

FULL IMPACT ASSESSMENTS

A. 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.

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

Following the outbreak of a new coronavirus in China in December 2019, and then the first reported case in the UK in January 2020, the UK Government published their Coronavirus Action Plan, which was endorsed by the three devolved administrations, on 3 March 2020 against a backdrop of increasing public concern and media coverage:

<https://www.gov.uk/government/publications/coronavirus-action-plan>

On 11 March the World Health Organisation formally declared the coronavirus outbreak to be a global pandemic. Scientific advice from the UK Government's SAGE and Cobra meetings required to respond to the outbreak of Corona Virus (COVID-19) evolved significantly. On the 18 March Wales, Scotland and England administrations announced that schools should close for the purposes of statutory education. In Wales, a joint statement was issued by the Minister for Education and the Deputy Minister for Health and Social Services on 20 March. This said:

- Wherever possible children should now be cared for at home;
- While some limited provision would remain available for school age children on school sites, this should be limited to the children of critical workers and vulnerable children; and
- Childcare providers are not required to close, but should prioritise provision for the children of critical workers and vulnerable children.

From Monday 23 March only small numbers of children should be in either education or care settings, to ensure both that the risks of transmission were reduced, and that social distancing were maintained. This decision significantly reduced the number of children in schools and childcare, and led to the majority of children remaining at home.

The Welsh Government worked continuously with stakeholders to determine what support was needed by children and their families, childcare settings and local authorities following the above decisions. To support the sector, children and their families, the following decisions relating to childcare were as follows:

- Recommending that where childcare settings remain open they restrict provision to the children of critical workers and vulnerable children
- Committing to ongoing funding for childcare booked under the Childcare Offer for Wales for a period of 3 months
- Suspending the Childcare Offer for Wales to new entrants in April, with a review to be undertaken after 3 months
- Establishing the Coronavirus – Childcare Assistance Scheme;
- Deferring the launch of the playworks holiday hunger scheme;
- Pausing the support grants for the childcare sector delivered by Business Wales;
- Suspending the Childcare Works programme administered by the NDNA;
- Delaying procurement of suppliers for the training to be delivered under Progress for Success;
- Providing additional funding for activities relating to the coronavirus outbreak to the Cwlwm consortium;
- Repurposing and reprioritising the funding and activities of Social Care Wales in relation to the childcare sector; and
- Issuing of a circular letter relaxing certain requirements within the National Minimum Standards for childcare.

The policy decisions set out in Section 1 and above, will likely impact on children both directly and indirectly. The impact on children have been detailed in Sections 1- 5 of this IIA, including the accompanying mitigating actions we have sought to put in place. However, in summary, some of the identified key impacts are likely to be as follows:

- Recommending that where childcare settings remain open they restrict provision to the children of critical workers and vulnerable children

With the announcement that all children, where possible, remain at home, it was agreed that those vulnerable children or those children of critical worker would still need access to provision. There are, however, some anticipated additional impacts on children from disadvantaged backgrounds as a consequence of **absence from childcare and school settings**. Quality early years experiences can develop children's resilience and helps to prevent later physical and mental health problems. Good quality childcare can also support attachment and the development of healthy relationships and reduce poverty for families. It also supports those children who have been identified as having safeguarding needs and supported by social care, which include children with care and support or support plans, children on the child protection register and looked after children, young carers, disabled children and those with Statements of special educational needs

The evidence suggests these children benefit more from high quality early childhood education and care than other cohorts, and that it can help redress both developmental disadvantages and the attainment gap. Research on the impacts of the Coronavirus outbreak, and specifically the impacts of absence from childcare and education settings, is being scoped and will be considered further.

➤ Establishing the Coronavirus – Childcare Assistance Scheme

In light of the decision to suspend the Childcare Offer for Wales on 6 April 2020, Welsh Government announced that the funding would be repurposed to establish the Coronavirus – Childcare Assistance Scheme (C-CAS). The three main factors considered when establishing the C-CAS were:

- Government scientific advice calling for children to remain at home wherever possible and not to attend school or childcare settings;
- The recommendation that childcare settings remain open only for the children of critical workers and vulnerable children, meaning most children were not in attendance;
- The need to provide safe, funded childcare for the children of critical workers and vulnerable children.

