

UK Covid-19 Inquiry

Children and young people roundtable

25 March 2022
Online

(Participants were offered an in-person meeting in Newcastle but either chose to attend online or we moved the meeting online due to a lack of in-person attendees)

Participants

Sam Hartley, UK Covid-19 Inquiry

Professor Russell Viner, UCL Great Ormond Street Institute of Child Health

Dr Judith Turbyne, Children in Scotland

Anna Feuchtwang, National Children's Bureau

Steve Rollett, Confederation of School Trusts

Katy Block, Association of Directors of Children's Services

Tom Madders, YoungMinds

Purnima Tanuku, National Day Nurseries Association

Katie Hitchinson, Citizen Coaching and Counselling

James Crockford, Citizen Coaching and Counselling

Sam Hartley: [00:02:43] Afternoon, everybody. Let me welcome you to this Covid-19 Inquiry roundtable to hear your views on the Terms of Reference. My name is Sam Hartley. I am Director of Policy, Research and Analysis at the UK Covid-19 Inquiry Setup Team and my team and I will support Ben Connah, who's the Secretary to the Inquiry, and of course, Baroness Hallett, who is Chair of the Covid-19 Inquiry, a retired Court of Appeal judge, and she was appointed just before Christmas to lead the Inquiry itself.

As you all know, the Inquiry is being set up. Sorry, I've just seen Anna's message, you're finding it hard to hear me. Is anyone else having trouble? No?

Russell Viner: [00:05:30] I can hear you actually. Yeah.

Sam Hartley: [00:05:32] Great. Thanks, Russell. I'm sorry about that Anna, you may want to try and change your settings, if everyone else can hear me. Okay. Apologies for that. Before we get to the meat of the questions that we've asked on the Terms of Reference, I just want to say a few things by way of introduction. I should explain I'm looking down at my computer because I can see you all on the computer as well, even though the camera's ahead of me. So I do apologise for that.

As I said, before we start talking about the Terms of Reference, I just wanted to recognise first of all that, although you're here in professional capacities, we all recognise that everyone will have a personal response and a personal experience of the pandemic as well.

I'm joined in the room, and we're joined online, by Katie and James who are from a counselling service. They're there for you to use if you need to, you can private message them through the Zoom system if you want to. And I think that we've shared their contact details as well. So please do feel free to use them if you need to, now or after the meeting.

So back to the purpose of today. Over the course of a few weeks we have been travelling around the country. We're meeting with a number of bereaved families and Baroness Hallett herself has been meeting with those families. And we've also been meeting with different sectors and representatives from sectors to hear first hand their views on the Terms of Reference for the Inquiry.

I do want to stress that today is about the draft Terms of Reference themselves. The Inquiry has not started properly, yet; it won't start until the Prime Minister has settled the Terms of Reference. So we're not here to take evidence about the impact of the pandemic. Inevitably, these things overlap. And I won't be stopping anybody who wants to share details with us of their experiences or their organisation's experiences. But I do stress that we're not in an evidence-taking position at the moment until the Terms of Reference have been settled. So if we can try and focus your contributions around the four questions that we've set out in the consultation documents, I would very much appreciate it.

We've grouped organisations in different ways, and we've consulted as widely as we could in what has been a sort of fairly short period of time. We're really interested to hear what you have to say about the impact on your own sector. We will be taking notes and recording the session. But – as I'm sure you know – this isn't the only way that we are seeking people's views. We also have an online consultation which everybody – organisations and individuals – are encouraged to take part in and send their views through after this meeting as much as you possibly can. And that's on our website.

The consultation will be open till the 7th of April. After that point, we will spend some time with Baroness Hallett, working out whether she wants to make recommendations and what they might be, to the Prime Minister, to change the Terms of Reference. In order for us to properly analyse that, we are taking a note of this meeting and we're also taking a recording of the meeting as you probably saw when you joined the meeting itself. The transcripts will be published after the consultation period is finished.

If for any reason you wish to be anonymous in this meeting, please contact my team afterwards, but I hope you appreciate the need and the wish of Baroness Hallett to be as transparent and open as possible through the course of this consultation.

I will try and steer us through the questions in the documents that we've set out about the Terms of Reference, but of course, inevitably, they do overlap, and I'd be very interested to hear your views. I'll try not to interrupt too much because this is about your views more so than mine.

The chat function is available as we've seen already. I'll try to keep an eye on that. It might be difficult. We will save the chat afterwards. But please forgive me if I can't respond to any chat messages that come in while we're going through the meeting.

And I think the final thing to say is, before I open the floor, please do put your virtual hands up and I will try and look at who put their hand up first and do my best to bring you in in the right order; it doesn't always work so apologies if I skip you. Please wave frantically at me if I do that.

I will try and keep us to time as much as possible so that we're finished within two hours. And I would just ask the first time you speak if you wouldn't mind introducing yourself and where you're from, rather than do a round of introductions now. I think it's better if we get into the meat of the question.

So without further ado, I will hopefully wait for a first hand to come up, virtual or otherwise. Does anyone want to start us off with the first question about the Terms of Reference which is obviously a very broad one. Does it cover all the areas that you think should be addressed by the Inquiry itself? Professor Viner?

I'm sorry, what I should have also said is I was intending to use first names, if that's alright with everybody. Please do say if not. Russell, can I invite you to speak first? And then after that we'll go to Judith.

Russell Viner: [00:11:31] Absolutely. Thank you – hello, good afternoon, everyone. And thank you for asking us to be part of this. I'm speaking - in one sense, it's in a personal capacity, but also on behalf of a large group of children's health and wellbeing academics who had the letter in *The Times*.

Overall, I think I wanted to make the first point that changing the Terms of Reference to consider children and young people as a specific group, I think is important. The pushback, of course, could be well, these are general Terms of Reference, and that's special pleading in a sense. And that if you do that, for children, you may need to do that for all sorts of groups. But however, you're clearly doing this for the aged care sector. You're doing this for clinically vulnerable groups, and you're doing this for bereaved families. And that's absolutely right that you are.

So I don't think you can, therefore, say that you're not already including special groups. Children and young people are 23-24% of the population, under 20, and they were impacted by the pandemic in really quite different ways to others. And I would like to see, for example, the first bullet point – I'd like to see an overall commitment to examine impacts on children and young people, separately to adults.

And I'll come back to that, because I think much of the language really focuses on adults. For example, the economic response to this pandemic and its impact, support for businesses and jobs, benefits and sick pay or support for vulnerable people, but actually doesn't also look at economic impacts on those transitioning from education into the workplace, young people in particular, where there are a whole range of other impacts that I don't think it covered.

So just in terms of devolved and local public health decision-making, and its consequences. The first bullet point, I would argue that in many of these areas, thinking about children or young

people is important. How decisions are made and communicated and implemented? I'm not sure we need something specifically for young people but one of the things that was very clear, was that there was no communication specifically with young people during the pandemic, despite many in the sector asking for it repeatedly. And this is not about evidence gathering, I remember that.

Testing, contact tracing and isolation, which is one of your sub-bullet points - different testing, tracing and isolation systems are operated in schools, for children, compared to those operated for adults. You could argue that they were much more stringent in schools, they resulted in very different impacts, isolation of whole year groups. And you could argue that this was not equitable, nor was it proportional.

So for many of these sub-bullet points, a focus on children, I believe, is needed. So I'm not suggesting that you put children into every single one of the sub-bullet points, but I think that an overarching commitment to look at the impacts on children and young people, as a group, for each of these areas, was very important.

Prisons and other places of detention. Youth justice settings, we had young people – and others could speak to this better. We had young people in solitary isolation for days to weeks, I understand, because the system didn't think about them, whereas it thought about adult prisons. And there was a lack of thought all the way through.

So, we very much welcome restrictions on attendance at places of education. But it wasn't just restrictions on attendance - there were major restrictions on how they operated. So that needs to be broadened to restrictions on attendance, changes in operation of the education sector etc. And I think a major plea for this to be considered, whether this was equitable across age groups, and proportionate, given the evidence.

So number one, an overall play to consider children and young people as a group for most of these areas. I've mentioned some specific sub-bullet points where I think it's very important. But thirdly, issues of proportionality and equity across age groups, I think absolutely need to be examined. And I would argue that needs to be explicit in the Terms of Reference.

In terms of your second bullet point, sorry, while I have the floor – or I'm very happy to cede the floor and come back.

Sam Hartley: [00:16:27] Thank you Russell. Yes, shall we come back to you on the second bullet point and we'll hear from others first, thank you very much. Judith, I think you've put your hand down. I don't know whether that was deliberate.

