



4. EDUCATION

Introduction

Children and young people have a fundamental right to education; an education that is child-centred, child-friendly and empowering. Article 28 of the United Nations Convention on the Rights of the Child (UNCRC) outlines the right to education, whereas Article 29(1), which details the aims of education, adds a qualitative dimension to the general right to education. It reflects the rights and inherent dignity of the child and highlights the need for educational processes to be based upon the principles outlined in Article 29(1). As such, 'availability', 'accessibility', and 'adaptability' are core aspects of the right to education. Educational institutions and programmes should be available in sufficient quantity, and accessible to everyone, especially the most vulnerable groups, without discrimination. Education must also be flexible so it can adapt to the needs of changing societies and communities and respond to the needs of students within their diverse social and cultural settings.

In March 2020, the onset of the pandemic and the immediate closure of schools across Northern Ireland bore a very real threat to children's and young people's fundamental right to education. In response, the education system engaged a variety of approaches to facilitate learning at home including virtual teaching, the uploading of lessons online, and providing hardcopy learning material for use at home. Nonetheless, the speed with which schools closed meant that it took some time to establish practices that supported children. It also took time for clear guidance to be

provided by the Department of Education (DE) and Education Authority (EA), meaning that, during the first lockdown, schools established a range of practices by which they educated children¹.

Whilst schools re-opened to all pupils in September 2020, this period faced its own unique challenges as pupils and school staff adjusted to restrictions and measures to curb the spread of transmission. Some schools contended with localised outbreaks, with positive cases and their close contacts being required to isolate at home. Further disruption to education was evident in the form of an extended mid-term break in October 2020. As the rate of transmission and the number of cases increased, the Minister announced on 5th January 2021 that all schools, apart from special schools, were to close to the majority of pupils apart from children of key workers and vulnerable children. This period of closure lasted until 8th March when P1 – P3 pupils returned, followed by pupils in Years 4 – 7 and Years 12 – 14 on the 22nd March, and all other pupils on the 12th April 2021.

Much has been written about the potential long-lasting societal and economic effects of school closures. The UN² has warned that the potential losses that may accrue in learning for children and young people, and for their development, are hard to fathom. As reflected in a joint statement from the Chief Medical Officers and Deputy Chief Medical Officers of England, Scotland, Northern Ireland and Wales³ there is a significant risk of long-term harm to many children and young people from not attending school.

1 A Child's Right to Education and Covid-19 - <https://www.niccy.org/publications/2020/june/22/a-child-s-right-to-education-and-covid-19/>

2 UN (2020) Policy Brief: The Impact of COVID-19 on Children. Available at: [UNSDG | Policy Brief: The Impact of COVID-19 on children](#)

3 Statement from the UK Chief Medical Officers on schools and childcare reopening (August 2020) Available at: www.gov.uk/government/news/statement-from-the-uk-chief-medical-officers-on-schools-and-childcare-reopening

In its COVID-19 statement⁴, the Committee on the Rights of the Child (the Committee) urged States to consider the educational, inter alia, impacts of the pandemic on children. While acknowledging that in crisis situations, international human rights law 'exceptionally permits measures that may restrict the enjoyment of certain human rights in order to protect public health' such restrictions must be imposed only when necessary, be proportionate and kept to an absolute minimum. The Committee also highlighted that responses to the pandemic, including restrictions and decisions on allocation of resources, should reflect the principle of the best interests of the child.

In NICCY's opinion, the hasty response to the pandemic required by our education system has meant that the Committee's calls were not fully heeded at the beginning of lockdown, nor realised in the months that followed. As a result, the impact of school closures and subsequent disruption to education, has been felt acutely by children and young people. We have received several first-hand reports from children and young people of the negative effect of school closures on education and emotional wellbeing, which has been compounded by a continued uncertainty about the duration of school closures and confused, and sometimes contradictory, communications:

"Well, with education it's been somewhat of a roller coaster. It's like a seesaw if you like. It's one minute we're in school, then we're in lockdown, so we're out of school for like, I think it was four or five months. Then we're back to school for three, four months again, then we're out of school back in lockdown. Now we're back in school. It's confusing. And it's actually affected my work very, very negatively." (F5)

Data from the Kids Life and Times (KLTS) and Young Life and Times (YLTS) surveys provides a startling picture of the impact of the pandemic on children. Almost half of P7 children who responded to the KLTS (46%) felt their education had been negatively affected following the first lockdown. Further concerning is that data from the YLTS, captured after the second lockdown in May 2021, revealed that over two thirds (70%) of the 16-year-olds surveyed felt that their education had been negatively affected. It is evident that children and young people have deeply felt the effects of school closures and are greatly concerned about the impact on their education.

Figure 4.1: Children's and young people's perceptions of how lockdown affected their education

'Overall, I feel my education has been negatively affected by Coronavirus.'	KLTS %	YLTS %
Strongly agree	22	38
Agree	24	32
Neither agree nor disagree	23	19
Disagree	17	9
Strongly disagree	13	3
Total	100	100
N	2012	2060

Source: KLTS, YLTS

In this chapter, we reflect on the issues that have impacted on children and young people's engagement with education throughout the pandemic, particularly during the periods of school closure. We assess the specific impacts of school closures on the education of vulnerable children and young people, and then consider the provisions required to address any inequalities arising

⁴ UN Committee on the Rights of the Child (2020) Statement on Impacts of COVID Pandemic on Children and Young People. Available at: https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT/CRC/STA/9095&lang=en

from the pandemic, ensuring that all children's and young people's right to education is fully protected.

Children's and young people's engagement in and experience of remote learning

Evidence suggests that inconsistency in pupil engagement in, and support for, remote learning are amongst the major contributory factors which have impacted on children's and young people's education during school closures.

Throughout the course of the pandemic and subsequent school closures, children and young people described vastly different levels of support and education between different schools as well as between different teachers within the same school. Data from the KLTS (see Figure 4.2 below) reinforced the variation in the level of support received by children when engaging in remote learning. Whilst

over two thirds (69%) of P7 children surveyed agreed that they received sufficient support from teachers to help with school work, over one in ten (13%) indicated that they did not receive enough support over the course of the first lockdown.

