

Kirsty Williams MS, Minister for Education

Dyddiad | Date: 10 December 2020

Pwnc | Subject: **Inquiry into the impact of COVID-19 on children and young people**

Dear Kirsty,

Thank you for attending our meeting on 26 November as part of our ongoing inquiry into the impact of COVID-19 on children and young people.

I write to highlight our key areas of concern that are relevant to your portfolio. We intend to return to these early in 2021 when we can review the position, drawing on new information that we are expecting by the end of this year (referred to in the annex to this letter).

I also write to:

- request further information on the steps being taken with regard to all pupils having access to the right digital equipment and infrastructure as part of blended learning;
- seek clarification on the interface between Track, Trace and Protect (TTP) and schools and how consistently any advice is being provided across Wales;
- request some information regarding the depth and extent of consultation with the sector in England with regards to your decision on the approach to awarding A-Levels in 2021;
- request further information on the considerations being given to the need to “recover standards” in the qualifications system, beyond the 2021 exam series;
- seek clarification on the intended use of the £400,000 that has been provided to local authorities for 2020-21 for support to home-educating families, and how its impact will be monitored; and
- request additional information on the timescales for changes to the requirement for teachers in independent schools to register with the Education Workforce Council.

Further details are set out in the annex to this letter.

You will already be aware that the mental health and well-being of children and young people is a significant priority for us. This includes the impact that their educational settings may have on them, and the important opportunities that exist to provide learners with essential support.



Senedd Cymru
Bae Caerdydd, Caerdydd, CF99 1SN

✉ SeneddPPIA@senedd.cymru

☎ 0300 200 6565

Welsh Parliament
Cardiff Bay, Cardiff, CF99 1SN

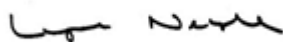
✉ SeneddCYPE@senedd.wales

☎ 0300 200 6565

I want to inform you that during December 2020 and February 2021, we will be undertaking work to hear directly from learners within higher education settings about the ongoing impact that the response to COVID-19 is having on both their learning experiences and their mental health and well-being. Our findings will be published in due course and will also inform the next stage of this inquiry.

I trust this is a helpful update and thank you for your ongoing input into our work in this area.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lynne Neagle'.

Lynne Neagle MS
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg | We welcome correspondence in Welsh or English.

Annex A: Inquiry into the impact of COVID-19 on children and young people

Key issues as of November 2020

Set out below are our key areas of interest at this point in our inquiry as relevant to your portfolio. This is not an exhaustive list but is intended to highlight where we have identified that more assurance is needed or where we intend to monitor progress.

1. Impact assessments

In our July 2020 interim report on the impact of COVID-19, we set out our view that assessing the impact of measures to manage the pandemic on children's rights was essential. We agree with the Children's Commissioner's recent evidence to us that the speed at which decisions need to be made means that impact assessments are needed "more than ever to protect our most vulnerable groups". We are pleased to note her evidence that:

- the position has improved in this respect; and
- the information on the impact on children's rights undertaken in respect of the decision about which year groups would return to school after the October half term firebreak "drew on lots of different evidence sources" and "wasn't a retrospective justification".

We will continue to monitor the quality of impact assessments that are informing decisions which are having such a significant impact on children's rights.

2. Blended learning

We note your ambition to keep schools open to pupils wherever possible but also recognise the significant impact when this cannot be the case for all pupils or specific year groups. We heard the Children's Commissioner's view that "overall, the education offer for children during the summer term in particular was very mixed" with "some children certainly feeling that they had missed out on a proactive education offer from their school". We agree with the Commissioner that "we don't want any postcode lottery; we want children, wherever they are, to get access to their rights".

Local government and consortia representatives said that schools impacted by COVID-19 had moved quickly in the autumn term to offer live learning remotely to pupils. Evidence suggests that stakeholders have high and shared ambitions for what is delivered to pupils in terms of blended learning. However, we need to be confident that these ambitions are translated into consistent and high quality delivery on the ground. Pupils in Wales cannot afford to lose more teaching and learning time.

