



EQUALITY COMMISSION FOR NORTHERN IRELAND

COVID-19 and Education: Equality Considerations

Policy Position Paper

23 June 2020

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1 Executive summary

- 1.1 The Commission welcomes and acknowledges the range of steps that have been taken across the education system to mitigate the risks of any loss of learning in the response to COVID-19. In tackling the virus, there must be a focus on avoiding the emergence or widening of inequality. Clearly no-one should be unfairly disadvantaged because of who they are; and protected equality grounds or characteristics should not be a predictor of outcomes.
- 1.2 While data from Northern Ireland regarding the equality impacts of COVID-19 is currently limited, information from elsewhere and on pre-existing inequalities in education suggests that there is a risk that the COVID-19 crisis will deepen known educational inequalities¹, or lead to the emergence of new inequalities, for children and young people now and over their lifecycle.
- 1.3 Urgent action by Government, built on the analysis of equality-disaggregated data and on engagement with key stakeholders, families and communities, is essential to better promote equality of opportunity and avoid the emergence or widening of inequalities in the response to COVID-19.

Summary of Recommendations

- 1.4 Our recommendations for legislation, public policy and/or service provision, which build upon our existing (2018) calls for action², are:
- **Use the equality duties** to inform decision-making.
 - **Collect comprehensive equality data** to identify equality impacts and shape targeted actions to advance equality.
 - **Maximise collaborative approaches** to identify and respond to barriers to education, involving the families and wider communities of key equality groups.
 - Mitigate the negative impact on children of the **closure of pre-school** settings caused by the COVID-19 outbreak, including for those with disabilities, from minority ethnic communities and new residents.

¹ ECNI (2017) [Statement on Key Inequalities in Education in Northern Ireland](#).

² ECNI (2018) [Equality in Education Policy Recommendations](#)

- Take action to identify and mitigate potential negative equality impacts arising from **reduced access to formally taught education**.
- Address any negative equality impacts arising from the **shift to home-based learning**.
- Identify and mitigate potential negative equality impacts arising from any **move to 'blended' learning**.
- Consider the equality impacts of decisions regarding **assessment** and any opportunities to better promote equality.
- Ensure that the **benefits of sharing in education** are maintained now, when schools reopen, and as social-distancing is relaxed.
- Deliver strong and visible leadership to maintain and **promote an anti-bullying culture** within education, and combat the potential for racially motivated negative attitudes and behaviours.
- Assist schools in making effective use of **dual language resources to help Newcomer learners** access the curriculum.
- Identify and address any effects of COVID-19 that **poverty or socio-economic status** may have on the emergence or exacerbation of inequalities experienced by a range of equality groups.

2 Mitigating the equality impacts of COVID-19

- 2.1 The Commission recognises and supports the focus of Government and the Executive on keeping people and society safe and the necessity of extraordinary measures. The Commission welcomes and acknowledges the range of steps that have been taken across the education system to mitigate the risks of any loss of learning in the response to COVID-19.
- 2.2 Equality matters, particularly in a context where initial evidence regarding COVID-19 indicates that the disease appears to have impacts which vary with individual circumstances and equality characteristics.
- 2.3 The equality impacts of the outbreak have the potential to be both severe and long-lasting. The context of the COVID-19 virus itself, of lockdown, of emergency measures, and of subsequent gradual and partial re-emergence from them – has the potential to compound existing inequalities and lead to the emergence of new ones. There may be persistent long-term impacts on equality groups, particularly on those equality groups more likely to experience poverty. There is also a need to avoid and challenge negative stereotypes related to equality grounds, and to challenge and avoid any rise in prejudicial attitudes.
- 2.4 In tackling the virus, there must be a focus on avoiding the emergence or widening of inequality. Clearly no-one should be unfairly disadvantaged because of who they are; and protected equality grounds or characteristics should not be a predictor of outcomes. Action now is essential, built on the analysis of equality-disaggregated data and informed by families and carers, communities and wider stakeholders, to mitigate these risks.

COVID-19: Equality and Education

- 2.5 The absence of formally taught education provision for a period of four months or more, followed by potential resumption of formally taught provision on a part-time basis only, will likely result in educational and social impacts across a diverse range of children.
- 2.6 The current Northern Ireland specific evidence base on potential equality impacts due to COVID-19 currently appears limited. The situation is also rapidly evolving. Our recommendations are based on evidence available at this time and may therefore be subject to change and development.

- 2.7 COVID-19 has the potential to exacerbate existing educational inequalities³, both for children now and over their lifecycle. Accordingly, our recommendations seek to take account of, and build upon, our existing (2018) calls for action⁴ to Government and to the education sector more broadly, to promote equality in education.

3 Recommendations

- 3.1 This section sets out our current advice and recommendations for legislation, public policy and/or service provision relating to potential equality issues in education due to the COVID-19 pandemic.

Use the equality duties to inform decision-making.

- 3.2 In Northern Ireland public authorities are required⁵ to have due regard to the need to promote equality of opportunity and to have regard to the desirability of promoting good relations generally and including when developing COVID-19 related policies.
- 3.3 These are continuing duties and are important duties to observe, even in the context of COVID-19⁶ when policies may need to be developed at pace. The Commission has recently issued an advice note for public authorities⁷ on implementing the Section 75 duties and continues to provide advice to public authorities during this time.

