
WITNESS STATEMENT OF BARONESS ANNE LONGFIELD CBE

I, Baroness Anne Longfield CBE, will state as follows:

Introduction

1. Except where otherwise stated or clear from the context, the facts and matters set out in this witness statement are within my own personal knowledge. Where they are not, I identify the source of my understanding or belief.
2. I make this statement to provide further information in response to a Request for Evidence from the UK Covid-19 Inquiry, dated 24 April 2025, under Rule 9 of the Inquiry Rules 2006.
3. I will be referring to relevant paragraphs from my statement for Module 2 of the Inquiry [AL2/01 INQ000273750]. I have included relevant paragraphs in the body of this statement. References to those paragraphs are in the format [M2/paragraph number].

Part A - Role and responsibilities of the Commissioner

4. I held the role of Children's Commissioner for England from March 2015 until the end of February 2021, including part of the period covered by the Inquiry [M2/27].
5. As the Children's Commissioner, I had statutory responsibility for promoting the rights, views and interests of children in England on matters which affect them. The Office of Children's Commissioner was created by the Children Act 2004. The Act conveys a statutory duty on the Commissioner to promote and protect the rights of all children in England in accordance with the United Nations Convention on the Rights of the Child (UNCRC). The Commissioner has a legal duty to advise the Government and decision-

makers nationally on children's issues. The Office of the Children's Commissioner is an 'arms-length' body of the Department of Education, accountable to Parliament and involving regular accountability sessions with the Education Select Committee. The Office operated on a budget of £2.5m in 2020/21 and employed approximately 25 staff [M2/28].

6. While Government is required to take note of the advice of the Children's Commissioner, there is not a duty to follow that advice. Decisions relating to children's issues will depend on the priority that Government gives to children and young people more widely, and before the pandemic I had expressed concerns that children's rights and interests were not being adequately addressed in a range of issues, including in a 2016 mid-term review report on the UK's implementation of UN Convention on the Rights of the Child ('UNCRC'), produced together with other UK Children's Commissioners to the UN Committee on the Rights of the Children (the UN Committee) [AL2/02 INQ000651607]. A summary of the key concerns is set out in page 3 of that mid-term review.
7. The UNCRC raised similar concerns. In 2016 the UN Committee published Concluding Observations on the UK's implementation of the UNCRC [AL2/03 INQ000651610]. The UN Committee highlighted areas of progress since its previous report but also identified significant concerns and made nearly 200 recommendations for improvement across six priority areas. These areas included non-discrimination, abuse, neglect and sexual exploitation, children deprived of a family environment, mental health, asylum, refugee and migrant children, and children in the criminal justice system.
8. In 2016, the UK government responded to the UN Committee's 2016 concluding observations on the UK's implementation UNCRC [AL2/04 INQ000651611]. The government's response highlighted a commitment to addressing the UN Committee's recommendations, particularly those concerning disadvantaged children, online abuse, and mental health.
9. It is self-evident that in discharging the role of Children's Commissioner as outlined above during the COVID pandemic, the Commissioner should be directly involved in high-level discussions with decision makers and provide national-level analysis and advice of the same decision-making from the perspective of children. Throughout the pandemic, I had the statutory data-gathering powers that come with the role to inform my views, and a statutory power of entry to enable me to meet any child living away from home [M2/29].

Discharging my responsibility during the pandemic

10. I have been asked to address how I sought to discharge my responsibilities to children during the Specified Period, as defined by the Inquiry as 1 January 2020 to 28 June 2022.
11. During the pandemic, I made it the mission of the Children's Commissioner's Office to highlight the risks and impact of the pandemic on children, particularly the most vulnerable, and the measures to contain those risks and impact. My office pushed for the interests of children and young people to be a top priority for the Government as it responded to Covid. [M2/4]
12. Throughout, I was concerned about the impact of the government response on children and young people, and whether the full extent of the harmful effects of some of those interventions were being sufficiently assessed and balanced against any proven advantages. I wanted to know whether the particular needs of children and young people had been considered and whether the measures for children that were introduced were proportionate. This included national and regional lockdowns, school closures and access to education, social distancing, household 'bubbles', access to outdoor space and arrangements for health and children's social care. [M2/9]
13. I was also concerned about the impact of pandemic measures on specific groups of children - particularly those with Special Educational Needs and Disabilities, those with social workers, those from disadvantaged backgrounds and those in custody – who suffered disproportionately due to the lockdowns and other high-level government decisions, which often amplified existing inequalities. [M2/10]
14. During the pandemic, I analysed the decisions of government insofar they concerned policies which impacted on children. I provided advice and proposals to central government (as well as local authorities, public health, the police and other statutory and non-statutory agencies), about the impact of policy and practice decisions made during the pandemic and in response to the pandemic on children, in order to protect and promote their best interests. [M2/31]
15. I undertook research and published reports on education; children with special educational needs and disabilities; social care; child health; early years; youth justice; housing; and family life. I was particularly keen to represent the most vulnerable children

in society and those in the more disadvantaged areas of England. My findings and recommendations focused particularly on the impact of the pandemic on children and young people and measures and interventions that I believed should be undertaken to improve children's well-being and promote their best interests. [M2/32] I will refer to reports I published during the pandemic throughout this statement.