You will recall the review we commissioned earlier this year from Dr Sofya Lyakhova of Swansea University and we were pleased to note from your letter of 5 October 2020 that this is informing the approach to maintaining continuity of learning. We also note that Estyn intends to publish the outcome of its review of blended learning in the near future.

Attention must be given to the particular needs of vulnerable learners and those with additional needs when considering how to deliver live lessons or blended learning. We note the Welsh Government has issued guidance for supporting vulnerable and disadvantaged learners as part of the COVID-19 response.

A key focus of our ongoing scrutiny has been ensuring that all learners have access to digital hardware and connectivity in order for them to fully engage with their education. A consistent offer for all pupils must be in place.

We would be grateful for further information as to what steps the Welsh Government itself is taking and what it expects from local authorities with regard to all pupils having access to the right digital equipment and infrastructure. All learners having access to the right equipment is fundamental to the success of blended learning and we seek assurance that this issue is being closely monitored at all levels so that further interventions and changes can be made quickly and as needed.

We will return to this and the other issues related to blended learning when the findings of the Estyn report on blended learning are published later this month.

3. The accelerating learning programme

We have already raised with you our concerns about the impact of loss of teaching time on the curriculum and qualifications in 2020/21. On this basis we have sought assurances that the Welsh Government's £29 million allocation for the 'Accelerating learning programme' is being used by local authorities as intended, to create additional teaching posts.

We wrote to ask you for details of how many new posts have been created and how the Welsh Government is monitoring the use of this money. We appreciate your swift response and welcome your view that "the purpose of this funding is to create and release additional human capacity in our schools".

We note that you "currently do not have a complete set of data on the numbers of teachers and other staff recruited" and that you are "working with local authorities to understand how schools and LAs are deploying this additional capacity and the nature of the support they are creating". It is vital that schools are utilising the grant to deliver the Welsh Government's objectives.

We will be carefully scrutinising that this money is being used in line with your intentions: "to create additional teaching posts, support the needs of learners, and mitigate the impact of loss of teaching time".

4. Links between Track, Trace and Protect (TTP) and schools

We note the evidence you gave us about there being some differentiation in how local test and trace teams are communicating and advising schools on learner self-isolation, and the need to ensure that their instructions are proportionate. We particularly noted your evidence about the position head teachers can be placed in when they are advised learners need to self-isolate.

Since your evidence session, we are aware of increasing reports of difference between how schools and local authorities are responding to cases or suspected cases in schools. Requiring pupils to self-isolate has a significant impact on their education, in particular when this is applied to whole year groups. This is within the context of the continuing reported variation in the provision of 'live learning' opportunities for pupils who are not attending the school premises. We remain concerned about children's rights to access their education being different across Wales.

We would be grateful for assurances on the interface between TTP and schools and any information you can provide about how consistent the advice that is being provided is across Wales. In particular, can you provide us with information about how the Welsh Government is monitoring how the situation is working in practice with regard to staff and learners being advised to self-isolate either by the local TPP or by the NHS COVID-19 app.

5. Examinations and Assessments 2020 and 2021

We have taken a significant amount of evidence on this issue and have been able to review the findings of the interim report of the 'Independent review of the summer 2020 arrangements to award grades, and considerations for summer 2021'. Our work has also been informed by the advice provided by Qualifications Wales to you, the concerns it voiced to us about the deliverability of the new proposals, and its view that there is a lot of novel thinking that needs to be done quickly by summer 2021 if the chosen approach is to be successful. We also note the emphasis placed by Qualifications Wales on its statutory responsibilities and that it must act within that framework.

We very much welcome the evidence we have heard about the appetite of stakeholders to work together to find a solution. We also welcome the emphasis on ensuring that the next steps are fair and equitable to all learners: past, present and future.

We are concerned about the ongoing potential loss of teaching and learning time and its impact on the cohorts currently undertaking their GCSE and A level tuition. The evidence we have received suggests that there has been a reinforcement of existing inequalities across all school year groups in terms of children from low income families, children from black, Asian and minority ethnic backgrounds, and children who would identify themselves as disabled. Any approach to examinations for 2021 and beyond must mitigate against this. As such, we welcome your statement that the Welsh Government's equalities priorities should be "front and centre" on this issue.

