

# **Children's rights and wellbeing impact assessment**

**The closure and reopening of schools as part of the COVID-19 recovery process in Scotland**

<b>CRWIA Stage 1</b> <b><u>Screening</u> - key questions</b>	
<b>1. Name the policy, and describe its overall aims.</b>	<p>The reopening of schools as part of the COVID-19 recovery process in Scotland.</p> <p>This policy aims to support a safe return to school for all children, young people and staff from 11 August 2020. This assessment considers only school settings, as ELC settings are being considered separately.</p>
<b>2. What aspects of the policy/measure will affect children and young people up to the age of 18?</b> <p>The Articles of the UNCRC and the child wellbeing indicators under the Children and Young People (Scotland) Act 2014 apply to all children and young people up to the age of 18, including non-citizen and undocumented children and young people.</p>	<p>All elements of this policy will affect children and young people<sup>1</sup> in Scotland who are registered at a local authority, independent or grant-aided school. They are generally between 5 and 18 years of age. The main considerations will be:</p> <ul style="list-style-type: none"> <li>• The impact of the closure of schools from March 2020*;</li> <li>• The impact of reopening schools in June 2020 for pupils to transition into P1/S1;</li> <li>• The impact of a full return to school in August 2020 for all pupils;</li> <li>• A contingency of blended learning in the event of future school closures.</li> </ul> <p>* Due to the need for schools to close quickly it was not possible to proactively assess impact. This retrospective assessment is therefore to ensure completeness of understanding in relation to the impact, and to inform any future decision making should a similar event occur.</p>
<b>3. What likely impact – direct or indirect – will the policy/measure have on children and young people?</b> <p>‘Direct’ impact refers to policies/measures where children and young people are directly affected by the proposed changes, e.g. in early years, education, child protection or looked after children (children in care). ‘Indirect’ impact refers to policies/measures that are not directly aimed at children but will have an impact on them. Examples include: welfare reforms, parental leave, housing</p>	<p>The measures within this policy will all have a direct impact on all children and young people in Scotland who are registered at a local authority, independent or grant-aided school. The main themes to consider will be:</p> <ul style="list-style-type: none"> <li>• The impact of school closures on learning and development, and pupils’ health and wellbeing<sup>2</sup>;</li> <li>• The impact of school closures for disadvantaged and vulnerable pupils who may normally rely on school for support and continuity;</li> <li>• The impact of reopening schools on all groups of pupils, but particularly those</li> </ul>

supply, or local transport schemes.	<p>who may be shielding due to their own health or that of a household member;</p> <ul style="list-style-type: none"> <li>• The impact of blended learning on pupils' long-term learning, development and preparation for national qualifications;</li> <li>• The impact of blended learning on pupils' wellbeing, recognising the compounding effect to wellbeing for those from a disadvantaged background.</li> </ul>
<p><b>4. Which groups of children and young people will be affected?</b> Under the UNCRC, 'children' can refer to: individual children, groups of children, or children in general. Some groups of children will relate to the groups with protected characteristics under the Equality Act 2010: disability, race, religion or belief, sex, sexual orientation. 'Groups' can also refer to children by age band or setting, or those who are eligible for special protection or assistance: e.g. preschool children, children in hospital, children in rural areas, looked after children, young people who offend, victims of abuse or exploitation, child migrants, or children living in poverty.</p>	<p>All groups of children and young people will be affected by this policy. Particular consideration will be given to some groups, including those:</p> <ul style="list-style-type: none"> <li>• with additional support needs who may not be receiving the additional support they usually receive whilst learning at home, and those learners who have shielded and/or have underlying health conditions;</li> <li>• vulnerable children and young people with an increased risk of experiencing domestic violence, physical abuse, and poorer mental health and wellbeing;</li> <li>• who experience disadvantage;</li> <li>• preparing for national qualifications, who will likely experience reduced classroom teaching in preparation for those qualifications.</li> </ul>
<p><b>5. Will this require a CRWIA?</b> Explain your reasons.</p>	<p>Yes. This policy area requires a CRWIA to be completed due to the impact of all areas of the policy on all children and young people in Scotland.</p>
<b>CRWIA Declaration</b>	
Tick relevant section, and complete the form.	
<b>CRWIA required</b>	<b>CRWIA not required</b>
Yes	
<b>Authorisation</b>	
<b>Policy lead</b>	<b>Date</b>

COVID-19 Education Recovery Group Secretariat	09/06/20
<b>Deputy Director or equivalent</b>  Sam Anson Deputy Director for Improvement, Attainment & Wellbeing	<b>Date</b>  29 <sup>th</sup> July 2020

## CRWIA Stage 2

### The CRWIA – key questions

#### 1. Which UNCRC Articles are relevant to the policy/measure?

List all relevant Articles of the UNCRC and Optional Protocols. All UNCRC rights are underpinned by the four general principles: non-discrimination; the best interests of the child; the right to life, survival and development; and the child's right to have their views given due weight.

#### **Article 2**

##### **Non-discrimination**

Children should not be discriminated against in the enjoyment of their rights. No child should be discriminated against because of the situation or status of their parent/carer(s).

#### **Article 3**

##### **Best interests of the child**

Every decision and action taken relating to a child must be in their best interests. Governments must take all appropriate legislative and administrative measures to ensure that children have the protection and care necessary for their wellbeing - and that the institutions, services and facilities responsible for their care and protection conform with established standards.

#### **Article 6**

##### **Life, survival and development**

Every child has a right to life and to develop to their full potential.

#### **Article 12**

##### **Respect for the views of the child**

Every child has a right to express their views and have them given due weight in accordance with their age and maturity. Children should be provided with the opportunity to be heard, either directly or through a representative or appropriate body.

#### **Article 13**

##### **Freedom of expression**

Every child must be free to say what they think and to seek, receive and share information, as long as the information is not damaging to themselves or others.

#### **Article 15**

##### **Freedom of association**

Every child has the right to freedom of assembly: to meet with other children, and to join groups and organisations, as long as it does not stop others from enjoying their rights.

