

Coronavirus Restrictions Review - 1 April 2021

SUMMARY IMPACT ASSESSMENT

Introduction

A Summary Impact Assessment (SIA) was produced in December 2020 following the introduction of a system of alert levels in Wales, which can be viewed [here](#). Following the 21 Day Review in February 2021, a further SIA was produced which can be viewed [here](#). The latest SIA was produced following the 21 Day Review on 11 March which can be found [here](#).

The revised Coronavirus Control Plan can be seen on the Welsh Government website [here](#).

This document aims to capture an assessment of the impact of the easements made or signalled during the 21 Day Review on 1 April 2021 on different demographics in Welsh society.

The emergence in December of the now dominant and more infectious 'Kent variant' of the virus led to a need for tightened restrictions at Alert Level 4 (e.g. preventing face to face learning for the vast majority of learners in education). Since then, the health position in Wales has improved enabling some modest easements to be made in the February and March restriction reviews. The improvements have continued and have been sustained enabling the cautious and gradual transition to Alert Level 3 in Wales.

The primary easements made at the 21 Day Review on 1 April 2021 are as follows:

- **To remove the restrictions providing a full return to onsite learning in schools and other educational settings from 12 April**
- **To remove restrictions to allow all post-16 learners to return to colleges and learning centres from 12 April, on a “blended learning” basis in line with guidance published by the Welsh Government.**
- **To remove restrictions to allow all non-essential retail to open subject to social distancing and other measures safeguarding shoppers and employees from 12 April**
- **To remove restrictions on remaining close contact service industries allowing them to reopen from the 12 April, while continuing to prohibit certain ‘high-risk’ treatments.**

(i.e. those that involve physical contact with the facial area).

Legislative background

The Health Protection (Coronavirus Restrictions) (Wales) Regulations 2020 came into force on 26 March 2020, and were subsequently replaced by The Health Protection (Coronavirus Restrictions) (No. 2) (No. 3) and (No. 4) (Wales) Regulations 2020. A consolidated version of the most recent Regulations can be found [here](#).

This Summary Impact Assessment relates to the amendments made to The Health Protection (Coronavirus Restrictions) (No. 5) (Wales) Regulations 2020 as a result of the 21 Day Review on 1 April 2021.

Review of restrictions regulations

The Regulations are reviewed every three weeks in line with the latest evidence and intelligence.

Impact Assessments

The following impact assessments relating to the easements made can be found in the remainder of this document:

- i. Education
- ii. Non-essential retail
- iii. Close contact services

In addition, a children's rights impact assessment and an equality impact assessment will be published separately on the Welsh Government website in relation to the phased reopening of schools.

FULL RETURN TO ON-SITE LEARNING IN SCHOOLS AND OTHER EDUCATIONAL SETTINGS

Returning to school buildings

The Royal College of Paediatrics and Child Health have issued guidance indicating that very few children are clinically extremely vulnerable and as a result many of the children previously advised to shield are no longer required to do so. We expect some families to feel anxious about the return to onsite teaching and learning, and in many cases this may relate to where a learner or family member is clinically extremely vulnerable and has previously been shielding. Settings and local authorities should continue to work with families to support learners to access the curriculum and minimise disruption to learners' education. If a learner is unable to attend the physical setting due to self-isolation, the setting should continue to engage regularly with the learner remotely in line with our [Learning guidance](#).

All those in the first nine priority groups have been offered a vaccination. We acknowledge that the vaccine programme is moving at pace across Wales and as long as supply continues, the number of education staff vaccinated will continue to increase.

It will be important for school leaders to consider practical options for how best to support their teaching workforce and classroom assistants, as all staff and learners return to school buildings, and as remote provision required as a result of COVID-19 arrangements decreases.

The Welsh Government's operational guidance for schools and settings sets out a suite of important mitigations that Local Authorities and schools and settings will be asked to implement. These include comprehensive risk assessments; Black, Asian and minority ethnic toolkit; enhanced cleaning regimes; good hand and respiratory hygiene; ventilation; use of high quality three-layer face coverings where appropriate, including for learners in secondary school age settings in classrooms only if social distancing cannot be maintained; continuous vigilance for symptoms; and surveillance, testing and outbreak management.

For other members of the workforce, including cleaners, catering staff and technicians, similar considerations will need to be taken to ensure staff can return to work safely, with awareness of factors unique to each role taken into consideration.

Additional financial support has been made available to support Local Authorities with additional costs associated with the phased return of learners.

Disability

Staff with disabilities

It is likely that a higher number of staff in schools and settings with physical disabilities will need to take precautions about returning to site compared with staff

without a disability. Some of these will be clinically extremely vulnerable and may previously have been shielding.

For members of staff with additional support needs it will be important for any changes to routine to be clearly communicated.

Staff mental wellbeing

Staff suffering with mental ill health may have found closures to onsite learning to have a greater negative impact on their wellbeing than their peers. The same group of people may be more likely to be anxious about the full return of learners to onsite provision, and we recognise staff working onsite through the phased return may have had different experiences. Mental health and wellbeing support is set out in the Welsh Government's Operational guidance for schools.

Routine testing

We recognise increased onsite learning in schools and settings will result in greater community mobility with pupils and parents and guardians travelling more. We also understand there will be future easements could also lead to greater community mobility.

The Welsh Government's Operational guidance for schools provides information on the measures schools and settings and individuals can take to remain safe. The updated Operational guidance for 12 April includes information on asymptomatic testing for schools and settings to quickly detect asymptomatic adults to reduce the likelihood of clusters and outbreaks in settings. Tests have been available to all staff working in schools and settings including school transport operators, peripatetic teachers and supply staff from February 2021.

Sex

Caring responsibilities

We recognise that women who are staff are more likely to have been juggling caring responsibilities with supporting home learning whilst working from home or whilst working in school supporting vulnerable learners and children of critical workers. As learners return to schools and settings, some staff who are parents or carers will be dependent upon childcare being available to enable them to return to previous or amended working patterns themselves.

Women who are parents or carers, and who make up the wider education workforce for example learning assistants and cleaners are also likely to be dependent upon childcare being available to enable them to return to their contracted working patterns. We acknowledge for many families the wrap around support at the beginning and end of the school day is important to provide flexibility around working arrangements.

Safety and wellbeing

There is a risk that there has been an increase in domestic abuse during lockdown. For staff impacted by this, a return to the workplace is likely to have a positive impact overall, but support should be available to support these members of staff.

Women's health

At any one time, a proportion of the female education workforce will be dealing with the often debilitating effects of the menopause and other menstrual health issues such as endometriosis. Stress, which we know has increased for some as a result of lockdown, can exacerbate a number of the symptoms associated with these conditions and returning to a repurposed school estate where access to toilets might have changed may be challenging. With workplaces moving towards being 'menopause friendly' schools should consider how they offer support in this context.

Gender reassignment

Transgender members of the workforce may have experienced delays to gender-affirming treatment due to COVID-19, which could have a negative impact on mental health and wellbeing. There is no data available to know how many members of the workforce may be impacted.

Pregnancy and maternity

Pregnant members of the workforce should continue to follow the latest guidance set out in the Welsh Government's Operational guidance for schools, and employers should conduct risk assessments.

Returning to work

Some members of staff will be returning to the workforce after maternity leave and will not have experienced home learning in the same way as their colleagues.

Experts have warned Covid-19 has had a negative impact on maternal mental health beyond that seen in the general population, where reported rates of anxiety have more than doubled. Consideration should be given to their re-induction to the workforce.

Religious spaces

Our operational guidance states that all available space should be utilised to assist with maintaining social distance from staff and learners, which we understand is more challenging with the full return to onsite provision. Where rooms are potentially

being repurposed, it should be ensured that provision remains available for staff to access religious spaces at expected times of day.

Wellbeing

We recognise that supporting staff wellbeing at a time of increasing onsite operations is paramount. The All Wales Risk Assessment Tool enables staff to consider both their health and well-being, and understand their personal risk of developing more serious symptoms if they come into contact with the COVID-19 virus as either low, high or very high.

Low-income households

Whilst the closure of schools and settings has caused some members of staff to be furloughed, which may have decreased their monthly income, it is expected that increasing operations will allow for those people to return to work and to their previous salary.

Record of Impacts by protected characteristic

Children and Young People

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age	Children and young people may be adversely impacted by a loss of schooling, routine and social contact.	Children and young people are the groups most directly impacted by school and college closures.	Schools and settings have been open for vulnerable children and children of critical workers and as part of the phased return to onsite teaching, for increasing groups of learners from February this year. Our priority for phased return focused first on our youngest learners, recognising they find remote learning particularly challenging, and then on to the critical transition points including Years 11

			and 13. This proposal sees all learners return to onsite teaching in a regulated environment with COVID safety measures in place. Measures are informed by operational guidance, advice from the HSE, PHW and local government and based on scientific and technical advice to the Welsh and UK Governments.
Disability	Children and young people with disabilities and additional or special learning needs may be more adversely impacted by not attending school or college.	Vulnerable learners are identified by educational providers or Local Authorities (including children's social care services), as those who could benefit from continued full-time attendance at school or college.	All children and young people who are identified as vulnerable or who have a statement of Special Educational Needs could attend their usual school or college as normal. The ability to attend their own school or setting mitigates some of the impact as it allows access to familiar support, social interactions and routine. We recognise the continued impact of the pandemic on support for these learners.
Gender Reassignment	None	--	--
Pregnancy and maternity	We understand there could be cases of pregnancies in young people who may still be in attendance at school or college.	Studies from the UK show that pregnant women are no more likely to get seriously unwell from coronavirus but pregnant women have	Central messaging and information made available may be relevant and provide reassurance.