We will return to the issue of examinations and assessments when the final report of the 'Independent review' is published later this month.

We remain concerned about the visibility of issues relating to vocational qualification assessments, and the relative lack of certainty further education institutions and their learners face compared to the clear ministerial direction relating to general education assessment. Qualifications Wales told us that it was prepared to enter a dialogue with UK awarding bodies on having different assessment arrangements for Welsh learners whilst ensuring valid and reliable outcomes, which is

what employers are looking for, but that these conversations would need to occur after the operational decisions for general education assessment are made.

We will return to the issue of fairness between vocational and general education qualifications, and visibility of the issues faced by learners and further education institutions, in the new year.

6. Evidence taken from Qualifications Wales

On 3 December we took evidence from Qualifications Wales as part of our annual scrutiny of its Annual Report. We wish to draw the Welsh Government's attention to three issues raised by the evidence session:

- i. Your decision that A-Level exams will not take place during summer 2021. England is the study destination for 30 per cent of Welsh higher education learners, whilst Welsh learners only represent 2 per cent of the total students in English institutions in 2018/19.

With regards to your decision on the approach to awarding A-Levels in 2021, we would be grateful for further assurances regarding the depth and extent of consultation with the sector in England. In particular, we wish to understand the extent of the engagement with, and the views of, English institutions who offer highly competitive programmes to UK and international students. We do not want to see Welsh students disadvantaged compared to their other UK counterparts.

- ii. It became clear during the evidence session that a key lesson from the 2020 summer exam series was the need to ensure public understanding of the decisions made in relation to qualifications.

We will closely monitor the engagement and communication of the recommendations of the Design and Delivery Group, and the communication of—and engagement with the public on—the decisions you make.

- iii. Qualifications Wales told us that, looking beyond the 2021 exam series, there will be a need to “recover standards” in the qualifications system. It argued that there is otherwise a risk that qualifications no longer function as effective progression tools or differentiate learners.

With regards to Qualifications Wales's comment that there is a need to “recover standards” in the qualifications system, we would be grateful for assurance that this is a matter the Welsh Government is considering actively.

7. Higher Education

Since September 2020, many young people have found themselves dealing with the challenges of starting—or going back to—university. For new students, this has been coupled with the added

pressure of being away from their home support networks for the first time. We are pleased to hear positive feedback from stakeholders about ongoing dialogue with you regarding student well-being.

We note the four nation approach to the Christmas vacation period for university students.

We are keen to see this planned approach succeed, and to see a planned approach for the safe return of students after the vacation period.

As well as those who can return home, those who may not be in this position (such as international students and previously looked after young people) must also be supported.

It is important that household gathering rules are considered carefully and that support is put in place to safeguard the well-being of those students who will remain in their university location over the Christmas period.

We have been told that there are potential disincentives to some students of getting an asymptomatic tests because of the “financial disincentive” for working students if they test positive. We must ensure that all learners are supported to self-isolate when they need to do so.

We will keep a watching brief over the use of the hardship funding released to universities by HEFCW. We will monitor the impact of the asymptomatic testing programme at Welsh universities and would be grateful to receive information in the new year about: the demand for testing for the Christmas vacation period; testing capacity; and data relating to positive tests and a requirement for a student to self-isolate.

There is a fine balance to be struck between the benefits of face-to-face teaching and the safety of students. The requirement to attend campus for live learning must only be put in place when it is safe to do so. However, we also heard from the sector that well-being and social activity have an impact on learning as well as expected benefits for student mental health. We heard that institutions often do not feel empowered by the Welsh Government guidance to facilitate safe social events on campus to the benefit of student mental health and learning.

The Welsh Government should review its guidance to the sector to ensure it is clearer that institutions are able—and empowered—to organise or facilitate lawful, safe and COVID-secure social activity on campus, and to recognise the link between learning and well-being.

We recognise the hard work and efforts of Welsh universities, their staff and their students during what has been a very difficult period, particularly for people new to university.