#### **Article 18(1,2)**

##### **Parental responsibilities and state assistance**

Parents, or legal guardians, have the primary responsibility for the upbringing and development of the child, and should always consider what is best for the child.

Governments must provide appropriate assistance to parents and carers to help them.

#### **Article 18(3)**

##### **Parental responsibilities and state assistance**

Governments must take all appropriate measures to ensure the children of working parents have the right to benefit from childcare services and facilities.

#### **Article 19**

##### **Protection from all forms of violence**

Children have a right to be protected from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation. Governments must do all that they can to ensure this.

#### **Article 23**

##### **Children with disabilities**

A disabled child has the right to enjoy a full and decent life in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community. Governments must recognise the right of the disabled child to special care, and ensure the disabled child has effective access to education, training, health care, rehabilitation, preparation for employment, and recreational opportunities.

#### **Article 24**

##### **Health and health services**

All children have a right to the highest attainable standard of health, and to health care services that help them to attain this. Governments must provide good quality health care, clean water, nutritious food and a clean environment so that children can stay healthy.

#### **Article 28**

##### **Right to education**

Every child has a right to education on the basis of equal opportunity. Primary education must be free. Secondary education must be available to every child, with financial assistance available in case of need. Information and guidance on education should be available to all. Governments should take measures to encourage regular attendance and reduce drop-out rates. School discipline should be administered in a manner consistent with the child's human dignity.

#### **Article 29**

##### **Goals of education**

Education must aim to develop every child's personality, talents and abilities to their fullest potential. It must encourage the child's respect for human rights, their origins and identity, for other cultures around the world, and for the natural environment.

#### **Article 30**

##### **Children of minorities/indigenous groups**

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 people in the country where they live.

#### **Article 31**

##### **Leisure, play and culture**

Every child has a right to rest and leisure, to engage in play and recreational activities, and to take part in a range of cultural and artistic activities.

#### **Article 34**

##### **Sexual exploitation**

Governments must protect children from all forms of sexual exploitation and abuse.

#### **Article 39**

##### **Recovery and rehabilitation of child victims**

Children who have been the victims of any form of exploitation or abuse; cruel, inhuman or degrading treatment or punishment; or who are victims of war should receive the help they need to recover their health, dignity and self-respect, and reintegrate into society

## **2. What impact will the policy/measure will have on children's rights?<sup>3</sup>**

### **School closure**

"I think it's a lot harder because the teachers aren't there with me. So if I'm stuck I can't just put my hand up, I have to go on Google hangouts and type a message and wait for an answer or ask my Mum. But sometimes she is busy on a phone call with her clients. Also, a not so good thing is that I am not getting taught any new things, it's all roughly the same thing every day." Mr Cheese, age 11<sup>4</sup>

"I like that I can just work at my own pace. I feel that we are rushed too much sometimes at school. I can take things step by step at home." B Baggins, age 12<sup>5</sup>

Children and young people have a right to education ([UNCFC article 28](#)) The decision to close schools was made in [order to secure their best possible health as outlined](#) in UNCFC [articles 24 \(Health\)](#) and [6 \(Life, survival, development\)](#). The [decision](#) was taken in light of public health advice, and the advice of the Chief Medical Officer, in order to prevent the spread of the COVID-19 virus, and to protect the health and wellbeing of children, young people, families and communities. The position was that if pupils can learn safely at home, they should.

The decision to close schools has, in general, had a negative impact on the learning and wellbeing of children and young people<sup>678</sup>, although some have reported benefits of learning at home<sup>9</sup>. Further, children and young people's [rights \(to a standard of living\)](#) within the context of their families' circumstances will also have been affected, for example, through increased financial strain, poverty, challenges of balancing home, work and supporting learning. The

decision to close schools was applied [equally](#) to all school settings at the same time. However, the impact of the decision will have been felt differently for different groups of children and young people, and this is discussed further below. On balance, the decision to close schools, albeit for good reason balancing elements of best [interest](#), will have negatively impacted on children's rights.

### **Reopening schools in June 2020 for pupils to transition into P1/S1**

The [decision to reopen schools](#) in June 2020 for the purposes of transition into P1 and S1 was taken in order to reduce the negative impact of school closures identified for pupils who would be at key transition points during school closures. This decision enabled P1, S1s and other pupils, for example those with additional support needs, to visit schools to get to know them, and to meet their new teachers, where possible. These provisions were made in addition to the advice to education authorities to support enhanced transition by virtual or other means in order to reduce anxiety and concern for children and young people. In so doing, this supported children's right [to education](#), to benefit from the [goals of education](#) and support for children with [disabilities](#).

On 23 June, the Deputy First Minister [announced](#) that the aim of the Scottish Government was that all children and young people would return to school fully in August. This decision was taken in light of the [reduction in the rate of infection](#) in Scotland, leading to a position of moving through the [recovery phases faster than expected](#). The blended learning model approach remains a contingency, should the virus re-emerge or where there are specific outbreaks.

### **Reopening of schools – August 2020**

"I think we should go back when everything is okay again, maybe August or September. People should make sure it's okay and not so busy. Maybe half the people at a time, space us out, and not so busy so the virus doesn't start again. Maybe it needs to be really clean, and you can wash your hands. Normally the toilet is broken. Sometimes there is soap, sometimes there isn't, or the dispenser is broken."<sup>10</sup> Creative Songstress, age 14

"I hope that schools look into making sure kids are safe at school. Not just being super hygienic but making sure they're okay in the community around them and so on."<sup>11</sup> Bruno the Hamster, age 12

Reopening schools for all children and young people will overwhelmingly have a positive impact for them. They will benefit from; being able to resume their relationships, [see their friends](#), and teachers; having support for their [wellbeing](#) and [learning](#); from resuming their routine and pattern of normal life; and with dedicated [learning and teaching](#). The [protective factors](#) which schools and school staff bring, in terms of [child protection](#), support for wellbeing, and other concerns will resume.

Conversely, for some children and young people, the return to school may lead to increased anxiety, concerns about bullying, and for those who find attending school challenging, a return to those concerns. There is a risk that those children



and young people who have benefitted from learning at home, including where they have concerns about school attendance, [may lose the gains they have made](#) whilst schools are closed. Support for children and young people's access [to food](#), via [free school meal provision](#) has continued throughout school closures and will resume when schools return.