Data from the YLTS (see Figure 4.3 below) presents a further concerning picture of variable or insufficient support from teachers. Just over half (56%) agreed or strongly agreed that they had received sufficient support from teachers during the second period of school closures. However, one fifth (23%) indicated that they did not.

It has been acknowledged by the Education and Training Inspectorate (ETI)⁵ that there was 'variation in pupil engagement with remote learning across year groups and schools' during the first lockdown. In May 2021, the ETI published a series of phase specific thematic reports on remote learning.

Figure 4.2: Children's perceptions of the support received from teachers during school closures

	Strongly agree %	Agree %	Neither agree nor disagree %	Disagree %	Strongly disagree %	Total %
I got enough support from teachers to help me with my school work	30	39	18	9	4	100

Source: KLTS

Figure 4.3: Young people's perceptions of the support received from teachers during school closures

	Strongly agree %	Agree %	Neither agree nor disagree %	Disagree %	Strongly disagree %	Total %
I got enough support from teachers to help me with my school work	13	43	21	19	4	100

Source: YLTS

5 Education and Training Inspectorate (June 2020) Remote and blended learning: curricular challenges and approaches. Available at: www.eti.ni.gov.uk/publications/remote-and-blended-learning-curricular-challenges-and-approaches

This reflected a consensus among school leaders and teachers that remote learning cannot replicate face-to-face teaching and there are certain areas of the curriculum which are challenging to deliver remotely⁶.

A further ETI review⁷ of primary school experiences between March and August 2020 reflected that regular engagement in online learning was a challenge, with schools reporting up to one-third of children not engaging regularly with online learning or experiencing digital fatigue. A 'snapshot' of pupils' online engagement was generated by ETI via a week-long survey of school settings in the w/c 25th January 2021⁸. Findings further revealed variation in pupils' registration and access with online activities across settings. Qualitative feedback captured by the ETI review also highlighted that pupil engagement with remote learning was variable across special schools and year groups⁹. In Education Other Than at School (EOTAS) settings, pupils were reported to disengage when platforms did not work, that re-engagement was slow, and in some instances that pupils would not engage

online¹⁰. Post-primary respondents noted that registration and/or logging on, do not equal engagement or active participation in the learning¹¹.

The ETI Review highlighted that teachers were also impacted by access to suitable hardware and software, which in turn impacted on the quality of synchronous and asynchronous learning. Almost one fifth (18%) of primary school leaders indicated that teachers did not have access to the hardware needed to deliver effective remote learning; it was found that this contributed to inconsistency within and across schools¹².

In its COVID-19 statement¹³, the Committee on the Rights of the Child urged States to ensure that online learning did not exacerbate existing inequalities or replace student-teacher interaction. However, when reflecting on the impacts of COVID-19 on education, several young people cited issues in gaining access to and support from teachers, and reflected on the challenges associated with receiving 'real time' feedback.

6 ETI publish phase-specific thematic reports on Remote Learning | Education Training Inspectorate - <https://www.etini.gov.uk/news/eti-publish-phase-specific-thematic-reports-remote-learning>

7 Education and Training Inspectorate (March 2021) Available at: Primary Phase Report - September 2018 to December 2020 - https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/primary-phase-report-September-2018-December-2020_0.pdf

8 ETI consultation on the delivery of remote learning | Education Training Inspectorate - <https://www.etini.gov.uk/news/eti-consultation-delivery-remote-learning>

9 Education and Training Inspectorate (May 2021a) Thematic Report on Special Schools' Delivery, Monitoring and Evaluation of Effective Remote Learning. Available at: - https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/special-schools-thematic-report-on-remote-learning_0.pdf

10 Education and Training Inspectorate (May 2021b) A Thematic Report on Education Other Than At School (EOTAS) Centres' Delivery, Monitoring and Evaluation of Remote Learning. Available at: https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/education-other-than-at-school-thematic-report-on-remote-learning_0.pdf

11 Education and Training Inspectorate (May 2021c) Thematic Report on Post-Primary Schools' Delivery, Monitoring and Evaluation of Effective Remote Learning. Available at: https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/post-primary-thematic-report-on-remote-learning_0.pdf

12 Education and Training Inspectorate (May 2021d) Thematic Report on Primary Schools' Delivery, Monitoring and Evaluation of Effective Remote Learning. Available at: https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/primary-thematic-report-on-remote-learning_0.pdf

13 UN Committee on the Rights of the Child (2020) Op Cit

"Online learning was probably the worst part of lockdown for myself and most people my age. It was very difficult to not be interacting with people/teachers, and to be motivated as there was no distinction between working and 'relaxing'. This was also tough as there was little consistency between classes, and workload varied from subject to subject, and week to week." (W4)

"With home learning its not been so easy to get support from teacher, tough when learning new things. [I] Send comments to teacher during class and only get feedback after class ends. Real time support is not available." (F4)

A consistent theme arising from consultation with children and young people is that remote learning is not the same as in-school learning; with feedback reflecting the fact that it is less structured, largely untimetabled and that an undue degree of responsibility was placed on children and young people to manage their work in their own time. The latter was deemed particularly challenging for young people in exam years, many of whom talked about the weight of expectation placed on them in terms of the volume and range of work to be completed at home. Some had consequently dropped out. Many reflected on poor motivation; several commented on difficulty in maintaining focus at home, others made comments about on how they had fallen behind with their education:

"Yeah, I was just so unmotivated to like get up in the mornings and cause I had to do it all myself and there wasn't really ... like it wasn't timetabled like it normally is at school and you had to have certain assignments by the end of the week and normally you'd leave them to last minute. I felt like I [was] getting double

the amount of work at home as I would be at school." (F5)

"I found it harder to focus when doing internet classes and internet classwork." (W3)

Young people reported subsequent anxiety experienced as they feared falling behind in their studies or being at a disadvantage to peers, and that this would have a long-term impact on their educational achievement. They highlighted concern that, if such inconsistency in learning was to continue into the next term, this could compound the disruption to their learning. Some reflected significant stress and anxiety about returning to school due to fears that they had fallen behind.

