse impact on the attainment gap. It is anticipated that a lack of face to face contact for a period extending over five months would have a significant negative impact on learning development for many children and young people, particularly those from disadvantaged backgrounds. However, there were concerns that prioritising only those from disadvantaged backgrounds for early return would clearly identify them (as they would not form part of a larger group, such as those attending 'hubs' provision), which could create stigma. It may also be difficult to define given more recent challenges presented by COVID-19, and would likely be uneven across school cohorts.

As at January 2020, approximately 85,000 children and young people were eligible for free school meals in Wales, although not all those that are eligible (around three quarters) took up this support. However, as eligibility for free school meals is

dependent on a learner's parent or guardian being in receipt of an income related benefit, for example [Universal Credit](#), the numbers eligible are likely to be increasing due to the current economic circumstances created by the COVID-19 pandemic. Consequently, increasing on-site operations of schools and settings – albeit through a phased approach – supports local arrangements that ensure those eligible for such provision are able to access it. The Minister for Education has committed up to £40 million to enable local authorities to continue free school meal provision (reaching an estimated 60,000 children) until schools and settings re-open to all learners or up to the end of August, if necessary. Ongoing analysis is showing that, as expected, we are seeing an increase in free school meal eligibility as a result of the COVID-19 pandemic. Data Cymru monitoring has confirmed that around 5,000 learners have become eligible since the start of lockdown, and 37% more are being supported than in January.

A further example of prioritised provision arising as a consequence of the pandemic is the additional support for learners to be able to access their learning digitally. The increasing of operations in schools and settings will help education professionals in their review of any outstanding accessibility issues their learners are experiencing, including access to digital tools. Support is already being made available via local authorities, including £3 million additional funding from Welsh Government, to specifically address the issue of access to hardware and/or internet connectivity. We are aware that considerable efforts are being made by local authorities and schools to address these needs but this work remains ongoing. As learners return for 'check in, catch up, prepare' sessions and their needs are directly assessed, we expect any such residual access issues will be quickly resolved and all learners to have full and equitable support for a more blended approach to learning in the autumn. (This is also covered in more detail the [IIA on the initial education response](#) as part of the [Continuity of Learning](#) programme).

It is recognised the different experiences learners will have had at home, and with their families, will play a large part in how easily they adapt to attending their school or setting in a partial return. For all learners this is likely to feel very different to their experience before lockdown. Given this, it is natural that some may require more support than others in making the transition back to a learning environment. The [guidance](#) for schools and settings published on 10 June highlights these issues, and seeks to support provision based on learner needs.

For those learners with a statement of special educational need (SEN), we have also been clear in the 10 June [guidance](#) on the importance of meeting individual needs and the role of individual risks assessments in that process. We will shortly be publishing updated guidance on risk assessing learners which is designed to support local authorities undertake risk assessments for the purposes of:

- determining whether a learner with a statement of SEN is vulnerable and a childcare placement would be appropriate to meet their needs
- supporting learners to attend their school, setting or to continue home learning, as appropriate to their individual needs, as education settings become increasingly operational.

In doing this, local authorities, schools and settings are being asked to consider what should be put in place to ensure schools and settings remain safe places for learners and staff, and that learners are able to access suitable transport.

## **2.8 Consistency with the Welsh Government's framework**

In reaching the decision to increase operations in schools and settings from 29 June, advice has drawn from and remained consistent with the Welsh Government's framework for decision-making. For example, through the publication of initial guidance on 10 June, we have ensured that guidance is in place to support measures such as distancing, managing attendance and wider protective actions in schools and settings. Support for schools and settings also includes sharing information on what a sample group of schools are doing to prepare for 29 June, including communicating with parents and learners. Welsh Government has also published a range of wider guidance and support materials relating to COVID-19 which is being drawn on as necessary; alongside the scientific and health information being drawn on.

As of the middle of June, around 480 local authority 'hubs' across Wales were open, with up to 7,200 children of critical workers or vulnerable children in [attendance](#). This represents 1.5% of the overall school population and up to 6.4% of vulnerable children. There are an estimated 24,112 vulnerable children aged 3+ (those with a social worker or a statement of special educational needs or other vulnerable children on the edges of receiving care and support) in Wales.

While the numbers fluctuate and have increased significantly the data suggests a significant proportion of vulnerable learners are not accessing 'hubs' provision and, consequently, some from more harmful environments could have increased exposure to risk which the 'hubs' could help to identify. The 'hubs' also offer an opportunity to speak to other children and adults in a safe environment if they need any additional support. Generally, however, they cannot provide the same level of support as that offered through education professionals at their normal schools, who are more likely to be known to them and trusted. From 29 June, with 'check in, catch up, prepare' sessions underway we expect greater numbers of vulnerable learners to have increased contact with teachers in their own school or setting allowing learning, safeguarding and well-being needs to be better assessed and provided for in the environment they are more familiar and comfortable with.

Consideration of these arrangements also looked at how it allows schools and settings to test operations before the autumn term. The proposal for a longer mid-term break in the autumn (where an additional week is added to the summer term) is expected to have well-being benefits for staff and learners given the likelihood of that period being a long and challenging term.

Teachers and teaching assistants will be a priority group in the anti-body testing programme. As we keep Wales safe, this approach will be crucial. By the 29 June there would have been one full month of TTP as well as a further formal 21 day review point to ensure health and well-being considerations were in place.

## 2.9 Guidance

[Operational guidance for schools and other education settings: Keep Education Safe \(COVID-19\)](#) was published on 10 June. The guidance provides practical support on preparing for, and increasing, operations during a phased return up to the end of the summer term. It includes practical information around Personal Protection Equipment (PPE), shielding, TTP, classroom sizes adhering to the two metre rule, cleaning, catering, risk assessments, transport etc. It recognises the detail of operations will depend on the individual context and capacity. It covers measures which schools and settings can undertake to:

- support the health and well-being of staff and learners; helping to keep people safe
- plan and organise provision: including determining capacity and checklists for taking the next steps
- manage their facilities and logistical arrangements: including buildings, resources, cleaning and transport.