		<p>been included in the list of people at increased risk as a precaution. Pregnant women should follow the latest government guidance on social distancing and avoid anyone who has symptoms suggestive of coronavirus. Pregnant women in their third trimester should be particularly attentive to social distancing.</p>	
Race	<p>Some Black, Asian and minority ethnic learners, including Gypsy, Roma and Traveller learners may be adversely impacted by remote learning, particularly in accessing technology.</p>	<p>EHRC report: <i>How coronavirus has affected equality and human rights</i>, October 2020</p>	<p>As part of the ‘Stay Safe. Stay Learning’ programme, the Welsh Government has been working with Local Authorities to support digitally excluded learners and the full return to onsite learning will see a removal of many of the barriers. Recognising the progress made and circumstances which will continue to require access and home infrastructure (e.g. during periods of self-isolation), schools and settings are encouraged to have a range of communication channels in place for parents and carers, including non-digital options for those without access to technology.</p>

			Every learner with access to technology may benefit from the Hwb digital learning platform for Wales including Office 365.
Religion, belief and non-belief	Children and young people who attend a school or college with a religious character may be adversely affected by the closures if school or college represents their only access to collective worship or other teachings important to those individuals.	School or college may represent the only opportunity for some children and young people to practice religious observance with their peers.	Through Hwb, the digital learning platform for Wales, learners and practitioners from maintained schools have access to a range of online learning tools. Video conferencing can provide an interactive experience and an opportunity to collaborate and engage in religious observance through school or college in a safe and accessible way in circumstances where learners are unable to attend onsite provision e.g. in self-isolation. For the most part, the return to full onsite provision may be expected to provide increased opportunities to access collective worship or other teachings.
Sex / Gender	All learners develop in different ways and whilst complex, we understand gender can be an influencing factor in cognitive development, in participation and achievement; though gender may also	Attainment information over time and international evidence from for example PISA (Programme for International Student Assessment)	The individual nature of learners and learning and the need for targeted support is being recognised in our action to support children and young people to return to schools and settings

	indicate the existence of other barriers and challenges which may have a greater impact.		and move beyond COVID.
Sexual orientation	None	--	--
Marriage and civil partnership	None	--	--
Children and young people up to the age of 18	A Children's Rights Impact Assessment (CRIA) for this next phase of increasing access to onsite learning has been carried out separately.	Children and young people are the groups most directly impacted by school and college closures.	We will build on the issues identified in the CRIA. A full CRIA is available separately.
Low-income households	Learners from low income household may be disproportionately adversely impacted by school and college closures where they have limited access to digital devices and the internet.	National Survey for Wales, 2018-19 <i>Internet use and digital skills</i>	A full return to onsite teaching and learning may be seen to address many of the issues caused by limited access to digital connectivity. As part of the 'Stay Safe. Stay Learning' programme, the Welsh Government has been working with Local Authorities to support digitally excluded learners. Additional funding was made available to support these learners in 2020. In addition, schools and settings continue to be encouraged to have a range of communication channels in place for parents and carers, including non-digital options for those parents and carers without access to

			technology for circumstances where some learners may need to be taught remotely, e.g. if in self-isolation.
Low-income households	Learners eligible for free school meals provision may be adversely impacted by school closures.	Some families are reliant on the provision of free school meals for their children’s nutrition and health needs. Data gathered by Data Cymru has shown that since the end of June 2020 the number of children receiving free school meals has increased by 12,969 from 91,700 at the end of June to 104,669 at the 9 December 2020. This increased to over 105,000 by the end of January 2021, and we expect to see a continued increase over the coming months.	Local Authorities are reminded that legal duties with regard to the provision of free school meals still apply throughout these phases of school closures and phased and full reopening. Additionally, when making arrangements for providing eligible learners with free school meals, school governing bodies and Local Authorities must take reasonable steps to ensure that a learner cannot be identified by any person, other than a person authorised under legislation, as a learner who receives a free school lunch. Further information on free school meals is contained within the Operational guidance for schools and settings. Additional support including through PDG Access remains available.

Staff in schools and settings and families

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age	<p>Working-age adults who are parents may be adversely impacted by the need to provide childcare and extra support to their children while home schooling. Some of these parents will have had to use leave or seek alternative employment where working from home has not been an option, and in some cases will have been furloughed or lost employment, which in turn could all lead to an increase in low income households.</p>	<p>School closures have meant many working parents who are not critical workers have had to make arrangements with their employers to change working patterns and locations. Reliance on wider family and friend childcare networks has also been restricted under the wider COVID-19 measures in place.</p>	<p>We continue to use campaigns and networks to distribute information and advice to parents and provide reassurance, for example the <i>Parenting. Give it Time</i> campaign which is used to get messages out to parents; the Flying Start Facebook page; and our Parenting Expert Action Group, Childcare, Flying Start and Families First Networks. Our recent reassurance campaigns have focused on Keeping Wales Learning, Testing and Keeping Wales Safe.</p>
Age	<p>Older, retired people who provide childcare e.g. for grandchildren may be adversely impacted by the need to provide additional help with childcare and support with home schooling and are more likely to have health vulnerabilities and concerns regarding transmission of COVID. This is likely to decrease as greater numbers are able to return to onsite learning.</p>	<p>Grandparents have been called upon to help with childcare and home schooling where working parents have been unable to make alternative arrangements. The full return to onsite provision may reduce the impact on grandparents called upon to help with childcare, increasing the time all learners are in schools/ settings.</p>	

<p>Age</p>	<p>Increasing onsite operations will require greater numbers of staff to work onsite and to travel between home and their settings. This may include older staff members, who we know are of higher risk of developing more serious symptoms from COVID-19. It may require reliance on public transport. Older staff members may also have concerns over health vulnerabilities of loved ones within their household or in care arrangements.</p>	<p>Whilst this does enable staff members to re-engage with face-to-face learning with learners, age is known to be a factor in determining risk of developing more serious symptoms from Covid-19.</p>	<p>An All Wales Risk Assessment Tool developed in collaboration with the sector takes age into account and helps the individual and their employer to take additional steps to mitigate these risks. This is over and above the mitigating measures introduced for learners, staff and others on school sites. The risk assessment tool will have both immediate and long term implications for those individuals who assess their personal risk factors. In the longer term, some people who may have been vulnerable may have been protected from severe COVID-19 infection or possibility of death. In addition to the immediate action taken, in the longer term individuals will be able to identify and understand lifestyle improvements that if actioned may have longer term effects on their health and wellbeing. The seasonal benefits of the warmer weather and longer days, as well as the increased community mobility are recognised as factors which may</p>
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			have a positive and negative impact.
Disability	Parents and carers with disabilities may be disproportionately adversely impacted by the need to provide additional childcare and support during school closures.	Physical disabilities and learning disabilities may affect a parent's ability to perform the role of both care giver and educator on a full-time basis, even for a short timeframe.	The Welsh Government's operational guidance recognises that some parents and carers may be more anxious about their children's return to onsite learning. It is critical that schools follow up on concerns around engagement, or the welfare of a learner. Schools and Local Authorities should work with the family to support learners to access the full curriculum and minimise disruption to their education.
Disability	Increasing onsite operations will require greater numbers of staff to work from school sites. This may include staff with disabilities.	It is likely that a higher number of school staff with physical disabilities will need to take precautions about returning to school compared to school staff without a disability.	Through our operational guidance we emphasise that staff should talk to their employers about how they will be supported. This will be particularly important where staff members are now required to return to face-to-face learning.
Gender Reassignment	We recognise that transgender members of the workforce may have experienced delays to gender-affirming treatment due to COVID-19, which could have a negative impact on mental health and wellbeing.	--	--

	There is no data available to know how many members of the workforce may be impacted.		
Pregnancy and maternity	<p>Pregnant women and those with very young children as well as older children who attend school or college may be adversely impacted by the need to provide extra childcare and support for home schooling.</p> <p>Those who have become unpaid carers are more likely to be women, younger and have young children. They have faced competing demands, which have challenged their physical and mental health and wellbeing and placed additional strain on their relationships, finances and ability to do paid work.</p>	EHRC report: <i>How coronavirus has affected equality and human rights</i> , October 2020	We are using campaigns, and networks, to distribute information and advice to parents and provide reassurance, for example the <i>Parenting. Give it Time</i> campaign which is used to get messages out to parents; the Flying Start Facebook page; and our Parenting Expert Action Group, Childcare, Flying Start and Families First Networks.
Pregnancy and maternity	Increasing onsite operations will require greater numbers of staff to work from school sites. This may include staff who are pregnant.	Pregnant women are in the people at increased risk category and are generally advised to follow the above advice, which applies to all staff in schools and the advice to general public but in doing so be aware that they are at increased risk	We have noted in our operational guidance that that pregnant staff and their employers should follow the advice in the COVID-19: advice for pregnant employees. This is alongside the All-Wales Risk Assessment Tool.
Race (include different	Increasing onsite operations will require	Whilst this proposal does enable staff	An All Wales Risk Assessment Tool