### **Blended learning contingency**

The blended learning approach will be reserved as a contingency, should the virus re-emerge and there is a need to close schools again in order to protect health and wellbeing of children, young people and communities. Children and families may need to adapt to blended learning for the first time, which could have a negative impact on children in comparison to fulltime in-school learning. Whilst blended learning would be supported at home, the concerns about how well children and young people would learn during their home, require to be considered. It is likely that children and young people's learning would be positively affected by their time in [school](#), and from the associated return to some routine, including [meeting friends](#), and [support for learning](#) and [wellbeing](#).

However, the continuation of learning at home, within a blended learning model may also have similar negative impacts to those experienced when children and young people were learning at home due to school closure. The blended learning model, whilst it may be necessary in the circumstances, would also impact negatively on families who require to work and cannot make alternative [childcare arrangements](#), whose employer is unable to provide flexibility, and those who work at home (including those working at home during the pandemic)

## **3. Will there be different impacts on different groups of children and young people?**

These impacts are considered through the four themes identified in the introduction.

### **School closure**

It is recognised that school closure impacted negatively on most children and young people. However, some groups were more negatively impacted than others. Vulnerable children and young people, including those at risk of experiencing domestic abuse, were unable to benefit from the care and support usually provided by their schools, and associated access to services. Children and young people who experience socioeconomic disadvantage may not have had access to learning resources, technologies and other supports usually provided by schools. Children and young people with additional support needs will not have been able to access the support for their learning which they would usually receive, including that from other agencies. The mitigating actions taken to address these impacts are set out at Section 4 below.

### **Reopening schools in June 2020 for pupils to transition into P1/S1**

The [decision to reopen schools](#) in June 2020 for the purposes of transition into P1 and S1 was taken in order to reduce the negative impact of school closures,

identified for pupils who will be at key transition points during school closures. This decision supports right to education ([article 28](#)), the right to mental health services ([article 24](#)) and disability ([article 23](#)) and consequently improves [wellbeing](#), through reduction in anxiety which may be experienced by those beginning at a [new school](#), and for those with [additional support needs](#) who require enhanced transition.

### **Reopening of schools – August 2020**

The impact of reopening schools will almost definitely be felt differently by some groups of children and young people:

[Evidence suggests](#) that children and young people will have had increased experience of domestic abuse, and it is expected that child protection referrals will also increase as lockdown eases. Further, children and young people are expected to need increased support for their mental health and wellbeing as a consequence of lockdown and the preparation for the return to school, whether full time or as part of a blended learning model.

Whilst all children and young people are expected to return to school, including those who have been shielding, any child or young person who is unable to return to school will be supported to learn somewhere other than a school. This would be usual for some children and young people who learn at home, or in hospital, whilst they are unable to attend school due to ill health. This means that whilst they may return to their usual pattern of learning, they will not gain the benefits of returning to school like their peers, in their [relationships](#), [support for wellbeing and learning](#), and benefit from the [learning and teaching environment](#), and a return to their 'usual' routine. This is an individual decision taken in light of advice provided by their clinician, in order to secure their continued health and wellbeing through the protection of their rights to health ([article 24](#)) and life survival and development ([article 6](#)).

In these circumstances, education authorities are required to provide suitable education elsewhere than at a school. This will mean that these [pupils' education will continue to be supported](#) albeit through different means to ensure these individuals are not unfairly disadvantaged by not being able to attend ([article 2 non-discrimination](#)). The impact of these decisions is finely balanced, as [the right to life](#) is protected, but at the expense of some [learning provision](#), for a limited period of time.

For children and young people with additional support needs the return to school will enable resumption of access to the supports for their learning, including individualised approaches to [teaching, therapeutic support and care within a school setting](#). Many children and young people with additional support needs benefit from a regular routine, relationships with friends and school staff, and the resumption of these will impact positively in terms of wellbeing and [learning](#). This may require additional supports for some children with additional support needs to make this transition, as they may be settled into a routine at home.

For children and young people who are sitting national qualifications in 2021 the return to school will support their learning, towards the achievement of these qualifications. This will impact positively on children and young people's right [to education](#) and [education which develops their mind, body and talents](#).

Children and young people who attend Gaelic medium schools will resume the immersion element of the learning within the language, which will have a positive impact on their [learning](#) and their [right to speak their own language](#).

For children and young people who experience disadvantage and poverty, which may have prevented learning opportunities through restricted access to technology and/or other support for their learning, the return to school will resume support for their learning and teaching. Other protective factors, including for their wellbeing more generally, will also resume. Therefore this is likely to impact positively for children and young people in these circumstances.

There is neither positive nor negative impact for children and young people in receipt of free school meals in the return to school as this provision has been maintained during the pandemic, and during school holidays. However, in some circumstances, the return to school and access to free school meals will be positive for the children and young people, depending on the individual family circumstances and the use of the free school meal replacement offer during the pandemic.

### **Blended learning – as a contingency**

The use of a blended learning model as a contingency may be unavoidable for the purposes of containing the virus. However, it is recognised that for children and young people who have had increased experience of domestic abuse or other forms of abuse or violence, the use of a blended learning model, with some time learning at home, is likely to have a negative impact on their [safety](#), [wellbeing](#), and [learning, impacting on the right to protection from all forms of violence \(article 19\) and the right to education \(article 28\)](#).

Further, children and young people are expected to need increased support for their mental health ([article 24](#)) and wellbeing as a consequence of lockdown and the preparation for the return to school, whether full time or as part of a blended learning model. Children and young people may experience specific concerns if there is a need to move to blended learning as part of a contingency response.

For any children and young people who have not returned to school due to ill health the move to a blended learning approach would not have any negative or positive impact to their children's rights.