[Guidance on learning over the summer term: Keep Education Safe \(COVID-19\)](#) published on 10 June looks at what practitioners do with learners on return to operations until the end of the summer term. It is being reviewed further in preparation for the next academic year. As there is only limited time before the summer break, schools and settings have limited opportunity to engage with their learners. Therefore we are encouraging them to use this time to:

- support the health and well-being of learners: learner (and staff) well-being should be the foremost priority
- 'check in' with learners and support them in their preparedness for learning and consider their next steps for the summer and September as appropriate.

Collectively this initial learning and operational guidance has been developed closely with education stakeholder groups (particularly local authorities and trade unions to mitigate against conflicting advice), scientific advisory groups, Welsh Government health colleagues and across Welsh Government education teams working with wider stakeholders on key areas included in the guidance. The guidance has also been considered by Health Protection and the TAC.

As signalled within the documents, they will be kept under ongoing review (as will this IIA) and updated to provide an ongoing source of guidance for education professionals and parents/carers. Updates will need to have regard to inputs from learner, parent and practitioner groups on their experiences of 'check in, catch up, prepare' sessions and blended learning more generally.

The guidance sets out the expectation that all learners who are able to, have the opportunity to attend their school or setting for contact time over the remainder of the summer term. For some, this may only be a few days up until the start of the summer holidays. In practice, this means schools or settings accommodating a reduced number of learners each day according to their capacity, while ensuring appropriate social distancing is in place. This will likely continue for the foreseeable future:

providing a combination of face to face learning with remote learning – a blended learning approach.

It is advised that some learners and staff do not attend. The operational guidance calls for schools and settings to keep a record of attendance and families should notify their school if their child is unable to attend. This will help local authorities plan for and understand any barriers to learners returning to school or setting and identify any further support needed. Reporting arrangements on learner engagement are being put in place with the support of local authorities and regional consortia.

Where learners are not attending, the guidance for schools and settings is clear that provision should be made to ensure that they can continue to learn remotely. This is also supported through the [Stay Safe, Stay Learning](#); continuity of learning plan, and will continue through the next phase.

As operations increase, guidance has been provided on the expectation that those attending 'hub' provision for children of critical workers and vulnerable children will move to their own school or setting. This allows education professionals more familiar with learners' specific needs and circumstances to engage with them in meeting their needs. For learners who are currently making use of 'hub' provision, their usual school or setting will make that provision alongside the learning they are entitled to for the remainder of the summer term.

### **3. The next phase**

In taking forward our response to the public health crisis, we remain mindful of the social, developmental and well-being impacts of extended periods of educational disruption. Nevertheless, we are likely to experience disruption in education provision in schools and settings for some time. We are, therefore, moving towards a period of blended learning, where learners will experience a mix of remote learning and face to face sessions in their schools and settings. This alongside a process of ongoing feedback, research and review.

Also, the emergency nature of the response, the complexity of issues and the timescales within which we have been working, have meant that it has not always been operationally viable to directly involve all delivery partners, or indeed those affected by these decisions to the extent we would have liked. This particularly in respect of learners, parents and carers.

A range of actions have, therefore, been put in place to monitor the impacts associated with the ongoing disruption to learning and to inform decision making going forward.

Research is being commissioned to understand the longer term implications and how we can address them, with consideration of how learners can be engaged in the process. We are working with stakeholders such as Estyn, local authorities, education consortia and trade unions to understand the implications of the blended learning approaches. We are also drawing on experience from outside of Wales to inform our approaches.

Multi-channel communications approaches are being employed to ensure, as far as is possible, those involved or affected by increasing operations in schools and settings have access to the right information, and expectations are clear.

A range of real time engagement arrangements are in place or being considered to gather feedback on the impact of these policies. These include daily social media listening reports and daily summaries of key issues coming through via correspondence and enquiries to our first point of contact centre. As well as further parental and learner surveys.

It is also worth noting that the Senedd's Children, Young People and Education Committee is scrutinising the Welsh Government's response to the COVID-19 pandemic and has issued an open [call for evidence](#). The ongoing publication of this resulting information is also providing a source of inputs to help inform forward decision making and actions.

Support remains in train under the Stay Safe Stay Learning programme, and that will evolve alongside the development of learning guidance which both supports schools and settings in meeting the immediate needs of their learners, as well as their longer term approaches to curriculum design and implementation. Alongside guidance, we are considering how the system can best be supported in taking this work forward, including the role of wider education stakeholders. An example of this can be seen in recent collaboration with Natural Resources Wales (NRW) and the work of the Wales Council for Outdoor Learning in the support for schools and settings to take forward the approach to outdoor learning set out in the learning guidance published on 10 June.

Regarding changes being made to statutory education requirements using emergency powers within the Coronavirus Act 2020, or other legislation, the detail will be set out in an update to this and the initial response IIAs. These include continuing to remove or relax duties that cannot be met, or would cause a disproportionate administrative burden during this period of disruption.

It is intended that the initial learning and operational guidance published on 10 June will help reduce risk of transmission, supporting greater consistency and adherence to social distancing requirements and hygiene guidance for the safety of learners and staff. They will be kept under ongoing review, with the intention that the guidance evolves over the summer term and as the medical/scientific advice evolves.

In parallel, this IIA is being kept under review and will be updated periodically, particularly as the impact of policy decisions becomes clearer, new evidence becomes available, or policies are reviewed and adapted. While the impact of decisions has been assessed as far as possible, the situation and associated decisions remain unprecedented. There may be unintended consequences which are identified later.

## A. CHILDREN'S RIGHTS IMPACT ASSESSMENT

### 1. Describe and explain the impact of the proposal on children and young people

As outlined in Section 1, this IIA focusses on assessing the impacts relating to increasing operations in schools and settings in Wales from 29 June following lockdown measures in March. It follows on from the [IIA](#) published alongside this IIA covering the initial education response to the COVID-19 pandemic.