8. Welsh Government prioritisation and the re-deployment of officials

We share the Children’s Commissioner’s concerns about the Welsh Government’s decision not to take forward two key education and safeguarding issues in the current Senedd because of the need to re-prioritise areas of work and re-deploy officials due to the COVID-19 pandemic.

- **Home education**

We note that the Welsh Government has announced that it will not complete its planned work to issue statutory guidance and regulations relating to home educated children within this Senedd term. We further note your statement that you “simply don’t have the capacity at this time” and recognise that capacity is tight across public services in light of the pandemic. Nevertheless, the Welsh Government has a clear duty to uphold the rights of all children to quality education and protection. We know that the numbers of home educated children are increasing due to the COVID-19 pandemic and you referred to this in your evidence to us. As such, we are very disappointed that this work will not be progressed.

We note the Children’s Commissioner is using her statutory powers to review the Welsh Government’s actions in this regard. We will return to this issue when the report of that review is published.

We also note Welsh Government has provided £400,000 to local authorities for 2020-21 to provide support to home-educating families and that this has been allocated on a pro rata basis, based on the number of known home-educated children in the authority.

We will return to this issue when the report of the Children’s Commissioner’s review of the Welsh Government’s actions in this regard is published.

We would welcome clarification on the allocation of £400K to support home educated pupils as referred to in your oral evidence. We would be grateful for information about what specifically it intended for, how its impact will be monitored and whether it is intended as a one off allocation for 2020-21 only.

- **Registration requirements for teachers in independent schools**

We support the Children’s Commissioner’s recommendation that the regulatory framework around independent schools needs to be amended to include a requirement that all teaching staff and all school leaders in independent settings register with the Education Workforce Council.

We note that, in March, you updated the Senedd that officials had been instructed to provide “advice on making legislative amendments in relation to those who work in the independent school sector”. However, you then announced that a decision has been made not to take this forward in this Senedd.

We note your oral evidence to us that you hoped that schools and teachers will take forward registration on a voluntary basis. We also note the announcement made after your evidence session with us that the Welsh Government has subsequently accepted the Commissioner’s recommendation, and that work on the potential scope of the regulatory changes is progressing and the extent to which these changes would require primary and/or secondary legislation.

We welcome your acceptance of the Children’s Commissioner’s recommendation and will monitor the progress being made to take this forward.

We would be grateful for clarification of the timescale for establishing a requirement for teachers in independent schools to register with the EWC, in light of the Welsh

Government's response to the Children's Commissioner's Annual Report. Specifically we seek assurances that this will be achieved within this Senedd term.

9. Learners' mental health and well-being

All of the issues we have highlighted in this annex will impact on learners' mental health and well-being.

We recognise your clear commitment to taking forward this agenda, as set out in your letter to us in August 2020:

Now more than ever the importance of supporting the mental health and emotional wellbeing of our children and young people can be seen. The pandemic and subsequent lockdown has affected us all, but particularly our children and young people who have had to endure months without seeing friends and close family members; have seen the way in which they are educated change way beyond recognition; and, for some, have had to cope with the bereavement of loved ones.

We aim to meet the physical and mental health needs of children and young people in a timely and effective manner, in line with our whole school approach, though we recognise there is always scope for improving experiences and outcomes further.

We also note your letter to us of 17 November in which you provide further detail about the £5m investment the Welsh Government has made in supporting the well-being of learners as part of the Whole School Approach to Emotional and Mental Health.

In addition to our follow-up work on our Mind over Matter reports, and our emphasis on a whole-school and whole-system approach, we are also taking into account the ongoing work of the Health, Social Care and Sport Committee in respect of the impact of COVID-19 on mental health, including the impact on students. We have also written to the Minister for Mental Health, Wellbeing and Welsh Language to set out our concerns.

Looking ahead to 2021, we agree with the Children's Commissioner that this should be "a year of learning ... not a year of worries". Providing certainty and equity for learners will be of huge importance in order for them to fulfil their potential.

We will continue to monitor this important issue as part of our ongoing inquiry into the impact of COVID-19 on children and young people.