



NOTICE OF DETERMINATION
CORE PARTICIPANT APPLICATION
MODULE 8 - CHILDREN AND YOUNG PEOPLE - THE SUTTON TRUST

Introduction

1. In my [Opening Statement](#) on 21 July 2022, I explained that Modules would be announced and opened in sequence, with those wishing to take a formal role in the Inquiry invited to apply to become Core Participants for each module. On 21 May 2024, the Inquiry opened Module 8 and invited anyone who wished to be considered as a Core Participant to that Module to submit an application in writing to the Solicitor to the Inquiry by 17 June 2024.
2. On 28 August 2024, the Inquiry received an application from the Sutton Trust for Core Participant status in Module 8. This Notice sets out my determination of the application.
3. The Inquiry has published the [Provisional Outline of Scope](#) for Module 8, which states that this module will examine the impact of the pandemic on children and young people across society in the UK, including in education, health and social care, the criminal justice system, and the immigration system. Module 8 will also examine the extent to which children and young people were considered as part of decision-making in response to the pandemic, and the wider and long term impact of those decisions on children and young people.
4. Further modules will be announced and opened in due course, to address other aspects of the Inquiry's Terms of Reference.

Application

5. Applications for Core Participant status are considered in accordance with Rule 5 of the Inquiry Rules 2006, which provides:

5.—(1) The chairman may designate a person as a core participant at any time during the course of the inquiry, provided that person consents to being so designated.

(2) In deciding whether to designate a person as a core participant, the chairman must in particular consider whether—

- (a) the person played, or may have played, a direct and significant role in relation to the matters to which the inquiry relates;*
- (b) the person has a significant interest in an important aspect of the matters to which the inquiry relates; or*
- (c) the person may be subject to explicit or significant criticism during the inquiry proceedings or in the report, or in any interim report.*

(3) A person ceases to be a core participant on—

- (a) the date specified by the chairman in writing; or*
- (b) the end of the inquiry.*

6. In accordance with the approach set out in my Opening Statement and the Inquiry's [Core Participant Protocol](#), I considered whether the application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 8.

Summary of Application

7. The Applicant is the Sutton Trust, an educational charity operating across the United Kingdom which aims to improve social mobility and address educational disadvantage. The Sutton Trust primarily conducts research and advocacy on issues of educational inequality and disadvantage.
8. In its Application, the Sutton Trust sets out that the Trust carried out a number of important research projects regarding the impact of the pandemic upon children and people, particularly those from lower-income backgrounds. This included setting up the COVID Social Mobility & Opportunities (COSMO) Study in collaboration with the UCL Centre for Education Policy and Equalising Opportunities, and the UCL Centre for

Longitudinal Studies. The COSMO Study is a major national youth cohort study examining the short-, medium-, and long-term impacts of the COVID-19 pandemic on educational inequality, wellbeing and social mobility. According to the Application the COSMO Study has released two waves of research, based upon a representative sample of over 13,000 young people across England who were due to take their GCSEs in 2021 for Wave 1. Wave 2 took place when the cohort was in Year 13 or equivalent.

9. The Sutton Trust also explains in its application, that its work includes producing learning and research, related to the Pandemic, on topics such as the impacts of school closures, access to the workplace, A-level results, apprenticeships, university access, social mobility and remote learning. As part of its application, the Sutton Trust has annexed a list of its research publications in these and many other areas, which are all available on its website.

Provisional Decision

Whether the application should be considered out of time

10. Applications for Core Participant status made outside the Inquiry's timescales are considered in line with paragraph 10 of the Inquiry's Core Participant Protocol which provides:

When inviting applications, the Inquiry will set a timeframe for applications to each module, or part of a module. Applicants are asked not to submit applications outside of the timelines given by the Inquiry. The Inquiry will not consider applications that are outside the timescales provided by the Inquiry, unless the applicant provides an acceptable explanation as to why they did not submit their application within the relevant timeframe.

11. In accordance with the approach set out in my Opening Statement and the Inquiry's Core Participant Protocol, I have considered whether the Applicant has provided an acceptable explanation as to why it did not submit its application within the relevant timeframe and I have considered whether the renewed application fulfils the

requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 8.