In addition to this we considered the need to maintain support for children with disabilities and special educational needs or additional learning needs.

Local authorities were alerting us to a number of families of pre-school age children who required support but were unable to afford childcare – many had previously relied on informal childcare from family members who were shielding. Concerns were also expressed about vulnerable children, who were having less contact with support services. Consequently it was felt it would be a more appropriate use of the funding to provide childcare for the pre-school age children of critical workers and vulnerable children.

The independent evaluation of the Childcare Offer has been repurposed to consider the C-CAS as well. It will be primarily formative but will also look at the likely impact on those families who have not previously accessed formal childcare, and we will consider this in more detail using government administrative data linking in the long term (i.e. to explore variations in child education and health outcomes, an potentially parent outcomes too).

A positive impact on children will likely be that more parents will look to use childcare provision in the future, which would further support that child's development and learning.

➤ Deferring the launch of the playworks holiday hunger scheme

The decision to ask childcare settings, including play settings, to remain open only for the children of critical workers and vulnerable children restricted the ability of these settings to operate. Social distancing rules also restrict the way in which play settings can currently operate. In parallel with this the Minister for Education announced funding to continue the provision of Free School Meals throughout the Easter holidays, easing holiday hunger pressure and supporting children and their families.

Deferring the project was considered appropriate, enabling it to be reconsidered for later in the year, in the context of the evolving crisis, operation of the sector at that

time and the position with regards to the provision of Free School Meals. As of June 2020 it now seems likely that the funding for the scheme will be repurposed to enable local authorities to provide childcare for vulnerable school-aged children over the summer holidays. This is partially enabled by the commitment to maintain Free School Meal provision throughout the summer, and the continuation of C-CAS, which supports younger children.

The policy decisions outlined above are interconnected and therefore presented in one Integrated Impact Assessment which allows Welsh Government to consider the impact of these decisions and mitigating actions. It should also be read alongside the Covid-19 IIA for Education.

Each policy decision within the IIA will be regularly reviewed in light of emerging scientific advice by SAGE, Public Health Wales and the Welsh Government's continuing response to the current pandemic, taking account of other Welsh Government policy decisions that could impact on those outlined above. The lessons learned from each policy decision will also feed into the recovery for the childcare sector. This IIA should also be read alongside the IIA for the Recovery of the Childcare Sector.

➤ Pausing or delaying workforce development

The Welsh Government's ambition is to develop a highly skilled childcare and play workforce recognised for the crucial role it plays in supporting our children's development where the workforce has the knowledge, skills and behaviours to provide high quality childcare and play, the effects on children can be profound. Social Care Wales are our key delivery partner in this and have been continuing their critical work in ensuring that we have the necessary qualifications and apprenticeships frameworks in place and that the workforce can be supported now, where possible, to continue with their learning and qualifications.

Whilst pausing and/or delaying grants, programmes or activities relating to the development of the workforce do not have a direct impact on children there may be indirect impacts. Studies have shown that a practitioner's continuous professional development within the childcare sector greatly benefits both practitioners and a child's outcomes (Research from the FEEL study). Pausing and or/delaying various programmes, activities and grants that support the sector could impact negatively, in the short term, on the child's development. However, these decisions are temporary and will likely resume at a later date which will therefore support the practitioner and the child in the future.

How will the proposal affect different groups of children (e.g. children who have experienced adverse childhood experiences (ACEs), children living in

poverty, children with a disability, children living in Welsh speaking households and children in Welsh medium education etc.)

The decision to restrict the numbers of children in childcare settings was based on scientific advice regarding transmission of and infection rates in respect of Coronavirus; it was a public health decision intended to provide the greatest protection for the wider population. The primary driver was to protect life, with that considered to be paramount.