Supporting rationale

- 3.4 Decisions, particularly where they need to be made urgently, may have different impacts on different groups of people. In making decisions, Ministers and officials will need to weigh carefully potential impacts that such decisions have on those who are already disadvantaged, ensuring that any inequalities are not exacerbated, and that individuals are not exposed unnecessarily to direct or indirect risks or further disadvantaged.
- 3.5 The framework associated with the Section 75 equality duties can assist Departments and public authorities to identify and mitigate equality impacts.

³ ECNI (2017) [Statement on Key Inequalities in Education in Northern Ireland](#).

⁴ ECNI (2018) [Equality in Education Policy Recommendations](#)

⁵ ECNI website, [Section 75 duties](#)

⁶ ECNI (2020), [The Section 75 duties when developing COVID-19 related policies](#)

⁷ ECNI (21 April 2020) [Section 75 duties when developing COVID-19 related policies](#)

Collect comprehensive equality data to identify equality impacts and shape targeted actions to advance equality.

- 3.6 To inform effective responses, tailored to the specific circumstances and needs in Northern Ireland, we recommend that all relevant measures are not only tracked in aggregate but also tracked for the impact on individuals from across each of the Section 75 equality grounds.
- 3.7 Education information systems (such as C2K) should collect and disaggregate data by equality ground to identify any differential impact of the COVID-19 outbreak on educational access, attainment or progression.
- 3.8 Departments and public authorities, including statistical agencies, should in general ensure that where they are collecting data they should do so across the full range of equality grounds so that the design, delivery and review of any changes to law, policy or service provision is improved by access to comprehensive analysis. We recognise that there are some limitations to meaningful data disaggregation, however where robust to do so disaggregation would provide greater information to inform the better targeting of policy interventions.

Supporting rationale

- 3.9 Data regarding specific Northern Ireland equality impacts of COVID-19, currently appears very limited. However, information from elsewhere, combined with evidence of pre-existing inequalities in Northern Ireland suggests that there is the potential for a range of equality impacts due to COVID-19, for example for children with disabilities and special educational needs, those with particular language or educational support needs, or those who have been unable to engage effectively in home-schooling.
- 3.10 Data on any differential equality impacts of the COVID-19 outbreak and response is key to putting in place targeted mitigating actions, and to identifying opportunities to better promote equality. Ensuring that comprehensive disaggregated equality data is collected and published will facilitate effective equality analysis, and better inform COVID-19 interventions.

- 3.11 2015 research⁸ into educational inequalities in Northern Ireland highlighted that a lack of robust data relating to several equality groups as regards educational access, attainment, progression and destinations, hindered progress being made on redressing the educational inequalities they may face. The absence of comprehensive equality data from key datasets means that it is difficult for the Executive, Departments and others to assess the nature and extent of key inequalities, as well as to identify effective policy responses and track progress in achieving equality outcomes.
- 3.12 Beyond a specific consideration of potential equality impacts of COVID-19, the Commission has long-standing positions highlighting and calling for action to address gaps in equality data collection and analysis across a range of areas of public policy, including education. In 2017 we highlighted⁹ that where data exists, there is a lack of disaggregation in education data in relation to: ethnicity, disability status, dependency status and marital status. We also highlighted¹⁰ that there remained significant and specific equality data gaps across a number of themes in education in relation to gender identity, religious belief, political opinion, minority ethnic group and sexual orientation¹¹.

Maximise collaborative approaches to identify and respond to barriers to education, involving the families and wider communities of key equality groups.

- 3.13 Action should be taken to ensure that transparent and accessible information is available, and that stakeholders from across the range of equality categories are fully involved in developing and delivering solutions in response to the impacts of COVID-19 generally, and for specific equality groups.
- 3.14 Harnessing relevant expertise and experience, including in rapid response scenarios, will better enable the identification of key issues and the delivery of more effective outcomes.
- 3.15 Developing programmes that involve families and wider communities, alongside education providers, in delivery will further inform and enable targeted local responses to specific barriers to

⁸ Burns, S., Leitch, R. and Hughes, J. (2015) [Education Inequalities in Northern Ireland](#) commissioned by Equality Commission

⁹ ECNI (2017) [Statement of Key Inequalities in Education](#)

¹⁰ ECNI (2017) [Statement of Key Inequalities in Education](#)

¹¹ Burns, S., Leitch, R., Hughes, J., (2015) [Education Inequalities in Northern Ireland](#)

education for pupils and learners across the range of equality groups.

Supporting rationale

- 3.16 Differential equality impacts may arise from the closure of schools and further / higher education providers, the move to home-based learning, and the likely return to part-time or 'blended' education position.
- 3.17 It is already known that lack of family engagement is linked to poorer educational outcomes¹² and the importance of education providers, families and communities collaborating to improve educational outcomes is well understood.
- 3.18 For example, the 2017 'Investigating Links in Achievement and Deprivation' (ILiAD) report noted the importance of broader family / community involvement in education and cited the 'Extended Schools'¹³ provision among the most important school level drivers of attainment¹⁴.
- 3.19 2015 feedback¹⁵ on the progress of local partnership programmes¹⁶ involving children, parents, teachers and the wider community noted successful outcomes such as improved attendance and attainment. The programmes highlighted appeared to be effective in addressing attainment and broader educational issues by involving those outside the immediate school¹⁷.