<p>ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)</p>	<p>greater numbers of staff to work from school sites. This may include Black, Asian and minority ethnic people, who we know are of higher risk of developing more serious symptoms from Covid-19.</p>	<p>members to re-engage with face-to-face learning with learners, ethnicity is known to be a factor in determining risk of developing more serious symptoms from Covid-19.</p>	<p>developed in collaboration with the sector takes age into account and helps the individual and their employer to take additional steps to mitigate these risks. This is over and above the mitigating measures introduced for learners, staff and others on school sites. The risk assessment tool will have both immediate and long term implications for those individuals who assess their personal risk factors. In the longer term, some people who may have been vulnerable may have been protected from severe COVID-19 infection or possibility of death. In addition to the immediate action taken, in the longer term individuals will be able to identify and understand lifestyle improvements that if actioned may have longer term effects on their health and wellbeing.</p>
<p>Religion, belief and non-belief</p>	<p>Staff may be concerned that they will be unable to find suitable space onsite for religious worship.</p>		<p>Our operational guidance states that all available space should be utilised to assist with maintaining social distance from staff and learners. Where rooms are potentially being</p>

			repurposed, it should be ensured that provision remains available for staff to access religious spaces at expected times of day.
Sex / Gender	Women are more likely to carry the burden of additional childcare and home schooling, even if they are in employment, than their male partners.	EHRC report: <i>How coronavirus has affected equality and human rights</i> , October 2020	We are using campaigns, and networks, to reassure and distribute information and advice to parents, for example the <i>Parenting. Give it Time</i> campaign which is used to get messages out to parents; the Flying Start Facebook page; and our Parenting Expert Action Group, Childcare, Flying Start and Families First Networks.
Sex / Gender	Increasing school operations will require greater numbers of staff to work from school sites. This may include men, who we know are of higher risk of developing more serious symptoms from COVID-19.	Whilst this does enable staff members to re-engage with face-to-face learning with learners, age is known to be a factor in determining risk of developing more serious symptoms from COVID-19.	An All Wales Risk Assessment Tool developed in collaboration with the sector takes age into account and helps the individual and their employer to take additional steps to mitigate these risks. This is over and above the mitigating measures introduced for learners, staff and others on school sites. The risk assessment tool will have both immediate and long term implications for those individuals who assess their personal risk factors. In the

			longer term, some people who may have been in harm's way will have been protected from severe COVID-19 infection or possibility of death. In addition to the immediate action taken, in the longer term individuals will be able to identify and understand lifestyle improvements that if actioned may have longer term effects on their health and wellbeing.
Sexual orientation	None	--	--
Marriage and civil partnership	None	--	--
Children and young people up to the age of 18	N/A – see section on children and young people	--	--
Low-income households	Parents from low income households may lack the intellectual resources to support their children through home schooling.	A full return to onsite teaching and learning should significantly reduce the impact households have experienced in home schooling.	Through Hwb, the digital learning platform for Wales, learners and practitioners from maintained schools have access to a range of online learning tools. Using applications through Hwb can provide an interactive experience and an opportunity to collaborate and engage in a safe and accessible way.
Low-income households	Members of the education workforce and others working in schools and settings	Whilst we do not measure free school meals eligibility by household, the data	The Welsh and UK Governments have put in place a number of support measures

	may be concerned with financial matters and in need of additional support, including those in low-income households.	gathered by Data Cymru showing an increase in the number of pupils receiving free school meals may signal wider financial concerns.	for people in low-income households including financial support, discretionary assistance and enhancement schemes.
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Human Rights and UN Conventions

Whilst the regulations engage individual rights under the Human Rights Act 1998 and the European Charter of Fundamental Rights, the Welsh Government considers that they are justified for the purpose of preventing the spreading of infectious diseases and/or the interference is permitted on the basis that it is in pursuit of a legitimate aim, namely of protecting public health and are proportionate.

Article 5 (right to liberty), Article 8 (right to respect for private and family life), Article 9 (freedom of thought, conscience and religion), Article 11 (freedom of assembly and association) and Article 1 of the First Protocol (protection of property) are engaged by these Regulations.

Each of these are qualified rights, which permit Welsh Ministers to interfere with the exercise of the rights if necessary in a democratic society in the interests of public safety or for the protection of health. All such restrictions and requirements must be justified on the basis that they are in pursuit of a legitimate aim, namely of protecting public health and are proportionate.

Any interference with these rights also needs to be balanced with the State’s positive obligations under Article 2 (right to life). It balances the need to maintain an appropriate response to the threat posed by the coronavirus against the rights of individuals and businesses, in a manner which remains proportionate to the need to reduce the rate of transmission of the coronavirus, taking into account the scientific evidence.

FURTHER EDUCATION, WORK-BASED LEARNING AND ADULT LEARNING IN THE COMMUNITY

Wellbeing Impacts

There is extensive evidence about the negative impacts of Covid educational disruption on learners' health and wellbeing. This includes:

- Impacts on mental health and wellbeing, including loneliness, anxiety, uncertainty about the future, concern about the health of family members¹;
- Anxiety about falling behind with learning, about qualifications and about future job prospects²;
- Impacts on physical health due to reduced exercise and social activity³;
- Disproportionate negative impacts on learners from disadvantaged backgrounds;
- Disproportionate negative impacts on learners who are studying lower level qualifications and have lower skills levels, who rely heavily on the structure and discipline of being in college.

On 23 March 2021, the Welsh Government published the findings of a survey of 6,000 post-16 learners, undertaken in December 2020⁴. The feedback from learners revealed considerable concern about mental health and wellbeing, with particular concerns expressed by those with caring responsibilities. Learners were anxious about completing their qualifications, found it difficult to stay motivated while learning remotely, and felt isolated.

Estyn has undertaken a thematic review of post-16 learners' mental health and wellbeing⁵. This found that most learning providers have seen a surge in demand for learner counselling services since the start of the pandemic. Key contributing factors include bereavement, social isolation, uncertainties over qualification assessment arrangements, worries about future prospects, pressures of working long hours in front-line occupations such as health and social care, and the impact of being furloughed or made redundant (for employed learners such as apprentices).

Learners from deprived socio-economic backgrounds have been disproportionately affected by college closures in a number of ways. This group is more likely to access free school meals and other payments designed to help them meet the costs of staying in education. They are more likely to be digitally excluded and, while considerable investments have been made in ICT equipment for learners during the

¹ <https://youngminds.org.uk/about-us/reports/coronavirus-impact-on-young-people-with-mental-health-needs/>

² https://www.childcomwales.org.uk/wp-content/uploads/2021/02/CoronavirusAndMe_Jan21_ENG_110221_FINAL.pdf

³ <https://www.youthsporttrust.org/evidence-paper-impact-covid-19-restrictions-children-and-young-people>

⁴ <https://gov.wales/effect-covid-19-learners-survey-results-summary>

⁵ <https://www.estyn.gov.wales/system/files/2021-03/Learner%20Mental%20Health%20and%20Emotional%20Wellbeing%20in%20the%20Post-16%20sectors%20.pdf>

pandemic, learners who do not have a conducive home environment for learning, or who struggle with basic digital skills, are at greater risk of falling behind⁶.

During the Level 4 restrictions, colleges have been able to allow vulnerable learners to attend for face-to-face learning. This gives individual colleges flexibility to identify learners whose home circumstances, wellbeing or educational needs mean that they struggle to learn remotely, and need the direct learning and support that can be offered on-campus. This risk-based approach means that, where colleges are aware of particular wellbeing issues, they have been able to bring learners into college. However, from our specific learner survey and wider research on wellbeing during the pandemic, we are aware that a very large number of learners are struggling to some extent with their mental health. This encompasses general anxieties around how assessments will take place, staying motivated and future career prospects, as well as more serious clinical issues. **Every** learner is at a stage where their wellbeing would benefit from a resumption of “normal” structures around attending college, seeing their peers and progressing with their courses, and this can only be achieved by allowing all learners to return to face-to-face learning during the summer term.

During the spring term we have worked with the sector to prioritise the learners whose need to return is most pressing – primarily those studying “licence to practice” vocational qualifications which cannot be delivered online. However, almost all learners in the post-16 sector are studying towards a qualification, so it becomes increasingly difficult to narrow down or prioritise in any meaningful way – those studying vocational qualifications, A levels, basic skills, lower level qualifications and discrete provision for those with additional learning needs all have a valid claim to be priority groups.

Economic Impacts

The further education sector plays a key role in the Welsh economy.

- Through delivery of vocational education and training at every level up to degree, it provides the pipeline for skilled workers across all sectors – including key workers in industries such as Health & Social Care, and skilled workers in emerging industries like eco-construction and digital.
- Colleges are important employers within their local economies and communities. As well as around 9,000 directly employed staff, most colleges provide wider services to their learners and staff through contracts with local companies: for example, transport, catering and crèches. The current tight restrictions to learner attendance at colleges means that these services will be closed or curtailed, with an impact on the viability of supporting businesses.
- Colleges’ own financial viability has also been affected by the pandemic. Each college has commercial income, for example through contracting with employers to deliver training to staff, or by renting premises for business and community use.

⁶ <https://www.estyn.gov.wales/system/files/2021-03/Report%20on%20Remote%20and%20Blended%20Learning%20in%20Post%2016.pdf>

- Research by CollegesWales⁷ indicates that for every £1 of public funding invested in further education in Wales, society will receive a return of £7.90.

Many of the essential vocational qualifications delivered by colleges to current and future employees cannot be delivered remotely. To learn skills in subjects like bricklaying, hairdressing, motor vehicle maintenance or agriculture, learners need “real world” experience either in the workplace, or in college environments with specialist facilities and equipment. They cannot progress into their chosen career without demonstrating that they can safely and effectively perform these skills. The extended disruption caused by Covid-19 means that some learners will be unable to complete their qualifications within their originally intended timetables, with additional pressure on individuals and on the system to extend learning into the 2021/22 academic year alongside a new cohort of learners entering the system. Maximising the time learners can spend in college between now and September will help to mitigate this problem, and to ensure that learners can acquire the skills they need to enter the workforce.

