

CHILDREN'S RIGHTS IMPACT ASSESSMENT

All completed Children's Rights Impact Assessments must be sent to the CRIA@gov.wales mailbox

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

As outlined in Section 1, this IIA focusses on assessing the return to schools and settings from September. It follows the [IIA covering the 'check in, catch up, prepare' sessions implemented in all schools and settings from 29 June](#), and the [IIA covering the initial education response](#) to the COVID-19 pandemic published on 1 October.

We now know that the risk to children themselves of becoming severely ill from COVID-19 is very low and that most infected children present with mild symptoms or are asymptomatic, and very few develop severe or life-threatening disease.

Taking into account the scientific evidence, and in line with the [recommendation](#) from the Welsh Technical Advisory Group (TAG), the decision was taken to allow all learners to return to their schools/settings in September.

Getting our learners back into school or settings as quickly and as safely as possible will bring positive benefits on a number of fronts, including mitigating against learning loss over the summer term and ensures equity of provision for all learners. That said, **the negative impacts of lockdown on learners are unlikely to be fully addressed for some time after a full return to operations in schools and settings in September and many learners may be anxious about the return to their schools/settings and they will need support.**

'Check in, catch up, and prepare' in the summer term was on a reduced basis taking into account the scientific advice available at the time and measures needed to help reduce the risk of transmission. This would have resulted in some learners not having the opportunity to benefit from face to face contact with their teachers. The decision was taken to allow 100% of learners to return in September mitigates this but it is recognised that some learners will need additional support, particularly those with specific learning and developmental needs.

The [decision framework for the next phase of education and childcare: considerations, planning and challenges](#) referred to in Section 1, sets out the approach to changing the operations of schools and settings. It is clear that any increase in operations would only be considered when certain scientific / medical criteria were met. Overall the best interests of the learner giving due regard to the UNCRC is to be at the core of any decisions.

A combination of face-to-face learning with some remote learning – a blended learning approach – is likely to feature as part of the education offer for the

foreseeable future. This particularly so in instances of localised lockdown or restrictions in specific schools, or year groups. **Individual experiences are likely to vary (at least initially) as the return to full operation evolves.**

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

The approach to increasing operations in schools and settings is guided by a rights-based approach to equality of access and consideration of learners' rights. The approach provides the more equitable opportunity for most learners to access face to face support from trusted educational professionals. However, we know that different groups of learners will have more inherent difficulties in returning to school particularly after a long period away. We explore these below.

As set out in this CRIA, consideration has also been given to addressing the needs of those who did not attend their school or setting before the summer break and/or who have not been particularly engaged in their remote learning during the last term.

We know that lockdown measures have had a significant impact on many learners, not just in terms of interrupted learning, but in terms of wellbeing, social isolation, and an increased exposure to negative home environments.

The announcement on allowing all learners to return to schools and settings in September was welcomed by the Senedd's Children, Young People and Education (CYPE) Committee, who recognised that whilst the school closure was a necessary part of controlling the pandemic, that the impact of not being at school on the well-being of very many children was significant.

Some positive impacts of the return to schools in September include:

- the opportunity for learners to re-engage with learning and to begin the process of mitigating against learning loss during lockdown. We know most learning will have been impacted in some form over recent months, with more significant impacts expected in vulnerable or disadvantaged groups. There is also a specific impact on those taking formal qualifications in 2021 – those going into Years 11, 12 and 13. The Welsh Government announced £29 million to [recruit recover and raise standards](#), bringing more teachers into schools to provide more in-depth, focused support for those who have specific challenges to enable them to achieve their potential.
- an opportunity to resume **routine and social interaction, the loss of which during lockdown has resulted in feelings of loneliness and mental health issues amongst some learners, this against a backdrop for many of negativity in their home environment**
- **allowing for a focus on physical mental and emotional well-being of learners. The [learning guidance](#) asks practitioners to focus on supporting well-being as a foundation for learning, with this being the starting point for schools and settings engagement with learners during the autumn term**