12. The Applicant applied for Core Participant status on 28 August 2024. The deadline for any applications for Core Participant status to Module 8 was 17 June 2024, meaning that this renewed application was received late (72 days after the deadline expired).
13. The aim of this Inquiry is to provide prompt and useful reports and recommendations. To achieve that aim, I must impose firm deadlines at different stages of the Inquiry. Compliance with those deadlines is important to ensure that the challenging timetable will be met. I also have to consider the need to be fair to all Applicants who have made their application for Core Participant status within the time period available.
14. I therefore have considered whether the Applicant has provided an acceptable explanation for the failure to comply with the deadline imposed.
15. In its application for Core Participant status, the Applicant explains that the application window for Module 8 opened the day before then Prime Minister Rishi Sunak called the 2024 general election. The Sutton Trust has a small team working on research, policy and communications. During the lead up to the election, the work of this team was focused on preparing research on the educational backgrounds of over 1000 parliamentary candidates who were likely to become the next cohort of 650 Members of Parliament. The Sutton Trust has explained that this was a large scale piece of work which had to be produced at speed. The Sutton Trust is frank in its application that it did not see the chance to apply for Core Participant status until after the application window had ended.
16. This is an application for Core Participant status which is made considerably late however I am satisfied that it is open to me to extend time in order for this application to be made. First, I take account of the fact that the calling of the election would have put the Sutton Trust's small policy team under considerable pressure in terms of the preparation of profiles on potential incoming MPs. I also accept that the calling of the election was an exceptional circumstance which coincided with the opening of the window for Core Participant applications. I also take account of the fact that the

election took place at the end of July and that the period immediately thereafter is the summer holiday period.

17. Importantly this application is made prior to the first preliminary hearing and prior to any meaningful disclosure having been made to Core Participants. Fortunately, although this application is made considerably late, it has not caused prejudice or detriment (save of course that it has inconvenienced those in the Inquiry who have had to deal with it outside the scheduled period and during a period of other demands). Its lateness is not prejudicial to other Core Participants. For all of these reasons I consider that I have a discretion to consider the Application notwithstanding its lateness and accordingly extend the time for the Sutton Trust to make an application for Core Participant status.
18. I now turn to the question of whether the Application fulfils the requirements set out in Rule 5(2) in relation to the issues set out in the Provisional Outline of Scope for Module 8.

Decision for the Applicant

19. I have considered with great care everything that is said in the application. Having done so, I have decided to designate the Applicant as a Core Participant in Module 8.
20. Module 8 will examine the impact of the pandemic on children and young people across society. It will include an examination of the decision-making and the impact of those decisions in the areas set out in the Provisional Outline of Scope, including the impact of the pandemic on the education of, and the early years provision for, children and young people (including further and/or higher education, apprenticeships). Implicit in this, is that Module 8 will consider the longer term impacts of the Pandemic upon the prospects and social mobility of children. It will seek to examine the reasons why some children may have suffered a more adverse impact upon their future lives than other children.
21. This line of potential inquiry corresponds with the Applicant's work during and since the pandemic and specifically the work it has done in respect of assessing the impact of the pandemic on different groups of children and young people. This is relevant to

my ongoing commitment, as set out in the Terms of Reference and repeated in my Opening Statement, that inequalities will be at the forefront of the Inquiry's investigations.

22. I have therefore decided to grant this application having regard to Rule 5(2)(b) on the basis that the Sutton Trust has a significant interest in an important aspect of the matters to which the inquiry relates. Specifically the Sutton Trust has demonstrated that it has conducted significant research into the short-, medium-, and long-term impacts of the COVID-19 pandemic on educational inequality, wellbeing and social mobility in relation to young people. These are all issues that Module 8 will examine and which are important to it. I consider that Module 8 would be assisted by having the Sutton Trust as a Core Participant rather than a witness. I consider that the Sutton Trust will be able to assist the Inquiry's work (for example in terms of informing the identification and the examination of witnesses across a number of areas of Module 8's work). Additionally, the Sutton Trust has a clear focus upon the longer term impact of the Pandemic in relation to inequalities. It has a well developed expertise on issues going to the consequences of inequalities insofar as they impact upon the social mobility of children and young people. Again, I consider that Module 8 would be assisted by the addition of a Core Participant which has this focus and which will be able to contribute to the Inquiry's understanding of the reasons why the Pandemic may have had serious consequences in terms of the ability of some children to reach their potential but not others) and how long term any such consequences might be. I also consider that the Sutton Trust is likely to have valuable insights in relation to possible recommendations arising out of the work of Module 8.

Legal Representation

23. The Sutton Trust does not seek legal representation.

Rt Hon Baroness Heather Hallett
Chair of the UK Covid-19 Inquiry
5 September 2024