Although most learners in further education are aged 16 and over, colleges also deliver vocational learning to many 14-16 year olds, in partnership with local authorities – this gives learners who may be less suited to academic pathways access to a wider choice of learning routes. Colleges also deliver Independent Living Skills and other provision for learners with additional learning needs. There is therefore a cohort of learners who cannot learn remotely without parental supervision and support, creating negative impacts for parents who are unable to work or whose work is disrupted by supporting their children to learn at home.

Environmental Impacts

No direct environmental impacts have been quantified as part of this assessment.

Impact Assessments

Equality impacts

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
<i>Age (think about different age groups)</i>	<u>Positive</u> Learners aged 16 and over will be able to return to face-to-face learning,	Further education is an all-age sector and serves learners of all ages from 16	As colleges are autonomous organisations, guidance will give

⁷ https://www.colleges.wales/image/publications/reports/Emsi%20-%20Demonstrating%20the%20Economic%20Value%20of%20FE%20Colleges%20in%20Wales/Wales_FactSheet_1415_Final.pdf

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate impacts?
	<p>getting the same opportunities for educational progress and support as younger children</p> <p>Adult learners (particularly those with lower digital skills) will benefit from access to learning including essential skills.</p> <p>Older adults rely on the social as well as educational benefits of taking part in community learning and are likely to see improvements in wellbeing as a result of returning to learning</p> <p><u>Negative</u></p> <p>Colleges may prioritise attendance for learners studying full-time courses, who are likely to be aged 16-19, over adult and part-time learners</p>	<p>up (as well as some 14-16 year old learners). Officials have worked with adult learning providers to ensure that guidance for learning in the summer term can accommodate older learners, in line with the reopening of community venues and libraries which are often used to deliver this learning.</p>	<p>them flexibility to prioritise how learners return to campus and to the balance of online and on-site learning within a “blended” model. Allowing all learners to return to campuses/learning centres will enable older learners to have at least some face-to-face learning before the end of the academic year, whereas restricting numbers would be likely to mean that some of this group would remain online-only.</p>
<i>Disability (think about different types of disability)</i>	<p><u>Positive</u></p> <p>Learners with disabilities or learning difficulties face particular barriers to remote learning and this has also placed an additional burden on their families, so returning to face-to-face learning will positively impact on their wellbeing and progress.</p> <p><u>Negative</u></p> <p>Learners and staff with underlying health conditions</p>	<p>Accessibility and other practical issues mean that learners with disabilities are disproportionately affected by education restrictions⁸.</p> <p>However, adults with disabilities are more at risk of dying</p>	<p>Risk assessments by colleges as set out in WG guidance and protocol between colleges and teaching unions</p> <p>Adherence to WG guidance for extremely clinically vulnerable groups (cross referenced in guidance for post-16 providers)</p>

⁸ <https://gemreportunesco.wordpress.com/2020/03/30/how-is-the-coronavirus-affecting-learners-with-disabilities/>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	may be more at risk of Covid infection as a result of returning to the college environment.	from Covid-19 ⁹ . This means that any decision about attendance by learners (and staff) with disabilities or learning difficulties are always going to involve a careful balance of benefits and potential harms, and rigorous risk assessments for learning environments and individuals.	Risk assessment by individuals using WG toolkit Regular LFD testing for learners and staff in colleges Vaccination of priority groups including the extremely clinically vulnerable, and staff with “intimate care” roles for disabled learners
<i>Gender Reassignment (the act of transitioning and Transgender people)</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>
<i>Pregnancy and maternity</i>	<u>Negative</u> Staff who are pregnant and cannot be vaccinated are likely to need special adjustments to ensure that they can continue to work remotely where required.		Risk assessments by colleges as set out in WG guidance and protocol between colleges and teaching unions Risk assessment by individuals using WG toolkit
<i>Race (include different ethnic minorities, Gypsies and</i>	<u>Positive</u> Re-engaging in face-to-face learning provides important opportunities for integration of diverse groups; around	Young people from minority ethnic backgrounds have seen disproportionate	Risk assessments by colleges as set out in WG guidance and protocol between

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<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/coronavirusrelateddeathsbydisabilitystatusenglandandwales/24januaryto20november2020>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
<i>Travellers and Migrants, Asylum seekers and Refugees)</i>	<p>7% of FE learners are from minority ethnicities, a higher proportion than in schools.</p> <p>Adult learners including those studying ESOL (English for Speakers of Other Languages) will be able to access provision which is vital for social and emotional wellbeing of minority ethnic communities.</p> <p><u>Negative</u></p> <p>Minority ethnic individuals may be at greater risk of Covid infection, and therefore may be reluctant to return to education. This means that these learners will get a different learning experience from their peers.</p>	<p>increases in mental ill-health during Covid restrictions¹⁰¹¹.</p> <p>ESOL learners have found it particularly challenging to learn remotely during lockdown¹².</p>	<p>colleges and teaching unions</p> <p>Risk assessment by individuals using WG toolkit</p>
<i>Religion, belief and non-belief</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>
<i>Sex / Gender</i>	<p><u>Positive</u></p> <p>Learners studying all subjects – including those such as hairdressing or engineering that tend to attract predominantly one gender – will all have the opportunity to return to college and progress in their qualifications</p>		
<i>Sexual orientation</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>

¹⁰ <https://www.youthsporttrust.org/evidence-paper-impact-covid-19-restrictions-children-and-young-people>

¹¹ https://www.childcomwales.org.uk/wp-content/uploads/2021/02/CoronavirusAndMe_Jan21_ENG_110221_FINAL.pdf

¹² <https://www.bevanfoundation.org/commentary/providing-social-spaces-for-forced-migrants-the-important-role-of-esol/>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
<i>(Lesbian, Gay and Bisexual)</i>			
<i>Marriage and civil partnership</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>
<i>Children and young people up to the age of 18</i>	<u>Positive</u> Young people studying A levels and equivalent vocational courses at college will have the same opportunity as their peers in sixth forms to return to learning and progress to higher education or employment.		
<i>Low-income households</i>	<u>Positive</u> Learners from low-income households are more likely to struggle with remote learning for a number of reasons including digital exclusion, lack of family support, unconducive home environment and lower level essential skills. Returning to face-to-face learning will give them essential structure and discipline to stay in learning.		

United Nations Convention on the Rights of the Child

The Convention has been considered in this assessment. A number of Articles relate to the provision of post-16 education both directly and indirectly:

Article 12 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. This right applies at all times, for example during immigration proceedings, housing decisions or the child’s day-to-day home life.

In undertaking this assessment and working with education providers to plan a resumption of face-to-face learning, officials have worked with the National Union of Students and have taken account of learner feedback through our own survey of post-16 learners, correspondence from learners, and Estyn's reviews of wellbeing and remote learning.

Article 15 Every child has the right to meet with other children and to join groups and organisations, as long as this does not stop other people from enjoying their rights.

Feedback from learners indicates that loneliness and isolation are amongst the biggest negative impacts on young people of the Covid restrictions. Reopening face-to-face learning increases opportunities for social interaction in a risk assessed environment, as well as enabling young people and adults to progress in their learning.

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

While colleges and other learning providers have focused closely on safeguarding for learners during periods of remote learning, attendance on-site makes it more likely that any concerns or problems will be identified and can be addressed through safeguarding referrals. Issues around online safety, bullying and extremism can also be mitigated through greater face-to-face support.

Article 23 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.

Further education institutions and other post-16 providers teach many students with disabilities and additional learning needs, some of whom find it difficult or impossible to learn online without very significant levels of family support. Returning to face-to-face learning provides opportunities for these learners to progress in their studies and also to experience essential interaction with their peers, teachers and communities.

Article 28 Every child has the right to an education. Primary education must be free and different forms of secondary education must be available to every child. Discipline in schools must respect children's dignity and their rights.

Article 29 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.

While learning has been provided remotely during Level 4 restrictions (with some learners able to attend college currently), learners' level of engagement has varied widely. Many young people have found it difficult to maintain their participation, with issues around digital exclusion, home environments, distractions and learning styles all contributing to their engagement and progress.

Welsh Language

The shift to blended and online learning during the pandemic has had some positive benefits for learning Welsh, primarily amongst adults where Welsh for Adults online courses saw increased uptake during the first lockdown. For younger learners the picture is less clear, particularly in the post-16 sector where there has not been in-depth research as yet. Remote learning has meant the loss of some opportunities for the informal use of Welsh to help learners maintain and develop their language skills, even where they are not studying through the medium of Welsh. Learners who are from English-speaking homes may have lost language skills during the Covid restrictions as a result of not hearing and using the language on a daily basis in their college or training centre, even where they are being taught remotely through the medium of Welsh or bilingually. Returning to face-to-face learning will reintroduce these opportunities to hear, use and develop the Welsh language.

Implementation Issues

Officials have worked closely with the post-16 sector to develop operational guidance for the delivery of learning from 12 April onwards. This is based on a "hybrid" model whereby full-time learning can be delivered to contact groups, which is consistent with the approach for their peers in secondary schools; while adult and part-time learning is delivered on a socially distanced basis, reflecting the greater range of contacts and higher level of risk for these cohorts. This model was followed during the autumn term 2020 and is well understood by the sector.