Mitigate the negative impact on children of the closure of pre-school settings caused by the COVID-19

¹² TEO (2017) [Investigating Links in Achievement and Deprivation](#)

¹³ The 'extended schools programme' allows schools serving the most disadvantaged areas to offer a wide range of services or activities outside of the normal school day to help meet the learning and development needs of pupils, their families and local communities. DENI (accessed 21 June 2020) [Extended Schools Programme](#)

¹⁴ TEO (2017) [Investigating Links in Achievement and Deprivation \(ILiAD\)](#)

¹⁵ McMahon (2015) Full Service Extended Schools (FSES) and; Full Service Community Network (FSCN) Tackling barriers to Learning: the Policy Forum for Northern Ireland conference on Education in Northern Ireland: raising standards, school accountability and leadership

¹⁶ These programmes are designed to address the barriers to learning that children and young people from these disadvantaged areas experience by providing additional support. In the FSCN programme the focus is on early intervention with the parents of children of pre-school and primary school age whereas the focus of the FSES is on supporting learners and their families as they transfer from primary to post primary.

¹⁷ Report by the five ELBs (2015) Extended Schools Annual Report 2013-14

outbreak, including for those with disabilities, from minority ethnic communities and new residents.

- 3.20 The loss of over one term of pre-school education will have a detrimental impact on children's development, in at least the short term. Those for whom it usually has the most significant impact, including children from minority ethnic communities and new residents¹⁸, and children with disabilities¹⁹, will likely feel the loss most acutely.
- 3.21 Steps must therefore be taken to identify and mitigate any particular equality impacts in Northern Ireland so that COVID-19 does not unfairly impact upon the educational progression and trajectory of children from specific equality groups.

Supporting rationale

- 3.22 In the COVID-19 context, it has been highlighted²⁰ that: *'the earlier years of a child's life are pivotal for their development, and investment during this time is particularly valuable, in terms of improving their cognitive and non-cognitive skills. Hence the negative impact from a lack of face to face school provision is likely to be particularly large for younger children.'* It suggests that younger children should be prioritised when schools return.
- 3.23 We note that the Minister of Education has indicated that consideration 'may be given to a full return *rather than phased* [our emphasis] for cohorts of younger pupils'²¹.
- 3.24 There is a long-standing body of evidence pointing to the importance of effective early-years provision. For example, European Commission research (2010) found that children who attended high quality provision had better performance in school, and better economic and social outcomes in later life²². Research in Northern Ireland has found that children who did not attend pre-school showed poorer cognitive and behaviour outcomes than their peers who attended pre-school²³. Echoing the 2011 'Call to Action'

¹⁸ DE (2017) [A compendium of evidence on ethnic minority resilience to the effects of deprivation on attainment](#)

¹⁹ DE (2015) [Study of Early Education and Development: meeting the needs of children with special educational needs and disabilities in the early years](#), page 11

²⁰ Campaign for Social Justice, Prof Anne Vignoles, Prof Simon Burgess (20.05.20) [The COVID-19 Crisis and Educational Inequality](#)

²¹ [Statement from the Education Minister to the Ad hoc Committee](#) (21 May 2020)

²² EU High Level Group of Experts on Literacy (2012) Final Report

²³ Sylva, Melhuish, Sammons et al (2010) Early Childhood Matters: evidence from the effective pre-school and primary education project, cited in Northern Ireland Assembly Research Paper (2013) Early Years Provision, NIAR 68-13

report²⁴, the 2015 PUP 'Firm Foundations' report²⁵ highlighted that early interventions are more effective and less complex than later remedial action. Save the Children (2013)²⁶ has also argued that given the gap in children's development by the age of three, the highest priority should be given to the development of a fit-for-purpose early childhood education and care model.

Take action to identify and mitigate potential negative equality impacts arising from reduced access to formally taught education.

- 3.25 Action should be taken, in collaboration with learners, their families, and the broader community, to identify and address key equality issues, including any associated with:
- The loss or reduction of access to full-time formally taught provision with trained teaching and/or support professionals.
 - The extent to which supports including specialist equipment, personal care or assistants for children with SEN and disabilities will be in place outside of formally taught environments (schools, including special schools or further or higher education settings);
 - Any impact of reduced social interaction with peers and teaching professionals, including for those requiring specialist or language support.
- 3.26 Consideration should also be given to the provision of dedicated programmes of formally taught education to provide 'catch up' learning for those most adversely affected by the loss of learning due to school closures. Such programmes should take account of lessons learnt from relevant programmes in Northern Ireland – for example, the Delivering Social Change 'Literacy and Numeracy Programme' which used newly qualified teachers to deliver tuition to children and young people who were 'struggling to achieve even the basic educational standards'²⁷.
- 3.27 We also have previously highlighted²⁸ the positive outcomes of a number of extended schools and full service community network programmes and we recommend that existing support programmes

²⁴ Purvis, D., (2011) Educational disadvantage and the Protestant Working Class, A Call to Action, p 7

²⁵ PUP (2015) Firm Foundations, Educational Underachievement and the Protestant Working Class
Education: Getting it right for every child

²⁶ Save the Children (2013) Too Young to Fail, Closing the educational achievement gap in NI p.3

²⁷ OFMDFM (10.10.12) [Ministerial Statement](#)

²⁸ ECNI (2018) [Equality in Education: Policy Recommendations](#)

are redesigned so far as possible to provide remote services at this time.