Judith Turbyne: [00:16:39] No.

Sam Hartley: [00:16:41] That wasn't deliberate. Okay. Go ahead, Judith.

Judith Turbyne: [00:16:43] Yes, a couple of things; my general point was going to be along the lines of making sure that children or young people are very much involved, and that the voice of children and young people comes through. And I think there's lots of good ways you can do that. And there's lots of good examples of that, actually, which is quite good.

I would just reflect back to Russell, there was some consultation where – if you look at the devolved nations and stuff, there was some consultation with children and young people – late in the day, but there was some around the exams and examinations. So capturing that good practice would also be quite good for future reference.

So once you've emphasised the need to work out how to incorporate children or young people into the Terms of Reference, there were a couple of more specific things that I thought just worth reflecting on. One is, I wasn't sure whether the Terms of Reference would allow us to talk about inter-governmental decision-making. But actually some of what happened during Covid-19, because of the nature of Covid-19, went beyond the government. And there was quite a lot of direct relationship with the third sector in a way that does happen, but actually happened much more. So I'm wondering if that one is a bit too tight. And you have to think about that third sector response and how that was involved.

And then, there's a couple of other things that maybe are not quite reflected in the Terms of Reference. One is, and again, it may be that this is incorporated somewhere else, but there were some significant concerns around child protection, domestic abuse, and so on, how would that be captured through these Terms of Reference? Because, you know, due to lockdown, and so on.

And the other thing, which I think was an interesting thing, where there were lots of both positive responses, but at the beginning, quite a tricky situation was about digital exclusion, and then ultimately, digital inclusion. So looking at that, I think, is good, because I think it'll be learnings, really good learnings, in terms of how you start to make that a thing of the past in terms of being able to deal with other kinds of emergencies and so on in the future. And I'll stop there just now. Thanks.

Sam Hartley: [00:19:03] Thank you, Judith. Can I just ask you a question on one of the points you made before I move on to Purnima? Just on this point about the third sector relationship. Are your reflections in the context of a devolved country or the relationship between the UK and devolved governments and then how that impacts on the third sector?

Judith Turbyne: [00:19:23] Yeah, it probably is. I think it's easier than, you know, a smaller country, the smaller context and relationship that [inaudible] but there's quite a lot of direct support. Sometimes it was – you know, so I don't know where all the money came from. But some of it was direct from the Scottish Government and the way those relationships played out, was sort of an extension of what goes on day to day, but it was qualitatively different because of the need to move fast and to do things differently. And there was a lot more flexibility, agility, and all these things, I think, again, could be really good learnings for the future.

Sam Hartley: [00:19:56] Yeah. Great. Thank you very much, Judith. So I've got Purnima next, then Anna, and then Katy.

Purnima Tanuku: [00:20:04] Good afternoon, everybody. I'm Purnima Tanuku, Chief Executive, National Day Nurseries Association. We represent all early years providers, and are the only organisation working across the UK and internationally. I'm picking up on some of the points that Russell raised; you know, children, young people, the age range is a huge age range that we're talking about.

I think, right from the beginning of the pandemic, every time things were mentioned, we had to shout out, 'What about early years? What about early years?' And I think that is something that needs to really feature as part of this Inquiry. Because, throughout the pandemic, early years providers were open, looking after children of families. And it's really important, and I think one of the things that really concerned us, from the beginning, is that even from the SAGE scientists, the evidence or the information that is required or needed to support the early years providers was very limited. And I think the SAGE team admitted that right from the beginning. I think that's really important that as part of the wider children and young people remit, because every time something was looked at, it was always about schools and starting at the school aid, but there's a lot of learning that's been lost by children, preschool, and it's absolutely vital that this is included as part of this Inquiry.

Sam Hartley: [00:21:33] Thank you, Purnima. Anna next.

Anna Feuchtwang: [00:21:37] Thanks very much, everybody. I'm Anna Feuchtwang, Chief Executive at the National Children's Bureau. And I've also been asked to come here to save some spaces – because NCB has been working with the Children's Society, Barnardo's, NSPCC, and Action for Children throughout the pandemic.

And just to echo a point that Judith made first which is actually in terms of a good lesson learnt: the five organisations were brought in very quickly by the Department for Education. And there has been a cross-government vulnerable children's group that has been working throughout the pandemic. So there are some really good things that we can learn from this, which I think we mustn't let go of.

Absolutely echo everything that my colleagues have said so far. And just to repeat the last point, it would be great to see children explicitly in the Terms of Reference, but to remember that children are also babies, young people, children, they have experienced it all differently, too. So some of the particular decisions that affected children, which I think should be examined, and somehow included or reflected in the Terms of Reference, so that we don't lose them. But the decision to close childcare and education settings, other than for vulnerable children, and the steps taken to mitigate the impact for children who didn't have access to technology at home, has also been mentioned. We need a way for the Terms of Reference to reflect that.

But then also the decisions, for example, to de-prioritise health and care services for children, e.g. things like health visitors, short breaks for disabled children. Looking at the proportionality of that, as Russell has said, we need that to be reflected. And although the Terms of Reference mention care homes, I'm assuming that means for adults, but there were further restrictions to freedoms of children in residential settings, including those at residential schools, and in the youth justice estate and children's homes, and we must make sure those are not left out. And then I think finally, as Russell has said, as well, the financial implications for children are different to adults. And some of those – for example, the positives that happened, including the increased Universal Credit, and the free school meal vouchers, albeit late, I think we really would want to make sure that those impacts on children are looked at as part of the Inquiry.

Sam Hartley: [00:24:08] Anna. Thank you very much for that contribution. I have Katy and then Tom. Russell, I haven't forgotten, we'll come back to you for your additional points after that.

Katy Block: [00:24:17] Hi. I'm Katy Block. I'm one of the Policy Officers at ADCS, which is the Association of Directors of Children's Services, and we just work in England. So that's the most senior leader for Children's Services in local authorities. I just want to kind of furiously agree with everything that's kind of said before, particularly around the framing and the language. So I think we're implicitly included because it's all age, but not explicitly referred to. And I think children have had a really different experience of the pandemic and Purnima rightly raised, you know, the importance of focus on the early years.

So the very youngest children, their whole life or half their life has been disrupted by this experience. So I think we can't really overlook that. Then just looking down section one I've kind of been scribbling, just before I joined the call. So I think there's something missing in the first section around learning and feedback loops to inform ongoing responses and planning for future waves of infection. So I think that definitely happened locally. But I'm not aware that that happened nationally.

I think there's a point really missing about prioritisation of specific groups with vulnerabilities beyond clinical or health considerations. So that would pick up the kind of safeguarding and the children eligible for free school meals, perhaps SEND as well. So there's something about inequalities and vulnerabilities. And then I think the single bullet point on education is really inadequate, and won't really capture the disruption that children continue to experience.

So at least what's there could be expanded to say, initial and ongoing restrictions on attendance and the operation of places of education, from the early years through the school phases, and into further and higher education, and capturing the effectiveness of alternative arrangements. And so I just think we just need to be much more comprehensive. The effects on children are just astonishing. There was some DFE data out yesterday that showed that 328 million school days were lost in the last academic year due to absences, and 270 million were due to Covid-19. And I just don't think a bit of online tutoring is really going to cut in and help children catch up.

So I had some further comments on the health and care sector section. So again, that feels very NHS and adult social care-focused in both the language and the scope. And so I'd also scribbled something about understanding the impact of decisions to redeploy staff. And so particularly those health staff, the health visitors that got pulled to the frontline, which meant babies and children were unseen at home for a very, very long time.

And then just one last point on the procurement and distribution of key equipment and supplies. I just thought that could be broadened out because there was a real issue there – to broaden it out to focus less on procurement and more on access for frontline workers. So social workers, childcare workers, were not getting access to PPE in the first lockdown, because it was entirely prioritised for health services. And then adult social – we were right down the pecking order, particularly early years where you think about the close contact that those staff are having with children. So, I'll shut up now.

Sam Hartley: [00:28:09] Thank you, Katy. So I think we'll go to Tom next. And then we'll hear from Steve, I think everyone will have had their first chance to contribute. And then we'll come back to Russell after that.

Tom Madders: [00:28:20] Thank you very much. I'm Tom Madders. I'm the Communications and Campaigns Director at the youth mental health charity YoungMinds. I will start by doing what everyone has done and say, I completely agree. I think that unless we are explicitly talking about the experience of children and young people, they're so clearly different. And the impact of the pandemic on under-25s. It's so profoundly different as an experience that I think just to hope that it's captured in the general Inquiry without explicitly bringing that group out as a separate subsection, I think will be inadequate for the level of scrutiny that needs.