"I don't enjoy doing online learning and then have anxiety when I go to school. It's hard to know what I have to do for exams which causes stress." (W2)

"A lot of young people I know have become depressed and are worried about going back to school – I think there needs to be help for this." (W3)

NICCY recognises that the Department of Education provided guidance to schools on remote learning and curriculum planning twice during the course of school closures^{14&15}. The Department also asked schools to have contingency plans in place for the delivery of remote learning. Whilst the ETI review of remote learning found many examples of good practice across settings, evidence from children and young people suggests inconsistency in remote learning practices, variation in levels of engagement, and subsequent impacts on motivation, learning, and development.

14 Circular 2020-5-Guidance for Schools on Supporting Remote Learning <https://www.education-ni.gov.uk/sites/default/files/publications/education/Circular%202020-5-Guidance%20for%20Schools%20on%20Supporting%20Remote%20Learning.pdf>

15 Updated Circular Remote Learning - January 2021 (002).pdf <https://www.education-ni.gov.uk/sites/default/files/publications/education/Updated%20Circular%20Remote%20Learning%20-%20January%202021%20%28002%29.pdf>

In order to truly understand the extent of engagement and the subsequent impact on children's development and attainment, there must be an assessment of the effectiveness of the education that children received and a benchmarking of any learning lost or gained over the last year.

Barriers in remote learning – access to digital devices

Much has been reported about the impact of the 'digital divide' on children and young people's access to education. From the beginning of the pandemic, NICCY reflected on the critical need for consistency and quality in the provision of remote learning, and repeatedly called on the Department of Education and EA to provide supports to children, young people and their families to fully engage. We noted the specific challenges of online learning for children who have limited or no access to technology or the internet or do not have adequate parental support. We called for additional supports for these children to ensure equitability of learning and to prevent any exacerbation of existing inequalities, in line with the recommendations of the UN Committee on the Rights of the Child¹⁶.

However, in NICCY's experience, and as verified by various sources, not all children had the supports and resources required

to enable them to engage fully with remote learning. Data from the KLTS revealed differences in children's access to resources dependent on socio-economic background. Whilst 81% of all survey respondents indicated that they had all the resources required for home study during the first period of school closures, findings revealed that this was the case for just 74% of respondents from low affluent backgrounds compared with 83% from highly affluent backgrounds.

The survey also revealed differences in internet access by socio-economic background. Whilst promisingly, 90% of all KLTS respondents were able to access the internet, the findings revealed that 84% from low affluence had internet access compared with 90% from a highly affluent background.

The YLTS similarly highlighted that some young people did not have access to all the resources required for school closure (see figure 4.4 below), with just 73% indicating that they had access to all that they needed in terms of books, materials and IT equipment. This finding is especially concerning as the YLTS data captured young people's experiences in May 2021, following the second period of school closures. It is alarming that some pupils felt they had insufficient access to resources by this stage of the school year.

Figure 4.4: Young people's perceptions of the sufficiency of resources available for remote learning

	Strongly agree %	Agree %	Neither agree nor disagree %	Disagree %	Strongly disagree %	Total %
During the recent lockdown I had all the resources	30	43	13	12	2	100

Source: YLTS

¹⁶ UN Committee on the Rights of the Child (2020) Op Cit

Furthermore, there is a strong evidence base that highlights digital poverty as a barrier to enabling remote learning in areas where there are high levels of social deprivation and connectivity issues in rural areas. Schools have acknowledged an absence of, or an inadequate number of, appropriate digital devices for learning within the household, and an absence of, or reliable access to, broadband or wi-fi within the household as barriers to learning during both phases of lockdown.¹⁷ Furthermore, Stranmillis University College's survey of parents/carers revealed a large portion of respondents whose children had limited access to devices (laptops, printers etc.)¹⁸.

Such findings chime with reports received by NICCY of children and young people in need of a device but unable to gain access to one. Despite investment by DE in additional devices¹⁹ and a free Wi-Fi scheme for disadvantaged pupils²⁰, the relatively slow allocation of devices meant that many children were without a digital device for much of the first period of school closures. Indeed, some remained without during the second period of closure from January 2021. NICCY acknowledges that devices were prioritised to children in particular year groups (4, 7, 11, 12, 13, 14) and with particular characteristics including those in receipt of free school meals, and who either had special educational needs, were newcomer children, were looked after children or were otherwise vulnerable. However, such an approach meant that some children were unable to gain access to a device despite it being needed. In ETI's review of remote learning, over one-half of primary

schools who engaged in focused discussions between January and February 2021, reported they did not have enough devices to provide for both key worker and vulnerable children in school and those engaged in remote learning at home²¹. In discussions with post-primary schools, just over one-third indicated that the lending scheme criteria did not meet the needs of all pupils and that there was a continued shortage of devices for individual pupils²².

Furthermore, NICCY's research with vulnerable young people highlights that, despite characteristics that should have precipitated the provision of devices, some young people did not receive a device for quite some time.