The decision to increase operations in schools and settings and provide the opportunity for face to face provision for most learners was guided by a rights-based approach to equality of access and consideration of learners' rights. Whilst this approach has the consequence of lower levels of teacher contact time for learners at their school or setting for those groups that may have been targeted for such support, it nevertheless provides the more equitable opportunity for most learners to access face to face support from trusted educational professionals before the summer break. As set out below in this CRIA, consideration has also been given to addressing the needs of those who do not attend their school or setting before the summer break.

#### 1.1 How will the proposal affect the lives of children, positively and negatively?

Increasing operations in schools and settings from 29 June will in due course impact on all children and young people. The approach is designed to start a phased approach to mitigating the negative impacts on learners caused by COVID-19 requiring emergency measures in March (explored in greater depth in the [IIA covering the initial education response](#) to the COVID-19 pandemic).

The [decision framework for the next phase of education and childcare: considerations, planning and challenges referred to in Section 1](#), sets out the approach to changing the operations of schools and settings. It is clear that any increase in operations would only be considered when certain scientific / medical criteria were met. Other factors include any adverse effects on well-being or access to learning for children and young people arising from not going to school, with due regard to the UNCRC.

As confirmed earlier, increasing operations in schools and settings was guided by an approach that is based on equality of access, as all learners have a right to education and to be supported in their learning. As more learners return to the physical school environment, practitioners will be operating in a very different context. This will continue for the foreseeable future; providing a combination of face-to-face learning with remote learning – a blended learning approach. However, individual experiences are likely to vary (at least initially) as the return to operations evolve. Not all learners will have the opportunity for on-site 'check-in, catch-up,



prepare' time with practitioners this term and, potentially into the autumn term. That is why we are already guiding our education professionals to have particular regard for learners who, for whatever reason, are unable to attend a school or setting to receive contact time and how they can be supported remotely.

The negative impacts of lockdown on children and young people are unlikely to be fully addressed for some time after a full return to operations in schools and settings. Consequently, while decisions to increase operations in schools and settings have been taken with concern for the health and well-being of all learners and their rights to education as key considerations, it is likely that further actions will be necessary as the COVID-19 response evolves and our understanding of the implications of the pandemic on learners increases.

It has long been recognised that schools and settings do far more than teach children; good **mental and physical well-being** are essential to good learning. As a result of COVID-19 and the subsequent lockdown we anticipate a negative impact on children's health and well-being.

- Whilst it is recognised that the majority of the impacts for children and young people arising from 'lockdown' are likely to be negative, there have also been some positives highlighted in feedback from learners during the period; these include:
  - extra time to spend with their close family
  - relief from previous social and health pressures such as acting as a carer to wider family members, mental health difficulties and bullying at school
  - more time to focus on learning new skills, hobbies, interests and play
  - reductions in anxiety due to not having to take high stakes exams in the summer.

However, learners also reported:

- only a relatively low proportion felt happy that exams have been cancelled
  - they were more likely to feel uncertain or worried, with some young people also reporting feeling angry and sad.
- For some learners not being in their school or setting environment can be particularly detrimental due to negativity in their home environment. Learners will have encountered different experiences and home environments during lockdown, and starting the process of increasing operations in schools and settings will help identify and mitigate any negative impacts.
  - Not being in school can impact routine and social interaction leading to feelings of loneliness and mental health issues. This has been recognised in the Welsh Government's decision to allocate £1.25 million to provide additional mental health support for children who may be experiencing increased stress or anxiety as a result of the international COVID-19 pandemic.

- Well-being is both vital in its own right and a key enabler of learning: physical, mental and emotional well-being can all support learning or act as barriers to learning.
- Relationships are particularly important in difficult times and engagement in learning alongside classmates will make a vital contribution to the mental health and well-being of young people. Practitioners have been asked to focus on supporting well-being as a foundation for learning, with this being the starting point for schools and settings engagement with learners during the summer term.

The negative impact on **cultural well-being** being seen through lockdown will likely ease as COVID-19 response measures ease and the introduction of 'check-in, catch-up, prepare' sessions in schools and settings from 29 June.

- Reduced opportunities for learners to participate in cultural activities, arts, sports and recreation will likely continue for some time. This could be mitigated to some extent through the role of play and outdoor learning; which practitioners have been asked to consider through guidance. Both play and outdoor learning provide wide ranging opportunities to support learning as well to enhance learners' relationships, physical, mental and emotional well-being. They should therefore be central to any approach to phased return.
- Learning 'in' the outdoors has been shown to support both physical and mental health and well-being. Also evidence indicates that the risk of infection is reduced outdoors as the virus suffers in sunlight.

The pandemic is likely to have negatively affected well-being in some way, particularly for learners who may find it difficult to place issues and concerns into perspective. This could reinforce inequalities between learners, and months away from schools and settings could mean that **emerging learning problems** are missed or addressed later by educational psychologists.

- Assessments of learner development undertaken remotely are more limited. This means that increasing operations in schools and settings can be an important measure to mitigate risks in this regard, and help ensure earlier interventions.
- There have been challenges affecting groups of learners regarding access to electronic devices and pressures in the home environment, so limiting access to learning remotely.
- There were also specific challenges raised for those with additional learning needs, and many learners calling for more contact and support from their school or setting, with additional online provision.

In responding to the issues being raised, including through real time feedback on the learner survey, through the decision making process and development of learning and operational guidance, schools and settings have been asked for the summer term to consider:

- an increased focus on well-being, play and outdoor learning
- a focus on learners becoming 'learning fit': learning should have a clear focus on preparing learners to learn again, on their progression and next steps, rather than focusing on level attainment
- where forms of assessment are used, this should be used to help learners progress in a supportive way
- as learning is reintroduced, learning experiences are developed in response to learners' needs: learners will have a variety of needs, across physical and remote learning and practitioners will need to design learning to support these, rather than carry on with 'business as usual'

Guidance to schools and settings also sets out that as they begin to think about learning and teaching for the next school year, they should also consider the following principles:

- A focus on the purposes and principles of the new curriculum to support learning: many of the answers on the focus, flexibility, autonomy and challenges of this academic year can be found in the Curriculum for Wales guidance.
- A blend of 'in school' and 'out of school' learning driven by a single curriculum: learners should not expect or experience two parallel curriculums, but practitioners will need to think how learning outside classroom supports valuable and finite contact time.