- for schools and settings to better discharge their ‘**safeguarding**’ roles and responsibilities ensuring practitioners safeguard children (and adults) who are at risk of abuse and neglect. To apply the [Wales Safeguarding Procedures](#) which guide safeguarding practice for all those employed in the statutory, third (voluntary) and private sector in health, social care, education, police, justice and other services
- to ensure [the safeguarding process: an overview](#), which describes the different ways practitioners can protect children at risk from harm, abuse and neglect as well as their responsibilities to identify, assess and intervene
- to ensure prevention and [early help to address any emerging concerns about abuse, neglect and harm](#) outlining the roles and responsibilities of practitioners. This includes:
 - the task: identifying and addressing emerging concerns
 - practitioners in contact with children and families
 - types of interventions
- outdoor learning **which can help mitigate the negative impact** on cultural well-being, particularly given that we are likely to see restrictions in cultural activities for some time. Additionally, learning ‘in’ the outdoors has been shown to support both physical and mental health and well-being. Evidence indicates that the risk of infection is reduced outdoors as the virus suffers in sunlight. [Learning guidance](#) acknowledges, this by emphasising the importance of outdoor learning and play.
- an opportunity for practitioners to identify any emerging learning problems with individual learners, to ensure early interventions and thus look to mitigate the negative impact of missed learning on future attainment and progression.

Whilst it is recognised that the majority of the impacts for children and young people arising from a return to full school operation from September, will be positive, the learner survey conducted during lockdown leads us to conclude that there is potential for some negative impacts, for example:

- less time to spend with close family
- a return to previous difficulties such as bullying at school
- less time to focus on learning new skills, hobbies, interests and play
- potential for some anxiety among learners about the return to their school or setting after such a protracted period away.

[Learning guidance](#) recognises this, noting the need for practitioners to consider how their approach to autumn term learning can support learners’ mental, emotional, physical and social wellbeing; as well as the need for learning to have a clear purpose in mind, focussed around what is important for learners now and in the longer term.

We know that lockdown had a disproportionate impact on vulnerable and disadvantaged learners. Supplementary [guidance](#) on supporting vulnerable and disadvantaged learners has been published to support schools and settings in planning for the learning and progression of those who face barriers to learning. It states that the priorities for learning should be based on the principles that health and well-being of learners is paramount; and that the curriculum and associated support should ensure that learners make progress that is appropriate to their needs.

Learning and teaching will continue to be affected by the COVID-19 pandemic during the 2020/21 school year. The approaches taken by schools and settings will need to continually to evolve to provide learning both in school and elsewhere if the needs arises. The balance between learning in schools and settings and time spent learning elsewhere may well change at particular points in response to the pandemic. This challenge requires schools to adapt their curriculum planning to be flexible and responsive to changing circumstances and learner needs Therefore, [learning guidance](#) provides a high-level set of expectations for schools and settings in developing approaches to learning and seeks to close the gap between our learners while raising expectations for all. As schools and settings develop approaches to provide learning in school and outside school, they are able to draw on [blended learning guidance](#).

1.2 How will the proposal affect different groups of children?

This should be read in conjunction with the Equality Impact Assessment (at Annex B) which assess impacts on learners with protected characteristics.

Taking into account the improved situation over the summer, the balance of risk is now overwhelmingly in favour of allowing all learners to return to schools and settings in September. This will bring positive benefits on a number of fronts, including mitigating against learning loss over the summer term.

Each situation will be different however; [operational guidance](#) to schools recognises that a school's context will determine the combination of measures that can help minimise the risk of transmission in each individual setting. School leaders will need to make judgments at a school level about how to balance and minimise any risks from COVID-19 with providing a full educational experience for children and young people. This includes having due regard to children's rights and risks to them if they are not met; for example, their rights to survival and development, the highest attainable standard of health, and the right to education.

The disruption to education as a consequence of COVID-19 has been particularly disruptive to the lives and routines of those who are vulnerable or disadvantaged. [Supplementary guidance](#) is clear that vulnerable and disadvantaged learners should be supported to return to their own school or setting as soon as possible. A full return to schools and settings in September gives learners access to teachers they know and trust, and who are more familiar with the individual challenges they may have faced during lockdown, and this is essential in helping identify specific needs.

For the purposes of the guidance a wide definition of vulnerable and disadvantaged learners has been adopted. It includes, but is not limited to, learners who are in one or more of the following groups:

- learners with special educational needs (SEN)
- learners from minority ethnic groups who have English or Welsh as an additional language (EAL/WAL)
- care-experienced children, including looked after children
- learners educated other than at school (EOTAS)
- children of refugees and asylum seekers
- Gypsy, Roma and Traveller children
- learners eligible for free school meals (eFSM)
- young carers
- children at risk of harm, abuse or neglect.