"So at the moment my work is building up because I fell behind over lockdown because I had no access to a laptop. So I couldn't have done any work, and it should be noted that the [course] I was doing was ICT." (F5)

"I kind of got a bit lucky actually because some people actually didn't have any devices. My social worker had asked the school to give me one, or I should say loan one out to me. So they gave me a laptop, and I was able to do it. But some people actually haven't been able to do any work at all." (F5)

Cognisant of the deeply negative implications for children who had no access to a digital device for much of lockdown, and were therefore largely unable to engage with home learning, NICCY repeatedly requested data on the number of children and young people

17 ETI publish phase-specific thematic reports on Remote Learning | Education Training Inspectorate - <https://www.eti.gov.uk/news/eti-publish-phase-specific-thematic-reports-remote-learning>

18 Walsh, G., Purdy, N., Dunn, J., Jones, S., Harris, J., and Ballentine, M. (2020) Homeschooling in Northern Ireland during the COVID-19 crisis: the experiences of parents and carers. Belfast: Centre for Research in Educational Underachievement/Stranmillis University College

19 www.education-ni.gov.uk/news/minister-outlines-plans-provide-digital-devices-disadvantaged-children

20 www.education-ni.gov.uk/news/weir-announces-free-wi-fi-scheme-disadvantaged-pupils

21 ETI (May 2021d) Op Cit

22 ETI (May 2021c) Op Cit

who remained without a digital device or access to the internet.

However, there appear to be gaps in the recording and monitoring of this information. Whilst the EA informed NICCY²³ that it is the role of schools to identify eligible pupils who need IT equipment, it noted that the EA does not hold information on individual loans. Furthermore, it is unclear whether the EA captures information about all children and young people who require access to a device, or just those who meet the criteria to be prioritised for allocation. It is apparent that there needs to be a more robust method of recording and tracking the number of children and young people who require digital access, including the length of time that they have been waiting for it, and that this record needs to be centrally managed by EA, so it can appropriately plan and make provision for all children and young people in need.

Although all schools are now open on a full-time basis, the need to address digital exclusion remains, to ensure equity of experience, in case a pupil is required to isolate at home, and in case of future waves of the virus. Robust mechanisms must be established by the DE and EA to ensure that there is a central record of all children who require access to a device and/or the internet, and the number of children who remain without. Information must be provided by DE and EA on how they will assess and mitigate the impact of the delay in allocating devices on children and young people, including the additional supports that will be provided to these children.

Impacts of school closures on vulnerable children and young people

Whilst the full impact of school closures on children's education and wellbeing is unlikely to be known for some time yet, it is evident that some groups of children and young people have experienced its effects more acutely than others. NICCY has previously reported the fact that the gaps in service delivery or disruption to existing provision have disproportionately impacted on children from vulnerable groups²⁴; this was reinforced by the research conducted by QUB on behalf of NICCY. Groups most negatively affected include children and young people from lower socio-economic backgrounds, those with special educational needs and disability in mainstream and special schools, and newcomer groups. Other vulnerable groups include those accessing EOTAS; receiving support from Health & Social Services including family support, child protection and looked after children services; those on the Child Protection Register; young carers; those with emerging and diagnosed mental health needs; and those who are affected by domestic violence.

The UN Committee on the Rights of the Child²⁵ called for the protection of children whose vulnerability is likely to be further increased by the exceptional circumstances caused by the pandemic. However, it is quite evident that it is those children and young people who were already facing significant barriers in accessing education that have been most gravely affected by the COVID-19 crisis. The continued closure of schools has undoubtedly exacerbated educational inequalities which were previously well documented before the pandemic.

23 Correspondence from the EA to NICCY, 3rd February 2021.

24 NICCY (November 2020) Statement on Children's Rights in Northern Ireland 2. Available at: <https://www.niccy.org/media/3691/niccy-socrni-2-main-report-web-nov-20.pdf>

25 UN Committee on the Rights of the Child (2020) Op Cit

NICCY acknowledges that the Department of Education issued the Vulnerable Children and Young People – Contingency Planning Framework in December 2020²⁶, which was part of the wider cross-Departmental COVID-19 planning for vulnerable children and young people. However, it is not fully evident how effective this Framework was in ensuring the expedient identification and provision of support for vulnerable children and young people. As reflected by the findings of the QUB research, there is learning to be had from the Departmental efforts to try and identify numbers of ‘vulnerable’ children and who they might be.

NICCY welcomes that schools remained open for some vulnerable children and young people across both lockdowns and that additional guidance²⁷, and supports²⁸ were implemented to protect the most vulnerable. NICCY recognises that EA continued to deliver a range of other services for vulnerable children²⁹. Nonetheless, it is evident that not all vulnerable children and young people engaged with supports and services, and it has been acknowledged³⁰ that the number of vulnerable children attending schools, particularly during the first lockdown was low, as corroborated by data collected at

that time³¹. Furthermore, it is not wholly clear what supervised learning actually entailed; the level of teaching provided and the extent to which it met children and young people’s needs.

For several children and young people who did not attend school, particularly those with additional needs and vulnerabilities, remote learning was often not accessible.

As recognised by the UN policy brief³² on the impact of COVID-19 on children, worldwide there has been inconsistency in quality and accessibility of online learning, especially for children with SEN and disability. An ETI review of remote learning in special schools identified particular challenges for non-verbal pupils and those with profound and multiple learning difficulties³³.

Local research has reinforced that for children and young people with SEN there is an extra layer of accessibility to be considered to meet visual and physical needs etc. In July 2020, a survey of parents of children with visual impairment conducted by Angel Eyes NI³⁴ identified 60% of respondents whose children did not receive accessible resources.

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- 26 Vulnerable Children and Young People – Contingency Planning Framework | Department of Education - <https://www.education-ni.gov.uk/publications/vulnerable-children-and-young-people-contingency-planning-framework>
- 27 COVID-19 Guidance Vulnerable Children and Young People (April 2020). Available at: <http://www.education-ni.gov.uk/sites/default/files/publications/education/Guidance%20on%20Vulnerable%20Children%20and%20Young%20People.pdf>
- 28 www.education-ni.gov.uk/news/weir-outlines-proposals-support-vulnerable-children-and-young-people-summer
- 29 www.eani.org.uk/vulnerable-children-and-young-people
- 30 Education Minister's statement to the Northern Ireland Assembly Ad Hoc Committee on the COVID-19 Response (21 May 2020) Available at: www.education-ni.gov.uk/news/statement-education-minister-ad-hoc-committee
- 31 Management Information relating to attendance at Northern Ireland educational settings during the COVID-19 outbreak 23 March 2020 to 29 June 2020 - <https://www.opendatani.gov.uk/dataset/attendance-at-educational-settings-during-the-covid-19-outbreak-23-march-2020-to-29-june-2020>
- 32 UN (2020) Op Cit
- 33 ETI (May 2021a) Op Cit
- 34 Wilson, K. (2020) COVID-19: *Widening Inequalities for Children & Young People with Vision Impairment in Education*. Belfast: Angel Eyes NI

A further study by Ulster University³⁵ found that parents of children with SEN were likely to experience a range of challenges when home schooling their children. The pandemic has also highlighted the additional barriers of remote learning for children with English as an additional or new language for whom learning materials were not necessarily provided in an appropriate format³⁶.

