

To: Kirsty Williams  
Minister for Education

**Via email only**

22 October 2020

Dear Minister,

Further to my letter to the First Minister earlier this week (copied to you) regarding limited access to schools for some year groups during the fire-break week after half-term, my team and I have now had several meetings with senior Government officials and Ministers in which I've received some further information about how this decision has been reached.

I understand that every sector has to contribute to the fire break provisions in order for the R rate to be brought down, and that this was a finely balanced decision. In the Shadow Social Partnerships meeting this morning the First Minister gave some additional information around how the decision was reached, particularly around the desire to keep the fire break period as short as possible. However, he emphasised that that meeting is a confidential space and I therefore don't have the information I've been seeking in a shareable form to explain to children and families how their rights have been considered and balanced in this.

What is needed is clear and accessible information about the reasons behind the decision for young people in Years 9 and above to stay at home for the week after half term. This should be directed at young people and available on a range of platforms or channels. Whilst I acknowledge that today's press conference included some rationale for why this decision was taken in relation to children in older school years, noting the increased ability of children to learn independently as they age, this rationale does not include the detail shared with me by government about the many children's rights considerations that informed this decision. It is far easier for people to understand and get behind decisions if honest reasons for them are explained in a clear and rational way, and this is no different for children and young people.

In addition, I would expect such messaging to repeat the reassurances that you made in a recent video about how decisions such as those around exams 2021 are being made with the ongoing disruption clearly at the forefront of your mind, and that the Government and others are supporting our children's needs and rights in all that they do.

I remain concerned about the reality of a blended learning approach, which, from evidence gathered to date, is plainly unsuitable for many children, in



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particular those with additional needs or those without the resources, home environment or parental support to enable them to participate in online or self-directed learning. I am repeatedly told by Government and Unions that some teachers lack the skills and confidence in facilitating education in this way, which will further compound this issue for all children, but especially those who are already disengaged or disadvantaged.

I have seen the [frequently asked questions](#) issued yesterday that indicate some level of flexibility or discretion to local authorities and head teachers to allow some children to attend school after half term. I acknowledge and appreciate that this is an attempt to mitigate for the inequalities mentioned above. However, I am concerned at how close to half term that guidance was issued which will place an enormous pressure on head teachers as well as on families and that there does not appear to have been any publicity around this decision; it is something that we had missed ourselves from the announcements earlier this week. I am therefore wondering how workable this option this will turn out to be and how practicable this really is as an option for young people?

If this approach is part of the mitigating measures agreed by the Cabinet in reaching the decision to prevent those in Year 9 and above being in school, the information needs to be clearer on how to go about this. This could perhaps be accompanied by some hypothetical examples of young people who may need to attend school, as suggested by my team yesterday. At present I am unclear as to how my team would be able to best advise or assist children and their families with such queries at present.

Lastly, I understand from your Director of Education that there will be an evaluation of the impact of this decision; clearly this has to include children's own experiences of this situation and not just those of professionals and/or parents. The impact of the first national lockdown on children's rights to education and other support was significant, as evidenced in particular by my [report on the experiences of 15-18 year olds](#). It is clear that there was an enormous impact on these year groups from loss of education and the ongoing uncertainty about their lives and futures. In addition the disproportionate experiences of those from a [BAME background](#) or [disabled children](#) bear out a similar story and in order to fully evaluate the impact of this decision it will be important to hear from children about how it has affected their ability to access their rights, including their right to education.

My office would be happy to advise or support on any aspects of this evaluation and I would like also requests that the results of this are shared with me once it has been undertaken.

Overall, whilst my preference would have been to have all children remain in school, I think the most important course of action now is to tell children exactly what is happening and more importantly why. This needs to be backed up with reassurances that their experiences are being listened to and understood and they will inform ongoing evaluation of how the government's



decisions affect them directly. Any mitigating measures need to be clearly explained and available across Wales to have the desired impact and this needs to be done as a matter of urgency to provide that support and reassurance to all who need it.

Yours sincerely,

**PD**

Sally

Sally Holland  
Comisiynydd Plant Cymru  
Children's Commissioner for Wales