And you won't be surprised to hear me say that the other major omission from the Terms of Reference, I couldn't believe that wasn't mentioned, was mental health. YoungMinds has been surveying young people throughout the pandemic. Generally, to take a typical touchpoint around 80% of young people were telling us that their mental health had got worse during the pandemic. We've seen prevalence, according to NHS data, rise from one in nine to one in six young people with a probable mental health problem over the last couple of years. We've seen record referrals to CAMHS in recent months.

So the impact on young people's mental health, on all people's mental health actually, and I think mental health should be a theme for all ages. But I think the impact on young people's mental health, and I suppose how that was considered in decision-making, I think, really does need scrutiny. And the way in which people were able to access support as well was a real challenge. And I think therefore needs scrutiny and consideration. Thank you.

Sam Hartley: [00:30:12] Thank you, Tom. Steve.

Steve Rollett: [00:30:15] Afternoon, everyone. I'm Steve Rollett, I'm the Deputy Chief Executive at the Confederation of School Trusts; we are the sector body for single and multi-academy school trusts. I guess by nature, the Terms of Reference tend to sit at quite a top abstract level, don't they? So some of the things I'm going to say here, I guess, could feature well within the framework you've already set out here. But I want to highlight these, I suppose, as a test of that theory, and something for you to keep in mind.

So some of which colleagues have already said, but I will repeat them just so that colleagues on the call know they've got support for things that they've mentioned already. So I want to talk, firstly, about structural resilience of the education system, by which I mean the extent to which schools were able to lean on each other, other organisations, partnership working and so on. Or the extent to which some schools perhaps may have been left alone. And one of the things we know during the crisis or my hypothesis is that dealing with this together was more likely to be effective. So what's the structural resilience of the education system in that regard?

I want to talk specifically as well about children with special educational needs and disabilities, which I think Katy picked up as well. Absolutely agree. What was the guidance for schools? What were the decisions that were made? What was the guidance for schools? What was the utility of that guidance? What's the timeliness of that guidance and so on.

Also want to bring this as a separate point, but I wanted to mention just safeguarding as well and how safeguarding was managed, both in schools, but also, again, coming back to partnership working throughout. Mental health I absolutely concur with Tom, I was a bit flabbergasted as well, that wasn't more explicit – although, as I say, perhaps it could feature within that framework somewhere. But I think it needs to be teased out explicitly. And of course, that's not just during the pandemic, but there's potentially quite a long tail around that work. So I'd be interested in that featuring.

Governance, as well by which sort of top-level system governance, but also, again, governance at school and organisation level. What support was there for good governance, and again, were the processes right, and so on? Funding, I think is mentioned in here somewhere, but I want to explicitly tease out funding for recovery, again, speaking to that idea that this is not just about funding during the pandemic, but actually what is needed afterwards, in order to help young people recover from – I think what all of us are on the call aligned around, which is the substantial impact of this on young people.

I want to mention home education as well, because, of course, a number of children weren't in schools during this period. What's been the impact on those children? And also there seems to be some evidence that suggests we've seen an increase in home education. And again, that would be interesting to look at, I think, as well. So just a few thoughts then and I may well have others as we go.

Sam Hartley: [00:33:13] Thanks, Steve. That's great. Before I invite Russell back in, just acknowledging your first point really, which is about the fact that the Terms of Reference are deliberately quite broad at the moment. I'm confident they will change; this is a genuine consultation and Baroness Hallett will take into account people's views and make recommendations to the Prime Minister.

It won't go into the level of granularity of some of the comments, I think it's fair to say, and as you acknowledge, that's not what Terms of Reference are. But she's also thinking about, in parallel with the recommendations that she'll make to the Prime Minister, she's also thinking about how best to reflect back what she's heard from people, sectors, professionals and individuals, in order to give them – you – reassurance that she does intend to look at the sorts of things that you're raising as well. So thank you for acknowledging that at the start.

Russell, would you like to come back in with your subsequent points and others, please put your hands up if you want to come back in?

Russell Viner: [00:34:13] Absolutely. Thank you. And a really important range of points made, some of which have actually been some of the points I was going to make. A slightly higher level point. I'm not sure how you write this into the Terms of Reference, but I've just been musing on how you make it explicit that mental health is important. One of the things I think is missing from the Terms of Reference is about the outcomes of decision-making, or the way decision-making was aimed.

And forgive me, I'm sort of struggling to think towards my point if that's okay. And I hope that's reasonable. But I think for a lot of us, it felt that decision-making was always about death and the

clinically vulnerable. And that somehow other elements were discounted; there was a discounting of mental health, there was a discounting of distress for children, there was a discounting in general of the indirect effects of the pandemic. And I think that's a much larger point for the whole population, because that's clearly true for the whole population. But, that discounting of the indirect effects ended up having a very disproportionate impact on children and young people, because they almost did not benefit at all from the direct effects of pandemic responses. Does that make sense?

And I hope I've got to my point I was trying to make, and I think that's, again, quite a high-level point that the Inquiry needs to look at whether there was a knee-jerk consideration only of death and vulnerability now. And the lack of proportionality in thinking across impacts on the population. So that was one point.

I think others have made the point but I wanted to come back to it. The response to the healthcare sector was about initial capacity management. You've talked about lots of things, but what you haven't spoken about is the standing down. So there's – sorry in the sub-bullet point two, under the response to the healthcare sector, there's lots about what was done. But, in a sense, the obverse of that was the standing down of children's healthcare, and safeguarding to be redeployed to adult intensive care which happened right across the country in the first pandemic wave, and clearly led to harms to children.

So I think we need to have recognition of that. And there needs to be, you talk about management – sorry, the Terms of Reference talk about management of the pandemic in care homes and other care settings. But of course, children are very rarely in care homes. They're generally at home, in the community. So there are children's care homes. And we would argue that children's homes should be mentioned; they're not just 'other settings'. Because this particularly focuses on the elderly, to be honest. I know it's not said there, but the way it's written is clearly about aged care. But about the standing down of services to vulnerable children in the community and issues around safeguarding and others have mentioned that.

I think one of the things that's missing there from the health and care sector is the interaction of the health and care sector with schools. There's a lot of public health decision-making and involvement of health and care staff in other areas. And there is a visibility of educational facilities to local authorities, for children, that gives local authorities control over children's lives that they don't have for adults in the workplace. And that's a very real thing, and not to offend any of my colleagues from the ACDS. They do very good work, local authorities do. But there is a sense in which public health in local authorities gets a lot of information on children, has a lot of control over schools, but actually has relatively little control over workplaces. It is my belief that some of the reasons for the differential focus on schools and some of the harms that potentially occurred may have resulted from that. I will stop there for the moment. Thank you.

Sam Hartley: [00:39:00] Thanks, Russell. So no other hands up at the moment. But I'd reflect back one of the things you said, well, another question, really. I think I've heard in some of the other roundtables that I've done and indeed in just some of the general feedback we're receiving, that the Terms of Reference may be a bit too focused around death, health, clinical impacts, and

less so on the societal, social, cultural side of things. I'm just interested to hear from anyone around the virtual table as to whether they recognise that or not.

The second thing is, as I pause until I see some hands – Anna, thank you very much. The second thing I'll put out as a question now for people to think about is – I think it was Steve mentioned it about where we are essentially in the sort of tail, if it is the tail, of this pandemic, and how the Inquiry can take into account that process, because I think if we acknowledge that there's still harm, whether that be clinical, medical, mental health or other, or economic harm to come, how the Inquiry might sort of factor that into the way that it goes about its sort of investigation. So I'll leave that second question with you to think about. And I'll invite Anna, and then Judith, to come in.

Anna Feuchtwang: [00:40:19] Thanks very much. And it's actually just an expansion of the points that have already been made. But in answer to the question about the focus of the Terms of Reference currently on the immediate impact on death and physical harm, I think it's been mentioned but really has to be emphasised is the exposure to additional safeguarding risks for children during the lockdown, which we are only beginning to understand now. But certainly, we consider it to be, you know, given the amount of children who have fallen off the radar completely, that it could be considerable.