16. I was in regular contact with officials and Ministers including the Secretaries of State for Education; Justice; Work and Pensions; Housing, Communities and Local Government. I wrote to them openly throughout the pandemic to raise any concerns about the effects of Government's response on children. I was also an occasional attendee of the Cabinet Office Covid 19 Ministerial Group on public services and presented to the group on occasions. [M2/33]
17. In the week immediately prior to the first lockdown being announced on March 23, 2020, I was in Sweden and Norway with a small group of public servants undertaking a study of secure children's welfare homes, hosted by the Children's Commissioners in Sweden and Norway respectively. Whilst Sweden did not introduce restrictions during the visit, Norway swiftly moved to full lockdown as we left the country to return to the UK. I closed my office immediately and most staff set up working arrangements from home following the advice of the Department for Education whose offices we leased. Whilst arrangements were made for a very small number of staff to work from the office if they had particular reasons for doing so, and occasional activities required some staff to attend the office, most staff remained primarily working from home until my tenure came to an end on February 28, 2021. From the outset, a CCO pandemic response group was formed, comprising of senior staff. The group met virtually each weekday at 9am for 30 minutes to assess emerging evidence, developments in central government's response to Covid 19 and to agree priorities and actions in response. The group remained in contact out of office hours as necessary. [M2/35]
18. My assessment was that the pandemic was a period of extreme risk for children and knowing that children's needs and views can often be difficult for central government and other public bodies to understand, my team and I worked throughout the pandemic to provide a significant volume of analysis and advice, consulting with children and families; providing new analysis of data and briefing senior government ministers and officials; as well as taking part in public debates in the media. [M2/36]

19. The Children's Commissioner's office was widely recognised as having exerted significant influence on high level decisions during this period, and I was often one of a small number of voices making the case for children to be a priority. We produced a sizeable body of work to support this during the period. I communicated regularly with the Secretary of State for Education, the Health Secretary, and other Secretaries of State on children's issues that they were responsible for, as well as with relevant ministers, in particular, the Children's Minister. These reports and communications are set out in Appendix 1 [to my Module 2 submissions] [M2/37].

20. During the period from March 2020 to February 2021:

- a. I met on a fortnightly basis with senior officials with responsibility for vulnerable children; met monthly with the DfE Minister for Children; and every six weeks met with the Secretary of State for Education.
- b. Before most major central government announcements affecting children, I was briefed personally by either senior civil servants, the Minister for Children or the Secretary of State for Education.
- c. I attended and contributed to two high-level Cabinet Office ministerial groups (MIG), one of the implementation committees set up "to coordinate, prioritise and respond to the coronavirus pandemic across government" which fed into the daily C-19 meeting chaired by the Prime Minister, in the early stages of the pandemic to talk about the profiling work my office was undertaking to publish local area profiles of child vulnerability. We believed that this data was essential for local authorities and the DfE to be able to identify children's needs and prioritise resources where needed. The meetings were attended by the cabinet and chaired by Michael Gove - then Chancellor of the Duchy of Lancaster, who would attend the daily C-19 meeting [AL2/05 INQ000231386].
- d. I met with senior leaders in the NHS, Public Health England (including the CEO) and other public bodies to make the case for children to be prioritised in their response to the pandemic. In particular, I sought to bridge what appeared to be a gap between health advice from PHE restricting use of schools and the Department for Education's desire to open schools. There was an impasse on schools reopening; the Department for Education said that schools could not reopen as PHE had said it was unsafe. PHE said they had not said that it wasn't safe for schools to be open but had given general safety advice that DfE would need to make decisions on. In an attempt to break the impasse in May 2020, I met separately with the CEO of Public Health England and DfE senior officials to

broker a solution. I asked both to proactively work together to find a way for schools to reopen safely. In particular, I asked the PHE CEO and team to liaise closely with DfE officials to clarify any health concerns with the DfE and both parties to work together to collaboratively identify solutions that would enable children to stay safe and quickly return to school. These discussions followed my media intervention calling for a national endeavour to reopen schools in May, to which the PHE CEO responded [AL2/06 INQ000231382] (stop squabbling).

- e. Separately, I asked NHS to review their policy on the redeployment of health visitors to emergency practice in the first few months of the pandemic due to concerns over babies' health and safety. Health visitors largely returned to their substantive role in the autumn 2020.
- f. I produced a significant body of analysis from the early stages and throughout the progression of the pandemic including briefings and reports. These were submitted to Government, SAGE and other public bodies as well as disseminated in the media. The briefings and reports listed in the Appendix were sent to core decision makers (Ministers and above).
- g. The findings of these reports were summarised and updated in a report published in September 2020 - Childhood in the time of Covid [AL2/07 INQ000231345].
- h. Concerned that some councils did not have the data needed to identify and support vulnerable children in their area, by April 2020 my Office had developed a series of local area profiles of child vulnerability which were offered to central government officials (as well as local authorities) as a framework to target additional resources at children falling into groups likely to be at risk under lockdown. This was presented to the Cabinet Office Inter Ministerial Group. The Children's Commissioner's local area profiles of child vulnerability provided a way for Government and councils to understand which groups of children were likely to be at risk under lockdown, and how many children in their area fell into those groups. It also provided a framework for central government to target additional resources at the areas most in need if it wished to do so. I believed that local authorities should be factoring this information into their decision making when it came to Covid-19 responses [AL2/08 INQ000231369, AL2/09 INQ000231377]. I understand that the local area profiles were used by a number of local authorities to inform aspects of their decision making following their publication, however I do not have evidence that the profiles were used during the pandemic. The DfE implemented their own requirements for some enhanced local data gathering during the pandemic, which the local area profiles may have informed in part but which were not as extensive as we felt necessary.

