

# **Initial Impact Assessment on the Strategic Framework for Reopening Schools and Early Learning and Childcare Settings in Scotland**

May 2020

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## **Introduction**

As part of the Scottish Government's response to the COVID-19 pandemic, the Deputy First Minister announced on 19 March 2020 that all local authority schools and childcare settings in Scotland would close from the end of the day on Friday 20 March 2020.

Emergency childcare was made available in a series of "hubs" for children of key workers and vulnerable children and through partnerships with local childcare providers. Local authorities were asked to support children with home learning, where possible and practical to do so.

Staff from across the education and Early Learning and Childcare (ELC) sectors have stepped up to support children and young people through these challenging times. While the health and wellbeing of our nation's children is paramount, we recognise that school and childcare closures can have a significant impact on all aspects of children's progress and development.

The Scottish Government COVID-19 Advisory Group ('C-19 Advisory Group') was established in March 2020 to inform decisions in Scotland during the pandemic. This draws on advice from the Scientific Advisory Group on Emergencies (SAGE) and from other appropriate sources of evidence and information. The role of the C-19 Advisory Group includes providing insight and modelling to Ministers and to the COVID-19 Education Recovery Group (CERG).

The CERG group was established in April 2020 to support government decision making through providing advice to Ministers and local government on the practicalities around re-opening schools and ELC settings. The focus of the group is on how schools and childcare settings can re-open once the science indicates that it is safe to do so. The group is supported by ten workstreams, which draw on expertise from across the sectors, to recognise and respond to multiple factors that have already affected or will affect children and young people, families and the workforce that supports them. These include:

- the impact of school and childcare setting closures, home-learning and lockdown more broadly
- the process of re-opening schools and childcare settings and the necessary steps to do so
- supporting the sectors to ensure that when large-scale face-to-face education and care resumes, that it is done safely

The Scottish Government recognises the importance of embedding equality and human rights in our response to COVID-19. These considerations must be intrinsic to policy development as we develop our response.

The systems and policies we are putting in place to respond to COVID-19 must work for **all** of Scotland's people.

In all considerations, the safety and wellbeing of children and the adults who work with them has been paramount. This impact assessment sets out some initial considerations of the impacts on children, families and staff, informed by published and public material and input from the CERG. This is an ongoing process and as more evidence and detail develops, this will be reflected in further updates and/or additions to the assessment.

## **Impact Assessments**

### **Scope**

The impact assessments being undertaken consider children and young people and; adults (both workforce and parents, including any adult with primary care for a child).

Each group of people is being considered, where relevant, in the context of the following:

- the impact on persons with 'protected characteristics' (defined under the Equality Act 2010 as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- how to reduce inequalities of outcome as a result of socio-economic disadvantage<sup>1</sup>;
- the rights children have under the UN Convention on the Rights of the Child;
- the impact on island communities, as per Section 8 of the Islands (Scotland) Act 2018.

### **Discussion**

In the sections below, we have considered our primary considerations of the impact the closure and re-opening of school and childcare settings will have on children and young people and adults.

#### **Closure – Impact on Children and Young People**

1. For our youngest children in school or ELC, there will have been little time to prepare or scope to explain the changes. Their relationships and friendships will have been interrupted as well as their learning.
2. Senior phase pupils have missed out on being able to take exams for qualifications they have devoted time to preparing for.

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<sup>1</sup> The Fairer Scotland Duty under section 1 of the Equality Act 2010, places a legal responsibility on education authorities to actively consider (have due regard' to) how they can reduce inequalities of outcome caused by socio-economic disadvantage, when making strategic decisions.