Supporting rationale

- 3.28 The current closures of schools and further and higher education institutions due to the COVID-19 outbreak may result in negative equality impacts on educational access, attainment or progression for children and young people.
- 3.29 A range of steps that have been taken across the education system as a whole to mitigate the impacts of the reduction in access to formally taught education due to the COVID-19 lockdown. In the continuation of this work, steps must be taken to ensure that any differential equality impacts are also identified and mitigated.
- 3.30 The loss of a full term of formally taught education in school or further or higher education environment, along with the potential for a return to only part-time based provision, will potentially exacerbate already identified inequalities for a range of groups including males and those entitled to free school meals, particularly Protestants, and notably Protestant males.
- 3.31 There may also be specific difficulties for children or young people who encounter particular barriers to accessing usual levels of specialist support services that are provided in formally taught places of education, including in special schools. This might include, for example, those with special educational needs or disabilities; those in need of language or wider support – including Traveller, Roma and Newcomer children; or those with traditionally lower attendance rates.
- 3.32 Aligned to its finding that school closures will increase educational inequalities, the Institute for Fiscal Studies²⁹ has recommended that *‘policy-makers should already be thinking about how to address the gaps in education that the crisis is widening.’* We welcome that the Minister has made clear³⁰ his view *‘that some school pupils are more at risk of falling behind in their learning’*.
- 3.33 The Education Endowment Foundation rapid evidence assessment³¹ also found that *‘school closures are likely to reverse*

²⁹ Institute for Fiscal Studies (May 2020) [Learning during the lockdown: real-time data on children's experiences during home learning](#)

³⁰ Department of Education (21 May 2020) [Oral statement to the ad hoc committee on the covid-19 response by Peter Weir MLA, Minister of Education. 21 May 2020](#)

³¹ Education Endowment Foundation (June 2020) [Impact of School Closures on the Attainment Gap Rapid Evidence Assessment](#)

progress made to narrow the (attainment) gap in the last decade.’ It suggested that ‘supporting effective remote learning will mitigate the extent to which the gap widens.’

- 3.34 In this context, we acknowledge the Minister’s confirmation³² that, consulting widely with principals, a wide range of resources to support distance learning have been developed. These included online resources via the C2K Education Network Service; guidance and advice for parents and carers on education websites; support materials for parents of children attending pre-school, primary and special schools; third party funded organisations providing curriculum support and learning opportunities for young people.
- 3.35 With regards to making provision to address any gaps that do, or are likely to emerge, we note that the Education Endowment Foundation’s June 2020 Rapid Evidence Assessment³³ found that *‘sustained support will be needed to help disadvantaged pupils catch up.’* It stated that: *‘Catch up provision, including assessment of lost learning and targeted support, will be essential.’* Furthermore, it found that: *‘There is a risk that high levels of absence after schools formally reopen poses a particular risk for disadvantaged pupils.’*
- 3.36 The Sutton Trust’s April 2020 research into the impact of the school shutdown³⁴ recommended the provision of additional one-to-one or small group tuition for disadvantaged students, and ‘catch up’ classes for children from poorer backgrounds in the summer or when school resumes.
- 3.37 We note the announcement³⁵ of £650m of funding to schools in England to help pupils ‘catch up’ on missed learning due to school closures. A National Tutoring Programme has also been announced which will provide £350m to provide ‘access to high quality tuition for the most disadvantaged young people over the 2020/21 academic year.’
- 3.38 Similar targeted interventions have been used previously in Northern Ireland, and could be used, taking on board learning from their

³² Department of Education (21 May 2020) [Oral statement to the ad hoc committee on the covid-19 response by Peter Weir MLA, Minister of Education. 21 May 2020](#)

³³ Education Endowment Foundation (June 2020) [Impact of School Closures on the Attainment Gap – Rapid Evidence Assessment](#)

³⁴ Sutton Trust (April 2020) [COVID-19 and Social Mobility, Impact Brief #1: School Shutdown](#)

³⁵ Department for Education (19 June 2020) [Billion pound Covid catch-up plan to tackle impact of lost teaching time](#)

evaluation, to provide 'catch up' learning for those most adversely affected by the loss of learning due to school closures.