Blended learning for children and young people with additional support needs may have a negative impact on children and young people if, for example, their

access to therapeutic support and other learning supports was removed. Children and young people with additional support needs often benefit from routine and continuity, and this would likely be disrupted within a blended learning model. This may increase anxiety and concern, and negatively impact on wellbeing, mental health ([article 24](#)) and the rights of disabled children ([article 23](#)) who may require additional assistance to ensure dignity promoting self-reliance and active participation. The learning of children and young people with additional support needs would continue to be supported at home during a blended learning model, but it is known that this has been particularly difficult for parents and carers during the time that schools have been closed.

For children and young people who experience disadvantage or poverty, which may limit access to resources, and support for their learning, the blended learning model, if needed, may have a negative impact on their learning and wellbeing as a result. The need to consider mitigating action to address these issues would continue to be necessary, so as to ensure right to be free from discrimination ([article 2](#)).

Children and young people who attend Gaelic medium education schools, who are not from Gaelic-speaking households, will have missed out on the immersion element of language learning while schools have been closed. Blended learning could therefore impact Gaelic medium education pupils more negatively than their peers in English medium schools.

**4. If a negative impact is assessed for any area of rights or any group of children and young people, what options have you considered to modify the proposal, or mitigate the impact?**

Information presented here in relation to the mitigating actions as a result of school closure are presented to support the understanding for future, lessons learned and as context to the decisions on reopening of schools and the use of blended learning as a contingency. Due consideration has been given to ensure non-discrimination ([article 2](#)) within the mitigations.

Due to the protection of health as a primary consideration in all matters relating to the closing and opening of schools there have been few opportunities to modify the proposal.

The most prominent modifications have been:

- the change in shielding status for children and young people which has enabled their return to school at the same time as other children and young people. This change has arisen due to changes to scientific and medical advice, reflected within the reopening of schools guidance, and
- the previous recognition of the need to support the transitions of children and young people going into P1 and S1.

In all other circumstances the approach has been to take actions to mitigate negative impact. The approach to reopening schools has been guided

strategically through the establishment of the COVID-19 Educational Recovery Group. The Group brought together key organisations with responsibility for the delivery of education in Scotland to jointly plan educational recovery in Scotland. The Group established 10 cross-sectoral workstreams, which were each remitted to consider specific aspects of educational recovery, including those areas identified as having a negative impact:

- 1 - Term 4 Learning
- 2 - Preparing for 2020/21
- 3 - Curriculum & Assessment
- 4 - Supporting Learners from Disadvantaged Backgrounds
- 5 - Support for children and young people, and families
- 6 - Workforce Support
- 7 - Workforce Planning
- 8 - School Improvement in a New Context
- 9 - Critical Childcare
- 10 - Early Learning & Childcare

### **Impact as a consequence of school closure**

During school closure there will have been number of impacts in relation to particular circumstances. Evidence shows that there are particular impacts for children and young people who are considered to be [vulnerable](#). This may include children and young people who are on the child protection register; looked after; on the edge of care; being eligible for Free School Meals; having complex additional support needs; being affected by poverty and deprivation.

It is recognised that school staff are a source of care and support for children and young people, and have responsibilities in relation to the protection and care of children and young people ([article 19 – protection from violence](#) and [article 39 the right to recovery](#)). During school closure, there have been continued contacts with children and young people through local measures, and [support for vulnerable children and young people through hubs](#). In addition, in order to ensure a strategic approach, there has been a joint Scottish Government and SOLACE Leadership Group to support vulnerable children and young people. This is particularly important to ensure that the impact of COVID-19 is mitigated as far as possible for those who are: at risk; in need of protection; experiencing care or are on the edge of care; or are experiencing domestic abuse.

It is also acknowledged that as a consequence of school closure, children and young people were more likely to spend time on the internet and electronic devices. Consequently, there has been a concern that there will be increased risk of children and young people being exposed to harm online, including as a result of '[grooming](#)' for example. Rights considered here include protection from violence ([article 19](#)), sexual exploitation ([article 34](#)) and right to recovery ([article 39](#)). In order to mitigate this negative impact, there have been [clear messages](#) to support children, [young people](#) and families to be alert to, and to take measures to [enhance protection](#), also on how to report and deal with any concerns. The guidance on continuity in learning also set out the importance of supporting



children and young people who have experienced trauma during lockdown, and ensuring [appropriate access to support and services](#).

We know that children and young people are likely to be affected by anxiety, concern, and trauma as a result of lockdown and as they prepare to return to school, and they have a right to recovery ([article 39](#)). The How are You Doing?<sup>12</sup> Survey reported that between April and May there was a statistically significant increase in the percentage of girls who strongly agree that there are a lot of things they worry about in their life, from 17% in April to 21% in May. Further, there is evidence that children and young people have experienced bullying behaviour during lockdown with 24% of young people reporting experiencing online bullying and that it was more frequent than usual<sup>13</sup>. Children and young people have the right to protection from violence ([article 19](#)). There will be a need for extra support for children and young people's mental health and wellbeing. The Scottish Government has engaged with every education authority in Scotland to discuss the support currently in place for children and young people's mental health and wellbeing and that that will be in place on return to school. Every authority has support in place for now, and for school return. This engagement also identified significant family support available for mental health and wellbeing.

We know that for children and young people who are affected by poverty and disadvantage the impact of covid-19, and school closures will be compounded. It is also likely that more children and young people will be affected by disadvantage due to loss of income and economic circumstances impacting on the right to an adequate standard of living ([article 27](#)). Impacts for those children and young people may include reduced access to learning due to lack of technology and internet access.

Schools offer support for families affected by disadvantage, through the provision of free school meals, for example. In relation to both of these matters, there have been actions taken to lessen their impact where possible. There has been support for children and young people [and families](#) to [access technologies to support learning](#) through the [connecting Scotland](#) project. Over 170,000 [school meals and alternatives](#) have been provided daily to children and young people across Scotland. This is support's the rights to state support for parents and carers ([article 18](#)), the right to health including access to nutritious food ([article 24](#)) and the right to education ([article 28](#)).