3. For some children, their school or ELC setting was a place of safety and consistency, where home does not present the same stability. For others it provided resources and experiences that were not available at home.
4. For many parents and families, ELC and schools provided the childcare they need to work. For others, they provided respite from managing a child's additional support needs or helped to manage their own physical or mental health needs.
5. Closure will therefore have had a disproportionate impact on certain groups of children, including:
  - a. Disabled children and children with a parent with a disability<sup>2</sup>
  - b. Children experiencing or at risk of experiencing harm and neglect<sup>3</sup>
  - c. Children living in poverty where school and ELC provided access to a variety of rich experiences not possible at home including access to outdoors and cultural and leisure activities.<sup>4</sup>
6. For many of these children, staying connected with their school or ELC setting will be particularly important but may also present particular challenges. We understand settings and services have been finding innovative ways to manage this and provide the valuable connection with their children.
7. Children of keyworkers and vulnerable children have had the opportunity to attend school 'hubs' since school closures came into effect. For some this has meant adapting to a new school environment.
8. School staff have been working hard to adapt to new ways of teaching and engaging pupils. Accessibility to some of these new resources will depend heavily on a family's access to technology, meaning that not all children and young people will have had the same experience of learning from home. This is supported by research from the Institute for Fiscal Studies in England where reports show that children from more deprived backgrounds have less access to in-home learning resources and that their parents feel less confident in supporting them.
9. For children accessing critical childcare during this time, there is a particular benefit to those where school or ELC normally provides a source of safety and resources (both actual e.g. free school meals and experiences). Whether these children have been accessing critical childcare will depend on local authorities' definition and identification of the 'vulnerable' children who have been prioritised for access.

### **Re-opening - Impact on Children and Young People**

10. Reopening will be in the context of the COVID-19 virus continuing to circulate and with no vaccine.

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<sup>2</sup> Article 23 UNCRC

<sup>3</sup> Articles 19, 33,34,35

<sup>4</sup> Articles 15 and 31 and A27

11. We are increasingly of the view that physical distancing with very young children (including ELC and early stage of primary) will not be possible and is developmentally and emotionally disadvantageous.
12. As covered in the Strategic Framework, alternative, age appropriate public health measures will be put in place building on practice undertaken in countries where nurseries have already reopened, including Denmark and Norway.
13. These measures include enhanced hand hygiene and cleaning practices; caring for children in small groups; minimising contact between those groups; maximising use of outdoor space; and physical distancing between adults in the settings, including parents at drop-off and pick-up times. The application of these measures and the extent of change they represent from normal practice may differ across different types of childcare provision.
14. Appropriate infection control measures will also be put in place for older pupils and for those ages where more adult-to-adult interaction is common. The Critical Childcare and ELC Recovery Workstream will oversee the production of clear operating guidance for ELC and school-age childcare services, drawing on public health guidance and taking a risk-based approach.
15. Working in this way may reduce capacity in individual services, depending on their layout, staffing and delivery model, and a framework for assessing impact on capacity will be developed to support providers. Where capacity is limited, the Strategic Framework sets out considerations for prioritisation.
16. Local authorities and providers will have discretion over how to allocate overall capacity in line with these principles and the local Getting It Right For Every Child practice model. Local authorities and childcare providers should work together in meaningful partnership to meet the needs of local children and families.
17. If it becomes necessary to prioritise access to statutory entitlements in a physical setting, decisions about relative need and priority will need to be considered very carefully, and will need to be mindful of the disproportionate impact of COVID-19 infection on some individuals or groups, taking into account for example impacts on some BAME groups and different age groups.
18. Children and young people due to transition into primary school and secondary school from August will be missing out on key elements of their transition while schools are closed. The impact of this has been recognised by the CERG which has advised that, once the necessary medical clearance is in place, schools should consider whether they are able to offer a safe transition period for these children and young people towards the end of June.
19. Remaining mindful of the impact of lockdown on many of Scotland's most vulnerable children, local authorities will also work with partners to increase the numbers of children attending critical childcare provision, including hubs, as it becomes safe to do so. This provision will continue into the summer holiday period to support children and young people who benefit most from direct contact with education and care staff.

20. Introducing a blended model of in-school and at-home learning will ensure almost all children and young people have access to some face-to-face learning from August onwards. Consideration is being given on how best to support children and young people who may be unable to attend the main school setting due to health, disability or shielding reasons.
21. Fundamentally all children have a right to play, to learning and experiences that meet their physical, social and cultural needs, and they have a right to associate with their peers. Our universal entitlement to funded ELC for 3 and 4 year olds reflects this. Any restriction of access to ELC provision will therefore impact detrimentally on the rights of every child to these experiences. While we can take steps to mitigate the impact through supporting families to maximise their child's experience at home, it is important to recognise that the ELC experience for children cannot be replicated in a remote learning context in the same way as is possible for older children.
22. In line with Scotland's commitment to Getting It Right For Every Child, children also have the right to the best possible health and that their best interests will be a top priority in all decisions and actions that affect them. If it is absolutely necessary to restrict access to ELC provision for an extended period, we must have a robust evidence base to help us explain very clearly to children and families why this is in their best interests, and we must involve them in these decisions.
23. Re-opening must therefore balance these considerations for children.