## 1.2 How will the proposal affect different groups of children?

The policies set out in Section 1 to increase operations in schools and settings for children and young people, through a more equitable approach, aims to enable a positive impact on all groups of learners over time. None of the potential options targeting particular groups of learners for earliest return to operations in schools or settings (by age, year or learner type) would have addressed the range of inequalities of provision being highlighted during lockdown. Prioritising one group of learners over another at this stage could well result in some in greatest need not being able to have direct contact with their teachers until September; a significant period of time.

It is recognised that having a broad rights-based approach to equity does not necessarily translate to equality of opportunity, or equality of access for all learners. Further measures are required in specific situations to enable the realisation of such an approach. A key principle of the [decision framework](#) was to allow schools and settings the flexibility to prioritise certain learners at key points if deemed necessary. Appropriate and regular communication with parents / carers will also be important to ensuring that as many learners as possible are able to engage with this provision.

Many learners will adapt to educational disruptions and cope well. As noted in paragraph 1.1 above, there will be opportunities for families to bond more closely and to undertake a range of activities together. The [Effective Pre-School, Primary and Secondary Education](#) (EPPSE) project shows what types of child-adult

interactions help learning and demonstrates the importance of learners' home learning environments. Education is far broader than the classroom and the curriculum.

However, some of the impacts being experienced by the restrictions put in place as a consequence of COVID-19 will disproportionately affect specific groups of learners at particular points. In addition, the evolving situation may give rise to specific needs and issues as the return to operations in schools and settings progresses.

The disruption to education as a consequence of COVID-19 has been particularly challenging for learners with **special educational needs** (SEN) or a disability. It is also likely to have impacted their families and carers, as the respite care and facilities they normally depend on may continue to be unavailable or their provision restricted. Those requiring more intensive and/or specialist support should have this available in an appropriate and timely fashion. Local authorities and services across the NHS and social care should work with schools and other education settings to identify and support learners' needs.

The flexibility in local arrangements, and the encouragement to local authorities to consider providing multiple forms of support in parallel with increasing operations in schools and settings, is intended to allow support to be responsive to the needs of particular individuals. For those with disabilities, this is likely to include considerations about accessibility of support provided and whether any additional support is needed.

Risk assessments are essential tools, and should already exist for learners with more complex needs. At the start of the response to COVID-19, schools and settings were asked to continue to provide care for a limited number of vulnerable children and young people, including some with a statement of SEN. To identify those with statements who needed a childcare placement, local authorities were asked to undertake SEN risk assessments. In the case of special schools, their personalised knowledge and existing risk assessments will inform decisions as to whether a child can attend the setting safely and what safety arrangements need to be put in place.

Risk assessments should involve parents or carers and the views of the learner; should adopt a multi-agency approach where appropriate; and should focus on determining whether the learner would be able to have their needs met at home with support provided remotely. Local authorities work with schools and settings to decide together who is best placed to undertake the risk assessment.

Staying at home can be more disruptive to the lives and routines of those with additional educational needs and disabilities, particularly due to their specialist educational needs. The impact is also likely to be more significant on their families and carers, as the respite care and facilities they depend on are unavailable or their provision severely limited. The '[Coronavirus and me](#)' survey reported a sample of the challenges encountered by those with SEN during the lockdown:

*'I am finding the school work really difficult to do as I am dyslexic and it all come in written text, which I find hard to read'* (Boy, 12, Ceredigion)

*'Really struggling with school work the Hwb isn't set up for dyslexics'* (Girl, 15, Ceredigion)

*'It needs to be clearer what extra support is available for children with special needs...because I go to mainstream, no one has offered me a place or additional support as a special needs pupil, despite having a statement of educational needs.'* (Boy, 10, Rhondda Cynon Taf)

*'I have ASD so I have struggled with suddenly no school and a different routine. I'm worried about going back to school. I don't know when. I don't know who will be there.'* (Boy, 10, Rhondda Cynon Taf)

*'No support for my schoolwork. No contact with friends in the Asd base at school. No contact with specialist clubs I was part of'* (Boy, 16, Bridgend)

The operation of 'check in, catch up and prepare' sessions from 29 June on a rotational / part-time basis may prove more challenging for those with SEN. For example, learners with autism have a greater need for routine / consistency, which rotational attendance does not provide. Also those with complex needs will have equipment from their school or setting at home, such as a physiotherapy /specialist learning equipment. This brings practical challenges if required equipment also needs to be transported between the home and school or setting. In some instances, consideration should be given to offering a learner with SEN a full-time placement. These issues are being addressed through additional guidance on SEN risk assessments, which will be published shortly.

We are aware that the take up of the hub provision for vulnerable and **disadvantaged learners** fell short of the 40% provision identified. Vulnerable and disadvantaged learners should be able to return to their own school or setting as soon as possible. Access to teachers they know and trust, and who are more familiar with the individual challenges they may have faced during lockdown, is essential in helping identify specific needs. Therefore, as operations increase from 29 June we expect learners attending 'hubs' provision to move to their own school or setting. For learners who have used 'hubs' provision, the expectation is that schools and settings will continue to make additional provision for those learners, alongside the learning support they are entitled to.

For those receiving free school meals the closure of schools and settings has meant they have been home more often and more exposed to possible resultant stresses. This will likely require specific actions to address individual and group needs through the school or setting over a sustained period of time. The guidance to schools and settings highlights these issues for their consideration. In addition, to enable local authorities to continue free school meal provision until schools re-open to all learners (or up to the end of August if necessary) £40.4 million has been allocated.

In line with our expectations that numbers would increase as a result of COVID-19, as at the 20 May, Data Cymru monitoring has confirmed that around 5,000 learners have become eligible since the start of lockdown, and 37% more are being supported than in January. Over 90,000 learners are now provided with free school meal provision.