Children and young people who have additional support needs, including those arising from disabilities, and those whose needs are complex (requiring support from multiple agencies, or having multiple support needs) are likely to have been affected by a reduction in their support, for example therapeutic support. It has been reported also that children and young people's families have found supporting their children's learning at home challenging. Some children and young people for whom routine is particularly important, including those who have autism, have found the transition to learning at home challenging. To mitigate this concern, education authorities have established [hub provisions](#) and have prioritised children and young people with [complex additional support needs](#) in line with [national guidance](#). Further, advice to support families with learning at home was included within the [Term 4 guidance](#).

Children and young people preparing for national qualifications will have been negatively impacted as a result of school closure. It is recognised that impacts may include anxiety and concern in relation to schoolwork, results, and [progress to next steps in learning, education, work and life](#). The SQA set out arrangements for an alternative certification model<sup>14</sup>. SQA's consideration of these matters was underpinned by 3 guiding principles:

1. fairness to all learners
2. safe and secure certification of our qualifications, while following the latest public health advice; and
3. maintaining the integrity and credibility of our qualifications system, ensuring that standards are maintained over time, in the interests of learners

Children and young people who [learn in Gaelic](#) may also have experienced a negative impact to their learning as a result of school closure, particularly those who do not speak Gaelic at home. Education Scotland has provided resources for parents and carers who are supporting their child's learning at home in Gaelic<sup>15</sup>. Resources to support practitioners with Gaelic learning are also available<sup>16</sup>, to help mitigate the negative impact.

### **Blended learning and reopening of schools - introduction**

As indicated above, reopening schools for almost all children and young people will overwhelmingly have a positive impact from many perspectives, including educational, social and wellbeing. It will also deliver their rights to education ([article 28](#)) and social aspects ([article 19](#)).

However, should the contingency model of blended learning require to be adopted schools, children and families would need to adapt to blended learning, which could have a negative impact on children in comparison to full time in-school learning. The decision about the reopening of schools has been informed by scientific advice<sup>17</sup> which has been informed by securing the wellbeing and [best interests](#) of children and young people ([article 3](#)). The impact identified in relation to the specific themes identified in the introduction are set out below.

### **Planning and preparing for schools opening - June**

Recognising that for some children and young people would benefit from extra support, including support for transition, the Educational Continuity (no 2) Direction introduced a provision which enabled schools to be open during June in order to [support transition](#). This included for those entering P1 and S1, and in some cases, other pupils who would [benefit from enhanced transition](#), such as those with [additional support needs, including those with disabilities](#). This is in line with the [guidance on continuity of learning](#) which was published on 5 June which outlined the importance of transitional support at different [ages and stages](#). This is in addition to support for vulnerable children and young people provided by educational hubs which will continue through the summer period.

Education hubs have continued to provide [childcare](#) during the summer holiday period for key workers and support for children and young people who are vulnerable. These have indirectly supported children and young people's right to play, leisure and culture ([article 31](#)). Children were able to access play and

leisure through [the reopening of ELC and childcare settings on 15th of July](#), which will support children, young people and their families.

Recognising the continued and increasing impact of COVID-19 on families' economic circumstances, and the need to [support continued access to food](#), in line with [article 24](#) which provides for access to nutritious food, [the Scottish Government committed](#) to extending [free school meal provision](#) during the school summer holidays, supported by £12.7m of investment to ensure that the approaches to providing meals and meal alternatives, including direct payments, vouchers collection and delivery of food, which has provided around 175,000 children and young people with continued access to meals each week day, during school closures, will continue during school holidays.

### **Planning and preparing for schools opening – August**

An initial decision to reopen schools using a phased approach was taken in light of the best scientific advice available at the time<sup>18</sup>, which concluded that limited return to school in June would be most appropriate<sup>19</sup> and in the best interests of children and young people, communities and families.

The subsequent update to the central planning assumption – namely to aim to return to schools fully in August was announced on 23 June in light of the [changing pattern of the covid-19 virus](#) infection in communities, and a faster than anticipated, move through the phases of recovery. As part of that overall approach, it has been possible to consider a full return to schools in August for almost all pupils. However, it was recognised that this is contingent upon these changes being sustained. The only exception may be those pupils who are unable to attend school due to ill health; it is recognised that there will be a continued need to support children and young people's learning in these circumstances, at home.

### **Planning and preparing for schools opening – Blended learning as a contingency**

Because the approach to full return to school is contingent upon continued suppression of the COVID-19 virus, it is necessary at this time to continue to consider blended learning as a contingency.

The [strategic framework for reopening schools, early learning and childcare provision](#)<sup>20</sup> set out the strategic approach to reopening schools and provided the context within which local authorities should plan provision for the reopening of schools, including the provision of learning at home as part of any blended learning model.

The strategic framework was supplemented by the reopening of schools guide. The guide provided non-statutory guidance for local authorities and schools in their planning for a safe, phased opening in August 2020<sup>21</sup>. The guidance set out the parameters for capacity, physical distancing, health, safety and cleaning, as fundamental elements of the approach to learning in schools. The guidance also recognised importance of digital approaches to learning and teaching as part of a blended learning model.



The reopening guide also set out guidance in relation to those who were clinically vulnerable and shielding<sup>22</sup>. The guide updated the position for pupils who were living with someone who was living with a clinically vulnerable person, to indicate that they could attend school. However, those who would be considered to be extremely clinically vulnerable (shielding), were continued to be advised [not to attend school on reopening](#). This change reduced the number of children and young people who were considered unable to attend school as part of the strategic framework. In the circumstances where a pupil were unable to attend school, [their learning](#) would be supported at home. Consideration of the particular needs of children and young [people](#) with underlying health conditions is necessary in the event of a localised outbreak, which may include the use of blended learning, or the provision of education elsewhere than a school, in these circumstances.

Two further pieces of guidance were also prepared: [Coronavirus \(COVID-19\): Curriculum for Excellence in the Recovery Phase](#), that provided guidance on the preparation of the curriculum as part of a blended learning approach and [Coronavirus \(COVID-19\): support for continuity in learning](#), which considered the support that children, young people and families need as part of a [blended learning model](#). This guidance was organised thematically to consider a range of [circumstances](#) including: Wellbeing, Additional Support for Learning, Transitions and children and young people affected by disadvantage.