- i. I regularly wrote to cabinet ministers and other ministers, highlighting concerns about children's issues and urging action such as data collection.
 - j. I attended and gave evidence to a large number of Parliamentary select committees during the period.
 - k. I also spoke publicly in the media about these issues throughout.
- 21. Despite my engagement with government, as described at paragraph 20 above, I was not explicitly involved in government pandemic planning either prior to or during the Covid-19 pandemic. Nor was I explicitly involved, prior to the Covid-19 pandemic in considering pandemic planning for children in the context of civil emergencies. I do not understand there to have been any precedent for the involvement of the Children's for England in national emergency planning. The Children's Commissioner was not normally involved in any planning by local authorities or other government bodies for civil emergencies. However, the pandemic was also an extraordinary situation that called for extraordinary measures. Throughout the pandemic my office prepared 30 reports to inform decisions made by government and other bodies which impacted upon children. I refer to these reports within this statement.
- 22. Specifically, while involved in ongoing dialogue with Ministers about these issues, I was not consulted on the following:
 - a. planning for the possible impact of Covid-19 in relation to children;
 - b. considering what steps might need to be taken in order that schools could stay open;
 - c. considering planning in the event that schools had to close; or
 - d. considering how children's social care would be provided and systems of child protection would be maintained, in the event that the situation developed into a pandemic.
- 23. I was also not invited to attend SAGE briefings and so was not privy to the policy decision making and rationale aired at those briefings. I wrote to SAGE about my concerns about the lack of input from my office on matters affecting children, and later in the pandemic, I had some engagement.
- 24. Without enhanced protection or priority for children during the emergency, it soon became apparent that many of the concerns around children's vulnerability before the pandemic, would be accelerated and amplified because of Covid unless action was taken. While I had regular contact with Ministers and officials throughout the pandemic

and had worked closely with Ministers on specific issues on occasions in the past, including with Minister Timpson, a previous Children's Minister who was very committed to improving children's social care, there was no practice of government in England considering the advice of the Children's Commissioner as being vital to it proceeding in most of its decisions around children. This approach continued during the pandemic and is in stark contrast with the approach in Wales where Government systematically sought out the views of the Commissioner to inform its thinking and understanding and improve its decisions with regard to children. For instance, the Welsh government carried out several Children's Rights Impact Assessments in relation to decisions made during the pandemic. These included assessments relating to the Coronavirus Action Plan endorsed on 3 March 2020, the decision to close schools in March 2020, the decision to allow children to return to schools in September 2020 and the introduction of various Regulations during this period. The UK government did not adopt the same approach of assessing the impact of their decisions on children's rights or wellbeing. In addition, the Welsh government provided funding for the Wales Children's Commissioner to undertake a survey of children's views during the pandemic to inform their decisions. I repeatedly requested for the UK government to do the same during my meetings with ministers and officials, however this was not agreed. I specifically recall that I made this request to the Minister for Children, Vicky Ford.

25. I believe that I should have been consulted about decisions that had an impact on children's right and wellbeing, at least during the pandemic but as a matter of practice. The Children's Commissioner's Office has expertise on children's rights and needs and the difficulties faced by children – especially vulnerable children, prior to and during the pandemic. The Government chose to consult with other institutions on a number of occasions, for example local authorities, but did not adequately consult with their primary independent advisor on children or wider children's rights experts.
26. I am concerned that throughout the pandemic there was a failure to put children's rights and needs at the forefront of decisions made and a failure to otherwise give proper consideration to the needs of children. I am concerned that this failure has had a long term detrimental impact on some children, particularly those who are vulnerable. Not involving the officer holder responsible for children's rights in policy and decision-making meant that the voices of children and young people were not treated as central to these decisions that impacted their lives.

27. In some countries, children were clearly at the forefront of national concerns. The Prime Ministers in Norway and New Zealand held TV briefings for children at the start of the pandemic to reassure them and to thank them for all they were doing. We didn't have such an event in the UK, despite my requests to No 10 and the Prime Minister [AL2/10 INQ000239702]. In fact, children were not even able to submit questions to the daily TV briefings in the initial stages of the pandemic. My office clarified this restriction with No 10 and was informed that the over-18 rule for questions would remain. [M2/22]
28. Many studies since the pandemic have shown the damage the pandemic caused to children - from education loss, and a growth in poor mental health, to the delay of social development in infants. This includes a report in June 2023 by the World Health Organisation on the impact of the pandemic on children and adolescents [AL2/11 INQ000268036] and a 2022 NSPCC statistics briefing on the impact on children [AL2/12 INQ000268039]. The experiences of vulnerable and disadvantaged children were often vastly different to those of their less vulnerable and more affluent peers. [M2/5]
29. Notwithstanding the lack of consultation with me and my Office on the policy development of key Covid pandemic measures which affected children, there were a number of examples where government did respond positively to my interventions during the pandemic:
- a. The first related to the decision to reopen pubs, zoos and shops before schools. My intervention led to the Prime Minister adopting the mantra that education should be "the last to close and the first to open". I address this further below.
 - b. The second related to my intervention in the measures introduced in the Coronavirus Act 2020 allowing for the detention of people on public health grounds if they were out of the home. This included children and was for a period of up to fourteen days. I was concerned that the Act allowed this to be done without consent from someone with responsibility for the child, and only required 'reasonable steps' to be taken to inform someone with responsibility of the detention. I asked to see protections for children in these circumstances strengthened, with timescales in place for when those with responsibility would be informed about a child's detention. I also requested that data was made available to me on all instances where a child was detained. I was assured that every effort would be made to ensure that the appropriate safeguarding was in place. Further to my request for clarification, the government confirmed to me that the Public Health Officer's power to screen, assess, isolate or detain under the

Coronavirus Act 2020 could only be exercised in the presence of a parent, carer or legal guardian. I have no records of any child being detained under this aspect of the Act.