Through increasing operations in schools and settings it is recognised that there may be some differential impacts for certain groups based on **race**. For example there is growing evidence that COVID-19 is having a disproportionate impact on people from Black, Asian, Minority Ethnic (BAME) communities.

The underlying socioeconomic causes of poorer COVID-19 health outcomes in BAME groups are likely to be varied and complex. Factors include housing issues, multi-generational households and overcrowding, access to digital services and information, occupations leading to greater health risk, self-employment and zero-hours contracts, an embedded culture of racism and promoting a culture of recording ethnicity. These issues in many instances are long standing, and continue to impact on children and young people living in these households. However, they are being exacerbated by the pandemic and resulting restrictions.

The First Minister convened a BAME COVID-19 Advisory Group to advise on necessary measures to protect those (BAME) communities in Wales whose health is being disproportionately impacted by COVID-19 and also to recommend longer-term work that would be needed to address any inequalities.

Consequently the Socio-economic Sub Group undertook research and published a [report](#) on 22 June. The report highlights avenues for further research and makes recommendations for addressing each of the factors identified that position race equality concerns at the heart of decision-making in government. It concludes that cross-sectional monitoring and evaluation systems are required to meet the Public Sector Equality Duty, and embed anti-oppressive practices across all health, social care and other services in Wales. The report will inform a Race Equality Action Plan for Wales which will be developed by the autumn.

Additionally, the All Wales COVID-19 Workforce Risk Assessment Tool has been designed for use for all health and social care staff thought to be vulnerable or at risk, regardless of ethnicity. The tool addresses individual risk factors. Work is underway to adapt this tool to support the education workplace, but it is available for use in its current form now.

Learners from the Gypsy, Roma and Traveller communities are also likely to be particularly affected as they can experience multiple types of disadvantage. This often includes lack of access to digital equipment and connectivity at home and parents / carers who may be less able to provide educational support. Schools, settings and local authorities need to be mindful of the specific challenges in communicating arrangements to parents; particularly to those living on private sites or on roadside encampments where broadband and mobile data may be limited or unavailable. Up to £3 million is being provided to local authorities to support 'digitally excluded' learners, ensuring they are equipped as we move into the next phase with a focus on blended learning.

The Welsh language raises impacts in respect of those being able to access the support they need to develop their skills and knowledge of the language; but also those requiring greater support from the school or setting to access their learning through the medium of Welsh.

Many of the issues surrounding the development of Welsh in schools and settings have been exacerbated by the pandemic. There is a risk that Welsh medium schools could find re-engaging some learners after this period more challenging, particularly as time has been lost for more immersive approaches with younger learners. Or more learners struggle to access the breadth of learning through the medium of Welsh without direct access to support from teachers and peers. There are fewer resources available to support remote and blended learning through the medium of Welsh (for example, online lessons in English are readily available, but there is less availability and choice through the Welsh language).

Impacts are likely to vary dependent upon **age** group and on complexity of need. Those in transition and exam years, such as year 6 moving into secondary school, and those at the top end of secondary, may be affected more from disruptions in their education routines. No formal 'ending' of their schooling, no exams, prom etc. may give rise to feelings of loss or disconnection. The 'Coronavirus and me' survey reported year 6 children's view on what would help them most to move to secondary school; 76% said to be able to say goodbye to the primary school and 75% said visiting their secondary school before school starts.

Distance might be a barrier for some learners returning to their schools or settings; particularly if some want to return but the necessary school or public transport was not available. This could impact more on those attending Welsh-medium education, special schools, faith schools, PRUs / receiving EOTAS and those in rural areas. There are also likely wider impacts on learners where existing high levels of deprivation and poverty exist including access to services.

Local authorities are required to assess the travel needs of learners who are aged under 19 in their area. This includes those who they are legally required to provide transport for and those for whom they may wish to provide discretionary transport when assessing travel needs. An authority is also required to have regard to:

- the needs of disabled learners and learners with learning difficulties
- any particular needs of learners who are 'looked after' or formerly looked after by a local authority
- the age of a learner
- the nature of the route that the learner is expected to take between home and the places where they receive education or training.

In assessing the travel needs of learners, local authorities must take into account the fact that travel arrangements they make in light of the assessment must not cause unreasonable levels of stress, take an unreasonable amount of time or be unsafe.

The guidance being provided to support increasing operations of schools and settings recognises that they are best placed to ascertain the most appropriate ways of working in order to support learners during the transition process. Fully considering and ensuring the well-being of all learners is integral to this process, recognising the needs of individuals and supporting continuity in their learning and progression.

### **1.3 What evidence have you used to inform your assessment, including evidence from children or their representatives?**

In line with the expectations set out in the Minister for Education's [decision framework](#) we have worked closely with a wide range of partners to help shape and inform the policies and proposals set out in Section 1 of this IIA. These include ADEW, the middle tier and head teachers group, the trades unions, the Chief Scientific Advisor, Chief Medical Officer, Public Health Wales and the Technical Advisory Cell (TAC). We have also undertaken work with parents, children and young people. Consequently a range of information has been used to inform this assessment, including:

- scientific and health advice from COBR, SAGE, TAC, as well as information and advice from Public Health Wales
- information from and associated evidence relating to the [IIA on the initial education response](#)
- data collected and published by the Welsh Government and its key partners
- previous research used to draw conclusions from
- discussions with practitioners and other representatives, providing feedback from professional and children's perspectives
- feedback on key issues being raised with the Children's Commissioner, the Future Generations' Commissioner and the Welsh Language Commissioner
- daily internal Welsh Government social listening reports that have highlighted the key trends on social media and summaries of the key issues being raised through correspondence, the First Point of Contact Centre and the Complaints Unit
- tracking and analysis on the experience and actions of education jurisdictions internationally some of whom have been at a more advanced stage of the pandemic response or who have taken different policy choices
- feedback from key stakeholders and representative bodies
- a range of publically available national and international research reports and information on impacts of COVID-19 and similar pandemics, including via WHO and UNESCO.