In addition to the groups listed above, there may be groups of learners who will have not had contact with their school or setting during lockdown and will have concerns about returning to school in September. The guidance states that these learners will need reassurance and/or support as they return to their school or setting particularly to ensure that these learners do not further disengage with learning and become 'not in education, employment or training' (NEET). The Youth engagement and progression framework is in place to reduce the number of young people who may become NEET.

Understanding the specific needs and barriers faced by individual learners and seeking to address and provide reassurance by explaining the protective measures being implemented is paramount. Schools and settings should reassure learners and parents/ carers of the measures they are taking to reduce risk and support learners to transition back to their school/setting.

Learners with SEN

Some learners may be anxious about the return to their school/setting as a result of their attendance being disrupted, or because of negative associations and experiences, e.g. if they were bullied in school and had more positive experiences during lockdown. In addition, COVID-19 may have increased or exacerbated pre-existing anxiety and other mental health issues; or may developed anxiety or other mental health issues as a result of the impacts of COVID-19.

We know that some parents many have experienced difficulties in meeting their child's learning needs during the period of school closures meaning that progress previously made may have been lost, increasing the disadvantage gap for SEN children. The return to schools and settings in September provides an opportunity to mitigate these impacts for all learners and ensure that attainment gap does not widen further.

That said many learners may be anxious about how their learning experience may look different, particularly in a new and unfamiliar environment; and older learners may also have concerns about future educational, training and employment

prospects after completing their learning. In line with [guidance](#) additional support should be put in place to help learners overcome this. In addition, consideration should be given to whether bespoke information and/or ways of providing that information would be required particularly for new entrants with SEN.

Whilst it is recognised that, due to COVID-19, support systems may not currently be operating as they normally would, [guidance](#) is clear that

the local authority and/or school or setting, should work with parents/carers, learners and, where appropriate, other agencies, to explore and agree any contingency arrangements which need to be put in place to amend provision set out in a statement as a result of COVID-19, should further local or national lockdowns be required.

Learners from Black, Asian and minority ethnic (BAME) communities and those who have English or Welsh as an additional language (EAL/WAL)

We know there is growing evidence that COVID-19 infection is having a disproportionate impact on people from Black, Asian, Minority Ethnic (BAME) communities. As part of planning for full return in the autumn term, [operational guidance](#) is clear that it is a legal requirement for schools to revisit and update their risk assessments by building on the learning to date and the practices they have already developed. This will enable them, to consider the additional risks and control measures to put in place for a return to full capacity in the autumn term. It is possible that some learners or their parents/carers from Black, Asian and minority ethnic (BAME) backgrounds may be anxious about a perceived risk of contracting, or the consequences of contracting, COVID-19. Understanding the specific needs and barriers faced by individual learners and seeking to address and provide reassurance by explaining the protective measures being implemented is paramount.

As stated in [guidance](#), schools and settings should reassure learners and parents/carers of the measures they are taking to reduce risk. This may include providing parents/carers with information on the health and safety arrangements in place.

Where learners have English or Welsh as an additional language (EAL/WAL) they may not have used their language skills during the lockdown period and they may have lost confidence. This might lead to anxiety amongst some learners about returning to school and these learners may need extra support with learning and to refresh their language skills when they return to school.

Local authority minority ethnic achievement services have been working with schools and settings, learners and their families to support learners and their families and share good practice across their local authority areas. In some local authorities, staff report that three-way calls between families, schools and settings and the EAL/WAL services have proved beneficial. They have helped to ensure parental understanding of how they can best support their children's learning and get access to resources. Additionally, [guidance for supporting vulnerable and disadvantaged learners](#)

emphasises the importance of reassuring learners and their families that they will receive all the help and support they need on return to school.

Further information on how lockdown has impacted on Welsh language development will become available as schools and settings are better able to assess learner progress and any accessibility issues following the provision of the check in catch up prepare sessions from 29 June; and the return of learners to schools and settings from 1 September.

Therefore, the issues surrounding learning the Welsh language, and learning through Welsh will need close monitoring, ongoing research, evidence and action going forward. Given the impacts explored above however, it is anticipated that some learners will need additional support with Welsh from the autumn term.

Consideration should also be given to whether bespoke information and/or ways of providing that information would be required for new entrants who are from the Gypsy, Roma or Traveller communities

The [Recruit Recover and Raise Standards: Accelerating Learning Programme](#), has identified learners from non-Welsh speaking homes in Welsh-medium schools as one of the key affected cohorts. The programme includes an uplift within the funding methodology for Welsh-medium schools to account for learners who will need additional support in September to re-establish their language skills and to provide additional capacity in the Foundation Phase to ensure that learners can immerse in the language.