The wider return of learners to face-to-face learning is supported by the roll-out of Lateral Flow Device (LFD) serial testing for both learners and staff, to help identify Covid infections and to increase the rates of community testing.

Further education colleges, under the aegis of their representative body ColegauCymru, have worked in partnership with teaching unions to agree a detailed protocol for the safe return of staff to face-to-face learning. The return to learning is also being supported by additional funding which colleges can use to put in place mitigations (such as adjustments to their learning environments, additional transport, and staff overtime) to ensure safe working.

HIGHER EDUCATION EASEMENT ASSESSMENT

Wellbeing Issues

There is extensive evidence about the negative impacts of Covid educational disruption on learners' health and wellbeing. This includes:

- Impacts on mental health and wellbeing, including loneliness, anxiety, uncertainty about the future, concern about the health of family members¹³;
- Anxiety about falling behind with learning, about qualifications and about future job prospects¹⁴;
- Impacts on physical health due to reduced exercise and social activity¹⁵;
- Disproportionate negative impacts on learners from disadvantaged backgrounds;
- Disproportionate negative impacts on learners who are studying at lower entry tariff providers or are accessing foundation programmes, who may rely heavily on the structure and discipline of being in university.
- Disproportionate negative impacts on female learners and learners from lower socioeconomic backgrounds who are more likely to be studying humanities subject and as a result have had limited in person learning.

The [Sutton Trust published a research paper into Covid-19 and the University Experience](#). Data is from the YouthSight survey of current undergraduate students at UK universities, however it is not possible to determine how representative this is of Welsh students.

The key findings are:

- Students were less likely to have taken part in work experience (down 6 percentage points), or paid work (down 5 percentage points), while numbers of those studying abroad were less than half of the previous year. The number of students not taking part in any activities was up 14 percentage points from 2019.
- The participation gap has widened during the pandemic. 44% of middle-class students took part in student societies last term compared to just 33% of students from a working-class background. Participation had fallen more from 2019 levels for working class students during the autumn 2020 term.
- Those from less well-off backgrounds are more likely to be living at home. 64% of those from a working class background have spent this term living with their family, up from 50% in the autumn. Students living at home are less likely to take part in extra-curricular activities, with just 25% of the students living at home in autumn semester taking part, compared to 32% of students living away from home.
- The biggest current worry for students is being able to gain skills and experience needed for employment, with 76% saying they are fairly or very worried. This was followed by being able to take part in university social life (71%), concerns about

¹³ <https://youngminds.org.uk/about-us/reports/coronavirus-impact-on-young-people-with-mental-health-needs/>

¹⁴ https://www.childcomwales.org.uk/wp-content/uploads/2021/02/CoronavirusAndMe_Jan21_ENG_110221_FINAL.pdf

¹⁵ <https://www.youthsporttrust.org/evidence-paper-impact-covid-19-restrictions-children-and-young-people>

their mental health/wellbeing (70%) and classes being online rather than face to face (64%).

- Over half (54%) of students experienced financial issues during the autumn semester, such as being unable to find a job (27%), having reduced hours (16%), or their parents being less able to support them (19%).
- A third of students (33%) said it was currently difficult for them to cover their basic living and course expenses. This figure was higher for working class (39%) than middle class (30%) students.
- 1 in 10 students reported not having adequate internet access to complete their university work and assessments, which has doubled since April last year. Almost a quarter (22%) do not have adequate study space.
- Given the challenges students are facing this year, there is real concern that drop-out rates may increase. 10% of working-class students said it was unlikely that they would complete the year, compared to 6% of middle-class students. Of those who were worried about not completing the year three quarters indicated that the pandemic was significantly or somewhat negatively impacting their chances of completing the year.

ECONOMIC IMPACTS

The higher education sector plays a key role in the Welsh economy, as local and regional anchor institutions providing employment and as a key part of service supply chains. The sector also provides the pipeline for highly skilled workers across all sectors – including key workers in industries such as Health & Social Care, and skilled workers in industries like eco-construction and digital.

Higher Education institutional financial viability has also been affected by the pandemic. Each institution has commercial income, for example through contracting with employers to deliver training to staff, or by renting premises for business and community use. HEIs have also suffered significant income loss from providing rent rebates for unused student accommodation.

HEFCW submitted evidence to the Children, Young People and Education Committee in March 2021 which outlined the impact of Covid-19 on the Welsh HE Sector¹⁶. They found:

- Whilst the 2019/20 sector financial position was better than had originally been forecast, 2020/21 was considered from very early in the pandemic as likely to present greater challenges for the sector, particularly in respect of student recruitment and the resulting impact on tuition fee income expected to continue into 2021/22 and beyond. In addition, the restrictions resulting from the pandemic have continued longer than had originally been anticipated, with ongoing impacts on income generation and Covid related costs. The longer these restrictions remain in place, the greater the financial impact will be moving forward.
- Universities are experiencing a reduction in tuition fee income, particularly from international students, as well as a continuing reduction of income from accommodation fees, commercial services, short and summer courses, research funding and other sources. Universities have also had to bear the cost of

¹⁶ HEFCW report to Children, Young People and Education Committee (March 2021) *Impact of Covid-19 on Welsh HE Sector*

accommodation refunds to those students that have been unable to return to campus due to Covid travel restrictions.

- Most undergraduate courses last for three years and therefore the impact of the reduced recruitment in 2020/21 will feed through into 2021/22 and beyond, as the lower levels of student recruitment work through. This has resulted in the need for universities to continue cost control measures with some needing to deepen restructuring plans that were already in train prior to the pandemic, with the potential for a wider economic effect from these job losses.

Many of the essential qualifications delivered by HEIs to current and future employees cannot be delivered remotely. To learn skills in subjects like medicine, teaching, performing arts, engineering, or social work, learners need “real world” experience either in the workplace, or in higher education environments with specialist facilities and equipment. They cannot progress into their chosen career without demonstrating that they can safely and effectively perform these skills. The extended disruption caused by Covid-19 means that some learners may be unable to complete their qualifications within their originally intended timetables, with additional pressure on individuals and on the system to extend learning into the 2021/22 academic year alongside a new cohort of learners entering the system. Maximising the time learners can spend in university between now and September will help to mitigate this problem, and to ensure that learners can acquire the skills they need to enter the workforce.

Environmental Issues

No direct environmental impacts have been quantified as part of this assessment.

Impact Assessments

Equality impacts

<i>Protected characteristic or group</i>	<i>What are the positive or negative impacts of the proposal?</i>	<i>Reasons for your decision (including evidence)</i>	<i>How will you mitigate Impacts?</i>
<i>Age (think about different age groups)</i>	<p><u>Positive</u> Learners will be able to return to face-to-face learning, getting the same opportunities for educational progress and support as younger learners.</p> <p>Younger learners rely on the social as well as educational benefits of higher education</p>	<p>Higher education is an all-age sector and serves learners of all ages from 18 up.</p> <p>Officials have worked with providers to ensure that guidance for learning in the summer term can accommodate learners who do not</p>	<p>As HEIs are autonomous organisations, guidance will give them flexibility to prioritise how learners return to campus and to the balance of online and on-site learning within a “blended”</p>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<p>and are likely to see improvements in wellbeing as a result of returning to in person learning.</p> <p><u>Negative</u> Older learners, who may be concerned about the effects of catching the virus, may choose to continue to learn remotely and will have a different learning offer to their younger peers.</p>	wish to return to in person learning due to concerns about their health.	model. Allowing all learners to return to campuses/learning centres will enable learners to have at least some face-to-face learning before the end of the academic year.
<i>Disability (think about different types of disability)</i>	<p><u>Positive</u> Learners with disabilities or learning difficulties face particular barriers to remote learning and this has also placed an additional burden on their families, so returning to face-to-face learning will positively impact on their wellbeing and progress.</p> <p><u>Negative</u> Learners and staff with underlying health conditions may be more at risk of Covid infection as a result of returning to the learning environment.</p>	<p>Accessibility and other practical issues mean that learners with disabilities are disproportionately affected by education restrictions¹⁷.</p> <p>However, adults with disabilities are more at risk of dying from Covid-19¹⁸. This means that any decision about attendance by learners (and staff) with disabilities or learning difficulties are always going to involve a careful balance of benefits and potential harms, and rigorous risk assessments for learning environments and individuals.</p>	<p>Risk assessments by HEIs as set out in WG guidance and protocol between HEIs and teaching unions</p> <p>Adherence to WG guidance for extremely clinically vulnerable groups (cross referenced in guidance for higher education providers)</p> <p>Risk assessment by individuals using WG toolkit</p> <p>Regular LFD testing for learners and staff</p> <p>Vaccination of priority groups including the extremely clinically vulnerable, and staff with “intimate care”</p>

¹⁷ <https://gemreportunesco.wordpress.com/2020/03/30/how-is-the-coronavirus-affecting-learners-with-disabilities/>