While there has been no direct testing of options for increasing operations in schools and settings with learners due to the nature and pace of the decision process, information from children and young people has been collected from a range of channels and where possible this has fed into impact assessment and decision making. This includes:

- daily social media listening reports
- the Minister for Education undertaking Q&As on social media with young people
- the Minister for Education attending the Youth Parliament
- the response to video messages aimed at certain groups of learners or their parents
- feedback from the 'Coronavirus and me' survey of children and young people



- daily monitoring of topics raised in correspondence, enquiries to the First Point of Contact centre or to the Complaints Unit – these have also been used to refine and update the Frequently Asked Questions section of the Welsh Government’s Coronavirus website.

In addition to the above, it is worth noting:

- At the start of the lockdown period there was a marked decrease in safeguarding reports to Children’s Social Services, these are steadily increasing to expected levels but have not totally recovered in all local authorities.
- Practitioners working across agencies in the statutory and third sector have had to adapt quickly to new ways of working, continuing to make sure that children and families get support. For some this has involved finding new ways of providing services via virtual platforms, for others face-to-face contact has continued in line with [Public Health Wales advice](#) on social distancing and PPE.
- Children’s Social Services have maintained face-to-face contact for children identified as at risk throughout the pandemic. However, the majority of children not already identified as at risk will have only had virtual contact via video, telephone or online with services from their home with family members present. This is likely to have impacted on the opportunities for practitioners to identify abuse and for children to disclose harm. Services have done everything they can under difficult circumstances but we know that sadly some children will have come to harm without us knowing. As lockdown eases increased contact between children and universal and preventative services is likely to identify unmet need.
- Work to mitigate this has commenced by supporting practitioners to spot and report harm, report and neglect; encouraging the public to report concerns and developing information for families and for children and young people on seeking help and support. This work is supported by the Office of the Children’s Commissioner for Wales and the National Independent Safeguarding and is being developed in consultation with external stakeholders from across the statutory and third sector.
- This information highlights the very real concerns of under-reporting and the increased exposure to harm for some which may lead to a substantial increase in support needs in the future as children return to school.
- Educational outcomes are seriously at risk with a direct impact on the attainment gap, especially for vulnerable and disadvantaged learners. [Some schools and settings](#) struggle to adjust their teaching patterns to engage learners in distance learning, [especially in deprived areas](#). Teachers are reporting that they expect learners’ studies to be impacted significantly, suggesting the assumption should be that no learning has taken place for some learners during this phase.

- The ‘[Coronavirus and me](#)’ survey did not reflect a wholly negative picture of the impact on children and young people as a result of repurposing schools to respond to COVID-19. While only a sample response, of those who engaged through the survey 51% reported they felt confident or very confident, 25% lacked confidence, with 10% stating they felt ‘not at all confident’. There was a neutral option from 24%.

#### **1.4 How have you consulted with children and young people? If you haven’t, please explain why.**

It has been acknowledged that due to the unprecedented nature of the public health emergency and the speed within which some of the initial policy decisions had to be taken and implemented, it was not possible to consult with children and young people prior to the decisions to repurpose schools in March. This highlighted the need to ensure some form of engagement with children and young people to understand how those decisions had impacted on them to enable us to consider further mitigating action.

This resulted in the Children’s Commissioner for Wales, Children in Wales and with the support of the Youth Parliament, the Welsh Government launching an online survey. The survey provided an opportunity for children and young people to share the impact of the initial education response to COVID-19 had on their well-being and learning. The survey received 23,700 responses from children and young people. This information has enabled us to hear their views and experiences when considering what next steps to take.

Despite work on the development of the decision framework and review of possible approaches building over a 2 month period, the nature of responding to an evolving health emergency is such that actual decision making necessarily takes place within very short timeframes as the scientific and health advice becomes available. As summarised above, however, the Minister for Education is engaged in a range of activities which seeks to consider and respond to the views of children and young people, including ongoing engagement through social media and through the Youth Parliament. Stakeholder engagement also continues to include those able to represent the views of children and young people, including parents, practitioners and the Children’s Commissioner for Wales.

#### **1.5 What other evidence would inform the assessment?**

The Senedd’s Children, Young People and Education Committee is [scrutinising the Welsh Government’s response](#) and has identified emerging issues regarding the impact on vulnerable children and the disproportionate effect of lockdown. Evidence from these findings help to contribute to information being considered when taking forward the increasing operations in schools and settings.

The [operational guidance](#) published on 10 June calls for schools and settings to keep a record of attendance and families should notify their school if their child is unable to attend, to help local authorities plan for and understand any barriers to

learners returning to school and identify any further support needed. Wider data capture requirements are being agreed, while being mindful of not placing too much burden on schools and settings, and reporting arrangements are being put in place with the support of local authorities and regional consortia.

The Welsh Government is initiating and drawing on an increasing range of research and surveys to monitor impacts on children and young people and their families. These include particular emphasis on health and well-being implications, as well as issues the capacity of schools and settings.

We have established a resource to pull together ‘equalities and quality assessment’ work as an ongoing base of evidence, as well as routine analysis of international approaches, and sources of information being drawn on by other education jurisdictions internationally. The sources for these reviews include Foreign and Commonwealth Office ‘diptels’, the Welsh Government overseas network, the UK Government’s Department for Education international summaries, and our own desk review.

We continue to work with Welsh Local Government Association (WLGA) and Data Cymru colleagues to monitor free school meal take-up. Additionally we have launched a joint media campaign with the WLGA to raise awareness of free school meal provision available. Specifically the campaign encourages parents to contact their local authority to find out if they are eligible for free school meal provision.

## 2. Explain how the proposal is likely to impact on children’s rights.

Below is a table of the UNCRC articles that are considered the most relevant to policies set out above, and in Section 1 of this IIA.