In making the decision we were cognoscente of the potential for additional impacts on children from disadvantaged backgrounds as a consequence of **absence from childcare and school settings**. The evidence suggests these children benefit more from high quality early childhood education and care than other cohorts, and that it can help redress both developmental disadvantages and the attainment gap. We were also mindful of the potential impacts on children with additional needs, and their families. Concerns were also expressed about how best to ensure the safe care of the children of critical workers.

Unlike the Childcare Offer which provides eligible families with up to 30 hours of government funded early education (Foundation Phase Nursery) and childcare for 3 and 4 year olds, the C-CAS, which is also administered by local authorities, is available for all pre-school age children (0-5) whose parent / parents are critical workers¹ and to all vulnerable children. This includes workers in refuges and other supported accommodation for victims of domestic abuse. However, critical workers who have school aged children will continue to send their children to school, if they are not able to stay at home.

The funding allocated to local authorities to provide C-CAS funds:

- Childcare cost for children of pre-school age of eligible critical workers and vulnerable pre-school children (as defined by Welsh Government Guidance)
- out-of-hours care for key workers over and above normal childcare costs;
- an agreed hourly rate;
- reasonable food and transport costs;
- additional support for vulnerable pre-school children (subject to PHW advice on social distancing); and
- booked hours for children who cannot attend due to COVID-19 isolation reason but had a place booked for a maximum of two weeks.

Guidance has been developed with the support of local authorities and has been issued to support the process of administering the C-CAS.

The introduction of the C-CAS attempts to remedy some of aforementioned impacts by providing funding for the childcare costs of the children of critical workers and vulnerable children. For critical workers, this ensures the provision of safe, funded care, giving their children much needed support and routines at a stressful time for

¹ A list of Critical Workers can be found [here](#).

families. This includes possible care on evenings and weekends, where available, providing continuity for children when their parents are required to work, and when access to care from wider family members is not available.

Many of these families will be on low incomes, with social care workers and in particular paid at or below the minimum wage.

The definition of vulnerable children is broad encompassing those with social workers, on the edge of care or with additional needs including disabilities and special educational needs. This is a nationally agreed definition, drawing in children who may previously have been in contact with a range of support services which had either been scaled back or were being delivered differently. The offer of a funded childcare space was made to support these children and families during a challenging time. Arrangements for accessing CCAS have been coordinated at an LA level, working with a range of department and services.

Access to routine and continuity of care is important for many of these children. Furthermore access to childcare can support safeguarding in relation to some of our most vulnerable children. C-CAS includes options for payments in respect of food and transport to enable children to access and benefit from care as needed. Local authorities also have discretion to provide care for older siblings of school age in the same setting as pre-school children via C-CAS to support family cohesion.

C-CAS has supported up to 450 vulnerable children per week to access childcare. The total number will be greater than this because some vulnerable children will have attended some weeks but not others, but we won't have the final figures from the LAs until the scheme closes.

Research on the impacts of the Coronavirus outbreak, and specifically the impacts of absence from childcare and education settings, is being scoped and will be considered further and fed into this CRIA.

As the majority of children are now cared for at home, the suspension of certain grants/activities and the Childcare Offer will not have adversely impacted children previously accessing funded childcare, including those in protected groups, any more than wider decisions regarding reductions in social interactions and social distancing requirements. Children from all backgrounds would not have been able to attend childcare as intended in any case. As a consequence, we consider the impacts of suspending the Childcare Offer to be broadly the same for all children – the suspension is not the primary reason why the children are not in attendance at childcare settings, it is because of the public health emergency and the need to keep children safe and reduce the transmission rate.

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

A range of information has been used to inform this assessment and the decisions to suspend the childcare offer and introduce the C-CAS, including:

- Scientific and health advice from COBR and SAGE, as well as information and advice from Public Health Wales;
- Data collected and published by the Welsh Government and its key partners;
- Research and news articles that have been published during the pandemic;
- Previous research that can be used to draw conclusions from;
- The outcome of consultations undertaken by key stakeholders on these policy decisions, for example Cwlwm
- The experience and actions of other countries some of whom are at a more advanced stage of the pandemic response or who have taken different policy choices;
- Feedback from key stakeholders and representative bodies;
- Queries from stakeholders, including parents, LA's, Settings and parents direct to the TalkChildcare Mailbox;
- Information provided by CIW on the number of childcare setting closures;
- Feedback from LA's regarding concerns about the childcare costs for critical workers; and
- **In recognition that** childcare is important to employability² and economic growth³ independent experts' recommended providing government funding to critical workers children (see for example IFS study⁴).