The pandemic has also exposed inequalities that exist between different groups of children in terms of their entitlement to educational support. For example, the QUB research reinforced the barriers for asylum seeking families in accessing support and other resources during the pandemic, including educational provisions. It also reflected a particular impact on newcomer children who had arrived with their families to Northern Ireland in February 2020 and who would usually have received intensive support over a number of months to settle into their new homes and schools. School closures clearly not only had an impact on the education of newcomer children but on settling into a new country – and learning a new language – at a critical time in their lives³⁷. Furthermore, being out of school has meant that these children have missed out on the immersive learning that they typically gain from a classroom setting. As one newcomer young person told NICCY, being out of college led to a significant reduction in their opportunities to practise English, which has impacted on their confidence to speak English after lockdown.

"I mean, because of the lockdown I only socialise with people on the phone, probably more from my country and I don't talk as much as English before. So because of that, that will be another problem. When I can't really speak English as good as before or when I don't feel enough confidence that would be something that I am worried about, nervous about. I mean when we get back to normal life, you can't really communicate with people as you could before, as well as before if you know (what) I mean?" (F5)

A similar theme has been highlighted in the context of Irish Medium provision. ETI have reflected that remote learning offered reduced opportunities for the children to converse and learn through Irish both remotely and, in many instances, in the home environment is leading to a number of children who are losing their fluency in spoken Irish³⁸.

Impacts on EOTAS provision

Evidence suggests that the pandemic placed specific challenges on Education Other Than at School (EOTAS) settings. As reported by ETI³⁹, a number of centres reported non-attendance for a small number of pupils with complex needs, including severe anxiety, and for those whose parent/carer is shielding. The report also noted a shortfall in educational psychology support across centres, and no access to youth work support in others, which impacted negatively on the quality of interventions, especially for pupils who are extremely vulnerable.

35 Ulster University (July 2020) Northern Ireland Parent Surveys: Experiences of Supporting Children's Home Learning during COVID-19 UNESCO Centre, School of Education, Ulster University.

36 Corr, M.L., Byrne, B., McAlister, S., Templeton, M., (2021), *The Impact of COVID-19 on the Planning and Delivery of Children's Services: A Rights Review*, (Belfast: NICCY).

37 Ibid

38 ETI (May 2021d) Op Cit

39 Education and Training Inspectorate (March 2021) Education Other Than At School (EOTAS) Phase Report. Available at: Education Other Than At School (EOTAS) Phase Report - September 2018 to December 2020 - https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/eotas-phase-report-september-2018-december-2020_0.pdf

"I felt like I had learned virtually nothing over the lockdown period. It was also stressful as someone with depression and anxiety to return to my normal friend groups and get the courage to leave the house again as at one point I had spent 3 months inside without leaving my house. It felt like I was leaving what was safe to me, which was being at home, also returning to the same schedule without any sort of transition was stressful and led to many panic attacks and nights spent crying. I think also having to do assessments and the uncertainty of what was happening with my GCSEs was very stressful, I felt like I had already failed them before they started."

Young person, YLTS

Direct feedback from young people in secure care reflected the disruption to their education, noting that due to social distancing requirements across units, teaching was only received 1 – 2 times a week.

*"Yes, they're [teaching staff] here every day but like it's certain times isn't it? Like they'll stay for a certain time but obviously when you're in school, you're in school all day. [It's] one or two days a week which is really sh** because I love school, I love being in school." (Fó)*

During the pandemic, NICCY expressed concern about the levels of education made available to the young people in Woodlands Juvenile Justice Centre and identified the need for this to be addressed by the EA and the Youth Justice Agency. Further detail is included in Chapter 9.

Impacts on children with SEN and disability

There is also much evidence of the adverse impacts of the pandemic on children and young people with SEN and disability, whose access to vital educational and health supports was drastically reduced over the course of the pandemic. In many cases it has exacerbated an already difficult situation

that children and young people were facing before the start of the pandemic in accessing their right to education.

Between April and August 2020, children with SEN and disability experienced a dilution in the supports and services that they are legally entitled to, due to the temporary deployment of the 'Coronavirus Act 2020 Temporary Modification of Education Duties'. DE recurrently issued this Notice to address the impact that the outbreak would have on the ability of EA, schools, health and social services to meet their legal duties as a result of reduced resources. It resulted in significant restrictions on the supports and services available to children and young people with SEN and disability, and had profoundly detrimental effects on the education, health and wellbeing of children with SEN and disabilities, as well as on parents, carers and siblings; many of whom informed NICCY that they were at breaking point. The abrupt suspension of services, coupled with the closure of schools, meant that many parent/carers experienced a withdrawal of vital respite services and their children missing out on support received prior to the pandemic. A 'perfect storm' ensued, which resulted in some families having to resort to severe measures, including the

use of chemical restraints⁴⁰ as their children went without critical medical and therapeutic interventions normally provided by specialist services and their Special School setting. See Chapters 3 and 6 for further detail on the impact of the pandemic on access to specialist services.