- 3.39 The Delivering Social Change Literacy and Numeracy Programme (2013-15) employed 310 recently graduated teachers to deliver tuition to children and young people in primary and post primary schools who were 'struggling to achieve even the basic educational standards'³⁶. The Programme's final report³⁷, prepared by the Education Authority, noted positive feedback with improvements in literacy and numeracy of targeted pupils, and reported more effective use of a broad range of data to identify more accurately the pupils at risk of underachieving meaningful involvement of pupils and parents / carers.
- 3.40 There is also the suggestion that current closures and the interruption to moral routines will have impact on focus, self-worth, esteem and stability, particularly for younger or less affluent children who are less able to use technology to maintain contact with peers³⁸. There is a need to provide support for children and young people to address such impacts in the short and longer term.
- 3.41 We note the Minister's recognition³⁹ that '*many will face higher levels of anxiety and distress and will need help with the transition back to school and the impact of the prolonged absence*'. Such consideration should consider any differential requirements by equality category.

Address any negative equality impacts arising from the shift to home-based learning.

- 3.42 Action should be taken, in collaboration with learners, their families, and the broader community, to identify and address key equality issues, including any associated with differences in the effectiveness of the home learning environment, including:
- access to appropriate space to learn and study;
 - access to educational or curriculum support materials;
 - the accessibility of digital materials – either due to access to IT equipment or broadband, or the accessibility standards of the materials themselves;

³⁶ OFMDFM (10.10.12) [Ministerial Statement](#)

³⁷ DE (2015) [Delivery Social Change Literacy and Numeracy Signature Programme Final Report](#)

³⁸ Guardian (20 June 2020) [School closures 'will trigger UK child mental health crisis'](#)

³⁹ Department of Education (21 May 2020) [Oral statement to the ad hoc committee on the COVID-19 response by Peter Weir MLA, Minister of Education. 21 May 2020](#)

- the circumstances and abilities of parents, carers or siblings to support learning – including in the context of wider family, caring and/or work commitments;
- access to related specialist support and equipment – in particular for those children with disabilities or special educational needs; and those in need of language or wider support – including Traveller, Roma and Newcomer children.

Supporting rationale

- 3.43 The home environment, including space to study and the circumstances and abilities of parents, carers or siblings to support learning affects home-based learning. Juggling work or care (inside or outside the home), or education / learning support for wider dependents or siblings, will have an impact.
- 3.44 Similarly, limited or differential access to educational materials and expert teaching support will reduce the effectiveness of home-based learning. Access to related equipment, including specialist teaching / support equipment may also be more restricted.
- 3.45 The reduction in social interaction with peers and teaching professionals may be a further particular issue, including for those requiring language support.
- 3.46 A June 2020 report⁴⁰ by the National Foundation for Educational Research, based on research in English state schools, found that teachers surveyed reported that just over half (55%) of their pupils' parents were engaged in their children's home learning. Additional support for families and children is therefore required now and upon the return to school.
- 3.47 The research⁴¹ also reported that teachers were most concerned about low engagement from pupils with limited access to IT or those who lacked space to study.
- 3.48 A shift to digital based teaching and digital curriculum support materials has a range of potential impacts. Differential access to home computing and/or internet access⁴², which even if available in the home may need to be shared with parents / carers or siblings

⁴⁰ National Foundation for Educational Research (June 2020) [Schools' responses to COVID-19, Pupil Engagement in Remote Learning](#)

⁴¹ National Foundation for Educational Research (June 2020) [Schools' responses to COVID-19, Pupil Engagement in Remote Learning](#)

⁴² An estimated one million children in the UK do not have access to a device or mobile connectivity at home. IPPR (2020) [Children of the Pandemic](#)

(due to their work or learning needs), might limit access to teaching / curriculum support materials, and/or opportunities to engage in virtual learning or discussions.

- 3.49 We acknowledge the Minister of Education's confirmation⁴³ of a scheme to loan digital devices to those 'who may be considered vulnerable and those in examination year groups'. We note an initial focus⁴⁴ on those children in key transition years 11, 13, 6 and 3 (in that order) who are entitled to free school meals and are also within particular priority groups including Newcomer (including Roma) children and children with Special Educational Needs (SEN). We however note that the scheme as announced does not include, in the initial priority groups, Traveller or Roma children (who are not Newcomers) or those children with disabilities not categorised as SEN. Nor does it cover the provision of internet access until later in the rollout of the scheme⁴⁵, thereby limiting the benefit of some IT equipment for those in homes without sufficient internet access.
- 3.50 There might also be differential impacts arising from access to, or the accessibility of, curriculum support materials, be they in digital formats or otherwise. Such impacts might vary with different types of learners or learning needs - for example for those with special educational needs or disabilities; and those in need of language or wider support – including Traveller, Roma and Newcomer children.
- 3.51 In 2017, the UK Independent Mechanism⁴⁶ report⁴⁷ to the UN Committee on the Rights of Persons with Disabilities on compliance with the Convention noted that 'Disabled people continue to experience barriers in accessing information and are more likely never to have used the internet. There are also issues with digital accessibility and the inaccessibility of some government websites'⁴⁸. The UNCRPD Committee subsequently⁴⁹ noted with concern '*The lack of accessible information from public services and authorities*

⁴³ DENI (21 May 2020) [Statement from the Education Minister to the Ad hoc Committee](#)

⁴⁴ We note that the scheme then extends include all pupils who are eligible for Free School Meals in these year groups but do not meet the other criteria; and then, subject to availability, to pupils who are eligible for Free School Meals in other year groups.