The evidence initially available focussed on the risks of transmission, and the best way to manage overall infection rates. This clearly showed that the best way to manage the virus was to reduce overall levels of social contact between individuals. It was for this reason the decision was taken to limit the numbers of children in childcare settings and to call for children to be cared for at home. As overall transmission rates have reduced and restrictions have been eased, there remains a risk associated with increasing the number of contacts children and adults have. However the evidence now suggests that the risks associated with increasing the operations of childcare are lower than for primary schools, which are in turn lower than for secondary schools.

There is a wealth of evidence showing the benefits of access to high quality early education and childcare, and in particular the benefits this can bring to disadvantaged children. Concerns have been raised throughout this period about the impacts of prolonged absences from school and childcare on both child development and attainment. The initial response was focussed on protecting public health and preserving lines, however the longer the restrictions last the greater the impacts and the need to consider how to reopen services.

² <https://gov.wales/employability-plan>

³ <https://gov.wales/prosperity-all-economic-action-plan>

⁴ Christine Farquharson, Imran Rasul and Luke Sibieta (2020) Keeping key workers working: the role of pre-school childcare. 2/4/2020 <https://www.ifs.org.uk/publications/14788>

The data from CIW suggests that in the region of 60% of childcare settings have temporarily closed over this period. This will impact on the ability of the sector to restart and recover, and for children and parents to access childcare provision. This reduced capacity informed both the decision to suspend the Offer to new entrants (as children could not access childcare) and introduce CCAS (maintaining provision for critical workers and vulnerable children).

There has been some conflicting evidence with regards to children's access to play opportunities over this period. The Coronavirus and Me survey suggested more children had been playing with parents over this period, while Play Wales has cited evidence suggesting the lack of access to green spaces has impacted on play opportunities.

In the longer term further research will be required on the impacts of Covid19 and the response to the virus on children and young people. This will need to cover physical, emotional and mental health impacts.

The scientific evidence has been used to develop the Protective Measures Guidance, to ensure that those childcare settings still open and caring for vulnerable children and the children of critical workers were doing so safely. The Guidance has been updated as and when new evidence emerged.

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

Due to the urgency of the initial response and the urgency in which some of the initial policy decisions had to be taken and subsequently implemented, it was not necessarily possible to consult with children, young people or wider stakeholders at the time. However, Welsh Government officials have been working with the local authorities and the umbrella organisations within the childcare sector to support those children and families that will be affected by the current decisions.

The evaluation of the Childcare Offer for Wales has been repurposed to include the impacts of the CCAS. It will be primarily formative, exploring experiences of children, families and childcare providers, but will also look at the likely impact on those families who have not previously accessed formal childcare, and we will consider this in more detail using government administrative data linking in the long term (ie. to explore variations in child education and health outcomes, and potentially parent outcomes too. A survey of parents and a separate survey of providers will be undertaken.

There are currently no plans to speak with children and young people as part of the evaluation of the Offer and CCAS. Consideration will need to be given to how best to involve children and young people in the wider research and evaluation activities associated with the response to the coronavirus.

In a joint project with the Children’s Commissioner for Wales, Children in Wales and with the support of the Youth Parliament, the Welsh Government launched an online nation-wide survey to give an opportunity to children and young people to tell us their opinions about Coronavirus and all the changes the pandemic has brought. Based on the Articles within the United Nations Convention on the Rights of the Child, the survey was designed in partnership with children and young people and has sought the views of over 20,000 children and young people as they live through these unprecedented times. The survey results will be used to ensure children’s rights and opinions are reflected upon during and after the Coronavirus crisis. The survey is aimed at children aged 7 – 11 and young people aged 11 – 18. Younger children (aged 3-7) will be able to participate through the Children’s Commissioner for Wales’ website by sending in pictures.