Article Number	Description	Links to decisions
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.	<p>Increasing operations in schools and settings from 29 June follows an approach based on equity in providing for most learners (irrespective of age or background) the opportunity for contact time with trusted educational professionals before the summer break. Within this, it is recognised that some learners will not be able to attend these sessions, and guidance is being provided to schools and settings highlighting that particular regard should be given to meeting their needs remotely.</p> <p>For some learners additional factors will need to be considered in order for them to benefit from provision. An approach based on equity does not in itself guarantee equality of opportunity or provision for all learners, especially those with particular needs. For</p>

		<p>those learners who are SEN, vulnerable, disadvantaged or in need of specialist support, additional and/or alternative arrangements will likely be required. We know that provision will look very different for some learners, to ensure that their specific needs are met.</p>
3	<p>The best interests of the child must be a top priority in all decisions and actions that affect children.</p>	<p>This article can be seen in the principles set out in the decision framework for the education sector, which are:</p> <ul style="list-style-type: none"> <li>• The safety and mental, emotional and physical well-being of learners and staff.</li> <li>• Continuing our contribution to the national effort and strategy to fight the spread of COVID-19.</li> <li>• The confidence of parents and carers, staff and learners – based on evidence and information – so that they can plan ahead.</li> <li>• Ability to prioritise learners at key points, including those from disadvantaged backgrounds.</li> <li>• Consistency with the Welsh Government’s framework for decision-making, to have guidance in place to support measures such as distancing, managing attendance and wider protective actions.</li> </ul> <p>While UNCRC is not explicitly referenced in the published decision framework document, the influence of children’s rights is implicit in the approach being taken. Placing learner well-being front and centre of all decision making regarding the education response to COVID-19 is central to that. This alongside the development of arrangements which seek to start a process of mitigating the negative impacts of ‘lockdown’ on children and young people, while recognising the specific needs of particular groups of learners.</p>
4	<p>(implementation of the Convention)</p> <p>Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children’s rights.</p>	<p>The Minister for Education has consistently said that increasing operations in schools and settings would only take place when the health context allows.</p> <p>Allowing most learners the opportunity of contact time with their teachers before the summer holiday will mitigate some of the adverse impacts of lockdown measures by providing important social, learning and attainment gap benefits. It supports practitioners to better understand learning needs of individuals and therefore help them better target learning provision from September.</p> <p>The application of a more equitable approach in allowing a greater number of learners of all ages, stages and needs (who are not subject to shielding) to experience ‘check in, catch up, prepare’ sessions in advance of the summer break facilitates better</p>

		<p>protection of their right to education. Given capacity issues in schools and settings during a period of social distancing requirements, targeting particular learner groups for early return would result in others having to miss out. In seeking to address the needs of one group, challenges in meeting the needs and rights of other children would be exacerbated.</p> <p>Despite the more equitable approach adopted, as explored earlier, specific measures are necessary to meet the needs of some learners unable to access provision. Guidance has been provided to schools and settings regarding this, and more specific guidance is in train (regarding SEN risk assessments, for example). Additional resources are also being made available to address digital accessibility issues learners are experiencing. £3 million additional funding from Welsh Government is specifically addressing the issue of access to hardware and/or internet connectivity. We are aware that considerable efforts are being made by local authorities and schools to address these needs but this work remains ongoing into the period of ‘check in, catch up, prepare;’ sessions.</p>
6	<p>Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.</p>	<p>The key principle putting the safety and mental, emotional and physical well-being of learners and staff at the heart of decision making directly addresses these rights. It is more than staying safe and healthy, but also about providing a considered and measured approach to start to address the negative learning and developmental impacts experienced by ‘lockdown’.</p> <p>Both guidance for operations and learning in support of increasing operations in schools and other education settings cover a comprehensive and safe approach to ensure the health and well-being of learners and practitioners when returning to the school environment. This includes specific advice on safe capacity, social distancing and hygiene measures and proportion of learners attending school on a daily basis.</p> <p>With the return of more learners to the physical school environment, practitioners will provide a combination of face to face and remote learning – a blended approach. In developing this practitioners will consider the needs of all their learners, how those are best addressed, and will have regard to the purposes of learning and weigh up their priorities; flexibly drawing on a wide range of curriculum guidance to support them in this work.</p>

<p><b>12</b></p>	<p>Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously</p>	<p>The ‘Coronavirus and me’ survey, alongside engagement with the Youth Parliament, consideration of learner correspondence / questions, and inputs from those able to represent learner’s views (eg parents, practitioners and the Children’s Commissioner) have helped ensure children’s views Have been taken into account in the process of increasing operations in schools and settings to date.</p> <p>The learning guidance to schools and settings is clear that well-being should be at the heart of work to reengage learners. Within this it emphasizes the importance of giving time for learners to discuss and express their experiences, and ensuring they feel valued, listened to and heard.</p>
<p><b>14</b></p>	<p>(freedom of thought, belief and religion)</p> <p>Every child has 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.</p> <p>Governments must respect the rights and responsibilities of parents to guide their child as they grow up.</p>	<p>None of the policy decisions set out above and in Section 1 will have an explicit impact in relation to freedom of thought, belief and religion.</p> <p>The <a href="#">learning guidance</a> outlines that practitioners need to consider how to support all learners. This includes those who may be anxious about returning, those who may have experienced extended time in a home environment unsupportive of their beliefs, or who find the prospect of returning threatening; and to support them with the process of integrating into a physical setting for education. Conversations about how learners are feeling are critical throughout this period and staff in schools and settings are being guided to encourage learners to discuss their questions and concerns.</p> <p>While parents / carers are being strongly advised (where possible) to support their children’s return to their school or setting, at least initially for this period of ‘check in, catch up, prepare’ sessions they will have that choice.</p>
<p><b>17</b></p>	<p>Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand.</p>	<p>The ‘Coronavirus and me’ survey asked how children and young people chose to access information sources; it reported: - via family (76%), TV (65%) and school (20%). 3% of respondents noted they were not getting any information. Young people taking the 12-18 survey have similar sources of information but are more likely to be getting information online from news websites and accounts.</p> <p>The approach to increasing operations in schools and settings is high profile and is being covered extensively via a range of media outlets. Steps being taken to ensure ongoing access to reliable and accessible information include the Minister for Education participating in Q&amp;As with children and</p>