But then, as has also been mentioned, the long-term educational outcomes or disrupted learning, and the ongoing lack of willingness to re-engage with school, predominantly reported as being due to high levels of anxiety and poor mental health. So these are really generational issues, in terms of the impact of Covid-19. And, actually, whether or not then the measures taken to address educational, social and mental health for children, were, as Russell has put it, proportional given the – so I guess there's a risk to the Terms of Reference, repeating the problems that happened in the first place. All the concern, understandably, was about preventing death and not thinking about the long-term consequences, particularly for children and within the group of children, particularly for the most vulnerable children, including those with disabilities and special educational needs, who are now even further behind. So the inequality gap has widened. And I think there's something about that. And therefore, if the Inquiry is able to look at that, then we're more likely to get solutions in place, which will help those children catch up.

Sam Hartley: [00:42:28] Thank you, Anna. I think Judith next and then Purnima. And then Tom.

Judith Turbyne: [00:42:34] Yes, I want to make a bit of a reflection, slightly from a personal point of view, but also from the idea behind doing an inquiry, which is, we're all talking about the harms, which is absolutely right, you want to get to the bottom of them. But you absolutely want to get at the positive stuff that's come out, because of the changed ways of doing things, the changed way of working, the challenge to our education system – we've now gone through a massive review in Scotland, because obviously, a lot of the stuff wasn't working generally for our children and young people.

So I'll start off as a mother of a young teenager at the start of the pandemic. I suspect my relationship with my son is better than it would have been had the pandemic not come because I wouldn't have seen him for two years. So it's just a plea to say – yes, absolutely, we need to dig

down to see where there's been a negative impact. But – and I know the Inquiry will do this – but I think sometimes there's a tendency not to then actually say, well, let's learn from, you know, sometimes a good learning also comes from what little shoots of plants came out during that phase? And how can we build on them? Or how can we learn from them for the future? Sorry if that sounded a bit 'Pollyanna-ish', but you know, yeah.

Sam Hartley: [00:43:44] Thank you. Thank you, Judith. I mean, the point has been made elsewhere as well, so well worth making it. Thank you. Purnima.

Purnima Tanuku: [00:43:54] Just, you know, in terms of talking about the Terms of Reference, and how wide and broad this is, because of the age range that we're talking about, right at the beginning of the pandemic, we didn't know enough about Covid-19 or the impact of Covid-19, and how any age range within the population are going to be affected. But we do now, because there's an enormous amount of research in terms of the impact of Covid-19 on children and very young children, right from the age of nought to five to all through the school age, because we're seeing that their behaviours, and we're seeing the areas of concern that providers are facing in looking after those children now, especially the Covid-19-born babies.

So in terms of the scope of this Inquiry, and because of the broad nature of it, would that research be playing a part in the Inquiry, i.e. will you be looking at some of that research to be able to input into this Inquiry?

Sam Hartley: [00:44:57] Thanks Purnima. So if I just address that as much as I can. I think the simple answer is we don't quite know yet what research and what evidence Baroness Hallett would want to call. You would have seen in the literature we put out that we don't expect hearings to start until next year, 2023. And that's because a lot of this year is going to be doing exactly what you suggested Purnima, which is looking at the evidence that's out there, identifying what's there, what can be used and should be used, and seeing where there are gaps and calling for the evidence where there are gaps. So I can't give you a yes/no answer right now. But rest assured that that's the first stage that the Inquiry will turn to, once the Terms of Reference have been settled and published. Tom.

Tom Madders: [00:45:45] So I've just been reflecting on the conversation and thinking about what's the point of all this. And I guess it's to make sure that the most important lessons that we need to learn are learnt as quickly as possible, given that we are sort of continuing to live with Covid-19. And I suppose my reflection is that because of how much focus there has been on that prevention of death question, and how do you protect the NHS question. And perhaps less energy has gone on to that societal point – what are the impacts of all of these things on how we live, on our mental health, on children and young people and how they grow up?

And I suppose, given that those are all quite live issues that we've not given quite as much thought to, perhaps that is where – to answer the question that's been posed – perhaps that is the more important place to start. The other point I wanted to make just while I'm here is around race, and I suppose just, again, I felt – I guess from the whole Terms of Reference, there's very little framed around demographics, I suppose. Which feels kind of deliberate.

But then I guess the point we're making around children and young people is unless you do specifically go, 'And what about children and young people,' we feel like they'll be lost. I think there are other groups for whom that will also be the case. And we know that people of different ethnic backgrounds have very different experiences of the pandemic. So I guess, yeah, just bringing that into the room, as well as perhaps a focus that feels like it might be missing from these Terms of Reference.

But I wondered, in terms of demographics, what's the rationale for just sort of not going 'and this group and this group'?

Sam Hartley: [00:47:33] Thanks Tom. So in terms of what's the rationale, and it just sounds a little bit like I'm passing, but obviously, these are the Prime Minister's Terms of Reference, he and the government have written the first draft. And the purpose of this consultation is exactly to hear from you and others about what else needs to be specified. There is something in there about inequalities, but it may be that that's not enough, much as the point obviously, that you've all rightly and forcefully made about the explicit nature of naming children in there as well.

So the rationale such that there is – is that I think the Terms of Reference have started broadly. And we're here to try and finesse it, where we think appropriate, if that's an answer for you.

Tom Madders: [00:48:21] That is. Thank you.

Sam Hartley: [00:48:24] Thank you. Tom, you touched on sort of timing and speed and learning lessons so that we can avoid something like this or mitigate something like this in the future, which kind of touches on questions two and three that we set out. And now with the absence of hands, and we are very happy to come back to some other key points in the Terms of Reference, if required, but now might be a good time to think about those second and third questions.

And just to remind you, I'm sure you have them in front of you. But the first one is about, out of the topics that we've got, is there a way that we can look at certain things first, which ones should we look at first? If indeed, there is a way to do that. And then of course, the second one is about the tension between doing a very, very forensic, thorough, robust, all-encompassing inquiry, that potentially takes longer, or trying to set some sort of targets for end dates of hearings. So such that Baroness Hallett can make some interim recommendations, and therefore, hopefully, affect some change sooner rather than later. So, very interested to hear your views on either or both of those questions. If you have any.

Tom Madders: [00:49:42] I don't know. It's a really difficult question. In terms of the quick and urgent versus forensic and longer term, I suppose I would just in an attempt to answer it, would point to the urgency of the situation. And just like how rapidly and how severely things are getting worse in the area that I look at, which is young people's mental health, and how urgent there is a need for some answers around how we manage this in a way that has a less profound impact on those young people.

And I don't know how that is managed in terms of an inquiry like this, but for there to at least be interim findings that can point towards some different ways of doing things quickly does feel important to the demographic I'm speaking for.

Sam Hartley: [00:50:40] Thanks, Tom. Steve, I think you had your hand up first. And then Katy, after that.

Steve Rollett: [00:50:45] Thanks. On the issue of prioritisation, I mean, it's a hard one; there's probably no right answer. My gut instinct – and this is speaking from the perspective of the schools and trusts that I represent as publicly funded institutions there to deliver education on behalf of the public. It feels to me like the second bullet point, I just put something in the chat about this a moment ago, around how decisions were made, communicated and implemented, feels really important in terms of our learning about how do we help if there was an extension of this, through subsequent waves or indeed something else, God forbid, that comes up in the future.

That seems to me to be the interface really between government, state direction and what's happening on the ground. And I put in the chat 'guidance', I think, although it's not explicitly mentioned here. I think it's probably implicitly there: how decisions were made, communicated and implemented. But certainly, I think from schools' perspective, there was an awful lot of guidance and not always delivered with a lot of lead-in time. So that would seem to me to be a really important area for us to look at with some urgency, I think, because I think improving that practice, probably gives us a little bit more resilience moving into the future.

Sam Hartley: [00:52:04] Thank you, Steve. Katy.

Katy Block: [00:52:08] I put my hand up, and I keep changing my mind. I don't know, in wanting to go fast but wanting to learn the right lessons, and thinking particularly about children. I just don't know whether it's better to go deep into specific cohorts that we know had really difficult and probably bad experiences like the 400 or 500 children in youth custody, who were absolutely diabolically treated, and the inspectorates have said that, and to secure custody – custodial sentence – centres were closed down during the pandemic, because it was just terrible.

But I just think in terms of volume and impact, and the number of children affected, I think it's the education and mental health that are really the key areas. I presume, every single meeting you go to, everyone's going to say, 'look at our bit first,' but every child is going to be impacted by those two things. So in terms of, you know, being utilitarian, education and, and mental health feels helpful.