⁴⁵ DENI (1 June 2020) Section 75 screening – Criteria to be used in the lending of digital devices to pupils during the COVID-19

⁴⁶ The Equality Commission and the NI Human Rights Commission, together with the Equality and Human Rights Commission and the Scottish Human Rights Commission form part the United Kingdom Independent Mechanism under the UNCRPD.

⁴⁷ UKIM (2017), [Disability rights in the UK: UK Independent Mechanism: Updated submission to the UN Committee on the Rights of Persons with Disabilities in advance of the public examination of the UK's implementation of the UNCRPD](#)

⁴⁸ Paragraph 40, page 40.

⁴⁹ UNCRPD (2017) [Committee on the Rights of Persons with Disabilities: Concluding observations on the initial report of the United Kingdom of Great Britain and Northern Ireland](#)

*and obligatory standards for making websites accessible and monitoring of ICT accessibility*⁵⁰.

Identify and mitigate potential negative equality impacts arising from any move to ‘blended’ learning.

- 3.52 The social, emotional and academic impacts of returning to part-time taught provision, and a ‘new-normal’ of social distancing will present challenges to learners and families.
- 3.53 As more parents and carers return to work outside of the home, potential differential impacts of blended (home and formally taught) learning upon families, and the children and young people within them, must be built into planning.
- 3.54 Particular concerns arise for certain equality groups. Action should be taken to identify and address key inequality issues, including any associated with:
- How children and young people with particular disabilities, such as autism, or special educational needs will be supported to adapt to a changed or changing learning environment;
 - The risk that children and young people with traditionally lower attendance and transitioning rates such as Traveller and Roma children will not return to school or have lower attendance rates than previously;
 - That children and young people who have, or perceive themselves to have, fallen behind their peers due to an inability to engage in home-based learning may disengage from formal education. This potential disengagement may be exacerbated when attendance is part-time and phased.

Supporting rationale

- 3.55 We note⁵¹ that the Department is establishing a ‘Restart Programme’, which working alongside a wide range of stakeholders will put in place the detailed arrangements which will enable a safe phased reopening of schools. We also note the intention, subject to medical guidance and safety, to see a phased reopening of schools, beginning with a limited provision for key cohort years.
- 3.56 We look forward to this programme setting out specific actions to mitigate and address any differential barriers and impacts across the

⁵⁰ Paragraph 46, page 10.

⁵¹ Department of Education (21 May 2020) [Oral statement to the ad hoc committee on the covid-19 response by Peter Weir MLA, Minister of Education. 21 May 2020](#)

equality categories. We recommend engagement directly with learners, their families and carers to identify where and how best to provide effective interventions.

- 3.57 We acknowledge the publication of a Department of Education Circular *Guidance for Schools on Supporting Remote Learning to Provide Educational Continuity* which includes guidance on planning for a blended education approach⁵².
- 3.58 The phased return may also present particular challenges for working parents and carers. We note the findings of May 2020 research⁵³ into the experiences of home-schooling by parents and carers. It reported that essential workers were *'least likely to engage directly in their children's home-schooling and are most likely to encourage their children to learn independently as a result of having to work shifts outside of the home'*. It noted that: *'the strongest expressions of frustration and desperation come from within this group.'*

Consider the equality impacts of decisions regarding assessment and any opportunities to better promote equality.

- 3.59 Given decisions that older children, specifically those at GCSE, AS or A-level, will not this year be required to sit examinations, consideration should also be given to how any equality impacts might be mitigated or eliminated, both with regards to exam grades and any differential impact on the ability of individuals to continue in education or progress to further or higher education.
- 3.60 For younger children, in the context of post-primary transfer, the current intention to delay slightly⁵⁴ but continue with exam-based assessment for post-primary transfer has the potential to also result in differential equality impacts.
- 3.61 The Department may wish to satisfy itself of the consistency of its approach, in a context where it has moved to support alternative (non-exam based) assessment methodologies for older pupils at GCSE, AS and A level (which will subsequently be used to facilitate transfer to later stages of education); but not for younger pupils

⁵² DENI (5 June 2020) [Guidance for Schools on Supporting Remote Learning to Provide Educational Continuity, Circular 2020/05](#)

⁵³ Centre for Research in Educational Underachievement (May 2020) [Home-schooling in Northern Ireland during the COVID-19 crisis: the experiences of parents and carers](#)

⁵⁴ BBC NI News (11 May 2020), [NI transfer tests delayed in COVID-19 crisis](#). Accessed 12 May 2020

where transfer to post-primary grammar education will still be permitted and facilitated in a number of instances⁵⁵ by exam based assessment (post-primary transfer to some grammar schools).

- 3.62 The Commission has also identified a range of concerns about the impact of the COVID-19 outbreak upon the academic, social and emotional development of children, and the need for effective and concerted action to overcome them. Any considerations regarding the continuation of examination-based assessment for post-primary transfer should be considered in these contexts.
- 3.63 A number of post primary schools which usually use the GL and AQE test results to allocate places have announced that they will not use academic selection this year. As with older children, there is a need to consider and mitigate any equality impacts arising from any alternative methodologies or criteria that are adopted.