		<p>young people. We are also releasing regular press statements, written and video messages aimed at particular groups of learners or their parents / carers, and reports relating to decisions and factual information about our response to the COVID-19 pandemic.</p> <p>We continue to publish FAQs on the response to the COVID-19 pandemic and the actions that have been taken in the education sector. This is informed by correspondence and enquiries through the first point of contact centre, some of which are from children.</p> <p>Guidance to schools and settings regarding the 'check in, catch up, prepare' sessions includes communications with learners, parents and carers.</p>
18	<p>Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.</p>	<p>We recognise that communications between Government, schools and settings, and parents / carers and their children has been critical throughout the process in informing the approach in relation to increasing operations in schools and settings.</p> <p>To inform thinking, a Parent &amp; Carer Advisory Panel has been established, providing feedback on the strength of feeling towards the guiding principles underscoring the decision framework, and their views across a range of related issues. This approach also helps inform guidance for schools and settings regarding their communication with parents / carers etc.</p> <p>Targeted communications for parents / carers is ongoing, including through social media and specific dedicated webpages.</p>
19	<p>(protection from violence, abuse and neglect)</p> <p>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.</p>	<p>For some children, not being in their school or setting can be particularly detrimental due to the nature of their home environment. Children will have encountered different experiences and home environments during 'lockdown', and starting the process of increasing operations in schools and settings will help identify and start to mitigate negative impacts. It is expected, therefore, that the policies set out above and in Section 1 of this IIA will specifically address this article.</p> <p>In taking this forward, guidance reminds staff in schools and settings of their safeguarding duties <a href="#">Keeping learners safe</a> and with the <a href="#">Wales Safeguarding Procedures</a>. The role of the designated safeguarding person (DSP) is be vital and all staff and learners should be informed of who the DSP is and how to contact them. Accessing a trusted adult, or the DSP, may be more difficult with social distancing so</p>

		<p>schools and settings have been asked to consider how learners can talk privately.</p> <p>At the early stages schools, settings and children's services should continue to work closely together to ensure every child and family has the support needed. Local authorities already have a range of working practices in place to ensure that safeguarding partners can work together to keep children safe. There is an opportunity now for these working practices to be further consolidated.</p>
<b>23</b>	<p>A child with a disability has the right to live a full and decent life with dignity and, as far as possible, independence and to play an active part in the community. Governments must do all they can to support disabled children and their families.</p>	<p>We have ensured that schools remain open to vulnerable children and this includes those with a statement of special educational needs. Local authorities continue to prioritise those most in need of accessing this provision.</p> <p>We have considered the needs of children with a disability in terms of equality of access, when planning the 'check in, catch up, prepare' approach on a rotational/part-time basis to be implemented in schools and settings. We have anticipated this may prove challenging for those individuals, and have provided guidance to ensure their needs are met. Further guidance in train will provide support for undertaking SEN risk assessments at this time.</p>
<b>24</b>	<p>Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy.</p>	<p>This article has been recognised and evidenced through the emphasis being placed on health and well-being in the 'check in, catch up, prepare' sessions. Guidance for schools and settings acknowledges that when we refer to health and well-being, it doesn't only refer to the physical risks of infection of COVID-19. For learners the wider physical, mental, emotional and relationship implications of social distancing, lockdown and potentially bereavement will be much more relevant.</p>
<b>28</b>	<p>Every child has the right to an education.</p>	<p>This right has been one of the fundamental drivers being the decision to increase operations in schools and settings.</p> <p>The learning guidance clarifies expectations on practitioners for the summer term. In addition to the emphasis on well-being, schools and settings should, as appropriate, begin to widen learning and teaching. This should include supporting transition so that (as far as possible) learners are ready for the next academic year and are prepared to engage with a blended learning approach. Schools and settings are expected to develop new learning and approaches to meet the needs of all their learners in response to the pandemic, having particular regard to those unable to</p>



		<p>attend 'check in, catch up, prepare' sessions this term for whatever reason. The guidance is clear that all learners have a right to support for their learning from trusted professionals at this time.</p> <p>As noted above, resources are being made available to address issues relating to remote access to learning. Moving into the autumn, further considerations are underway with regard to how we support and meet the needs of specific groups of learners to ensure that all are able to progress in their learning. These considerations (which will be covered in an update to the IIA) include the allocation of additional targeted funding.</p>
29	<p>goals of education)</p> <p>Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.</p>	<p>This article is at the heart of education in Wales, and the 4 purposes of the curriculum which underpins our programme of education reforms. With the return of more learners to the physical school environment, practitioners will provide a combination of face to face learning with remote learning – a blended learning approach. Schools and settings will have to develop new learning and approaches to meet the needs of their learners in response to the pandemic. In so doing, practitioners are being directed to the full range of curriculum guidance now available to them, including how the Curriculum for Wales can support learners at this time.</p>
30	<p>(children from minority or indigenous groups)</p> <p>Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.</p>	<p>The policy decisions set out in this CRIA above and in Section 1 of this IIA are not intended to have either a positive or negative impact in relation to this article. However, it is recognised that there may be some differential impacts for certain groups of people arising from 'lockdown', that will require specific measures as increasing operations in schools and settings move forward.</p> <p>The learning guidance <a href="#">learning guidance</a> outlines that practitioners will need to consider how to support <u>all</u> learners; and to support them with the process of integrating into a physical setting for education. Conversations about how they are feeling will be critical throughout this period and staff should encourage learners to discuss their questions and concerns. We will monitor closely the situation regarding Welsh language learning and learning through the medium of Welsh.</p>
31	<p>(leisure, play and culture)</p> <p>Every child has the right to relax, play and take part in a</p>	<p>The negative impact on cultural well-being being seen through lockdown should ease as COVID-19 response measures ease and the introduction of 'check-in, catch-up, prepare' sessions in schools and settings from 29 June. However, reduced</p>

	wide range of cultural and artistic activities.	opportunities for learners to participate in cultural activities, arts, sports and recreation will likely continue for some time. This could be mitigated to some extent through the role of play and outdoor learning; which practitioners have been asked to consider through guidance. Both play and outdoor learning provide wide ranging opportunities to support learning as well to enhance learners' relationships, physical, mental and emotional well-being. They should therefore be considered central to any approach to phased return.
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