Sam Hartley: [00:53:23] Thanks, Katy. And don't worry about changing your mind often, you can imagine what we're thinking and Baroness Hallett's thinking at the moment, as well. So hopefully, this conversation will help clarify and crystallise your views. And as I said at the start, there's still a couple of weeks left, and you can certainly write in to us with more formed views. Purnima and then Russell.

Purnima Tanuku: [00:53:50] I suppose there's no such thing as simplifying a public inquiry into something like this. But I think looking at the nature of that the huge amount of issues that cropped up, even just through the discussion, perhaps maybe the one way the Inquiry could actually look at this is in the thematic approach, considering there are so many age ranges within this, for example, you know, the impact of children missing out on early learning and development, to missing out on school.

And, of course, the effect of that, and of course, how that affects life chances and poverty and families' ability to work and equality of access, long term health outcomes. So it could be a kind of a thematic approach that the Inquiry could follow, to be able to capture the maximum amount of evidence and information to be able to help us to actually move forward, because let's face it, we are still living with Covid-19, and we will continue to live with Covid-19.

Sam Hartley: [00:54:54] Yes, thanks Purnima. And, again, to sound like a stuck record, we'd be really interested to hear your views thought through and written into us, as well, as part of the consultation because it is a challenge that Baroness Hallett's thinking about. Is it thematic? Is it chronological? Is it geographic? Is it based on outcome? There are lots of different ways that you can cut a public inquiry. So thank you for those thoughts. Russell.

Russell Viner: [00:55:18] Thanks, really interesting question. I guess I don't envy Heather Hallett the decision. I would argue that the things to look at first, are the things that are still actively possible. I don't think we're out of the woods with issues around schools; Covid-19 rates are rising. And I'm not sure about the exact timing of the pandemic. But it would feel wrong to start with a very strong retrospective look, at a time when we could learn lessons about what should be done now and next.

So I would argue, probably not for thematic and others, but to potentially look at decision-making. One of my other colleagues said 'decision-making and communication', particularly decision-making and communication are areas that may still be active. I think that's the first thing.

And I think for children and young people that's about school policy and clearly school closures. So I would argue that that should be right up there. Because we may be facing that again, potentially with a new variant, potentially in the summer, or much more likely, autumn and winter again 2022. You know, God forbid.

Secondly, I suspect I would take a harm-based approach. I suspect it may be very difficult for you politically not to look at the greatest harms early; for example, deaths in aged care. And I suspect many people will argue for that. And certainly, I wouldn't necessarily argue for children to be prioritised over that. I think that's a huge issue. And again, an issue for how aged care is managed, moving forward as Covid-19 rates rise, which they are doing in the over-70s. But I would then put forward children and young people, I think it's about safeguarding, education, and mental health are the sort of greatest harms there for them.

Sam Hartley: [00:57:30] Thank you, Russell. Anna.

Anna Feuchtwang: [00:57:33] I guess it's more of a plea on this, I put in the chat, which is there is a risk, whenever the Inquiry happens that everything else gets put on hold. And we've seen that actually, during the pandemic, a number of things like, for example, the green paper on special educational needs and disability and the white paper on education in Westminster anyway, have both been delayed by the pandemic for understandable reasons. But I guess that I would just want to make sure that whether it's long or short or slow – that we don't delay other things happening.

And therefore I'm just wondering about the thing about data and evidence is that there's a lot of it being collected, and whether there are some parts that where there could be some faster, more

uniform ways of gathering and locating that data on all the vulnerable groups we're talking about so that the Inquiry has access to it more readily, because I'm always worried that things will get lost, the longer things go on.

I think later on, we're going to be talking about how to involve children and young people themselves. And that does need to be done really well and properly, and can't be done quickly. So I guess that sort of helps a little bit with the speed of things. And I think finally, I might have said it before, but I suppose just reflecting what other people have said, it feels to me like there are two fundamental questions with the Inquiry, which is, was the balance between measures to control the spread of the virus and maintaining the balance between controlling its spread and maintaining the welfare and rights of children the right ones given that available evidence? So that's sort of question one.

And then were the steps taken to mitigate the impact of the measures on children the right ones, with particular emphasis on children who were already likely to be disadvantaged. So I think that's that sort of inequalities gap that I talked about before. Seems to be the sort of top-level priorities. Totally, totally agree with everybody else that if you want to start at the top of the list for children is about missing out on education, in all its settings, including early years settings and mental health and wellbeing, which we know have been impacted on significantly.

Sam Hartley: [01:00:08] Thank you. And as you rightly trailed, we're going to come on to get your views about how the Inquiry can hear from children and others around the country, outside of the formal structures of the legal process of the Inquiry. Before I invite Judith to come back and just thinking about what you were saying - I think Judith and others about the things that went well, and things we want to keep. I'd just be interested in people's views about what they think has changed structurally in terms of Government decision-making. How well have the Government done and others in power in making changes through the pandemic that may be long-lasting and promising in the future. But I'll leave that thought for people to think about and invite Judith in.

Judith Turbyne: [01:01:02] Just very briefly, I was going to follow on from what Anna was saying. When you start looking at anything to do with children and young people, if you take that rights [inaudible], and look at which groups of children's rights are less likely to be fulfilled, that gives you that intersectionality approach from the very start, and therefore you can kind of concentrate down a bit. Yes, you should be talking to a wider group of children and young people, you should be concentrating on those whose rights are much less likely to be fulfilled. So that's just what I was going to throw in there.

Sam Hartley: [01:01:36] Thank you. Thank you, Judith. So, nobody wants to take the bait on the question about positive lessons learned and how we can sort of reflect on the process of the Inquiry. Anna you might – Anna and Judith. Yes.

Anna Feuchtwang: [01:01:50] Well, we were all struck – those of us that were engaged very early on by Government departments, and very senior level, within, certainly the Department for Education, at how the obstacles to joining up bits of Government that had had existed prior to the pandemic, were miraculously and brilliantly lifted. And we haven't entirely gone backwards on that yet. But there is a risk that it will. So we, for the first time, were having joint meetings with about

five or six different Government departments. And therefore there was much – and continues to be much, much better join up and also a real willingness from Government departments to engage the children's voluntary sector. In England at any rate – we work directly in Northern Ireland too and that was the case too, but obviously, in that devolved nation, it works very differently.

So I think that that was really to be welcomed. The speed of decision-making in the children's sector. Some things went better than others, but there was very, very good access, at least. So we did feel we were being listened to.

Sam Hartley: [01:03:12] Thank you, Anna. Judith, your hand was up. And then Russell after that.

Judith Turbyne: [01:03:22] Yeah, just a few points. I think that some of what Anna was saying there about the way that crisis brings different parties together in a way that doesn't feel possible in, as we say, peacetime, but you know what I mean – when you're not living through a crisis. And it's very easy to lose that once you're not in that crisis situation. And learning from that, and working out how to actually keep some of those mechanisms going, I think it's really very, very important.

I mentioned the situation of education and exams in Scotland because there was a real movement, towards the times of the exams, which were really affected where people did really listen to children and young people, there was a lot of coming together of different parties. And it resulted in a change actually in policy at that time. But it's also resulted in a shake up of the education system overall. So I think, you know, you're actually saying, 'Look, this is the time, we've got momentum; let's look at that and let's change', I think is really good.

I think there's a wider issue for me that really does affect children and young people, and I see some backsliding on this already, particularly, I would have to say from sort of central Government, from the UK Government. The ways of working changing absolutely changes the balance of people's lives and gives the potential for – I'm a single mum with one child, it gives the potential for me to have a much better life/work balance, and that has significantly changed during the pandemic and ways that Government departments found it difficult to imagine, some charities found it – not all, many charities were already trying to embrace this.

So I think again, it's not just about children and young people, it's about the family overall and how you can make that work. So while some of that was difficult, you know, let's face it, some people did feel crazy living with their children 24/7, but there were real benefits from that shift. And I think learning from these things, building them into how we think about work, talk about work, talk about family life, I think is all quite important.

Sam Hartley: [01:05:27] Thanks, Judith. Yes. And on a personal note, as a father of three children, I recognise both the positives and the negatives that you've just set out there, of what's happened. I'm going to go to Russell and then Purnima.

Russell Viner: [01:05:43] Thanks. I'm just reflecting on how do we learn lessons? I think that was the exam question, wasn't it, that you were asking us about? And I very much concur with Anna. It felt extraordinarily different during the pandemic; there was an openness – and it wasn't just Government. I obviously work in health and there are a lot of arms-length bodies in health. And

their openness and willingness – this is in England, I should say – to work with academics and charities was extraordinarily different to how it normally is.

