



21 May 2020

By email private.office@education-ni.gov.uk

Mr Peter Weir MLA
Minister for Education
Department of Education
Rathgael House
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Dear Minister Weir

Ensuring Equality of Opportunity and Good Relations in responses to COVID-19.

I appreciate that you will have many pressing issues requiring your attention at this time, as you and your Department work to tackle the impacts of the COVID-19 pandemic in Northern Ireland. I would like to record my gratitude for the work that you and your colleagues in the Executive are doing to lead us all through these difficult times.

While data from Northern Ireland regarding the equality impacts of COVID-19 is currently limited, information suggests that there is the potential for a range of equality impacts. There is a risk that the current crisis further deepens existing educational inequalities¹, or leads to the emergence of new inequalities, both for children now and over their lifecycle².

In this context, I write to draw to your attention a number of issues around education provision and assessment where action by the Department and others in the response to COVID-19 could serve to promote equality of opportunity and avoid the emergence or widening of inequalities. Clearly nobody 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 evidence and informed by parents, communities and wider stakeholders, to mitigate these risks.

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

² Recommendations to address identified key inequalities are set out in ECNI (2018) [Equality in Education: Priorities for Action](#);

The loss of a full term of pre-school provision will likely result in the loss of a range of language, learning, social and behavioural benefits, which are important at an early age and may be particularly important for certain equality groups. For older children, the loss of a full term in a classroom environment, along with the potential for a return to only part-time school based provision, will likely see similar impacts with the potential to exacerbate already identified inequalities for a range of groups including males and those entitled to free school meals, particularly Protestants, and notably Protestant males. There may also be specific difficulties for children who encounter particular barriers to accessing usual levels of specialist support services - for example for children with special educational needs or disabilities; those in need of language or wider support – including Travellers, Roma and Newcomers; or those with traditionally lower attendance rates. Socio-economic status may also further exacerbate existing inequalities.

The experience and effectiveness of home schooling will likely vary due to a range of factors with potentially differing impacts for a range of equality groups. Such factors include differences in the home environment, including space to study; the circumstances of parents or carers, who may be juggling home-working or care / education for wider dependents or siblings; access to educational materials and expert support, as would normally be available in a school environment from trained teachers and classroom assistants; and related equipment, including specialist equipment and broadband / home computing, which even if available in the home may need to be shared with parents / carers or siblings.

There is a need also to consider the equality impacts of decisions around assessment and any opportunities to promote equality across the Section 75 categories. For older children, specifically those who will not in this year be required to sit GCSE, AS or A-level examinations, there is the need going forward to consider how any equality impacts arising from alternate assessment methodologies might be mitigated or eliminated, including regarding any differential impact on the ability of individuals to continue in education or progress to further or higher education. For younger children, in particular in the context of post-primary transfer and the current intention to delay slightly but continue with exam based assessment, there is need also to consider the equality impacts of any decisions and mitigating any differential equality impacts for children across the Section 75 equality categories.

It is important that the Department is aware that its decisions, even where they need to be made urgently, may have different impacts on different groups of people. There is a requirement to have due regard to the need to promote equality of opportunity and regard to the desirability of promoting good relations generally and including when developing COVID-19 related policies.

The Commission has recently issued [an advice note for public authorities](#) on implementing the Section 75 duties and we continue to provide advice to public authorities during this time.

Ensuring that comprehensive disaggregated equality data is collected will facilitate effective equality analysis, and better inform COVID-19 interventions. To inform effective responses, we recommend that all relevant measures are not only tracked in aggregate but also for each of the Section 75 grounds.

The Commission would welcome your assurance that emerging or exacerbated inequalities will be identified and addressed as part of the Department's response to COVID-19, and would welcome information on the particular steps being taken by the Department in this regard.

I look forward to receiving your response. In the meantime, I trust you and your families and colleagues will keep safe and well.

Yours sincerely

Personal Data

Geraldine McGahey OBE
Chief Commissioner

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