4. What other evidence would inform the assessment?

Weekly meetings are held with scientific advisors to ensure that we are aware of and understand the latest scientific advice. This enables us to provide updates to the Protective measures guidance where necessary but also to understand when it would be appropriate for the operations of childcare settings to increase. Advice on the latter can then be provided as part of the 21 Day Review cycle. This covers both when childcare settings can re-open and provide the support that parents require as well as how (update to the Protective Measures guidance on small consistent groups etc).

We are keeping in touch with Welsh Government Knowledge and Analytical Services colleagues who are coordinating coronavirus related research and analysis, to ensure relevant evidence informs policy and our assessments on an on-going basis. We are also regularly in touch with government analysts via the UK and Ireland Cross Government Early years Analytical Group, and are regularly keeping in touch with leading funders of research (eg. Nuffield Foundation) and academics to seek their views (eg. David Dallimore, Luke Sibieta, etc) and ensure relevant evidence in the evolving impact of the pandemic is fully exploited and informs our plans.

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

Below is a table of the UNCRC articles that are most relevant to the above decisions.

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.	In light of the pandemic, each child is currently being cared for at home where possible. The establishment of the C-CAS allows parents who are critical workers to access funded childcare for all children aged 0-5 years, regardless of their background. Children who are also classed as vulnerable children under the current

		pandemic also have access to the funded childcare.
3	The best interests of the child must be a top priority in all decisions and actions that affect children.	To keep children and their family safe during the pandemic, it was necessary for children to be cared for at home if possible. Where this was not possible, the decision to fund childcare for 0-5 year olds of critical workers and those children who are vulnerable and suspend the Childcare Offer, ensures that those children still receive quality childcare during the pandemic.
6	Every child has the right to life. Governments must do all they can to ensure that children survive and develop to their full potential.	Closing Childcare settings and Playworks Holiday Hunger Scheme in light of the pandemic and the medical and scientific advice available at the time the decisions were made ensures the safety of children and practitioners through limiting contact.
18	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.	Providing support through the establishment of the C-CAS allows those parents who are critical workers to access funded childcare provision so that they may continue working during this pandemic. Up to 8,000 children of critical workers are accessing the provision each week.
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.	For the purpose of C-CAS, provision is made for vulnerable children including those with a social worker and with Statements of special educational needs. The most vulnerable of these should be prioritised by local authorities according to children with most need for the provision.
24	Every child has the right to the best possible health. Governments must provide good quality health care, clean water, nutritious food, and a	There is a possible impact on those families from disadvantaged backgrounds who may rely on this scheme

	clean environment and education on health and well-being so that children can stay healthy.	during the holidays to feed their child. This will continue to be monitored and reviewed along with the Education Department's decisions and changes around Free School Meals during the pandemic
28	Every child has the right to an education.	<p>The Minister for Education has announced a Continuity of Learning package, underpinned by access to ICT equipment, to support the ongoing right to education for children of school age.</p> <p>By suspending the Childcare Offer and establishing the C-CAS, all children aged 0-5 in Wales who are either children of critical workers or deemed vulnerable now have access to quality early education and care.</p>
31	Every child has the right to engage in play and recreational activities	<p>The restrictions of the lock down period, coupled with the closure of childcare settings and schools to the majority of learners will inevitably impact on children's access to play opportunities.</p> <p>The guidance provided to support the provision for children of critical workers and vulnerable children, provides advice on the types of activities that should be considered, including: promoting children's enjoyment through play, providing routine and balance including learning, playing and relaxing and maximising the use of outdoor spaces. Whilst the nature of the arrangements and how they are resourced are a matter for local authorities and their settings/school, there are a number of examples where authorities have used play</p>

		<p>workers to deliver different types of play activities to support children to play freely but safely.</p> <p>Play Wales has also published guidance and information for parents on both the importance of play, and ways in which they can create more opportunities for play even in these challenging times.</p>
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