And sadly, I think some of that has continued, but much of it has gone back to old behaviours. Some of it has continued. I'm a paediatrician and there have been extraordinary shifts in technologies that weren't about new technology, it was about slowness of adoption of technology by the NHS and others – that's allowed us to do things differently for the benefit of children and young people.

I mean, simple online consultations are brilliant for a whole bunch of patients and a bit disastrous for others. There's a huge amount of learning there. But it also allows much more rapid and easy intersectoral working. Now I can have Zoom calls with teachers and GPs, whereas we previously would have tried to take months to get everybody together in a room and never had them all. So there's huge potential for intersectoral working.

The third thing that I think – so there's, with indirect healthcare, I suspect it's similar in education. The other issue is about data. And I think the Covid-19 devastation allowed the linkage of a whole bunch of datasets that could never have been linked before. And I as an academic have found that exceptionally important. But this is not just an academic exercise: we've been able to undertake analyses at the request of the CMO and the JCBI that directly then inform vaccination decisions for children and young people in England.

And so there's been the ability to link data appropriately and in a safeguarded way within secure settings, link datasets where there previously would have been months, if not years, of negotiations about that, I think has potentially really benefited children and young people. And I hope that one of the learnings that will come out of this is the importance of use of a common identifier, the NHS number, across children's health, education, social care, which is explicitly not allowed in England at the moment, but we see happen in other jurisdictions.

Sam Hartley: [01:08:40] Thanks, Russell. Your reference to arms-length bodies has prompted another question in my head, which I've heard elsewhere in some of the other sector roundtables about whether the Terms of Reference is a bit too focused on Governmental decisions and Governmental advice and guidance. I'm just interested in anyone's views about whether you think that the role of regulators, voluntary bodies, advisory bodies – generally the public sector landscape that is involved in providing guidance is reflected enough in the Terms of Reference. I'll leave that with Russell for a minute and come to Purnima. And then Steve, and then we can come back to Russell, unless others have views.

Purnima Tanuku: [01:09:27] In fact, that was one of the points I was going to bring up as well. But I think in terms of the positives, and obviously there are some positive lessons that we've all learnt through this. But I think the most important thing is – I'm speaking on behalf of the early years educators, obviously – public perception of what early years educators do has changed dramatically. Because when parents had to work from home as well as look after two or three young children, that's where there's a newfound respect for all the early years practitioners and nurseries and early years childcare providers. Because that's when, actually, parents and carers realise how much and what a fantastic job that they do in terms of not just looking after their

children, because that will be the perception, is the care element was even more important because they were constantly being in touch with the parents to make sure the children are safe, and also passing on some of the activities as well.

I think the second thing I'd like to raise is hybrid working. And I think hybrid working has helped everybody, not just in any one particular sector. Of course, there are some sectors who couldn't do that. But I think that really has helped. But that also created challenges for parents, especially if children have been at home. And the use of technology has already been mentioned. And I think, you know, some of us had never even heard about Zoom before. But you know, we suddenly had to become experts in that.

But I think the issue that you raised about organisations and third sector organisations – I think the Government departments really recognised the value of what the third sector can bring to the table, because we are the people who are on the frontline, gathering the evidence, and gathering that information. And I think that became quite obvious, because we operate, like I said, across the UK. The guidance was different in each nation, in the devolved Governments, and the rules were different. And it was so confusing for parents, as well as for the people who are providing that early years care and education.

So I think what we were able to do is actually translate that into an easy-speak and kind of understandable language to everybody. So I think there is definitely a newfound respect, I would hope, even within the Government departments of the third sector and the contribution of the third sector organisations and representative bodies, like us, have done during that period.

But I think the other positive is the cross-departmental working. And I think, you know, Anna has already mentioned that, we were dealing with the Treasury, we're dealing with DWP, we're dealing with DfE, and the Number 10 Strategy Unit, all these issues. And I think that really did help – but I think the frustrating thing was the guidance used to come midnight on a Friday, always; you know, that was so frustrating, but I think we were doing that, but internally different Government departments, they weren't actually joining up those things. And that's where frustration came from. But definitely there are positives in terms of how everybody worked as a team together.

Sam Hartley: [01:12:38] Thank you, Purnima, yes. Goodness me, a newfound respect is right, certainly, for those stuck at home with children. Steve, and then Russell.

Steve Rollett: [01:12:48] Thank you. So I'm not sure whether these are positives. I think these are probably questions to explore, of which there may be positive parts that I'm going to mention here.

So again, from the perspective of the sector that I represent, there have been, I think, probably at points through the pandemic, an ongoing tension between the extent to which decisions need to be made centrally, and the extent to which those decisions need to be made close to the ground. And I think at points during the pandemic, that balance has been really not right, and not helpful. And I think probably other times it's been better, and it has worked. And I think there's something important there probably for the Inquiry to be cognisant of, again, in terms of future learning.

The second thing is, certainly what I'm hearing back from schools and trusts out there, real positives, I think, around partnership, working both between schools and other schools, trusts and other trusts, trusts and local authorities, as well as I think other bodies as well. So again, I get a

sense that similar to what Russell was saying,, that there've been some positives. And I suppose the challenge is to make sure we don't lose that and that we manage to bank that for the future.

Sam Hartley: [01:14:10] Great, thank you, Steve. Russell, and then interested in anyone else's reflections on my question about the role of regulators, arm's length bodies, advisory bodies, and so on. And then I think we'll probably move on after that to talk about how Baroness Hallett can hear from people most affected outside of the legal structure of the Inquiry. So over to you, Russell.

Russell Viner: [01:14:35] It's an interesting one. And of course, the first thing that you stimulated in my head was about the dissolution of PHE halfway through the pandemic – which is Public Health England, so it's an England issue – but whether that is within the Terms of Reference of the Inquiry. There's a number of people nationally and internationally who felt it was extraordinary – a decision to disband your public health body during the middle of a pandemic is quite an undertaking.

And I'm trying to look at your bullet point one. And I'm not sure that that's actually in there. I don't have a form of words. But that's not what you're after, I'm sure at the moment, but that would be a challenge I would have to you is to look at whether that very large-scale Government decision-making about public health organisation is actually reflected in your Terms of Reference.

PHE was an executive arm of the Department of Health. So it was an arm of Government and including now, UKSHSA and OHID, which are the two bits of PHE that remain essentially parts of the Department of Health and Social Care, or executive agencies. The other arms-length bodies are – I suspect, they are absolutely covered by talking about the health sector. It would be very difficult for either any hospital trust or NHS England to argue they weren't part of the health and care sector. But I suspect that's a question for lawyers more than others.

Whether the Terms of Reference adequately look at the relationship between Government, NHS England as the core arm's length body – and as you probably know, there's been a decision made to merge NHS Digital and Health Education England now into NHS England. So there will be fewer arm's length bodies. The relationship between Government, NHS England and the hospital trusts, which have some independence, how that operated? Again, do the Terms of Reference adequately cover those?

Sam Hartley: [01:17:12] Okay. Thanks, Russell. Steve, would you like to come in?

Steve Rollett: [01:17:15] Yeah, sorry. I'm just going to pick up your question on regulation. And again, speaking specifically here about education in schools. I think we have a reasonably fundamental question/problem to resolve, which is not specific to the pandemic, but I wonder if it has manifested during the pandemic. Which is the question of how well theorised regulation actually even is in relation to education in our state-funded sector?

So who is the regulator? It's a question, and if you speak to a lot of people out there, I think on the street, or indeed people working within the education sector, they will tell you often that Ofsted is the regulator. Ofsted is not the regulator for schools; Ofsted's the inspector that regulates other sectors, it is not the regulator for schools, it performs an inspection function. So it's a tool of the regulator. But it's not the regulator itself.

But all of that I think, is fairly poorly theorised and poorly understood. And I think probably people on the ground – and I wonder if by policymakers as well, is a question rather than the assertion, I'm careful there. I think we saw quite a lot of conversation during the pandemic about the role of Ofsted. And I think in order for us to understand then what the role of Ofsted should have been during the pandemic, we need to answer that more fundamental regulatory question first, I think, because a tool of a regulator should fit within a regulatory strategy.

So then there's a more fundamental question, which is, what's the regulatory strategy for education? And then what should that regulatory strategy be during a pandemic? And then only after we've answered that question, I think can we then start to get to important questions about when should the inspectorate have been inspecting? We know there were periods during the pandemic when the inspectorate wasn't inspecting? But then really importantly, what should it have been inspecting? And is it the case that during a pandemic, the inspectorate should be inspecting the same things as it would in normal times?