Educated other than at school (EOTAS)

Some learners engaged in EOTAS provision may be anxious about returning to their setting and might have felt happier at home during lockdown. This might be particularly the case for learners who were excluded just prior to the COVID-19 outbreak.

[Guidance](#) states that local authorities will need to work with providers to prioritise ensuring plans are put in place for all EOTAS learners to resume their education and be supported through the transition back to their setting and do not disengage from education..

Local authorities should prioritise learners who did not have an education placement during lockdown due to, for example, being excluded prior to lockdown. Local authorities should ensure these learners are found a placement during the first weeks of the autumn term. Learners themselves should be involved in the decision-making process, with their views taken into account in placement decisions.

There is potential for an increase in challenging behaviour amongst EOTAS learners due to experiences during COVID-19. It is also possible that some learners who had been making progress with behaviour prior to COVID-19 may now need further support upon returning to their setting due to not having the structured routine and support provided by their setting during lockdown. Settings should consider

amending their behaviour policy to take into account the impact of COVID-19 on the well-being and behaviour of learners. Risk assessments should also be undertaken, as appropriate.

It may be necessary for settings to put in place pro-active strategies to support learners, and to adapt responses to challenging behaviours to take account of the disruption that has been experienced and to give learners the support they need to transition back into their setting. Settings should also work with other agencies to ensure that learners can access mental health support and counselling, as appropriate. Settings may find these case studies useful in developing arrangements for the next academic year.

Gypsy, Roma and Traveller learners

Anecdotal evidence from local authority Gypsy Traveller service providers that there has been a higher level of disengagement of these learners during lockdown and the return to schools and settings in September provides learners with the opportunity to re-engage with their learning in the formal school environment; .

As stated in [guidance for supporting vulnerable and disadvantaged learners](#), schools and settings will need to re-engage with these families to ensure that learners are supported to return to their school or setting in September, with [Learning guidance](#) to schools outlining the importance of ongoing conversations with learners about how they are feeling and of actively encouraging learners to discuss their questions and concerns. In addition to this, learning during the autumn term will have strong focus on health and wellbeing.

Children living in poverty

We have seen some important progress over recent years, with learners from disadvantaged backgrounds achieving improved educational outcomes. However, most of these learners are still not achieving their full potential. The COVID-19 outbreak risks undoing the progress made over recent years. The decision to allow all learners to return to their schools/settings will mitigate against this additional learning loss, but these learners may need a range of support from September to process, and recover from, not attending school during lockdown. This may include support for their mental health and well-being, as well as additional support with their learning.

In line with our expectations, there has been an increase in the numbers eligible for free school meals as a result of COVID-19. As at the 20 May, Data Cymru monitoring has confirmed that around 5,000 learners have become eligible since the start of lockdown meaning that just over 91,700 pupils received free school meal provision as at 29 June 2020.

The Welsh Government's key programme for supporting disadvantaged learners is the Pupil Development Grant (PDG) which is at a record £100 million for 2020-21. This year, schools and settings have been provided with greater flexibility in terms of

the use of the PDG so it can be targeted to address local need in the context of COVID-19. Priorities might include, for example, ensuring practitioners receive refresher professional learning on trauma-informed practice and/or adverse childhood experiences (ACE) awareness, or additional focus on assessing learner progress to help learners to the next stage of their learning.

In addition to the PDG, the Welsh Government continues to advocate the use of the Education Endowment Foundation's Teaching and Learning Toolkit to support planning. The Education Endowment Foundation has produced a range of resources to support practitioners tackle the attainment gap, which are specifically relevant to the COVID-19 context and the return to schools/settings in September.

[Guidance for supporting vulnerable and disadvantaged learners](#) emphasises the importance of ensuring learners from low-income families actively re-engage in education when they return to their school or setting. It states that consideration of needs on an individual learner basis should be undertaken at the start of the autumn term and an individualised programme of support and intervention should be put in place, with consideration given to how existing parenting or family learning programmes can be adapted to better support parents/carers to support their child's learning.

The [learning guidance](#) states that staff based in schools and settings with attendance and parental/carer engagement responsibilities will be key to identifying learners who would benefit from support when returning to school in September and to engaging and supporting carers and families. Understanding the cause of their concern will be essential in identifying how they can be supported to return.