Supporting rationale

- 3.64 Post-primary transfer has been an issue of long-standing concern to the Commission. These concerns are heightened for the current cohort of Primary 6 pupils due to the effects of the COVID-19 outbreak. Data demonstrates that a number of Section 75 groups are over-represented within free school meal entitlement (low incomes) and research⁵⁶ has found that *'selective systems of education, using examination methods such as the Transfer Test, have a negative impact upon the attainment of children from low-income backgrounds'*. Language and awareness barriers have also been identified for Newcomer children⁵⁷.
- 3.65 It is reported⁵⁸ that testing organisation AQE (Association of Quality Education) had originally intended to postpone its tests until January 2021, but that this was considered not possible due to the Department of Education's timescale for the wider post-primary transfer process.
- 3.66 Since 2016, schools have been permitted to formally prepare pupils for post-primary transfer testing⁵⁹. The disruption to the formally taught education of pupils since March 2020, and the further

⁵⁵ BBC News NI (29 May 2020), [Transfer test: Five Catholic grammar schools scrap academic selection](#). Accessed 21 May 2020

⁵⁶ JRF (2016) A Prosperous, poverty-free Northern Ireland, p. 9

⁵⁷ Kernaghan, D. (2015) Feels Like Home: Exploring the experiences of newcomer pupils in primary schools in Northern Ireland p. 22 & 23

⁵⁸ BBC NI News (11 May 2020), [NI transfer tests delayed in COVID-19 crisis](#). Accessed 12 May 2020

⁵⁹ BBC News NI (7 Sep 2016), Transfer test: [Peter Weir announces U-turn on test preparation](#), Accessed 18 May 2020

disruption during the 2020-21 academic year is not likely to be felt equally across all equality, or socio-economic, groups for a range of reasons including those set out earlier in this section, and thus has the potential to have a range of differential equality impacts. For example, Archbishop of Armagh, Eamon Martin is reported⁶⁰ as having raised concerns that some pupils were struggling without access to technology or the help of their teachers. In the same news article the Bishop of Derry, Donal McKeown, is reported to have separately raised concerns that socially disadvantaged pupils would be "seriously disadvantaged" in the transfer tests as they would have been out of school for almost six months.

Ensure that the benefits of sharing in education are maintained now, when schools reopen, and as social-distancing is relaxed.

3.67 The positive impacts of sharing and social contact should not be lost as a result of the COVID-19 pandemic. We recommend that a focus on sharing in education is maintained at a Departmental, management and schools' level.

3.68 We note a reference in a June 2020 Department of Education circular⁶¹ on remote learning that:

Remote learning provides opportunities for collaborative and clustering arrangements between and within schools to explore co-planning and co-teaching, for example to provide thematic experiences which offer learning across the curriculum.

3.69 Action should be taken now to ensure that shared classes, projects and experiences can be planned and progressed while meeting social distancing and other requirements.

Supporting rationale

3.70 The Commission has called for a move to a system of education which routinely teaches all pupils together via a shared curriculum in shared classes, in support of better advancing a shared society⁶².

3.71 Sharing can allow pupils to access the full range of the curriculum and may be encouraged to study those wider subjects at a further or

⁶⁰ BBC NI News (19 May 2020), [Transfer tests: Education Minister rejects test suspension call](#). Accessed 19 May 2020

⁶¹ DENI (5 June 2020) [Guidance for Schools on Supporting Remote Learning to Provide Educational Continuity, Circular 2020/05](#)

⁶² ECNI (2015) [Summary policy positions on sharing in education](#)

higher-education college. Such access is seen as 'vital in areas where deprivation is more prevalent and is an important driver in breaking the cycle'⁶³. Such actions have the potential to also tackle low educational aspiration and achievement ingrained in disadvantaged communities, affecting those entitled to free school meals, particularly boys, including Protestant boys⁶⁴.

- 3.72 Cross-sectoral sharing of facilities and teaching can also act as a means of ensuring that all young people have access to a wider range of sporting and cultural resources as well as community-based activities.
- 3.73 We note the findings of the most recent (2020) attitudinal survey on shared education. It reports⁶⁵ that 49% and 43% respectively of primary and post primary respondents had made at least one close friend from a different religion as a result of taking part in shared education. Furthermore, around two thirds of respondents either strongly agreed or agreed that they were better able to respect the views of other people since taking part in shared education.

Deliver strong and visible leadership to maintain and promote an anti-bullying culture within education, and combat the potential for racially motivated negative attitudes and behaviours.

- 3.74 High-level leadership, including from Principals, senior management and Boards of Governors, is essential to ensuring the consistent and robust implementation of policies and practices designed to address bullying, including bullying experienced by children and young people across the equality grounds. Education providers should proactively promote awareness of the existence, content and intent of their anti-bullying policy and procedures; and respective roles, responsibilities and expected behaviours.
- 3.75 Evidence is currently limited as regards the impact of the COVID-19 pandemic upon the attitudes and potential behaviours of children and young people in Northern Ireland towards certain minority ethnic groups, but there is the potential that negative attitudes could be exacerbated. Action is required to address this.