Perhaps one of the greatest frustrations and concerns about this period is that, although the Executive had said vulnerable children should have access to school, several special schools did not stay open. Mid-way through the first lockdown at the end of May 2020, the EA informed NICCY that just 15 out of 39 special schools were open to pupils⁴¹. Whilst published data gathered over that period does not provide a breakdown of attendance of children with SEN in either mainstream or special school settings, research conducted by the Family Fund⁴² highlighted that, prior to returning for the new school year in September 2020, less than one in five children and young people with a disability (17%) had attended their nursery, school or college since the beginning of the COVID-19 pandemic.

In January 2021, while mainstream schools were to close to the majority of pupils apart from those of key workers and vulnerable children, the Minister of Education issued a directive requiring all Special Schools to remain open during the second lockdown for over 6,000 children and young people. However, due to a variety of issues including high workforce absence, again, a number of schools were only able to offer part-

time provision. NICCY outlined a series of recommendations at that time⁴³ including the need for action to address staff absence; for greater transparency and accountability regarding the measures being taken to keep schools open; and the need for improved communications and consultation with schools and parents. Whilst NICCY received assurance that, as of end April 2021, all special schools were operating on a full-time basis, the recommendations previously made still stand. It is critical that the Department of Education, the EA, Health and Social Care, and Special Schools Principals and Boards of Governors identify and resolve the issues that prevented Special Schools from offering full-time education and learn from that experience.

Further provision required

Additional supports must be provided to children and young people who were unable to fully engage with learning during school closures. NICCY welcomes investment in school summer schemes and also that a much higher number of schools applied to deliver schemes this year compared with 2020⁴⁴. It is essential that as many children and young people as possible have access to a holistic programme of activities and supports over the summer months. NICCY also welcomes further investment in the Engage 2 Programme⁴⁵ for September 2021 to March 2022, and that this has been broadened to funded pre-school education settings, special schools, and EOTAS settings. However, it is unfortunate that this provision was not available to all

40 Corr et al (2021) Op Cit

41 Correspondence from the EA to NICCY 4th June 2020.

42 Family Fund (2021) *The Impact of COVID-19 - A year in the life of families raising disabled and seriously ill young children (Northern Ireland Findings)*. York: Family Fund.

43 "Special Schools Abandoned" says Children's Commissioner - <https://www.niccy.org/about-us/news/latest-news/2021/march/4/special-schools-abandoned-says-children-s-commissioner/>

44 Weir announces £4.5m for School Summer Scheme | Department of Education - <https://www.education-ni.gov.uk/news/weir-announces-ps45m-school-summer-scheme>

45 Weir announces further £16 million for 'Engage 2' programme | Department of Education - <https://www.education-ni.gov.uk/news/weir-announces-further-ps16-million-engage-2-programme>

settings in 2020/21. It is also not apparent what impact the first Engage Programme had on children and young people, whether all pupils who required support in primary and post-primary settings were able to avail of it, or whether it fully met the needs of those who received support. The second roll out of the Engage Programme must build on the learning from the first, and crucially be aligned with children's needs. Furthermore, it is critical that robust evaluation data is gathered to explore the impact of both school summer schemes and the Engage 2 Programme and that there is an ongoing identification of any further supports required by children and young people.

Exams

As outlined in the previous chapters, it is evident that COVID-19 has had a significant impact on the mental health and wellbeing of children and young people. The closure of schools and colleges, academic uncertainty, children having less contact with their peer group, the disruption to routine together with concerns about contracting the virus have exacerbated existing mental health problems among children and young people. It has been reported that the cancellation of public examinations, coupled with a period of uncertainty about the arrangements for summer 2020 contributed to anxiety for pupils, parents and teachers⁴⁶. Further upheaval was caused by the outworkings of the alternative awarding process and the issues arising from the statistical standardisation model which led to a change to the methodology for awarding grades after initial results were published.

In NICCY's experience, further significant anxiety and stress was experienced by young people following the re-opening of schools in September 2020. NICCY received numerous reports from autumn 2020 of the pressures being placed on children and young people due to continuous assessment. The uncertainty about whether summer 2021 exams would go ahead meant that, from the first period of term, young people were faced with repeated assessment as schools prepared for the eventuality that exams would be cancelled and grades would, again, be based on centre assessment. At that time, the Commissioner made clear that the situation was untenable, and that immediate action was needed to alleviate the stress experienced by young people. She called for exams to be cancelled and a robust framework for centre assessed grades to be co-produced by CCEA, schools, young people and other stakeholders⁴⁷. However, it was not until January 2021⁴⁸ that the Minister confirmed the summer 2021 exams series would not proceed. Instead, the approach to awarding grades in summer 2021 was to be based on teacher professional judgements, with moderation. In March 2021, CCEA released its guidance to centres on the alternative awarding arrangements. This set out that centres should use a range of evidence to base judgement on pupils' grades; the type, range, and number of pieces of evidence was at the discretion of schools.

Years 12 – 14 pupils returned to full time face-to face teaching from 22 March 2021. From then, young people reported further continuous assessment and extreme stress

46 Education and Training Inspectorate (March 2021); Post-primary Phase Report - September 2018 to December 2020 - <https://www.etini.gov.uk/sites/etini.gov.uk/files/publications/post-primary-phase-report-September-2018-December-2020.pdf>

47 'I can see no alternative to cancelling summer 2021 exams', says Children's Commissioner - <https://www.niccy.org/about-us/news/latest-news/2020/november/10/i-can-see-no-alternative-to-cancelling-summer-2021-exams-says-children-s-commissioner/>

48 Statement to the Ad Hoc Committee 6 January 2021 - <https://www.education-ni.gov.uk/sites/default/files/publications/education/Statement%20to%20the%20Ad%20Hoc%20Committee%206%20January%202021.pdf>

"Our education has been effected drastically and the government has failed to provide support and reassurance as they have went back on countless decisions they made. This broke trust and respect I had for the government as they clearly didn't have a clue what they were doing. All their decisions seemed last minute and they very much kept the people in the dark which allowed people to build things up in their head. One of the situations that affected me is when Peter Weir said we are definitely doing exams then changed his mind less than a week before my English and math GCSE. I have now had to sit over 4 exams for each subject. This has added so much stress to my life. This has been the worst year of my life. I also struggled greatly with my mental health, as did my peers. Being kept in the house for such long periods of time made me feel alienated from my community. This eventually resulted in me having social anxiety when we were allowed to go out which has put a gigantic strain on my relationships. By sitting inside all day by myself as my parents work for the NHS bar my one walk a day allowed me to have a lot of time to think. I was on social media for a large percentage of the day. This meant I was exposed to influencers perfect images, bodies and life. This made me feel like I was abnormal by feeling down and not being able to cope with lockdown. I compared my life, body to these people. This resulted in me going long periods without eating which made me lose 2½ stone. As I was so tired and feeling utterly disgusted with how I looked, I stopped all contact with my friends and isolated myself. This allowed these feelings to fester in my mind and grow. The government don't understand the severity of the situation on teenagers mental health. I don't know how I am going to recover from this."