Young carers

Young carers may be concerned about returning to school. They may worry about how the person they care for will be supported while they are in school. They may also be concerned about transmission of the virus and the risks of taking the infection home to parents/carers, siblings or other family members who are unwell or who have care and support needs that make them vulnerable to illness or infections.

They may have experienced an increase in caring responsibilities during the pandemic; either in the number of hours they are caring, the type of tasks they have been carrying out or in the number of people they are caring for. This may mean that a young carer has not been able to fully engage in home learning and has fallen behind in their studies, which may cause anxiety about returning to school. The return to schools/settings in September provides an opportunity for these learners to re-engage with their learning, catch up on their studies and re-establish communication with friends or wider support networks.

We know that many children and young people do not identify themselves as being in a caring role, or they don't tell school staff that they are a young carer. Guidance reiterated the role of schools and settings to help young carers understand their rights under the Social Services and Well-being (Wales) Act 2014.

The Welsh Government has funded Carers Trust Wales to produce guides and lesson plans, which will be launched in September. Also, in 2019, Estyn published the thematic review [Provision for young carers in secondary schools, further education colleges and pupil referral units across Wales](#). Schools and settings may find this useful in planning support for young carers in the new academic year.

As outlined in [guidance](#), young carers and their families should be encouraged to discuss concerns about returning to education with their school or setting and any other agencies working with the family. A multi-agency approach could be beneficial in finding ways to support a return to school.

Children at risk of harm, abuse or neglect

Learners will have encountered different experiences and home environments during lockdown and this may impact on learners' readiness/ability to return to their school/setting in September. The decision to allow all learners to return to school in September, provides an opportunity for practitioners to re-engage with families and children and to make sure that early intervention is offered to children that are identified as vulnerable to possible abuse and neglect and their families. This ensures:

- protection for children from experiencing abuse, neglect or harm;
- that problems escalate;
- reduction in the need for safeguarding enquiries and interventions;
- provide long-term benefits for the child's health and well-being.

[Guidance for supporting vulnerable and disadvantaged learners](#) reminds practitioners of their responsibilities to safeguard learners and to support them in responding to concerns about learners at risk, in accordance with the [Wales safeguarding procedures](#).

At the early stages, schools, settings and children's services should continue to work closely together to ensure every child and family has the support needed. Local authorities will already have a range of working practices in place to ensure that safeguarding partners can work together to keep learners safe. There is an opportunity now for these working practices to be further consolidated.

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

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

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

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

- daily social media listening reports
- the Minister for Education undertaking Q&As on social media with young people
- the Minister for Education attending the Youth Parliament
- the response to video messages aimed at certain groups of learners or their parents
- feedback from the 'Coronavirus and me' survey of children and young people
- daily monitoring of topics raised in correspondence, enquiries to the First Point of Contact centre or to the Complaints Unit – these have also been used to refine and update the Frequently Asked Questions section of the Welsh Government's Coronavirus website.

In addition to the above, it is worth noting:

- At the start of the lockdown period there was a marked decrease in safeguarding reports to Children's Social Services, these are steadily increasing to expected levels but have not totally recovered in all local authorities.

- Practitioners working across agencies in the statutory and third sector have had to adapt quickly to new ways of working, continuing to make sure that children and families get support. For some this has involved finding new ways of providing services via virtual platforms, for others face-to-face contact has continued in line with [Public Health Wales advice](#) on social distancing and PPE.
- Children's Social Services have maintained face-to-face contact for children identified as at risk throughout the pandemic. However, the majority of children not already identified as at risk will have only had virtual contact via video, telephone or online with services from their home with family members present. This is likely to have impacted on the opportunities for practitioners to identify abuse and for children to disclose harm. Services have done everything they can under difficult circumstances but we know that sadly some children will have come to harm without professional services knowing. As lockdown eases increased contact between children and universal and preventative services is likely to identify unmet need.
- Work to mitigate this has commenced by supporting practitioners to spot and report harm, report and neglect; encouraging the public to report concerns and developing information for families and for children and young people on seeking help and support. This work is supported by the Office of the Children's Commissioner for Wales and the National Independent Safeguarding and is being developed in consultation with external stakeholders from across the statutory and third sector.
- This information highlights the very real concerns of under-reporting and the increased exposure to harm for some which may lead to a substantial increase in support needs in the future as children return to school.
- Educational outcomes are seriously at risk with a direct impact on the attainment gap, especially for vulnerable and disadvantaged learners. [Some schools and settings](#) struggle to adjust their teaching patterns to engage learners in distance learning, [especially in deprived areas](#). Teachers are reporting that they expect learners' studies to be impacted significantly, suggesting the assumption should be that no learning has taken place for some learners during this phase.
- The '[Coronavirus and me](#)' survey did not reflect a wholly negative picture of the impact on children and young people as a result of repurposing schools to respond to COVID-19. While only a sample response, of those who engaged through the survey 51% reported they felt confident or very confident, 25% lacked confidence, with 10% stating they felt 'not at all confident'. There was a neutral option from 24%.