¹⁸

<https://www.ons.gov.uk/peoplepopulationandcommunity/birthsdeathsandmarriages/deaths/articles/coronaviruscovid19relateddeathsbydisabilitystatusenglandandwales/24januaryto20november2020>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
			roles for disabled learners
<i>Gender Reassignment (the act of transitioning and Transgender people)</i>	No specific differential impacts identified	n/a	n/a
<i>Pregnancy and maternity</i>	<u>Negative</u> Staff and students who are pregnant and cannot be vaccinated are likely to need special adjustments to ensure that they can continue to work remotely where required.		Risk assessments by HEIs as set out in WG guidance and protocol between universities and teaching unions Risk assessment by individuals using WG toolkit
<i>Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)</i>	<u>Positive</u> Re-engaging in face-to-face learning provides important opportunities for integration of diverse groups. <u>Negative</u> Minority ethnic individuals may be at greater risk of Covid infection, and therefore may be reluctant to return to education. This means that these learners will get a different learning experience from their peers.	Young people from minority ethnic backgrounds have seen disproportionate increases in mental ill-health during Covid restrictions ^{19 20} .	Risk assessments by HEIs as set out in WG guidance and protocol between university and teaching unions Risk assessment by individuals using WG toolkit
<i>Religion, belief and non-belief</i>	No specific differential impacts identified	n/a	n/a
<i>Sex / Gender</i>	<u>Positive</u> Learners studying all subjects – including those such as Humanities subjects that are overrepresented by one		

¹⁹ <https://www.youthsporttrust.org/evidence-paper-impact-covid-19-restrictions-children-and-young-people>

²⁰ https://www.childcomwales.org.uk/wp-content/uploads/2021/02/CoronavirusAndMe_Jan21_ENG_110221_FINAL.pdf

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	gender – will all have the opportunity to return to university and progress in their qualifications.		
<i>Sexual orientation (Lesbian, Gay and Bisexual)</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>
<i>Marriage and civil partnership</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>
<i>Children and young people up to the age of 18</i>	No specific differential impacts identified	<i>n/a</i>	<i>n/a</i>
<i>Low-income households</i>	<u>Positive</u> Learners from low-income households are more likely to struggle with remote learning for a number of reasons including digital exclusion, lack of family support, unconducive home environment and financial struggles. Returning to face-to-face learning will give them essential structure and discipline to stay in learning and will allow them to engage with their peers in order to motivate one another.		

Welsh Language

The shift to blended and online learning during the pandemic has had some positive benefits for learning Welsh, primarily amongst adults where Welsh for Adults online courses saw increased uptake during the first lockdown. However, remote learning has meant the loss of some opportunities for the informal use of Welsh to help learners maintain and develop their language skills, even where they are not studying through the medium of Welsh. Learners who are from English-speaking homes may have lost language skills during the Covid restrictions as a result of not hearing and using the language on a daily basis in their university, even where they are being taught remotely through the medium of Welsh or bilingually. Returning to

face-to-face learning will reintroduce these opportunities to hear, use and develop the Welsh language.

Implementation Issues

Officials have worked closely with the higher education sector to develop operational guidance for the delivery of in person blended learning from 12 April onwards. This model was followed during the autumn term 2020 and is well understood by the sector.

The wider return of learners to face-to-face learning is supported by the Lateral Flow Device (LFD) testing for both learners and staff, to help identify Covid infections and to increase the rates of community testing.

NON-ESSENTIAL RETAIL

Restrictions on the sale of non-essential items were lifted for shops selling essential items on 22 March and garden centres were also permitted to reopen. At the 1 April review, the Welsh Government set out its intention to allow all non-essential retail to reopen from 12 April subject to the public health position remaining favourable and consistent with the cautious and phased approach set out in the updated Coronavirus Control Plan: Revised Alert Levels in Wales (March 2021).

ECONOMIC IMPACTS

General economic impacts of restrictions

The measures put in place to control the spread of Covid-19 in Wales have had major adverse effects, both directly on affected sectors (those which cannot operate within social distancing restrictions) and indirectly through the resultant broader economic slowdown. There is evidence that the immediate economic impacts are affecting most severely people who were already most disadvantaged in labour market terms. These include the low-paid, people with lower levels of qualification, people working part-time, and those in temporary employment or on 'zero-hours' contracts. Adverse effects will also be increasingly felt by new entrants to the labour market.

In general, potential economic benefits arising from relaxing restrictions in the ways described (compared to keeping the current restrictions in place) include:

- a direct increase in economic activity, especially in those businesses whose operations have reduced or temporarily ceased as a result of the Covid-19 crisis;
- an increase in employment in several sectors of the economy;
- positive distributional effects from increased economic activity in sectors which employ larger proportions of (for example): low-paid and less skilled workers; younger age groups; women; or employees of Black, Asian and minority ethnic backgrounds.

The main beneficiaries of this measure would be people who are in employment in those sectors returning to activity, and on balance the distributional effects are likely to favour those on lower incomes and younger people (as referenced above and below)

Many companies are utilising the UK Government Coronavirus Job Retention Scheme to furlough staff, or other forms of support. The CJRS ensures that should workers be furloughed, the UK Government will guarantee 80% of their normal salaried income (with employers allowed to top up at their discretion) up to a maximum of £2,500 per month. The UK Government have recently announced changes to the scheme that will apply from July. From this point, the UK Government will pay 70%, with employers expected to top up the remaining 10%. From August, this will change to 60% and 20%, respectively. After this point, the scheme is due to

end. While the scheme has helped to support many jobs in the sector, employees on furlough are still facing a reduction to their incomes in what in some cases are already low-paid jobs.

The ONS currently publish a Business Insights and Impact on the UK Economy Survey (BICS) which provides some insight – at the UK level – as to the financial impacts of lockdown restrictions to date. Data within this survey is not split to the specific impacts on retail, but does include data on a broader sectoral group which covers Wholesale and Retail Trade; Repair of Motor Vehicles and Motorcycles. Insights from the survey show:

- Between 8 and 21 February, approximately 29% of UK businesses within this sectoral group had temporarily paused trading.
- Of those that continued to trade within this sectoral group, 28% reported decreased turnover of 20% or more compared to normal expectations for this time of year (with 11% reporting turnover dropping by more than half). A further 11% of businesses within this sectoral group reported positive results in relation to turnover.
- The proportion of an enterprise's workforce that were reporting as being on full or partial furlough for this sectoral group was 22% for businesses that are currently trading; and 42% for businesses that had temporarily paused or stopped trading.

Economic significance of non-essential retail to Welsh economy

In 2018 the whole of the retail sector was worth £3.7billion of gross value added (GVA) to the Welsh economy. This was equivalent to 5.9% of all GVA for that same year.

Employment

- In 2019, there were 59,000 people in employment in Wales in non-essential retail. This amounts to about 4% of all employment in Wales.
- In 2019, the largest share of people in employment within Wales in non-essential retail was in South East Wales (30,000). This was almost twice as much as in Mid & South West Wales (16,000). In North Wales, there were 12,000 people in employment in non-essential retail in 2019.

Business figures

- In 2020, there were a total of 3,465 enterprises in the non-essential retail sector in Wales, 3.3% of enterprises in all sectors.
- The largest number of enterprises were located in South East Wales (1,445), followed by Mid & South West Wales (1,155) and North Wales (860) - a distribution broadly similar to that for enterprises in all sectors.
- The vast majority (89%) of Welsh enterprises in non-essential retail are classed as micro (employing 0-9 persons), broadly in line with the average for all sectors. The sub-regional distribution roughly follows that of Wales.

Wellbeing Impacts

Workforce characteristics (equality considerations)

Income levels: Those who work in non-essential retail tend to earn significantly less than the average employee in Wales, and as such are likely to come from many of the most income deprived groups.

- In 2019, the average weekly median wage for ALL retail trade (except of motor vehicles and motorcycles) was £244, which was £197 less than the Welsh median wage at £441.²¹
- At least 80% of workers in the retail sector were estimated to earn less than the median weekly wage.
- In terms of hourly pay, the average median pay for retail trade was £8.85/hour, which £3.34 less than the Welsh median hourly rate of £12.19.
- Between 80-90% of people within the retail sector were estimated to earn less per hour than the Welsh median.

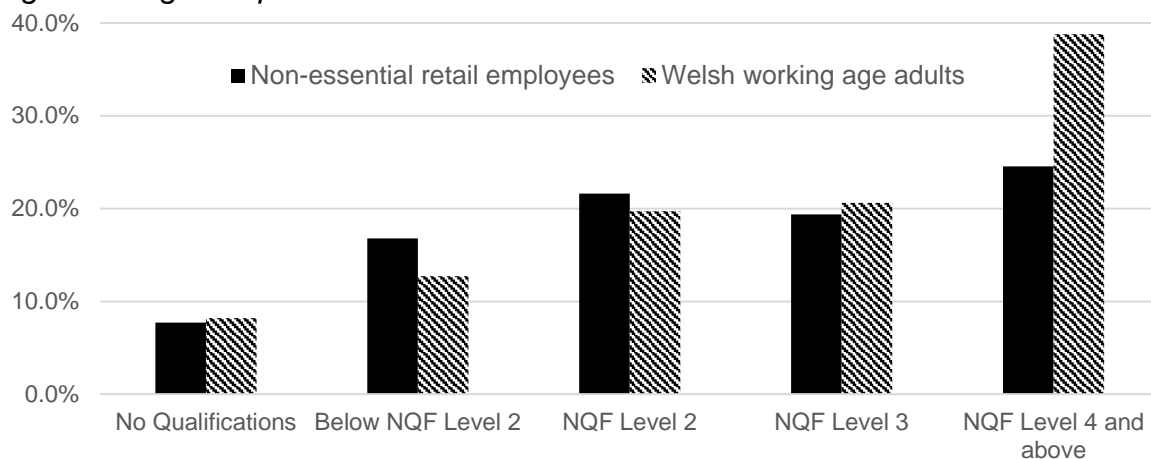
Women and younger age cohorts are disproportionately represented in the non-essential retail sector.