30. The overarching mistake made during the Government's response to pandemic was a failure to consider the impact of policies on children, and a failure to listen to, consult with or act upon the advice of professionals working with children, or to hear from children themselves on the impact of policy decisions. This failure was not unique to the pandemic – for too long there had been, and continued to be, too little emphasis on the impact of government policies and decisions on children, and no attempt to consult with children about their experiences or views before major decisions are made. Too often children have been an afterthought instead of a priority

Part B - The impact of school closures and lockdown January to March 2020

31. As I set out in my previous submission to the Inquiry, for some children, certain aspects of the pandemic initially brought benefits. Families who were able to work at home or whose incomes remained stable, perhaps as a result of the furlough scheme, often found that they had more quality time to spend with one another. However, that was not the case for many others: those children in poor cramped accommodation, those living on low income whose parents needed to go out to work, those living in vulnerable households with poor mental health, addiction and domestic violence, those living in poverty, those without access to the outdoors and those without access to the digital technology to access education or socialise with friends. For these children, the pandemic was often difficult, heightening existing vulnerabilities and laying the foundation for long term problems. [M2/7]
32. Whilst the pandemic, and our country's response to it, were a major challenge for most children, it was a disaster for many disadvantaged children who were already living with risks and vulnerabilities in their lives. I was particularly concerned about the impact of Government policy response to the pandemic on children and young people, and whether the full extent of the harmful effects of some of those interventions were being sufficiently assessed and balanced against any proven advantages. I wanted to know whether the particular needs of children and young people had been considered and whether the measures for children that were introduced were proportionate. This included national and regional lockdowns, social distancing, household 'bubbles', access to outdoor space and arrangements for health and children's social care. [M2/9]

33. As Children's Commissioner for England, I was particularly concerned about these children and focused much of my advice on reducing and mitigating the risks they faced. Whilst Government appeared on occasions to understand the risks to the wellbeing of children, at least in part, their approach on too many occasions lacked coherence, was indecisive, and at times appeared indifferent to the impact of policy decisions. [M2/8]

Education and the pandemic

34. The pandemic has had a devastating impact on the majority of children's education, as has been demonstrated in several studies, some of which I refer to below.
35. In March 2022, the Education Endowment Foundation reported on the impact of Covid-19 on pupil attainment. COVID-19-related disruption has negatively impacted the attainment of all pupils, particularly those from disadvantaged backgrounds. Research showed that COVID-19-related disruptions have worsened educational inequalities: the attainment gap between disadvantaged pupils and their peers has grown since the onset of the pandemic [AL2/13 INQ000236895] [M2/5]. More recent evidence finds that in 2023 the disadvantage attainment gap at the end of primary school was 10.3 months which is over one month wider than it was prior to the pandemic. In the same year, the disadvantage attainment gap at the end of secondary school was 19.2 months which is 1.1 months larger than prior to the pandemic. The gap in 2023 was at its largest since 2011 [AL2/14 INQ000651604].
36. In October 2022, in a study into the impacts of the pandemic on young people's life chances, the COVID Social Mobility & Opportunities (COSMO) study, led jointly by the UCL Centre for Education Policy and Equalising Opportunities, the UCL Centre for Longitudinal Studies and the Sutton Trust showed 80% of young people said their academic progress has suffered as a result of the pandemic and half reported feeling less motivated to study and learn. State school pupils were more than twice as likely to feel that they have fallen behind their classmates than independent school pupils. Nearly half (45%) of all pupils didn't believe they have been able to catch up with lost learning. Almost half of young people had accessed no catch-up education and a large majority had not accessed tutoring [AL2/15 INQ000267955] [M2/5].
37. In April 2022, Ofsted reported that the pandemic and lockdowns had resulted in delays in learning speech and language; problems with social interaction and confidence, such

as not knowing how to take turns and struggling to make friends; and delays in walking and crawling, with more obesity as a result. Children were also not at the expected level in developing vital self-care skills, such as being potty trained, tying their shoelaces and taking their coats off [AL2/16 INQ000267956] [AL2/17 INQ000268037] [M2/5].

38. In a report dated 8 October 2024 [AL2/18 INQ000651605], Ofsted noted that schools continue to face significant challenges in dealing with the impact of the Covid-19 pandemic on children who were in reception and key stage 1 at the time of the report. In its report, it noted in particular that the pandemic still had an impact on children's behaviour and social skills.
39. The pandemic has had a significant impact on children's attendance at school. In January 2022, the Centre for Social Justice warned of a lost generation of children not attending school. They reported that 100,000 children had almost entirely disappeared from education since schools returned. The report said that the existence of these so called "ghost children" was nothing short of a national disaster. "These children are at risk of abuse after failing to come back to school". [M2/5]. More recent DfE statistics found that the number of children missing from education has increased by 58% between 2021/22 and 2023/24 from 94,900 to 149,900 [AL2/19 INQ000651606]. Data before 2021/22 does not exist. In addition, the Education Policy Institute estimates that up to 400,000 children are estimated to not be in school. This figure was reached by comparing GP registrations with school registrations, and data on pupils who are in Elective Home Education and is more than double DfE's statistics. The EPI reports that this is a 50% increase since 2017. The EPI also estimates that 300,000 children may be missing from education entirely, which has increased by 40% since 2017 [AL2/19 INQ000651606].
40. The tragic case of five-year-old Arthur Labinjo-Hughes, who was cruelly poisoned then beaten to death by his parents, is a painful case in point. Gang-related and other safeguarding risks abound when children disappear from schools. This has been confirmed by charities who saw "an alarming spike in safeguarding referrals". The number of children absent from school has continued to rise. In the 2021/22 academic year 22% of children were persistently absent from school with 125,000 severely absent for more than 50% of the time [AL2/20 INQ000267957] [M2/5]. Updated statistics find that 1,487,022 children were persistently absent in 2023/24. This figure has almost doubled since 2018/19. 171,269 children were severely absent in 2023/24 which is almost three times as many as in 2018/19 [AL2/19 INQ000651606].