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

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

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

1.5 What other evidence would inform the assessment?

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

The [operational guidance](#) calls for schools and settings to keep a record of attendance and families should notify their school if their child is unable to attend, to help local authorities plan for and understand any barriers to learners returning to school and identify any further support needed. Wider data capture requirements are being agreed, while being mindful of not placing too much burden on schools and settings, and reporting arrangements are being put in place with the support of local authorities and regional consortia.

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

We have established a resource to pull together 'equalities and quality assessment' work as an ongoing base of evidence, as well as routine analysis of international approaches, and sources of information being drawn on by other education jurisdictions internationally.

We continue to work with Welsh Local Government Association (WLGA) and Data Cymru colleagues to monitor free school meal take-up. Additionally we have launched a joint media campaign with the WLGA to raise awareness of free school

meal provision available. Specifically the campaign encourages parents to contact their local authority to find out if they are eligible for free school meal provision.

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

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

Article Number	Description	Links to decisions
2	The Convention applies to every child without discrimination, whatever their ethnicity, sex, religion, language, abilities or any other status, whatever they think or say, whatever their family background.	<p>A return to schools/settings in September follows an approach based on equity in providing for most learners (irrespective of age or background).</p> <p>An approach based on equity does not in itself guarantee equality of opportunity or provision for all learners, especially those with particular needs. It is recognised that some learners, due to their individual circumstances, will not be able to return to their school or setting For those learners who are SEN, vulnerable, disadvantaged or in need of specialist support, additional and/or alternative arrangements such as EOTAS will likely be required. We know that provision will look very different for some learners, to ensure that their specific needs are met.</p>
3	The best interests of the child must be a top priority in all decisions and actions that affect children.	<p>This article can be seen in the principles set out in the decision framework for the education sector, which are:</p> <ul style="list-style-type: none"> • The safety and mental, emotional and physical well-being of learners and staff. • Continuing our contribution to the national effort and strategy to fight the spread of COVID-19. • The confidence of parents and carers, staff and learners – based on evidence and information – so that they can plan ahead. • Ability to prioritise learners at key points, including those from disadvantaged backgrounds. • Consistency with the Welsh Government’s framework for decision-making, to have guidance in place to support measures such as distancing, managing attendance and wider protective actions. <p>While UNCRC is not explicitly referenced in the published decision framework document, the influence of children’s rights is implicit in the approach being taken since Ministers are under an explicit duty to have due regard to the UNCRC in their decision</p>

		<p>making. Placing learner well-being front and centre of all decision making regarding the education response to COVID-19 is central to that. This alongside the development of arrangements which seeks to mitigate the negative impacts of 'lockdown' on children and young people, while recognising the specific needs of particular groups of learners.</p>
4	<p>(implementation of the Convention)</p> <p>Governments must do all they can to make sure every child can enjoy their rights by creating systems and passing laws that promote and protect children's rights.</p>	<p>The Minister for Education has consistently said that increasing operations in schools and settings would only take place when the health context allows.</p> <p>As stated in guidance understanding the specific needs and barriers faced by individual learners and seeking to address and provide reassurance by explaining the protective measures being implemented is paramount.</p> <p>Despite the more equitable approach adopted, as explored earlier, specific measures are necessary to meet the needs of some learners. Guidance has been provided to schools and settings regarding this. Specific guidance for supporting vulnerable and disadvantaged learners is also available.</p>
6	<p>Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.</p>	<p>The key principle putting the safety and mental, emotional and physical well-being of learners and staff at the heart of decision making directly addresses these rights. It is more than staying safe and healthy, but also about providing a considered and measured approach to address the negative learning and developmental impacts experienced by 'lockdown'.</p> <p>Both guidance for operations and learning in support of increasing operations in schools and other education settings cover a comprehensive and safe approach to ensure the health and well-being of learners and practitioners when returning to the school environment. This includes specific advice on safe capacity, social distancing and hygiene measures and proportion of learners attending school on a daily basis.</p> <p>With the return of more learners to the physical school environment, practitioners will provide a combination of face to face and remote learning – a blended approach. In developing this practitioners will consider the needs of all their learners, how those are best addressed, and will have regard to the purposes of learning and weigh up their priorities; flexibly drawing on a wide range of curriculum guidance to support them in this work.</p>