### **Closure – Impact on Adults**

24. Closure will have had a disproportionate impact on:
  - a. Women - as those more likely to be working in education settings, more likely to be heading single parent households and those more likely to be working part time and managing care for children.
  - b. Parents with disabilities who received respite support from ELC and education services and staff with disabilities where their disability may make working within infection measures more complex.
  - c. Older people – for parents/carers, specifically grandparent kinship carers, who may be less likely to access online support. And for older staff where they may be more likely to be advised to shield.
  - d. Some people from BAME communities – both in terms of the disproportionate likelihood of them being unwell with COVID-19 (staff) and where language barriers may impact their ability to engage with services from home (parents).
  - e. Pregnant mothers and those with young babies – who may be more limited in how they can work (staff) and how they access services and support children (parents).
  - f. Adults facing socio-economic disadvantage who may be less able to access online support for home-learning.

25. The Connect survey in Scotland found that 59% of parents responding had at least one concern about the current situation, ranging from children falling behind in their learning and not engaging with work at home to concerns about the health and wellbeing of their children.

### **Re-opening – Impact on Adults**

26. For parents, there will be a particular positive impact on the groups identified in paragraph 24 (women in general and pregnant mothers, older parents, parents with disabilities, parents from BAME groups). Again, if prioritisation of access is necessary to ensure public health, we will need to consider carefully the impact of such decisions on these groups.
27. We will also need to be mindful of the infection control measures we put in place and that impacts on these groups are considered. Practical measures that affect the extent and nature of families' interactions with staff (e.g. distanced drop-off and lack of physical access to the setting for parents) may have different impacts in different cultural and personal circumstances.
28. Local parental engagement is key to ensure that parental concerns are understood and that changes to the structure of school and ELC considers the needs of the children and families using that service. It's also possible that parents may decide not to access school or ELC due to their assessment of the impact that infection control measures and the difference in their child's experience in a school or ELC setting, leading to reduced access to school or ELC for children from particular groups or living in particular circumstances.
29. Where children or household members are shielding or taking extra precautions (e.g. kinship carers aged 70+), it may not be possible for their children to attend school or ELC. Specific consideration will be given to the best way to support these families.
30. Due to children having a reduced in-school timetable, there will be an impact on families, parents and carers. Consideration is being given on how best to support working families, single-parent families and disadvantaged families in particular in this context, recognising that females may feel this impact most.
31. For staff, similar considerations will need to be made regarding particular risks associated with these groups.

### **Impact on Island Communities**

32. The nature of school and ELC provision in island communities (and other remote and rural communities) varies from school and ELC provision in more populous areas. Settings are typically smaller and face higher operating costs due to smaller numbers of children. For ELC, childminding, third sector and local authority-run provision tend to be more prevalent than private settings. The sustainability challenges facing the private, third and childminding sectors across Scotland as they begin to reopen are therefore likely to be particularly acute in an island setting.

33. Reopening of school and ELC services may reduce the number of staff able to work in settings (e.g. due to the need to shield family members or practitioners themselves). In an island context with a small population, this could have a very significant impact on the school and ELC capacity that can be offered, in turn affecting economic recovery in the area. It will be important to consider the potential variation in workforce impacts across Scotland when modelling capacity.
34. The extent to which local authorities are able to flex the re-opening framework to respond to individual circumstances is likely to be a key concern for island communities. Public health measures that are appropriate in larger settings and more populous areas may be less practicable or relevant in smaller, more isolated communities. We will need to work closely with local government colleagues, Education Scotland, the Care Inspectorate and Public Health Scotland to ensure an appropriate balance in the national framework.

## **Conclusion**

The impact of school and ELC closures has had a disproportionate impact on particular groups of children and young people and adults. The Scottish Government must continue to engage closely with stakeholders and local authorities to ensure that the impacts that will be experienced on different groups are considered as plans to fully re-open schools and ELC settings in Scotland progress.

This process must continue to be in partnership with stakeholders and local authorities, ensuring that the stakeholders who represent the interests of groups who may be disproportionately impacted are involved.



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