It is recognised that for children and young people and their families, learning at home as part of a contingency approach of blended learning model could be challenging, especially when balanced with the need to consider other home factors including caring responsibilities and work. Support for [blended learning](#) and [support for parents and carers](#) was considered essential as part of this approach. Education Scotland developed a range of materials to support parents and carers<sup>23</sup> and practitioners<sup>24</sup> as they deliver learning as part of a [blended learning model](#). This includes curricular materials, and support for online learning<sup>25</sup> and technology<sup>26</sup> and learning materials.

## **5. How will the policy/measure contribute to the wellbeing of children and young people in Scotland?**

### **Safe**

All of the decisions related to closing and reopening schools have been taken in the best interests of children, young people, families and communities in the interests of safety, and in promoting their health and wellbeing. These decisions have been informed by scientific advice and on the advice of the Chief Medical Officer.

However, it is known that some risks to children and young people will have increased during the pandemic and that [risks increase as a result of school closure](#), and that it is expected that there will be a rise in the experience of domestic abuse, child protection concerns and poorer mental health and wellbeing. Guidance prepared in response to the closure of schools, and

[guidance on reopening of schools](#) has recognised these concerns, and sought to [support children and young people](#) appropriately, in light of the circumstances.

### **Healthy**

Schools have key roles in relation to the health of children and young people. All schools are required to be health promoting – promoting physical, social, mental and emotional wellbeing by supporting pupils to make positive lifestyle choices in relation to their health and wellbeing. It is known, as set out above, that some risks to children and young people will have increased during the pandemic and that [risks increase as a result of school closure](#), and that it is expected that there will be a rise in the experience of domestic abuse, child protection concerns and poorer mental health and wellbeing.

Guidance prepared in response to the closure of schools, and [guidance on reopening of schools](#) has recognised these concerns, and sought to [support children and young people](#) appropriately, in light of the circumstances. The Scottish Government has continued to prioritise the support for children and young people's mental health and wellbeing through [support for school staff](#) in responding to children's needs and the counselling through schools programme. The Deputy First Minister has made clear the need for [planning to support children and young people's wellbeing](#) as part of educational recovery.

Pupils undertake a specific amount of physical activity during their school week and the food and drinks they are provided with are done so in line with national standards. There have been protections in place for physical activity during the pandemic and [guidance in place to support this](#) in order to enable continued physical activity, however, the [Lockdown Lowdown report](#) indicated that 47% of young people reported that they were somewhat, moderately or extremely concerned about their physical wellbeing. It is recognised that the return to school will bring positive benefits in a number of ways for young people, the need to maintain physical distancing will continue to present a challenge for physical activity and sport in schools at least initially

### **Achieving**

As indicated above, it is known that the closure of schools due to the pandemic will have negatively impacted on the learning of many children and young people. Whilst some young people will have benefitted from learning at home, it is likely that a return to school will support improvements in learning outcomes for children and young people, who benefit from the structure of learning in school. The guidance to support planning for school return has [focussed on the recovery](#) of learning and [support](#) for wellbeing as part of the [national approach](#).

### **Nurtured**

It is recognised that children, young people and their families have required support whilst supporting learning at home, and to support children and young people's wellbeing. Guidance to support home learning was been produced by Education Scotland, and specifically, guidance for parents and carers to [support children and young people's wellbeing](#) whilst at home and during the pandemic which has been a source of challenge to many children, young people and

families. The return to school will enable children, young people and their families to re-engage with the care and support that they receive from schools.

### **Active**

As indicated above schools undertake specific activities in relation to physical activity and sport, as part of the health and wellbeing curriculum and being health promoting schools. As indicated above, physical activity has been central to the approach Scotland has taken as part of lockdown arrangements, but there has not been prescription on how children and young people achieve this whilst learning at home.

### **Respected and responsible**

The decisions to close and reopen schools, have been made in light of scientific advice and on the advice of the Chief Medical Officer. Due to the nature of the pandemic, those considerations have been first and foremost. Children and young people's views about the matters that concerned them, and those of parents and carers have been used to inform guidance on preparations on reopening schools. The voices of children and young people have been well expressed through surveys such as the [Lockdown Lowdown](#) and the [Coronavirus Times](#) publications. These have been relied upon, alongside other evidence, in considering the impact of school closures and reopening on young people. This will continue as work to plan and prepare for schools reopening advance.

### **Included**

Support to overcome disadvantage has been central to the approach taken by the Scottish Government. It has not been possible to alter the decision to close schools due to the impact of the pandemic and the need to control infection, therefore mitigation of negative impacts has been essential. There have been a number of approaches to provide support for those affected by disadvantage, including the provision of technology and equipment to support access to online learning and services, continued provision of free school meals and alternatives during lockdown and during summer school holidays, we have also prioritised 'vulnerable' children and young people to ensure that they have received support whilst schools are closed.

## **6. How will the policy/measure give better or further effect to the implementation of the UNCRC in Scotland?**

In these very difficult and unprecedented decisions, there has been consistent consideration of children and young people's wellbeing and rights, and a particular focus on the reduction of negative impact through mitigating actions, recognising that in some circumstances it is not possible to wholly mitigate the impact to children and young people's rights. In the decision to reopen schools the focus on rights, health, safety and wellbeing as central considerations continue the focus on mitigating impact to children and young people's wellbeing.

While some of the measures proposed may have a negative impact on some UNCRC rights, they have been assessed as necessary and proportionate and are still being made in the [best interests](#) of children and young people.

### **7. What evidence have you used to inform your assessment? What does it tell you?**

We have drawn on significant work to understand the views of children and young people affected by lockdown carried out by The Scottish Youth Parliament, YouthLink Scotland, and Young Scot. This provides for the right of children and young people to be heard ([article 12](#)). The work by the Children's Parliament on the [How are You Doing? Survey Corona Times](#) and in particular edition 3 which focussed on school closure, experiences of home learning, and what is needed for the return to school has been particularly helpful both in informing this assessment, but also in the understanding of the experiences of children and young people as officials consider the support required for the return to school. Children and young people's views were specifically referenced within the guidance on [supporting continuity of learning](#).

Officials have also reflected the information gathered through statistical evidence and data, and information provided by other colleagues across the Scottish Government.