41. On 9 August 2024, the Education Policy Institute reported [AL2/21 INQ000651608] that whilst overall absence rates had fallen, these rates were still higher than they were pre-pandemic and there had been an increase in unauthorised absences from school; these were reported to be almost 40% higher at primary and over 80% higher at secondary than they were pre-pandemic. In addition the absence rates for disadvantaged pupils and pupils with an EHC plan were higher than for those not in those categories. The EPI notes *“the ‘absence gap’ between vulnerable and other pupils has continued to grow, and would appear to be widening the underlying inequalities for these vulnerable groups, whose education has suffered the most in the wake of the pandemic.”*
42. I believe that had more been done to reopen schools and secure the attendance of vulnerable children at school during the pandemic, we would not be seeing such high absence rates so many years after the pandemic ended. This was also exacerbated by the very limited education recovery programme which left many young people without the support they needed.

Children and young people’s mental health

43. In July 2021, the Royal College of Paediatrics and Child Health reported that services across the NHS, child health services were under significant pressure due to the impact of the pandemic. Paediatric beds were also under significant pressure due to an increase in children and young people with serious mental health problems - doubling compared to 2019 [AL2/22 INQ000267958]. A further report from the college on services November 2020 - February 2021 was published [AL2/23 INQ000268033] [M2/5]. This report recorded that in December 2020 12% of paediatric inpatient beds were occupied by a child or young person admitted due to a mental health problem, and that this figure was 6% in September 2019. The report noted that although there was some variation across regions, almost all regions showed an increase from 2019 to 2020. The report recorded that children and young people suffered from the indirect consequences of the lockdown, and their health must be prioritised in the recovery phase. Paediatricians also need support in caring for children with mental health needs, and there should be clear pathways of care. 38% of respondents said that they did not have effective joint pathways with Child and Adolescent Mental Health Services (CAMHS).
44. A record 1.4 million children and young people sought NHS help for mental health problems in 2022. The number of school-age children being referred to Child and

Adolescent Mental Health Services ('CAMHS') soared by 76% from 2019, according to NHS figures. 2022 was the second year in a row in which referrals topped 1 million, amid the continuing impact of Covid on young people's wellbeing. Anxiety, self-harm, anger or aggression, problems with school, including them refusing to attend, behaviour management and eating disorders were reasons for referral. The figures came from an analysis of NHS Digital data by Young Minds [AL2/24 INQ000268038]. The NFER also produced a report in 2022 on the impact of the pandemic on children's wellbeing and mental health [AL2/25 INQ000268040] [M2/6].

45. The increase in mental health problems amongst children and young people continues. According to the NHS England (2025) Adult Psychiatric Morbidity Survey: Survey of Mental Health and Wellbeing, England 20.3% of 8-16-year-olds and 25.8% of 16-24-year-olds had a probable mental health condition in 2023/2024 [AL2/26 INQ000649023]. For the former age group, this is an increase from 17.5% in 2007. Between 2017 and 2023, the rate of children and young people with a probable mental health condition increased from 1 in 10 to 1 in 5. The numbers of girls and boys with a probable mental health condition are relatively even, while the number of young women (17-25) was more than double than that of young men. Over the period of 2010-2021, the rate of hospital admissions for self-harm by girls and young women rose 40% and decreased by 22% for boys and men (ages 10-24). In 2023, 12.5% of 17-19-year-olds presented with an eating disorder, with a ratio of 4:1 among young women and young men. I believe that there is a clear correlation between the increase in mental health problems and the failure to take adequate steps to consider and then mitigate the impact of lockdown measures on children and young people.
46. There has also been a failure to take adequate steps to ensure that children and young people can access mental health, following the increase in demand post-Covid. The Centre for Young Lives State of the Nation report [AL2/14 INQ000651604] highlights that children and young people are waiting longer to access mental health services. As of June 2024, 500,000 had been waiting for over a year to receive treatment, with only 47% of those living with a mental health condition having any contact with a Children and Young People's Mental Health Service (CYPMHS). More than 75% of parents of these children and young people reported that these wait times exacerbated their child's mental health condition.
47. As further reported in the Centre for Young Lives 2025 State of the Nation report [AL2/14 INQ000651604], unaddressed mental health conditions can hinder children and young

people's development and prospects: children living with a probable mental health condition are seven times more likely to miss 15 days of school compared to their peers and are more likely to perform less well academically, as well as to display behavioural issues. Untreated mental health conditions can also result in worse physical health and trouble sleeping, which can exacerbate the young person's existing condition. The current inability to adequately support children and young people with a mental health condition is estimated to cost £1 trillion in lost future earnings.

48. The pandemic also had an impact on children's physical health. The Centre for Young Lives State of the Nation report [AL2/14 INQ000651604] records that the number of overweight 4 – 5 year olds peaked at 28% at the height of the pandemic. The number of overweight 10-11-year-olds has fallen from its highest (36% compared to 41% in 2020/2021), but it remains higher than before the pandemic at 34%. In England, 2.5 million children are overweight or obese, with almost half of these (1.2 million) living with health conditions related to obesity. Deprivation is a risk factor for childhood obesity: children living in the most deprived areas are more than twice as likely to become obese than those in the least deprived and report higher inactivity levels are higher among children living in deprivation.
49. The number of children living with eight or more chronic conditions increased before the pandemic, nearly doubling from 7.6% in 2013/2014 to 14% in 2018/2019. As of 2022, 11% of children live with a disability. The proportion of children aged 15 or younger with a longstanding illness (mental or physical) was 17% in 2022, an increase of 2% from 2018; 12% have a longstanding illness that limits their ability to do everyday activities (up from 8% in 2018). 13-15-year-olds were particularly impacted by longstanding illnesses in 2022, with 28% reporting one in that year and 20% reporting one that limited their ability to perform everyday activities. 9% of children aged 15 and younger endured an acute sickness in the past fortnight that caused them to limit their usual activities, with 11-12-year-olds affected most (13%) [AL2/14 INQ000651604].
50. Again, I believe that more could and should have been done during the pandemic to ensure that children were able to return to school, spend time with their friends, were subject to less restrictive regimes, had spaces to play in and more time in the open air. Specifically, I consider that the education sector should have been prioritised to re-open as soon as possible, teachers should have been provided with access to PPE and vaccines immediately after health workers, the Rule of 6 should have not applied to children under the age of 12 and children's access to outdoor spaces including

playgrounds should not have been restricted. These measures may have mitigated the impact of lockdowns on children's physical and mental health.