- **Gender:** In 2019, 59% of people employed in non-essential retail were female, compared to the 47% that females represent of all employees in Wales.
- **Age:** Half of all people employed in non-essential retail in Wales were under the age of 35, while in Wales this age group represented 35% of total employment. 18% were aged 55 or older, while in Wales this age group represented 22% of total employment.
- **Ethnicity:** 5% of people employed in non-essential retail were Black, Asian and minority ethnic, roughly equivalent to the share of overall employment for this group in Wales.
- **Disability:** 17% of people employed in non-essential retail were disabled. For Wales as a whole, 15% of all employees were classified as being disabled.

Employees in non-essential retail are likely to be educated to a lower qualification level than for the population of working age adults as a whole (see Error! Reference source not found.). With 39% of all Welsh adults of working age being educated to degree level or above, compared to 24.5% of workers in non-essential retail.

²¹ Source: Annual Survey of Hours and Earnings, Office for National Statistics

Figure 1: Highest qualification level obtained



Well-being impacts

It is well-established that lack of employment, is associated with low levels of wellbeing and worsening health. Increasingly, adverse effects will also be felt by new entrants to the labour market. There is also academic evidence that adverse labour market experiences in recession can have life-long effects on the economic, health, wellbeing and even life-expectancy of young people.²²

There are several surveys taking place regularly which capture social and psychological wellbeing in Wales, and may allow us to track changes in wellbeing due to Covid-19.

For example, the weekly Public Health Wales survey of 601 Welsh adults (covering the period of 1 to 7 March 2021)²³ found that:

- 21% of people are worried ‘a lot’ about losing their job or not being able to find one – consistent with recent weeks’ responses – with 18% being worried a little.
- 33% think that non-essential workers should be allowed to return to work within the next three weeks
- 31% believe that shops should reopen within the next three weeks
- 18% of people have been worrying ‘a lot’ about their finances, and a further 23% have been worrying ‘a little’, broadly consistent with results from previous weeks.
- 43% of people are worried ‘a lot’ about losing someone to the virus, down from previous weeks. 58% of those with children in their household are worried ‘a lot’ about their children’s wellbeing, consistent with previous weeks.

²² See: <https://voxeu.org/article/impact-covid-19-chronic-health-uk>

²³ <https://phw.nhs.wales/topics/latest-information-on-novel-coronavirus-covid-19/how-are-you-doing/how-are-we-doing-in-wales-reports/week-48-report-how-are-we-doing-in-wales/>

Survey data at UK level indicates that people earning under £10,000 per year have been most likely to lose employment due to the crisis, with people earning over £30,000 per year least likely. Younger people are also likely to be beneficiaries of opening up economic activity as wider evidence shows that this group suffers disproportionately when the labour market is under stress.

EQUALITY IMPACTS

Non-essential retail

Protected characteristic or group	What are the positive or negative impacts of easing lockdown for non-essential retail?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Age (think about different age groups)	<p>Positive impacts <i>The young are expected to be disproportionately represented in this sector and would likely benefit from steps to restart sector to aid long-term recovery.</i></p>	<p><i>Evidence set out above on wellbeing and economic impacts highlights the estimated representation of this group in the non-essential retail workforce.</i></p>	<p><i>The Welsh Government works closely with the Welsh Retail Consortium and will liaise closely with them and other retailer stakeholders during the development of a Retail Strategy for Wales.</i></p>
Disability (think about different types of disability)	<p><i>The specific restrictions considered are not known to have a different impact on this protected group.</i></p> <p>Negative impacts <i>There may be negative impacts if adaptations made to support the sector do not consider specific needs of disabled people</i></p>	<p><i>Evidence set out above on wellbeing and economic impacts highlights the estimated representation of this group in the non-essential retail workforce.</i></p>	<p><i>The Welsh Government works closely with the Welsh Retail Consortium and will liaise closely with them and other retailer stakeholders during the development of a Retail Strategy for Wales.</i></p>
Gender Reassignment (the act of transitioning and	<p><i>The specific restrictions considered are not known to have a different impact on this protected group.</i></p>		

Protected characteristic or group	What are the positive or negative impacts of easing lockdown for non-essential retail?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Transgender people)			
Pregnancy and maternity	<i>The specific restrictions considered are not known to have a different impact on this protected group.</i>		.
Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)	<p><i>The specific restrictions considered are not known to have a different impact on this protected group.</i></p> <p>Negative impacts Black, Asian and minority ethnic workers are potentially at higher risk given recent evidence.</p>	<i>Evidence set out above on wellbeing and economic impacts highlights the estimated representation of this group in the non-essential retail workforce.</i>	<i>The Welsh Government works closely with the Welsh Retail Consortium and will liaise closely with them and other retailer stakeholders during the development of a Retail Strategy for Wales.</i>
Religion, belief and non-belief	<i>The specific restrictions considered are not known to have a different impact on this protected group.</i>		
Sex / Gender	<p>Positive impacts <i>Females are expected to be disproportionately represented in this sector and would likely benefit from steps to restart sector to aid long-term recovery.</i></p> <p>Negative impacts <i>Childcare responsibilities usual fall disproportionately on women. Without pre-crisis forms of</i></p>	<i>Evidence set out above on wellbeing and economic impacts highlights the estimated representation of this group in the non-essential retail workforce.</i>	<i>Mitigations to childcare concerns will be addressed in additional easement assessment.</i>

Protected characteristic or group	What are the positive or negative impacts of easing lockdown for non-essential retail?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<i>childcare (including via schooling) this group may face difficulties.</i>		
Sexual orientation (Lesbian, Gay and Bisexual)	<i>The specific restrictions considered are not known to have a different impact on this protected group.</i>		
Marriage and civil partnership	<i>The specific restrictions considered are not known to have a different impact on this protected group.</i>		
Children and young people up to the age of 18	<p>Positive impacts Should measures have positive economic impact, children could benefit from increased household income (with families being brought back from furlough).</p> <p>Negative impacts While home-schooling responsibilities are placed on families, children whose parents work within this sector may have reduced access to parents who can oversee studies.</p>		<p><i>The Welsh Government will endeavour to contact representative organisations for before the next 21-day review.</i></p> <p><i>Understanding the impact on young people who work within non-essential retail is important to verify.</i></p>
Low-income households	<p>Positive impacts</p> <p><i>Low income households are expected to be disproportionately represented in this sector and would likely benefit from steps to</i></p>	<i>Evidence set out above on wellbeing and economic impacts highlights the estimated representation of this group in the non-essential retail workforce.</i>	<i>No mitigation identified</i>

Protected characteristic or group	What are the positive or negative impacts of easing lockdown for non-essential retail?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
	<i>restart sector to aid long-term recovery.</i>		

Welsh Language

There are no apparent negative impacts on the Welsh Language from allowing non-essential retail to reopen given that the only impact it presents is another environment outside of the home in which speakers can use Welsh.

United Nations Convention on the Rights of the Child

The convention has been considered in this assessment. The following Articles have been identified as relevant to this assessment:

- Article 18 – Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.
- Article 27 – Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this.

These Articles primarily relate to the ability of parents to work and the support available to allow them to do so. Reopening economic activity will help ensure opportunities for work are available. But in order to take up those opportunities, parents will need support from schools and childcare providers which are currently constrained in their activities. To mitigate this wider economic activity should be coordinated with widening access to childcare and education settings.

More broadly the Welsh Government has recognised the overall approach to coming out of lockdown needs to take into account the views of children (Article 12 – Children have the right to say what they think should happen, when adults are making decisions that affect them, and to have their opinions taken into account). A dedicated survey has been carried out that informs ongoing assessment of restrictions.

ENVIRONMENTAL IMPACTS

Environmental impacts including biodiversity

The principle emission sectors associated with relaxing restrictions on non-essential retail are likely to be the result of increased transport usage and emissions from commercial property. However for both these areas emissions are likely to be lower than their pre-pandemic levels.

In 2017, data from the National Atmospheric Emissions Inventory, suggested 4.3Mt CO₂e were emitted in Wales from buildings but only 10% of these emissions were attributable to business premises (which includes office premises that would not be opened by relaxing restrictions on non-essential retail).²⁴

The increase in transport related emissions as a result of allowing non-essential retail is likely to be marginal given that essential retail represents the overwhelming reason individuals travel to shops currently, as well as before the crisis. Emission levels from transport will almost certainly be lower than before the crisis, even with the reopening of non-essential retail, as more active forms of travel continue to be encouraged by Welsh Government and people refrain from travelling until they feel the virus is fully under control.²⁵

Rural Proofing

Consideration should be given to whether current 'stay local' restrictions could cause differential economic impacts to non-essential retail in rural localities.

²⁴ Welsh Government (2020) Framework for Regional Investment in Wales – Annex B: Socio-economic Analysis of Wales 2020

²⁵ In responses from PHW's *Public Engagement Survey on Health and Wellbeing during Coronavirus Measures* 47% said that they would prefer to stay in lockdown until there is no chance of catching the virus, for the period 1 to 7 June.

CLOSE CONTACT SERVICES

WELLBEING IMPACTS

It is well-established that unemployment is associated with low levels of wellbeing and worsening health. Increasingly, adverse effects will also be felt by new entrants to the labour market should they enter the labour market during an economic downturn. There is academic evidence that adverse labour market experiences in recession can have life-long effects on the economic, health, wellbeing and even life-expectancy of young people.²⁶

ECONOMIC IMPACTS

General economic impacts

As set out above, the coronavirus pandemic has had a severe impact on economic performance

Sector specific importance and impact

In 2018 the whole of the *Other Personal Services* sector was worth £800million of gross value added (GVA) to the Welsh economy, equivalent to 1.2% total GVA for the same year.