A note of the references to publications referred to is set out at the conclusion of the document.

The evidence supports the position that the closure of schools has had a negative impact to children and young people overall, but that for some learning at home has brought benefits. The evidence also confirms that children and young people's learning and wellbeing have been negatively impacted, and that whilst mitigating actions and supports have been put in place wherever possible, this has not removed negative impact to children and young people. Young people appear to feel, generally, that they are looking forward to returning to school, provided that it is safe to return, as it allows them to see their friends, and have support for their learning. It is expected that children and young people will benefit from a resumption of their 'usual' routines.

### **8. Have you consulted with relevant stakeholders?**

We have sought to engage stakeholders to discuss this impact assessment. These have included representatives of children and families organisations; Children in Scotland, Together Scotland, Children's Parliament, Scottish Youth Parliament, and Children 1<sup>st</sup>.

### **9. Have you involved children and young people in the development of the policy/measure?**

It has not been possible to directly involve children and young people in the development of the policy. Instead, officials have drawn from the survey work carried out by 3<sup>rd</sup> sector organisations to access young people's views on these issues. The Deputy First Minister also engaged directly with children and young people through the young person panel on 17 June which discussed their experiences of the lockdown period, and their views on the way forward as part of planning for return to schools.

## CRWIA – Stage 3

### Publication Template

#### CRWIA for a non-legislative policy/measure

<b>CRWIA title:</b> A phased reopening of schools as part of the COVID-19 Scottish recovery process <b>Publication date:</b>	
<b>Summary of policy aims and desired outcomes</b>	This policy aims for pupils to return to full-time education from 11 Aug
<b>Executive summary</b>	<p>This impact assessment considers the impacts to children's rights and wellbeing as a result of: the closure of schools; the reopening of schools to support transition and planning and preparation for learning; the reopening of schools full time to all pupils; and the contingency of a blended learning model.</p> <p>The assessment specifically considers children and young people who may be more adversely affected by school closure, and the actions taken to mitigate the impact of those closures. It is recognised also that for some children and young people learning at home has been beneficial to their learning.</p>
<b>Background</b>	<p>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 nurseries in Scotland should close from the end of the school day on Friday 20 March 2020. This decision was taken in light of advice from the Chief Medical Officer.</p> <p>Emergency childcare was made available in a series of "hubs" for children of key workers and vulnerable<sup>271</sup> children and schools were asked to support pupils with home learning, where possible.</p> <p>Professionals from across the education and Early Learning and Childcare (ELC) sectors have taken action to support children and young people through these challenging times. However, school closures are considered to be having a negative effect on all aspects of children's progress and development, including their learning and their wellbeing, including their mental health.<sup>28</sup></p>

	<p>The Scottish Government has taken a series of actions, together with partners, to mitigate these impacts wherever possible, and to secure the wellbeing of children and young people as we return to learning in school, as part of a blended learning model.</p> <p>The Scottish Government COVID-19 Advisory Group was established in March 2020 to apply the advice coming to the four nations from the Scientific Advisory Group on Emergencies (SAGE) and other appropriate sources of evidence and information and use it to inform local decisions in Scotland during the pandemic. Later, a sub-group specialising in children's and education issues was also established to provide more bespoke advice. This includes providing insight and modelling to ministers and the COVID-19 Education Recovery Group (CERG).</p> <p>The CERG was established in April 2020 to support government decision making through providing insight into the practicalities around reopening schools and ELC settings. The focus of the group is on how schools should reopen 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 education workforce.</p>
<b>Scope of the CRWIA, identifying the children and young people affected by the policy, and summarising the evidence base</b>	<p>The CRWIA applies to all children and young people who are on the school roll of an independent, grant aided or education authority school in Scotland, who are aged up to 18 years of age. It is recognised that there are some young people on the school roll in Scotland who are aged 19, to whom this would apply, although the scope is limited to 18 year olds.</p> <p>There is a significant evidence base to support the decisions to close and reopen schools. Due to the nature of the pandemic, there is necessarily less evidence than would usually be available to support associated policy development. However, there is significant evidence of young people's views through surveys undertaken by 3<sup>rd</sup> sector organisations. These have been referenced throughout, as appropriate.</p>
<b>Children and young people's views and experiences</b>	<p>There is clear evidence of children and young people's views and experiences of lockdown and their views on school closure, learning at home and returning to school, gathered by 3<sup>rd</sup> sector organisations.</p>
<b>Key Findings, including an</b>	<p>The impact assessment found that children's rights and wellbeing were negatively impacted by school closure in most</p>



<b>assessment of the impact on children's rights, and how the measure will contribute to children's wellbeing</b>	cases, although there is some evidence that some young people have benefitted from learning at home. There have been significant actions to mitigate negative impact, but it is not possible to mitigate all of the impacts that have occurred as a result of the COVID-19 pandemic. The impact to children and young people's wellbeing is recognised and has been highlighted as part of planning for educational recovery. The full return to school in August would be the most effective approach to mitigate the impact of school closures, but this is contingent on other factors.
<b>Monitoring and review</b>	There will be continued monitoring of impact as part of educational recovery.
<b>CRWIA Declaration</b>	
<b>Authorisation</b>	
Learning Directorate: Covid-19 Education Recovery Group Secretariat	<b>Date</b> 29 <sup>th</sup> July 2020
<b>Deputy Director or equivalent</b> Sam Anson Deputy Director Improvement, Attainment and Wellbeing Division	<b>Date</b> 29 <sup>th</sup> July 2020

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<sup>1</sup> The term children is used within this document to refer to children and young people who usually attend a local authority, grant-aided or independent school, up to the age of 18. It is acknowledged that some young people attend Scotland's local authority schools and are 19 years of age. The scope of this assessment includes those who are aged 18, but the impacts are likely to be the same. In education law the term child applies to a child who is up to the age of 15 years. From the age of 16+ the person is considered to be a young person.

<sup>2</sup> The impact assessment focusses on the impacts to children and young people, it is recognised that children and young people's families are also impacted by school closures and reopening, and that the impact to them may also impact on children and young people. This assessment recognises where possible, those impacts also.