<p>12</p>	<p>Every child has the right to express their views, feelings and wishes in all matters affecting them, and to have their views considered and taken seriously</p>	<p>The ‘Coronavirus and me’ survey, alongside engagement with the Youth Parliament, consideration of learner correspondence / questions, and inputs from those able to represent learner’s views (eg parents, practitioners and the Children’s Commissioner) have helped ensure children’s views Have been taken into account in the process of increasing operations in schools and settings to date.</p> <p>The learning guidance to schools and settings is clear that well-being should be at the heart of work to reengage learners. Within this it emphasizes the importance of giving time for learners to discuss and express their experiences, and ensuring they feel valued, listened to and heard.</p>
<p>14</p>	<p>(freedom of thought, belief and religion)</p> <p>Every child has the right to think and believe what they choose and also to practise their religion, as long as they are not stopping other people from enjoying their rights.</p> <p>Governments must respect the rights and responsibilities of parents to guide their child as they grow up.</p>	<p>None of the policy decisions set out above and in Section 1 will have an explicit impact in relation to freedom of thought, belief and religion.</p> <p>The learning guidance outlines that practitioners need to consider how to support all learners. This includes those who may be anxious about returning, particularly if they feel the school environment is unsupportive of their beliefs, or who find the return threatening. Conversations about how learners are feeling are critical throughout this period and staff in schools and settings are being guided to encourage learners to discuss their questions and concerns.</p>
<p>17</p>	<p>Every child has the right to reliable information from a variety of sources, and governments should encourage the media to provide information that children can understand.</p>	<p>The ‘Coronavirus and me’ survey asked how children and young people chose to access information sources; it reported: via family (76%), TV (65%) and school (20%). 3% of respondents noted they were not getting any information. Young people taking the 12-18 survey have similar sources of information but are more likely to be getting information online from news websites and accounts.</p> <p>The approach to increasing operations in schools and settings is high profile and is being covered extensively via a range of media outlets. Steps being taken to ensure ongoing access to reliable and accessible information, include the Minister for Education participating in Q&As with children and young people. We are also releasing regular press statements, written and video messages aimed at particular groups of learners or their parents / carers, and reports relating to decisions and factual information about our response to the COVID-19 pandemic.</p> <p>We continue to publish FAQs on the response to the COVID-19 pandemic and the actions that have been</p>

		<p>taken in the education sector. This is informed by correspondence and enquiries through the first point of contact centre, some of which are from children.</p> <p>Guidance to schools and settings regarding the 'return to schools and settings in September includes communications with learners, parents and carers.</p>
18	<p>Both parents share responsibility for bringing up their child and should always consider what is best for the child. Governments must support parents by creating support services for children and giving parents the help they need to raise their children.</p>	<p>We recognise that communications between Government, schools and settings, and parents / carers and their children has been critical throughout the process in informing the approach in relation to increasing operations in schools and settings.</p> <p>To inform thinking, a Parent & Carer Advisory Panel has been established, providing feedback on the strength of feeling towards the guiding principles underscoring the decision framework, and their views across a range of related issues. This approach also helps inform guidance for schools and settings regarding their communication with parents / carers etc.</p> <p>Targeted communications for parents / carers is ongoing, including through social media and specific dedicated webpages.</p>
19	<p>(protection from violence, abuse and neglect)</p> <p>Governments must do all they can to ensure that children are protected from all forms of violence, abuse, neglect and bad treatment by their parents or anyone else who looks after them.</p>	<p>For some children, not being in their school or setting can be particularly detrimental due to the nature of their home environment. Children will have encountered different experiences and home environments during 'lockdown', and starting the process of increasing operations in schools and settings will help identify and start to mitigate negative impacts. It is expected, therefore, that the policies set out above and in Section 1 of this IIA will specifically address this article.</p> <p>In taking this forward, guidance reminds staff in schools and settings of their safeguarding duties Keeping learners safe and with the Wales Safeguarding Procedures. The role of the designated safeguarding person (DSP) is be vital and all staff and learners should be informed of who the DSP is and how to contact them. Accessing a trusted adult, or the DSP, may be more difficult with social distancing so schools and settings have been asked to consider how learners can talk privately.</p> <p>At the early stages schools, settings and children's services should continue to work closely together to ensure every child and family has the support needed. Local authorities already have a range of working practices in place to ensure that safeguarding partners can work together to keep children safe.</p>