51. I believe that the failure to consult with, and positively respond to the advice of my Office on critical issues relating to children resulted in decisions being made about school closures, access to education and provision for those children with special educational needs which were damaging to children and failed to protect their fundamental right to an education. I also have grave concerns about the failure to formally consult me or to positively respond to my concerns on how children's social care would be provided or how systems of child protection would be maintained, and the failure to heed my advice. I address these matters further below. As I have stated, throughout the pandemic I was extremely concerned about the lack of focus on children's needs in decision-making. While I agree that the first lockdown needed to happen, the decisions to keep schools closed while opening up pubs and shops in June 2020, the lack of focus and action to enable children to attend school and decisions about children in care and the Rule of 6 all appeared to be made without proper regard to the impact on children and young people.

The announcement (of 18 March 2020) that schools would close

52. I was concerned that the following issues were not considered by Government in their planning and response to the pandemic, which I raised in my evidence to the Education Select Committee, dated 3 June 2020 [AL2/27]:
- a. School closures on children would have the following impact: children missing out on learning, losing skills they required to learn (social, emotional and cognitive) and children experiencing difficulties returning to school.
 - b. I suggested the following measures be implemented to protect children's right to education:
 - i. Keeping the return to school under review with a view to facilitating this as soon as possible.
 - ii. A communications campaign aimed at reassuring parents, children and teachers, to enforce the message that risks to children (from the virus) are low.
 - iii. Informing schools of the practicalities of returning to school through for example, social distancing measures and blended learning.

- iv. Providing guidance on the level and nature of education offered over summer holidays.
 - v. Confirming plans for any testing regime.
 - vi. Identifying a specific nursery strategy given that many nurseries are small so that their re-opening may not be financially viable.
 - c. I recommended that the Department for Education ('DfE') work with the Ministry for Housing, Communities and Local Government to set a national plan to move families from bed and breakfasts ('B&Bs') into long term homes.
 - d. I recommended that steps be taken to ensure that children were engaged in education throughout summer and suggested that funding be provided to schools and existing summer schemes to arrange summer schools and activity clubs.
 - e. To assist with managing children's return to school I recommended the introduction of catch-up premiums allocated to local areas in accordance with indicators of deprivation.
 - f. I suggested that steps be taken to prepare for a rise in challenging behaviour
 - g. In relation to children whose return to schools would be delayed, I recommended the following:
 - i. Schools to continue offering remote learning;
 - ii. DfE expansion of digital access scheme; and
 - iii. Catch up funding for schools
53. Although I was not consulted about the decision to close schools for most children prior to the announcement on 18 March 2020, I did receive a telephone call from the Children's Minister at around 5pm on that day, informing me of their decision. I was pleased that schools would be kept open for vulnerable children and I told the Minister this.
54. However, I was concerned that additional steps be taken by the Government to ensure that the other issues I refer to at paragraph 52 above would be addressed.
55. I wrote to the Chancellor on the date of the announcement to ask that the Treasury provide a broader package of support for vulnerable families [AL2/28 INQ000231350]. I identified two groups of children to whom specific consideration should be given.
- a. Children for whom school provides a vital safety net. I noted that the impact of schools closing would be particularly severe for 1.275 million children eligible for free school meals and the 700,000 children who receive social services support

(children in need and children on a child protection plan or in care). I was concerned that although schools would remain open for children currently with a social worker, there would be a large group of children on the edge of social services for whom school provided vital structural support. I was concerned that although the government would provide for the most vulnerable children, there would be a wider pool of at risk children for whom additional support would also be required.

- b. Children in families on the edge of homelessness. I was concerned about children living in families at risk of becoming homeless, those in temporary accommodation and those living in families who were sofa surfing.

56. I asked the Government to take steps to mitigate these risks through the provision of additional funding. I copied my letter to the Secretary of State for the Department for Work and Pensions, Education and Housing and Local Government, as well as the relevant Select Committee Chairs.

57. On 26 March 2020 I wrote a letter to the Permanent Secretary for the Department for Education and the Permanent Secretary for the Department of Health and Social Care requesting additional safeguards for particular measures to ensure that children's rights and best interests were always upheld [AL2/29 INQ000231396]. In particular I noted the needs of:

- a. Children with disabilities and additional care needs;
- b. Young carers; and
- c. Those detained under the Mental Health Act.

58. The measures and safeguards identified in my letter of 26 March 2020 included:

- a. Schools, community health services and other services co-ordinating information to identify children who may be at risk without additional support, and without clear plans for how families will be helped to care for these children.
- b. Young carers to continue to receive assessments to identify what help they needed.
- c. Monitoring to be introduced of the numbers of children and young people whose need for an assessment could not be met.
- d. An expectation to be introduced, through additional guidance, that children should be prioritised for having the approval of a second doctor before being detained under the Mental Health Act.