Young person, YLTS

and anxiety arising from an exceedingly high volume of assessment. NICCY received a range of deeply concerning reports from various young people about the pressures being placed on them. Several informed us that they faced numerous assessments as they soon as they returned to school:

"Exams happened the very first week back and there is another set in two weeks' time, so it's been quite stressful." (NICCY Youth Panel Member)

"It's been stressful because we have just launched into assessments that decide our grades." (NICCY Youth Panel Member)

There was a perception by young people that, rather than reducing the level of assessment, the decision to cancel the summer 2021 exams series had generated the same, if not more, work than would have been the case had they been sitting formal examinations. Several comments reflected the physical and mental strain on young people, and that it had a detrimental impact on relationships with teachers.

"We are still being assessed like for me anyway I am being assessed the way I would have been last year, like it's the same exams, it's the same thing, like well we're not doing exams; that's the only thing that's been cut, but it's that exact same coursework". (F3)

"There's never been more irony in the thought of sending us back to school for our mental health, when these expectations of exams have been the pinnacle of the destruction of the mental health of young people this year!" (NICCY Youth Panel Member)

"Being so burnt out and exhausted from the very short study period we have been given to cover these assessments, I am aware that many young people (myself included) feel that they will not have the right mental ability to begin to learn a completely new course and do not have a positive attitude towards returning to school for the rest of this term overall." (NICCY Youth Panel Member)

The above are just a small sample of the responses received by young people with regards the extraordinary stress and pressure arising from continuous assessment.

Of further concern is the inconsistency in approach across schools both in terms of the type and level of evidence that can be drawn on when generating grades. All schools have been required to develop and submit to CCEA a Centre Determined Grades policy outlining their approach to and the evidence that will be considered when determining grades. NICCY understands that flexibility in the process has been enabled so that the evidence selected by schools is reflective of the level of content covered by individual schools. Nonetheless, pupils have legitimate concerns about variation across schools in the type and range of evidence used to determine grades. Feedback from the NICCY youth panel also reflects that some schools did not proactively engage young people in discussion about the evidence being used to determine grades. Whilst CCEA has informed schools that the Centre Determined Grades Policy should be accessible to students and parents to ensure they are aware of the evidence that will be used for producing

Centre Determined Grades, few youth panel members indicated that they had received or had sight of this policy. At the end of April 2021, one third of youth panel members indicated that they had not received an explanation of the evidence being used by their teacher to generate grades. This is despite the fact that schools had collected the bulk of the evidence required for teacher assessed grades by that point.

It is therefore critical that this year's appeals service enables pupils to raise concerns about the fairness and validity of the process upon which their grades were based. It is only right and fair that every pupil is able to instruct their school this year to conduct a review and to submit an appeal to CCEA on their behalf. NICCY welcomes that the post results service proposes grounds for appeal both on the basis of procedural/administrative errors and where it is considered that there has been an unreasonable exercise of academic judgement made by schools. Young people's right to appeal must be upheld and be founded on the principles of transparency, cooperation and fairness.

NICCY also welcomes that 2021/22 will see pupils facing "significantly fewer" exams in each subject⁴⁹. We cannot underestimate the disruption to pupils' learning over the past two school years, particularly with regards their personal, social, and emotional development. It is therefore critical that the reduction in exams enables young people space and time to enjoy their right to education, to access supports to enhance their emotional health and wellbeing, and engage in a wide range of enrichment activities. However, a reduction in content must not be to the detriment of learning, skills and development and must therefore be closely monitored in consultation with pupils and schools. There must also be ongoing contingency planning for alternative

49 Minister's statement to the Assembly 17th May 2021

awarding in 2022 in case of any change in the public health situation. This must build on the learning of the determination of centre assessed grades in 2021 and, essentially, must ensure young people are at the heart of discussions and decision making.

Transfer Test

There is grave concern that an undue focus on assessment not only diverted the emphasis from wellbeing and education recovery for GCSE, AS and A Level students, but also for Year 7 pupils amidst continued uncertainty about the Transfer Test. The outbreak of COVID-19 has placed a further spotlight on the adverse consequences of this unregulated system. The unacceptable pressure placed on children as young as 10 and 11 years to perform in the Transfer Test, and the resultant negative impacts on children's health and wellbeing add weight to the calls for the cancellation of the tests, not least given that pupils have missed out on months of learning. This academic year has seen inexcusable pressure heaped on our year 6 and 7 children which has been further compounded by last minute postponements, cancellations, and confused and contradictory communications. NICCY has publicly condemned the events of January 2021 which saw our Year 7 students and their parents caught up in a maelstrom of indecision, poor direction, and dogged determination to progress with the assessments despite the fact that schools were closed due to the risk of COVID-19. This culminated in the late decision to cancel the assessments, however, not before children and their families were subjected to the undue stress and uncertainty of whether the tests would go ahead.