<sup>3</sup> The relevant UNCRC rights are signposted by hyperlinks throughout the text of the document

<sup>4</sup> Things We Do Not Like About Learning in Lockdown, Children's Parliament, Corona Times Journal Edition 3 <https://www.childrensparliament.org.uk/corona-times-journal-edition-3/>

<sup>5</sup> Positive Things About Learning During Lockdown, Children's Parliament, Corona Times Journal Edition 3 <https://www.childrensparliament.org.uk/corona-times-journal-edition-3/>

<sup>6</sup> Things We Do Not Like About Learning in Lockdown, Children's Parliament, Corona Times Journal Edition 3 <https://www.childrensparliament.org.uk/corona-times-journal-edition-3/>

<sup>7</sup> "Over two fifths (42%) stated that they were Extremely or Moderately concerned about school, college and university closures. Respondents expressed more concern regarding exams and coursework, with around half (49%) stating that they were Moderately or Extremely concerned." LockdownLowdown - what young people in Scotland are thinking about COVID-19 <https://www.youthlinkscotland.org/media/4486/lockdown-lowdown-final-report.pdf>

<sup>8</sup> What the Evidence Tells Us, Section 3, Strategic Framework for the Reopening of Schools <https://www.gov.scot/publications/excellent-equity-during-covid-19-pandemic-strategic-framework-reopening-schools-early-learning-childcare-provision-scotland/pages/5/>

<sup>9</sup> "The most positive learning experiences are based on being able to schedule or structure one's own learning, to have choice about what topics to learn about, that one-to-one support from someone at home means that it is possible to improve in some areas that might have been difficult at school, there is a strong sense for some journalists that learning at home is less stressful." Positive Things About Learning During Lockdown, Children's Parliament, Corona Times Journal Edition 3 <https://www.childrensparliament.org.uk/corona-times-journal-edition-3/>

<sup>10</sup> Feelings and practical suggestions about the return to school, Children's Parliament, Corona Times Journal Edition 3 <https://www.childrensparliament.org.uk/corona-times-journal-edition-3/>

<sup>11</sup> As we come out of lockdown, would you like your community to be different?, Children's Parliament, Corona Times Journal Edition 4:

<https://www.childrensparliament.org.uk/childrens-journal-4/>

<sup>12</sup> <https://www.childrensparliament.org.uk/our-work/children-and-coronavirus/>

<sup>13</sup> <https://www.tiecampaign.co.uk/reports>

<sup>14</sup> <https://www.sqa.org.uk/sqa/93920.html>

<sup>15</sup> <https://wakelet.com/wake/e4a002f2-b9a2-475c-90af-46e887a74d4d>

<sup>16</sup> <https://wakelet.com/wake/63c35e34-d2bd-484f-b294-a95a6ede5b55>

<sup>17</sup> Coronavirus (COVID-19): Scientific evidence on schools and ELC settings , Annex A <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2020/05/coronavirus-covid-19-schools-early-learning-and-childcare-settings---scientific-evidence/documents/coronavirus-covid-19-scientific-evidence-on-schools-early-learning-and-childcare-settings-26-may-2020/coronavirus-covid-19-scientific-evidence-on-schools-early-learning-and-childcare-settings-26-may-2020/govscot%3Adocument/Scientific%2BEvidence%2BSchools%2Band%2BELC.pdf>

<sup>18</sup> Coronavirus (COVID-19): Scientific evidence on schools and ELC settings , Annex A <https://www.gov.scot/binaries/content/documents/govscot/publications/research-and-analysis/2020/05/coronavirus-covid-19-schools-early-learning-and-childcare-settings---scientific-evidence/documents/coronavirus-covid-19-scientific-evidence-on-schools-early-learning-and-childcare-settings-26-may-2020/coronavirus-covid-19-scientific-evidence-on-schools-early-learning-and-childcare-settings-26-may-2020/govscot%3Adocument/Scientific%2BEvidence%2BSchools%2Band%2BELC.pdf>



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<sup>19</sup> Physical Distancing and Impacts Upon Capacity, Implementation in Schools, Section 4, Coronavirus (COVID-19): strategic framework for reopening schools, early learning and childcare provision  
<https://www.gov.scot/publications/excellent-equity-during-covid-19-pandemic-strategic-framework-reopening-schools-early-learning-childcare-provision-scotland/pages/6/>

<sup>20</sup> <https://www.gov.scot/publications/excellent-equity-during-covid-19-pandemic-strategic-framework-reopening-schools-early-learning-childcare-provision-scotland/pages/6/>

<sup>21</sup> Reopening Schools Guide <https://www.gov.scot/publications/coronavirus-covid-19-re-opening-schools-guide/>

<sup>22</sup> <https://www.gov.scot/publications/coronavirus-covid-19-re-opening-schools-guide/pages/people-who-are-clinically-vulnerable-or-shielding/>

<sup>23</sup> <https://education.gov.scot/improvement/scotland-learns/>

<sup>24</sup> <https://education.gov.scot/improvement/scotland-learns/resources-for-practitioners/>

<sup>25</sup> <https://education.gov.scot/improvement/learning-resources/supporting-online-learning-links-for-practitioners/>

<sup>26</sup> <https://www.gov.scot/news/getting-people-online/>

<sup>27</sup> Children and young people may be vulnerable for a range of reasons including: being on the child protection register; looked after; on the edge of care; being eligible for Free School Meals; having complex additional support needs; being affected by poverty and deprivation.

This is not an exhaustive list of reasons and other groups of children and young people may have increased vulnerability due to closures of early learning centres and schools.

<sup>28</sup> <sup>28</sup> *Children's Parliament How Are You Doing wellbeing survey*

Findings from a survey of children aged 8-14 years in Scotland, published on 1 May 2020. The findings show that show being indoors more and learning at home impacts on the physical and mental health of children. There are indications that children do not feel enough control over what they are learning or that they are not enjoying and worrying about learning at home, this is especially true for 12 to 14 year olds. 36% of children in the survey worry about doing their school work, 32% worry about future exams and 28% are worried about learning at home.



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