⁶³ Oxford Economic (2010) [Developing the case for shared education](#), page 12

⁶⁴ Barnardos (2010) [Response to Purvis consultation on educational disadvantage and the Protestant Working Class](#)

⁶⁵ Katrina Lloyd ARK (QUB) (June 2020) [Attitudes to Shared Education: Findings from the 2018 Young Life and Times and Kids Life and Times Surveys](#)

Supporting rationale

- 3.76 We know that prejudice-based bullying at school can blight the lives of young people, negatively affecting their attendance and attainment as well as having a long-term impact on their life chances. The Commission's 2017 *Statement on Key Inequalities in Education*⁶⁶ highlighted prejudice-based bullying as a persistent problem⁶⁷ for certain equality groups, including minority ethnic students.
- 3.77 More broadly, we are aware of reports that hate crimes against Chinese people have tripled across the UK during the pandemic⁶⁸ with 267 reports between January and March 2020, compared to 375 for all of 2019. A February IPSOS Mori poll⁶⁹ on opinions on Coronavirus, reported that 14% of respondents said they would avoid contact with people of Chinese origin or appearance.
- 3.78 Just prior to the closure of schools, the NASUWT had called⁷⁰ on the Northern Ireland Education Minister to communicate with schools and provide guidance and support for school leaders. This will be particularly important as schools return.
- 3.79 We welcome the intention that Northern Ireland Anti-Bullying Week, which takes place in November, will include a focus on addressing the impacts of COVID-19.

Assist schools in making effective use of dual language resources to help Newcomer learners access the curriculum.

- 3.80 The Department of Education and Education Authority should take action to ensure that any potential negative impact on Newcomer pupils' language development and social interaction with peers is mitigated, including through the effective dissemination of dual language resources and provision of IT equipment.
- 3.81 We note that Newcomer children, entitled to free school meals, are to be prioritised in the Education Authority scheme⁷¹ to loan laptops

⁶⁶ ECNI (2017) [Statement on Key Inequalities in Education in Northern Ireland](#)

⁶⁷ This finding is also reflected in the 2017 Young Life and Times Survey. Ark (2018) [Young Life and Times Survey Summary of Results](#)

⁶⁸ Independent (5 May 2020) [Coronavirus: Hate crimes against Chinese people almost triple in UK during pandemic, police data shows](#)

⁶⁹ IPSOS Mori (Feb 2020) [Coronavirus: Opinion and Reaction – Results from a multi-country poll UK](#)

⁷⁰ NASUWT (03.03.20) [Letter to Education Minister](#)

⁷¹ [Statement from the Education Minister to the Ad hoc Committee](#)

to pupils. We however recommend that provision for internet access, where required, is also made available at the same time.

- 3.82 Barnardo's 2015 research *Feels Like Home*⁷² pointed to a number of areas of good practice including after school clubs, translated newsletters and a growing use of technology to communicate with parents. We recommend that steps are taken to maintain contact with, and between, these pupils.

Supporting rationale

- 3.83 Newcomer children⁷³ face a number of barriers to educational achievement, including limited English language ability, lack of knowledge of the education system, racist bullying and social exclusion.
- 3.84 The current and ongoing closure of schools to most pupils may exacerbate the impact of these barriers, both as regards language development and social interaction.
- 3.85 We welcome the steps that the Intercultural Education Service (IES) has taken to make families aware of available services, via existing staff and networks, and the provision of web-based guidance in a range of languages⁷⁴.

Identify and address any effects of COVID-19 that poverty or socio-economic status may have on the emergence or exacerbation of inequalities experienced by a range of equality groups.

- 3.86 In all of the Commission's work, we are mindful that the barriers and inequalities experienced by equality groups can be exacerbated by poverty and social exclusion.
- 3.87 In this context, we again highlight the link between poverty and social exclusion, and wider inequalities, and stress the need for urgent action to address poverty and social exclusion experienced by a range of equality groups.

Supporting rationale

⁷² Kernaghan D, Webb MA and Cariddi C, (2015) *Feels Like Home: Exploring the experiences of Newcomer pupils in primary schools in Northern Ireland*

⁷³ The DE defines a Newcomer as 'a pupil who does not have satisfactory language skills to participate fully in the school curriculum and does not have a language common with the teacher.'

⁷⁴ [Education Authority website](#) (accessed 20 May 2020)

- 3.88 Education plays a key role in determining an individual's life chances. It provides individuals with opportunities for social and economic mobility. People with fewer qualifications and skills are disadvantaged in civic / community life and are at a much higher risk of unemployment and low pay.
- 3.89 The Commission is mindful of the complex relationships that exist between education and other domains. Addressing key inequalities will not only require work across a range of Departments, agencies and functions of government, but also by organisations who have responsibilities for, or an interest in, education in Northern Ireland.

4 Conclusion

- 4.1 The Commission welcomes and acknowledges the range of steps that have been taken across the education system to mitigate the risks of any loss of learning.
- 4.2 While data from Northern Ireland regarding the equality impacts of COVID-19 is currently limited, information from elsewhere and on pre-existing inequalities in education suggests that there is the potential for a range of equality impacts in Northern Ireland.
- 4.3 Alongside setting out a number of recommendations, this document has sought to remind how the equality duties, equality-disaggregated data, and engagement with families and communities can inform effective responses by government and others to COVID-19. Prompt action is required to avoid the emergence or exacerbation of inequalities.