The 2020/21 procedure for transfer from primary to post-primary education further exacerbated a challenging time for Year 7

pupils. The Commissioner wrote to all Boards of Governors across Northern Ireland in May 2020, indicating that it was their responsibility to modify their admissions criteria in such a way as to avoid putting children through additional stress. This was followed by repeated calls for the cancellation of the Transfer Tests and alternative contingency arrangements to be created by DE working in unison with schools. However, no such alternative arrangements were made. Whilst DE published Circular 2016/15⁵⁰ which set out recommended admissions criteria that post-primary schools should use for Year 8 admissions and which Boards of Governors had to have regard to, the Department's approval was not required for each school's admissions criteria. This generated further concern about the equitability and consistency of criteria applied across schools. As the guidance was not compulsory, it resulted in different schools imposing differing criteria, some being unfair on certain children. NICCY predicted problems around this area and invited the Department of Education to take stronger action in preparing contingency plans. Regrettably this did not happen. On the 12th June 2021, it became apparent that 280 pupils had not secured a placement in their chosen school. Many children were not allocated their 1st choice, whilst others were not allocated a place at all. Consequently, a significant number of queries were raised with NICCY's Legal and Investigations Team, with serious concern expressed about the impact on children's mental health and wellbeing as a result of not having a confirmed school place.

The resultant anxiety, bewilderment, frustration, and upset caused for children and their parents as a result of this year's transfer process cannot be permitted to happen again. We must learn from the

50 post-primary-circular-untracked-and-final-copy - <https://www.education-ni.gov.uk/sites/default/files/publications/education/post-primary-circular-untracked-and-final-copy.pdf>

failings of last year and enable a robust alternative arrangements process which ensures equitability and accessibility for all.

Conclusion

At the beginning of this chapter, we reflected on the potential long lasting effects of school closures on children's learning, development, and wellbeing. It is imperative that there is a concerted, collaborative effort to ensure the safe and sustainable opening of our schools, building on the learning from the previous lockdowns. There must be a focus on building resilience in the system in order to maintain the education of our children, to reduce the risk of outbreaks, and to respond when these occur. It is also essential that robust plans are in place to ensure seamless continuity if disruptions occur between home study and study at school to facilitate blended learning so that disruption of services and education for children can be kept to a minimum. This should include assessing needs for future home study and inter-agency planning to promptly meet the needs of vulnerable children and young people, including those who may be required to shield. This will be critical in case of further waves of the pandemic, in case of local outbreaks, or in individual cases where some pupils may be required to isolate. In such instances, measures must be put in place to monitor the quality and effectiveness of the arrangements for home learning.

Going forward, further DE guidance should continue to outline the minimum requirements to which each school should be expected to adhere. Additionally, DE should provide all necessary support to EA, CCMS, other educational bodies and schools to ensure that they can remain open safely and fulfil children's right to education.

Future guidance should address levels of support and education as well as safety measures. It should also address the needs and experience of those children who have been disadvantaged by the lockdown, are vulnerable and/or have special educational needs.

The evidence suggests that there is much room for learning not just in terms of how to ensure children's right to an effective education can be realised in emergency situations but also in ensuring that the existing inequalities are not exacerbated among marginalised groups of children. Contrary to recommendation from the Committee on the Rights of the Child, it is evident that online learning has exacerbated existing inequalities.

It is those children who were previously facing barriers to education who have been most adversely affected by school closures. Not all children were able to access learning in an accessible and the most appropriate manner. Nor was every child able to access the devices or connectivity required to facilitate effective remote learning. The recovery process presents an opportunity to address some of the educational inequalities in a meaningful way. It is critical that there is no further widening of the educational attainment gap, particularly for our most vulnerable children and young people, and therefore evidence must be provided to show that all children are experiencing their right to an effective education.

Recommendations

- 4.1 In order to truly understand the extent of engagement and the subsequent impact on children's development and attainment, there must be an assessment of the effectiveness of the education that children received during school closures and a benchmarking of any learning lost or gained over the course of lockdown.
- 4.2 Education and Health Bodies should report on how they have identified, met, and will continue to provide for the needs of vulnerable children, and ensure that issues which previously prevented the full-time opening of special schools are identified and addressed.
- 4.3 Ongoing guidance and support must be provided to schools to ensure safe and sustainable openings and robust plans be in place to effect facilitation of blended learning should disruptions occur between home study and study at school.
- 4.4 Robust mechanisms must be established by the DE and EA to ensure that there is a central record of all children who require access to a device and/or the internet, and the number of children who remain without.
- 4.5 Additional supports must be provided to children and young people who were unable to fully engage with learning during school closures. Robust evaluation data must be gathered to explore the impact of school summer schemes and the Engage 2 Programme and there must be an ongoing identification of any further supports required by children and young people.
- 4.6 There must be ongoing contingency planning for alternative awarding in 2022 in case of any change in the public health situation. This must build on the learning of the determination of centre assessed grades in 2021 and, essentially, must ensure young people are at the heart of discussions and decision making.
- 4.7 The Department of Education must work with schools to establish alternative contingency arrangements for the transfer from primary to post-primary school. This must include a set of common admissions criteria which must be statutorily enforced by the Department of Education to ensure equitability and accessibility for all pupils.

"The most difficult things faced by young people and children during the pandemic, I feel, is the stress of school and expectations to get good grades and complete school work, when at home where some people do not have access or time to complete or teach themselves, due to outside influences i.e., looking after younger siblings etc. I feel the government need to address the issue of children not being able to access resources they would in school, like computers, textbooks, etc. so that all children have an equal chance to get a good education. This needs to be a permanent change made by the government so all children own a computer have their own resources to do homework, not just a short time fix or borrow from school."

Young person, YLTS

"Covid was still quite prevalent within society, I felt that returning back to school was a mistake on behalf of the department of education, as they disregarded the physical welfare of many students. I live with my grandmother who is in her 70s, and I had to attend school. How is it fair that the department of education did this on top of that, they lacked a concise and clear message and the year began in chaos and now it is ending in chaos. Nobody knew what to do, nobody currently knows what to do, especially in regard to examinations."

Young person, YLTS



5. PLAY, LEISURE AND SOCIAL ENGAGEMENT