		There is an opportunity now for these working practices to be further consolidated.
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.	<p>We have ensured that schools remain open to vulnerable children and this includes those with a statement of special educational needs. Local authorities prioritised those most in need of accessing this provision.</p> <p>Further guidance has been published to support local authorities, schools and settings to plan for the return of learners with SEN from September; and also to plan for the continuity of their learning in the event of future national or local lockdowns.</p>
24	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a clean environment and education on health and well-being so that children can stay healthy.	<p>This article has been recognised and evidenced through the emphasis being placed on health and well-being as learners return to their schools/settings in September.</p> <p>Learning guidance for schools and settings acknowledges that when we refer to health and well-being, it doesn't only refer to the physical risks of infection of COVID-19. For learners the wider physical, mental, emotional and relationship implications of social distancing, lockdown and potentially bereavement will be much more relevant.</p>
28	Every child has the right to an education.	<p>This right has been one of the fundamental drivers being decisions to increase operations in schools and settings.</p> <p>The learning guidance clarifies expectations on practitioners for the autumn term. In addition to the emphasis on well-being, schools and settings should, as appropriate, begin to widen learning and teaching. They are expected to develop new learning and approaches to meet the needs of all their learners in response to the pandemic. The guidance is clear that all learners have a right to support for their learning from trusted professionals at this time.</p> <p>Supplementary guidance has been published which includes specific advice to support vulnerable and disadvantaged learners. This will support schools and settings to ensure an inclusive approach in full operation from September 2020.</p> <p>As noted above, resources are being made available to address issues relating to remote access to learning. Moving into the autumn, further considerations are underway with regard to how we support and meet the needs of specific groups of learners to ensure that all are able to progress in their learning. These considerations (which will be covered</p>

		<p>in a future IIA) include the allocation of additional targeted funding.</p> <p>Some schools will be closing for an additional week at the October half term, as a result of the extra week provided at some schools at the end of the summer term. 'Recruit, Recover, Raise Standards' (LINK) will go some way to mitigating extra learning loss in the autumn term.</p>
29	<p>(goals of education)</p> <p>Education must develop every child's personality, talents and abilities to the full. It must encourage the child's respect for human rights, as well as respect for their parents, their own and other cultures, and the environment.</p>	<p>This article is at the heart of education in Wales, and the 4 purposes of the new curriculum which underpin our programme of education reforms. With the return of learners to the physical school environment, practitioners will develop learning and approaches to meet the needs of their learners in response to the pandemic. In so doing, practitioners are being directed to the full range of curriculum guidance now available to them, including how the Curriculum for Wales can support learners at this time.</p>
30	<p>(children from minority or indigenous groups)</p> <p>Every child has the right to learn and use the language, customs and religion of their family, whether or not these are shared by the majority of the people in the country where they live.</p>	<p>The policy decisions set out in this CRIA above and in Section 1 of this IIA are not intended to have either a positive or negative impact in relation to this article. However, it is recognised that there may be some differential impacts for certain groups of people arising from 'lockdown', that will require specific measures as increasing operations in schools and settings move forward.</p> <p>The learning guidance outlines that practitioners will need to consider how to support <u>all</u> learners; and to support them with the process of integrating into a physical setting for education. Conversations about how they are feeling will be critical throughout this period and staff should encourage learners to discuss their questions and concerns. We will monitor closely the situation regarding Welsh language learning and learning through the medium of Welsh.</p>
31	<p>(leisure, play and culture)</p> <p>Every child has the right to relax, play and take part in a wide range of cultural and artistic activities.</p>	<p>The negative impact on cultural well-being being seen through lockdown should ease as COVID-19 response measures ease and learners return to their schools and settings in September. However, reduced opportunities for learners to participate in cultural activities, arts, sports and recreation will likely continue for some time. This could be mitigated to some extent through the role of play and outdoor learning; which practitioners have been asked to consider through guidance. Both play and outdoor learning provide wide ranging opportunities to support learning as well to enhance learners' relationships, physical, mental and emotional well-being. They</p>

		should therefore be considered central to any approach to phased return.
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