Unfortunately data from the ONS' Business Impacts of Covid-19 Survey (BICS)²⁷ is not broken down at a level that allows us to see the approximate impacts on close contact services. However, given the restrictions on the sector and its characteristics (whereby close personal contact is necessary to provide the service) it is likely to be amongst the worst affected, along with the *hospitality and arts, entertainment, and recreation* sectors.

The nature of many of the businesses operating in the close contact services sector is that much of the demand (and associated revenues) lost since restrictions were put in place is unlikely to be meaningfully recovered. Forgone consumption in this sector is unlikely to build up and be released (pent-up demand) in ways that are conceivable for other sectors that sell goods and/or services. It also remains likely that there may be some continued unease about resuming normal activity. However we also anticipate that access to open close contact services could have a positive impact on well-being for many people.

²⁶ See: <https://voxeu.org/article/impact-covid-19-chronic-health-uk>

²⁷

<https://www.ons.gov.uk/economy/economicoutputandproductivity/output/datasets/businessinsightsandimpactontheuweconomy>

Employment and Income Effects

Current restrictions placed upon the close contact services sector are expected to have negative distributional effects due to the sector being one which employs larger proportions of women, the young, and individuals from Black, Asian, and minority ethnic groups. Many of the workers in this sector are amongst the lowest paid in Wales with the median salary estimated to be approximately £9 (see equality impacts section below for more detail). For those furloughed it is likely that their income has therefore been reduced to levels effectively below the UK national living and national minimum wage.²⁸

ENVIRONMENTAL IMPACTS

While the Welsh Government continues to promote active travel as an alternative to other forms of travel throughout the coronavirus pandemic and beyond, wider reopening of the sector will likely expand the reasons for members of the public to travel by private vehicle (especially so given restraints to effective public transport capacity). While no forecasts are available as to what the knock on effect will be to air quality, it can be expected to have a negative impact when compared to recent months, in which air quality is believed to have improved. For this reason, officials in Environment and Rural Affairs are monitoring the impacts on air quality that have arisen since lockdown measures were introduced. External consultants have been commissioned to analyse the impacts and this work will inform future policy with a view to retaining air quality improvements for the future, as far as possible.

IMPACT ASSESSMENTS

Equality impacts

An assessment of impacts by protected characteristics is set out below. Lockdown restrictions on this sector have had a disproportionate impact on young, female, and Black, Asian and minority ethnic members of the workforce who are more represented within the close contact services industry.

²⁸ The UK National Living Wage as of April 2020 is £8.72 for those aged over 25. UK National Minimum Wage is £8.20 for those aged 21 to 24, £6.45 for those aged 18 to 20, £4.55 for those aged under 18, and £4.15 for apprentices.

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
<i>Age (think about different age groups)</i>	<p><i>Positive: Evidence suggests that the very youngest members of the workforce are disproportionately represented in the sector and thus more likely to be affected by current restrictions. Allowing a wider reopening of the sector will therefore likely have positive equity effects, especially given that many within this group are amongst the worst affected by economic downturns historically.</i></p> <p><i>Negative: The risk of negative health outcomes associated with contracting Covid-19 increases with age, which should be considered for both staff and customers of the sector.</i></p>	<p><i>Analysis by Welsh Government of Annual Population Survey (APS) data for 2019 shows that 21% of workers in close contact services in Wales are under the age of 25 (while this age group only represents 12% of workforce). Those aged 25 to 34 represent 35% of those employed in sector (again larger than this age cohort's workforce representation share of 22%).</i></p>	<p><i>Guidance and mitigations are aimed at reducing the risk of transmission for all groups; customers and staff.</i></p> <p><i>Risk assessments that businesses are asked to conduct should be used to identify disproportionate risks to certain groups.</i></p>
<i>Disability (think about different types of disability)</i>	<p><i>No specific differential impacts identified.</i></p>	<p><i>Analysis of APS data for 2019 suggests that disabled people are not disproportionately represented in this sector in Wales, with 15% of the workforce being classified as disabled (which is equal to their representation in the wider workforce).</i></p>	<p><i>N/A</i></p>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
<i>Gender Reassignment (the act of transitioning and Transgender people)</i>	No specific differential impacts identified.	N/A	N/A
<i>Pregnancy and maternity</i>	No specific differential impacts identified.	N/A	N/A
<i>Race (include different ethnic minorities, Gypsies and Travellers and Migrants, Asylum seekers and Refugees)</i>	<p><i>Positive: Evidence suggests that Black, Asian and minority ethnic members of the workforce are disproportionately represented in the sector and thus more likely to be affected by current restrictions. Allowing a wider reopening of the sector will therefore likely have positive equity effects.</i></p> <p><i>Negative: Black, Asian and minority ethnic groups may be disproportionately at risk of negative health outcomes should they contract Covid-19, which should be considered for both staff and customers of the sector.</i></p>	<i>Analysis of APS data for 2019 estimates that 13% of workers in close contact services in Wales are Black, Asian and minority ethnic (while this group only represents 5% of the Welsh workforce).</i>	<p><i>Guidance and mitigations are aimed at reducing the risk of transmission for all groups; customers and staff.</i></p> <p><i>Risk assessments that businesses are asked to conduct should be used to identify disproportionate risks to certain groups.</i></p>
<i>Religion, belief and non-belief</i>	No specific differential impacts identified.	N/A	N/A

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
Sex / Gender	<i>Positive: Evidence suggests that women are disproportionately represented in the sector and thus more likely to be affected by current restrictions. Allowing a wider reopening of the sector, by removing restrictions, should therefore have positive equity effects.</i>	<i>Analysis of APS data for 2019 estimates that 79% of workers in Wales within close contact services are female, this is despite women only representing 47% of the total Welsh workforce.</i>	<i>No negative impact identified.</i>
Sexual orientation (Lesbian, Gay and Bisexual)	No specific differential impacts identified.	N/A	N/A
Marriage and civil partnership	No specific differential impacts identified.	N/A	N/A
Children and young people up to the age of 18	<i>Negative: Adults employed within the Close Contact Services sector could have childcare responsibilities.</i>	<i>Welsh Government analysis of 2018 Annual Population Survey data suggests that 4,600 adults employed working within the Close Contact Services sector have children under the age of 16. It should be noted however that many workers will have returned to work already as restrictions were eased on hairdressers and barber shops on 15 March.</i>	<i>The Welsh Government has eased restrictions on on site education for younger children schools which will ease the pressures on families who may have adults who need to return to physical premises to work.</i>

Protected characteristic or group	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate Impacts?
<i>Low-income households</i>	<i>Positive: Allowing members of this sector to return to work has the capacity to mitigate job losses and increase household incomes for those from the poorest households.</i>	<p><i>Provisional data from the Annual Survey of Hours and Earnings provides estimates for hourly and weekly gross pay by 2-digit SIC codes in Wales. For Other Personal Services (SIC code 96) median gross hourly pay was £8.98 - £3.21 lower than the Welsh median for all employee jobs of £12.19. For weekly gross pay in this sector the median is £287.10, approximately £153.70 lower than the Welsh median.</i></p> <p><i>Using the same data at least 70% of employees in Other Personal Services are estimated to have lower gross hourly pay than the Welsh median.</i></p>	<i>No negative impacts identified.</i>

Human Rights and UN Conventions

The overriding purpose of the restrictions and requirements associated with lockdown have been to protect everyone's right to life. This has led to constraints on rights such as on private and family life and the freedom of assembly and association on justifiable health grounds. Public health is described as an acceptable reason to curtail these rights, as long as it is necessary and proportionate. Notwithstanding the ongoing constraints from lockdown in the round, this proposal could affect the following:

Human Rights	What are the positive or negative impacts of the proposal?	Reasons for your decision (including evidence)	How will you mitigate negative impacts?
<p>Article 11 of the International Covenant on Economic, Social and Cultural Rights (ICESCR) recognises the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions.</p>	<p><i>Positive: allowing wider reopening of the sector should facilitate the return to work of many employees who currently could be earning below the National Living and Minimum Wages due to receiving 80% of their pre-crisis income.</i></p>	<p><i>Income data from Annual Survey of Hours and Earnings shows that workers in this sector earn significantly below the average (median) Welsh wage and many are likely to be earning less than the National Living/Minimum wage as a result of being furloughed.</i></p>	<p><i>No specific negative impacts from the proposal.</i></p>

United Nations Convention on the Rights of the Child

The convention has been considered in this assessment. Opening up the sector should have a general positive impact linked to parental income:

- **Article 18** – Both parents share responsibility for bringing up their children, and should always consider what is best for each child. Governments should help parents by providing services to support them, especially if both parents work.
- **Article 27** – Children have a right to a standard of living that is good enough to meet their physical and mental needs. The Government should help families who cannot afford to provide this

Welsh Language

The proposal does not have any identifiable negative impact on the Welsh Government's commitment to preserve and promote the Welsh Language. Within the Welsh Government's own plans to reach a million Welsh Speakers by 2050, which is set out in **Cymraeg 2050: A million Welsh speakers**, it stresses the importance of promoting the use of the Welsh language as well as increasing the population that can speak Welsh. The second theme of Cymraeg 2050 is on **Increasing the Use of**

Welsh, it states: *“People need opportunities to use Welsh in a variety of situations which reflect the diversity of their lifestyles. These include opportunities within the family, in the workplace, in local activities, or in wider interest networks and communities which can span continents”*. Allowing a wider re-opening of this sector could therefore provide additional opportunities to use Welsh.