Again, it's not an assertion, it's a question, but I think it's an important question. And again, it comes back to, for what regulatory purpose, as well? So I think there's a whole piece around that; it's really quite important, probably, yes, for the pandemic, but also for the future.

Sam Hartley: [01:19:29] Thanks Steve; that is really helpful and goes a lot of the way to answer my question about whether the Terms of Reference covers it well enough. Personally speaking, as having had a career, some in the civil service, some in regulation, I recognise your questions entirely. And I think they're very fairly put. What I can assure you is that one of the things that Baroness Hallett will be doing in the coming months before she starts hearings, is making sure that she does know the answer to that herself. And her legal team will know the answer to that as well. So I can give you that reassurance now.

I don't see any other hands up in relation to the first few questions. And this seems like with 40 minutes or so to go, a good time for us to move on to talk about some of the sort of engagement and ideas that you might have for how Baroness Hallett can make sure that she has got a full picture of the impact of the pandemic on people who will not otherwise be heard through the various sort of formal legal structures of a public inquiry.

Now, in designing this, in our heads, we have some other inquiries that have done similar things in mind, but we don't want to be beholden to some of the other ideas other inquiries have done, and we're really, really interested and open. And part of what this – essentially this virtual and physical roadshow is about – is testing the water with Baroness Hallett with bereaved people and people who've been otherwise affected.

So I'm really interested to hear how we can design the Inquiry such that we can hear from obviously in particular, given your specialisms and hear from children, but not just exclusively children. I don't see any hands, but I'm hoping that people want to, if not reinforce the point needs to happen, give us some ideas about how we might best do it. Thanks, Judith. And then Anna after you.

Judith Turbyne: [01:21:24] Oh, now you've got loads. Yes, particularly on the issue of engagement of children and young people. And again, I think over the last few years we've seen

really quite a – paying more attention to that and trying to make some real authentic engagement with children and young people and there's some really good practice out there, some really good examples of where that has worked well.

And one of the things that we talk about a lot when we're talking about this is with children in Scotland, and with our members and so on – there's a lot of information there already, we've talked about that already, and making sure that that has been captured before you take the next stage, because sometimes what you end up doing is consulting on something that's been consulted on and consulted on and consulted on. So, if you think about all the work that's been done during the pandemic, and on education or on other things, making sure that information – and that's a nice job for somebody in the team – is drawn on, summarised, really understood.

And then you go, what's missing? You know, what are the groups that have not been heard from? What are the people whose rights are less likely to be fulfilled at this time? How do we tap into them? And even when you get to that stage, I think when you're looking at the different - and it'll be different in different parts of the country, but there are quite a lot of established groups that are usually quite democratically formed or whatever. So we support a group of inclusion ambassadors who are children and young people – well, young people with additional support for learning needs. And they come together. They're a group that exists, we've got a group of children changing our world, but there's lots of groups. And so in a way, you might need to get extra groups.

But actually, it might be an easier mechanism to go, 'Look, you're working with these groups, which is the best group?' And maybe bring several groups together and say, 'Let's have this conversation.' So – because I think what can end up happening – and we kicked back recently, when we were asked to sort of form another group to do something in education and we went, 'Well, listen, we've got all this stuff going on. Let's just use that.' So you don't want to do that, because that's loads of work. And I think as Anna said earlier on, if you want to do it properly, it takes quite a long time. So getting the information, working with the groups that exist, and then identifying the bit that's missing. That's what I would say.

Sam Hartley: [01:23:45] That's great. Thanks, Judith. I think Anna was next. And then I think just so I'm clear in my head, it's Katy, then Tom, and then Russell.

Anna Feuchtwang: [01:23:51] Judith actually said everything I was going to say. So I heartily thoroughly endorse that. Don't keep asking the same questions, because obviously, there's also a risk of children having to tell their stories endlessly and that isn't good for them, either. So most organisations around this table, I'm sure, and I know we did it, too, were gathering evidence from the very beginning about the impact of Covid-19 on children and young people, there's loads of it out there.

So I totally agree with Judith. Let's do a sort of desk report analysis first, and then look at the gaps. Absolutely. Then also, all of our experience of this is work through existing groups where you can, because there are trusted relationships and people know how to get the most out of children, young people.

So the new point I'd add is, don't forget that it is also absolutely possible, and I'm sure Purnima would support me on this, to get evidence from very young children and children who don't have verbal communication skills. And they often get left out of these things and what you end up with is the people who are most confident. This is probably true of the adult world too: the most able to express themselves coming to the forefront. And actually, we should be looking at gaps as well.

Sam Hartley: [01:25:12] Great, thank you so much, Anna. Katy next.

Katy Block: [01:25:16] Just to hear it for the third time, I'd just say exactly what's already been said. But perhaps some more practical examples. So they're the more articulate and engaged, but that, you know, there's a network across the country of young MPs. And the Children's Commissioner for England did a huge exercise last year, the Big Ask, where she had over half a million responses from children. And obviously Covid-19 was a huge factor in that. So there's a huge resource there to draw on.

Existing charities also have lots of engagement forums so I think we'd particularly advocate that you get in touch with charities and representative groups that work with children in care, because I think they've had a really disrupted experience. So perhaps they weren't able to see their birth families for months on end. And then just kind of a letter to a local authority to say, for onward sharing, so the local authority could send – if you had an accessible resource, they could include that in the school's newsletter for onward dissemination, they'll have a youth council, they'll have a children in care council, they'll have an SEND forum.

So local authorities can do that at the community level. And then just thinking about the way you know that accessible, easy read kind of articulation of what the review is looking at, and then perhaps just a consideration of alternative ways of children being able to submit their views. So it isn't just a written submission; could they send in a video? Could they send in a picture, just to make it as easy as possible for them to share their experience? That's it.

Sam Hartley: [01:27:05] Thank you. Thanks, Katy. Tom,

Tom Madders: [01:27:08] It's a very quick build, because it's in agreement with most. I suppose, the approach I might take would be thinking about that desk research, which has been committed to; that will identify groups who have been most profoundly affected. And oftentimes, those groups will be people who it is harder for an inquiry like this, just to get the views of, and that's – so I suppose I'd start from there, who are those groups who have been most profoundly impacted. And which organisations can help me to elicit views and opinions and give confidence to those people to come forward and offer their testimony, is probably the way I would approach it.

Sam Hartley: [01:27:59] Great, thank you, Tom. Russell, before you come in, what I was going to say at the end, but now seems as good a time as any to say it, is that we would really welcome support and advice. And obviously, we're capturing the stuff in the chat. So thank you very much for some of those ideas, and we've got the recording of this. But if we can keep your details on file and come back to you, in due course, when we start to plan this process properly, the listening process, if you like, I would very much appreciate it. Russell.

Russell Viner: [01:28:27] Absolutely. And I won't say much. There's huge numbers of organisations that do this very, very well and will do it, essentially, you know, I'm sure most of the

charities because they have their own groups. There is a slight tendency for – I hope others don't disagree with me or shoot me down. There's a slight tendency for some groups in this space to be dominated by children, young people, with particular issues. And I think one of my concerns is, how do you reach children that may not already be part of a special interest group or a special area? And I think they're going to be the most difficult to reach. And I love the dimension of the Big Ask. And again, the logic to me would be to repeat some of the methodology of the Big Ask, which was all online, all over. But very happy to help suggest organisations and others. We all have lots of links, I think.

Sam Hartley: [01:29:29] Yeah, thank you Russell. And as Katy's put in the chat, as she said, going through schools and local authority newsletters and so on, I think will help alleviate that. Tom.

Tom Madders: [01:29:40] Yeah, just a really quick one. I agree with all that. And I think the considerations about how to give people the most comfortable and safe and secure ways of giving testimony is really important. Then there might be something really powerful in making sure that as part of this, there was some kind of direct - I know that how this sessions going to run - but to hear directly from some young people, I think can be really powerful too, rather than just reading a report of what they might have said in a room somewhere else. And I think I'd probably advocate for that to be part of this process. And I don't think they're mutually exclusive.

Sam Hartley: [01:30:18] Thank you, Tom. And as to how the session – how it's going to be run. That's exactly what we're trying to do now and work out. And these contributions are incredibly helpful. I'm afraid I didn't see who put their hand up first, out of Purnima and Anna. So –

Anna Feuchtwang: [01:30:31] Purnima did.