- e. Children to be prioritised for full mental health tribunals and to be supported through access to remote advocacy services.
59. I also asked that there be an investigation into deaths related to COVID-19 so that such deaths could be appropriately investigated to understand what measures could have prevented them. I also raised concerns about the possibility of children being detained on public health grounds.
60. In April 2020 I published a briefing on the need to tackle the disadvantage gap during the COVID-19 crisis, and how schools could be supported to adapt and improve access to meaningful education opportunities for disadvantaged children in the months to come [AL2/30 INQ000231361]. The briefing drew attention to the already existing attainment gap between disadvantaged and non-disadvantaged children. I was concerned that without intervention, school closures would be likely to widen the disadvantage gap. I suggested the following steps:
- a. A drive to increase attendance among vulnerable children to ensure that these children were properly safeguarded. I advised that this should include much clearer messaging for children, parents/carers, social workers and teachers about the need for this and assurances about safety.
 - b. I suggested that schools could be asked to invite the 20% of children in each year group whom they judged to be most at risk of falling behind, to attend school one day a week.
 - c. Intensive tutoring be provided to children invited back to school.
 - d. Staffing could be supplemented by inviting undergraduate students and retired teachers to volunteer.
 - e. Appropriate social isolation measures can be planned for including:
 - i. Keeping students in consistent classrooms;
 - ii. Increasing spacing between students in classes as far as possible;
 - iii. Staggering start and breaktimes for children in different classrooms;
 - iv. Staggering drop off and pick up times to avoid adults meeting at the school gates.
61. I also noted:
- a. the need for teachers and children to be provided with adequate PPE.
 - b. the need for an enhanced digital offer to ensure that children had access to devices with internet connectivity. I noted that the government had no clear timeline for the provision of such items.

- c. the need for schools to create a well-structured digital offer. I was concerned that every child at risk of educational disadvantage who was not in school would need a structured plan for learning. I suggested this should include a lead teacher responsible for their education while they are not in school, a timetable, regular conversations with parents and carers and mandatory work to be submitted and marked.
- d. the need for increasing awareness of online harms with a booklet of resources to be given to families who were provided with a device or connection by the government.
- e. the need for children in Years 6 and 11 to be prepared for the next steps in their education and that planning should happen now to assist with these transitions. I raised concerns about the need to think now about exam results for Year 10s and 12s.
- f. the need for a strategy for the summer holidays to ensure that children were able to access help to catch up with schooling and prepare for the next school year.
- g. the need for continual assessment to identify children who were falling behind and the need to provide support to enable them to catch up.

Monitoring the impact of the closure of schools to most children and pressing for a reopening

62. In April 2020, the Prime Minister announced education was one of the top three priorities for easing lockdown. Unfortunately, as stated in my Module 2 submission, his actions didn't live up to these words. Neighbouring countries like Belgium, the Netherlands and France opened schools earlier for all children, despite having had similar infection rates. I published a briefing on children's safe return to school on 16 May 2020 [AL2/31 INQ000231407] which was sent to the Secretary of State for Education and I gave evidence to the Education Select Committee on 3 June in an inquiry into the impact of Covid 19 on education and children's services [AL2/27 INQ000231404]. I also made a media intervention mid-May 2020 urging Government and unions to 'stop squabbling' and agree a plan to get children back into school [INQ000231382]. I was concerned that Government was not proactively communicating with unions constructively to find solutions to reopen schools safely. Throughout I made it clear that I believed it unacceptable that Government saw opening schools as less urgent than opening theme parks, shops, pub gardens and zoos in June 2020 [AL2/32 INQ000231368, AL2/27 INQ000231404, AL2/06 INQ000231382] [M2/16].

63. Whilst schools remained open for vulnerable children during school closures - a decision which I supported and encouraged - most vulnerable children did not attend school during the closures. This has been attributed to various factors, including the nature of the stay-at-home message from government and the fact that the policy was not backed up by consistent encouragement and support. This, in my view, reflects a lack of understanding of the complex challenges and difficulties faced by such children and their families, and the barriers to attendance and engagement and a lack of follow through to drive attendance. [M2/48]
64. Those most detrimentally affected in the initial stages of lockdown were children who did not have access to online learning; the necessary resources (in terms of space and IT equipment) to receive their education from home; and the additional parental support required. I corresponded with the Schools Minister in November 2020 raising concerns about the roll out of digital support to disadvantaged children [AL2/33 INQ000239698] [AL2/34 INQ000239699] [M2/49].
65. In addition to children not having access to online learning, some children struggled during lockdown due to poor and cramped housing, poverty, no outdoor space, vulnerabilities such as poor mental health, addiction and domestic abuse in the home. These conditions inevitably impacted on their ability to learn.
66. I highlighted the dangers of learning loss throughout [AL2/35 INQ000231403] [M2/50].
67. Between mid-March and May 2020, 148 new guidance documents or updates to existing material were issued to schools [AL2/36 INQ000231401] resulting in a barrage of information which proved difficult for institutions to decipher and implement. Many schools reported that communications were lacking in clarity, consistency and transparency, resulting in confusion as to which measures were mandatory; how they should be implemented; and how they would be regulated or monitored. [M2/60]
68. I also highlighted concerns about changes to duties and requirements for support for children with Special Educational Needs and Disability ('SEND') [AL2/37 INQ000231371, AL2/38 INQ000231398] [M2/61]. I was concerned that under the new provisions local authorities and CCGs would be required only to use "reasonable endeavours" to secure provisions in education health and care plans (EHCPs). I noted my preference for the amendment which had been proposed during the passage of the

Bill, and which would have required these bodies to “take all practical steps” to secure provisions under EHCPs. I called for there to be a requirement for bodies to set out their reasons and evidence for relying on the “reasonable endeavours” rule and for the Government to publish an assessment of the impact of these changes on children’s rights.