Purnima Tanuku: [01:30:35] Thank you Anna. Yeah, I'm just going to say that there's a huge amount of evidence, but I think what's important to actually hear from parents who have experienced some of these kinds of challenges during Covid-19, and also from providers, particularly early years providers, who are seeing the behavioural issues, and issues that have been or children not attending formal childcare, what that meant in reality, and how they had to deal with it.

You know, we have research in terms of some children who were actually fixated about drawing those yellow lines and arrows within the nursery setting, because that's what they have seen throughout, you know, anywhere. And then there's some children where babies couldn't settle, because they've never even interacted with other babies, even within their own family network.

So there's an enormous amount of information out there, I think it's really important to talk to parents, particularly parents that have had a baby during Covid-19, and how they had to cope with it, and also from providers to what the difficulties and what the challenges that they faced as part of this.

Sam Hartley: [01:31:47] Thank you Purnima, yes; a really good point not to forget about the parents. I'm guessing from Anna's reaction that she's going to support that as well.

Anna Feuchtwang: [01:31:53] Exactly to say to support that, yeah. So nothing to add to that.

Sam Hartley: [01:31:59] Great, thank you. Thank you very much. All fantastic suggestions. Thank you so much for that. And we will have a team of engagement specialists who will be analysing the ideas that we're hearing across the country and will carry on hearing. And as I said, thank you, to all of you, for the offers of help, which we will certainly come back to you in due course.

I don't see any more hands up at the moment. I was going to sort of try and sum up as briefly as I can. And we don't need to go all the way through to 16.00 if we feel like we've exhausted what we have to say today. Before I do that, I had one further question, which is not in the Terms of Reference consultation document, but we're interested to hear from representatives of sectors just how you think or how can the Inquiry or Baroness Hallett retain your trust throughout this? How do we ensure that this Inquiry through its lifetime, retains the very, very important thing of trust both from your professional organisations and members, but also from the children, young people that you represent? And it may be a difficult one, but I'd be really interested to hear how we can make sure we can continue with the, hopefully, good start that we've made. Thank you, Anna.

Anna Feuchtwang: [01:33:21] I was thinking about that, as you said it, and thinking about the answers I've given you already. But actually engaging people right from the beginning and what you're doing today, for example, the co-creation of the Terms of Reference, and then keeping people informed all the way through. I think there is a really good example of a review that did this really well. And Judith can say much more about it. But the Care Review in Scotland, I think did – I mean it wasn't perfect, but it did retain trust all the way through. And we'd have other examples where inquiries haven't done that.

But I think the key element was about being very clear about the boundaries of the Inquiry as well. Being prepared to change it, and you're demonstrating that really well today, Sam, in the way that you're listening and taking views on board. And then keeping communications live and active and honest. As a starter for ten.

Sam Hartley: [01:34:29] Great, thank you Anna. I see Judith has not taken the bait to come in about the Care Review. But maybe you can write to us about it Judith? Russell first and then Judy can come in.

Russell Viner: [01:34:41] Sure. Well said, Anna. In terms of maintaining trust, I think the 'you said, we did' communication style is exceptionally powerful and I certainly echo Anna's point, thank you for listening to us today. I think that's the first bit which is actually starting to build trust. I think to maintain trust would be for the sector to hear, you said, and therefore we did.

And it's not that we necessarily want you to agree with us – I'm sure you'll disagree with us on certain bits, but to have been heard, listened, thought about is important, even if the decision is not then made to agree with the sector.

That's the first point I wanted to make. And the second, hopefully not a facile point, that if you want the trust of this sector, listening to children and young people will get it for you. I think that's the absolute key, and much more important than listening to us. I think for this sector, it's about listening to children, young people and communicating back to them as well.

Sam Hartley: [01:35:44] Great, thank you, Russell. Judith, and then Purnima.

Judith Turbyne: [01:35:47] Yeah, I felt I'd better respond. But actually, no, I think it is a very good example of – that is a massive investment in that communication piece, that ongoing stuff, really, what has just been said by Russell there, just showing what you're doing, why you're doing it. And I think being brave enough to stand up, and say, we're not doing this because of x, y, and z.

And I think, sometimes, and I would say, from the other side, you know, we have to have, if there's a level of trust at the beginning, we have to trust the process a bit as well. And to be able to come back and say, 'This is not working because,' and then, you know, having that dialogue. So I think it is always a two-way street, building trust. But of course, because the Inquiry sits on your side, that communication piece is so, so important. Sometimes it feels like it's a lot of work to invest in that communication side. But that's what went well with the Care Review and the way they set up the different groups and all was referred back and even the end reporting was extremely good and very valued by the different sectors.

Sam Hartley: [01:36:48] Thanks. Thank you, Judith, for that good example. And we will certainly be looking at that back in the office as well. Purnima.

Purnima Tanuku: [01:37:04] I think with any inquiry such as this, which is so broad, I'm sure you've thought about how you're going to meet the expectations. And I think that's where communication is really important, not to raise expectations for any particular specific age group or anything like that, because of the broad nature of this. And that's where all the other research that's been carried out, which can be included as you referenced – to be able to highlight this is what the Inquiry has used as well, because there's no way you're going to please everybody, and no inquiry does that. But I think what's important is that communication, and how to meet those expectations with it being a public inquiry in terms of the different stakeholder groups within the Inquiry is really important.

Sam Hartley: [01:37:56] Great, thank you, Purnima. And thank you, everybody, I'm not seeing any more hands. And I'm not going to do that thing and sit quietly until someone does raise their hand because I think we've had a really good discussion here today. And as I said, at the start, I'm not intending to go all the way through until 16.00 unless we absolutely need to, there is still lots of time left, as I've pointed out a couple of times to submit views through to us through the online consultation or just by emailing us, or writing to Baroness Hallett before the 7th April.

I'm not going to patronise or offend you by trying to sum up that conversation because you are the experts here, the few key bits that I will be left with and actually went into the meeting with some of these already, because as Russell pointed out some of the coverage in the letters and I think very fair points about the Terms of Reference so far. But obviously, the explicit reference to children and mental health is one of the key – sorry, those two separate things rather than just children's mental health, children explicitly, and mental health as well.

The points about intergovernmental working relations, third sector, devolved relationships, consistency, between some of the ways in which decisions or guidance were set out; I think early on, there were points about digital inclusion and exclusion of children during the lockdown stages. I'm grateful to you for thinking through about how we can, in the Terms of Reference, make sure that we have the scope to look at what did work well, what the positives were and how they can

be held on to. The points that came up around obstacles in Government being broken down straight away, the sharing of data, that ability to do stuff that otherwise potentially bureaucracy might have got in the way before that. So we will take that away, as well.

In terms of the sort of questions two and three about priorities, I think you're all in the same space that we are, which is really difficult in terms of how quickly we can move. I sense the general wish for us or Baroness Hallett to be able to make recommendations on certain things. I think someone said things that are still live and can be changed and can be affected, right now, looking at that, and potentially publishing some interim findings along those lines, as well.

But in terms of this sort of the scope around children, looking at safeguarding mental health, I think, first came through quite strongly too. And then, again, finally, thank you for some of the really creative and good ideas about how we can best hear from children and young people, and making sure that we keep their trust by feeding back to them what has been said, and involving them in the process as much as possible. And what is or can be essentially quite a legalistic and dry process too, so thank you to you all for your contributions. Thank you to all for your future contributions as well. And as I said, we will certainly come back to you when it comes to planning the listening project, and all the offers of looking at the evidence and the data that is already out there during this first evidence collation process.

And just a final point, I didn't mention that at the start about what happens next. I think, as I've said a few times now, the consultation is open till 7 April. There'll then be a period of time, depending on how much evidence and data we get, there'll be a period of time where Baroness Hallett will consider everything that's been sent through to her. And I expect that might last two or three weeks is our sort of best estimate. But she's very keen to feed back to the Prime Minister on these Terms of Reference as soon as possible. And also, as I said earlier, to communicate to people who have contributed as to why she's made those decisions or the recommendations that she has made. And what she can do to reassure people for whom maybe the granular points won't appear in the Terms of Reference, but to reassure them that she will be looking at those points as well along the lines of the 'you said, we did' model that Russell set out.

After that the timings are within the Prime Minister's gift. So we hope that he will turn around the recommendations as quickly as possible. And give Baroness Hallett a final and approved version of the Terms of Reference so that she can finally start this Inquiry formally. And as I've already talked a little bit about what happens at that stage, but I've no doubt that we will be in touch around that time as we plan for the engagement and listening project as well.

I think that's everything that I need to say other than a final thank you to you all for your participation. And wish you a very good weekend. Thanks a lot.

[END OF TRANSCRIPT]