69. As warned in early advice, Government decisions regarding schools and education led to:

- a. Reduced visibility: As a result of closures of schools, early years childcare, redeploying health visitors and a reduction in face-to-face social care, the visibility of vulnerable children was reduced enormously. As such, services and professionals who play an important role in identifying early signs of abuse and neglect were significantly hindered in their efforts to protect those children and referrals of vulnerable children to children’s services dropped by 50% at the peak of lockdown. Many of these services were already under enormous pressure and struggling to cope with demand pre-pandemic. It is not apparent that the extent of the potential risk of harm to vulnerable children was understood by Government.
- b. Increase in frequency and severity of risks and harms: As a result of the national lockdowns, children living in cramped housing and in vulnerable family situations were left at increased risk. Between March 2020 and March 2021, local authorities reported increased concerns in relation to domestic abuse and violence; mental health difficulties among parents and children; neglect and emotional abuse; non-accidental injury; acute family crisis situations; and escalating risk in existing cases. This was highlighted in a report on domestic abuse I published [AL2/39 INQ000231343] and sent to relevant Ministers responsible for this portfolio.
- c. Serious harm incidents: The government’s 2020-21 data on serious incident notifications found that from April to September 2020, there was a 31% rise in incidents of death or serious harm to children under 1 when compared with the same period in 2019. The largest increases were seen amongst young children in the under 1 and 1-5 age groups. There was also an increase in serious harm incidents involving children with a disability as compared to the previous 6-month period [AL2/40 INQ000267963]. Social workers reported increasingly complex cases during this period [AL2/41 INQ000268029].
- d. Vulnerable teenagers: The disruption caused by Covid-19 was particularly worrying for teenagers ahead of critical exams and on the cusp of adulthood. In July 2020, I highlighted that 120,000 teenagers – one in 25 of all teens in England

– were already falling through gaps in education and social care provision even before Covid-19. These were young people who had experienced persistent absence from school, exclusions, alternative provision, dropping out of the school system in Year 11, or going missing from care. This was detailed in a published briefing in July 2020 and sent to relevant Ministers [AL2/42 INQ000231363]. A technical report was also published [AL2/43 INQ000231362] [M2/63].

70. I believe I did all I could to highlight the risks to children arising from the closure of school. I repeated the concerning evidence my office had gathered at every available opportunity in meetings, in letters and briefings and in the media.
71. In May 2020, I gave evidence to the Education Select Committee [AL2/27 INQ000231404] and on 18 June 2020 I provided written evidence to the Joint Committee on Human Rights [AL2/44]
72. I set out below a summary of my concerns at this time about children and their lack of access to school:
- a. Any deprivation of education should be taken extremely seriously and that in England up to 8 million children would be likely to lose out on six months or more of education as a result of the coronavirus.
 - b. Millions of children were missing out on learning because they did not have access to a laptop (whether this is their own or shared); access to the internet; a quiet place to study and support from parents. All of these are vital prerequisites for even basic learning.
 - c. Children were missing out on the ability to learn social, emotional and cognitive skills. Such skills included: the ability to sit-still and concentrate for extended periods, the ability to socialise with others and control emotions while doing so, the ability to follow instruction and to think creatively and confidently.
 - d. Many children would experience difficulties with returning to the classroom. If steps were not taken to ensure children's reintegration into the classroom, the advantage gap between advantaged and disadvantaged children would grow, and there would be a greater chance of children becoming persistently absent, excluded or isolated within schools.
 - e. There was very strong evidence that the majority of children at state schools were doing very little teacher led learning each day. This was particularly so for those in the most deprived communities, but much less so for those attending private

schools. There was overwhelming evidence that being away from school was more damaging for already disadvantaged and vulnerable children.

- f. There were many children whose families don't have the resources – time, knowledge, study space, technology, money – to provide a home environment in which children can develop their interests. For these children, schools play this role too.
- g. School provides a whole host of protective factors around children which keep them safe from threats outside the home or recognise the threats to children that exist at home.
- h. The Government suspended children's absolute rights to the provision set out in their EHCP, with councils only required to make 'reasonable endeavours' to deliver this provision. The downgrading of key duties towards children with SEND was disproportionate to the situation. The SEND system was already under considerable strain before COVID-19 and I was worried that these changes could result in local services being stretched back further. I warned that the vast majority of these children would not be returning to school, and many would find it difficult to do so until their rights to their full EHCP were reinstated. Many were missing out on the specialist support which comes with being in school, whether being provided by teachers, carers or other professionals.
- i. Our office had heard of a worrying number of examples where:
 - i. A school told a child they cannot attend during lockdown despite being in receipt of an EHCP.
 - ii. A school told a child they will not be able to return because the school does not have the resources to meet their needs (for example where a child requires 1:1 support from a teacher's aide, who was then required to supervise a class of 15 students).
 - iii. A school told a child they will not be able to return to school because their disability prohibits them abiding by the social distancing rules.
- j. An increasing body of evidence demonstrated that the risks to individual children from COVID-19 was extremely low. It was therefore possible to conclude that for most children (with notable exceptions for children with underlying health conditions which make them more susceptible to the virus), it was, on balance, in their best interests to be back in school if precautions were taken to make the environment as safe as possible.

73. These findings and this advice did not translate into a change in policy towards school opening during the summer term of 2020. The government did not respond adequately

to the advice or evidence provided by me or others on the harm that school closures were causing children. This has had a detrimental impact on a generation of children and for vulnerable children the impact has been particularly concerning.

74. In May 2020 I made the following recommendations to get children back to school:

Getting children back into the classroom

- a. The Government should keep the return of children to education under review. The aspiration should be to give all children some time in school before the summer holidays.
- b. The Department for Education needed to mount a professional communications campaign to reassure parents, children and teachers. While the scientific advice was complex, one point on which there is a clear position was that the risk to individual children remained very low. The Government needed to promote this message through social media and via schools.
- c. The Department for Education needed to begin planning now for the return of schools in September, when it was assumed all children will return. If schools would need to implement social distancing in September they must be told how this will work before the summer holidays to give them time to implement the changes. Similarly, if it was likely that blended learning would need to be in place.
- d. The DfE should provide additional guidance and support on the level and nature of education to be offered to children not in school between June and September.
- e. The Department of Education needed to lay out plans for an extensive testing regime in and around schools, including plans for asymptomatic testing. This was needed to keep schools safe, but also to ensure that we better understood the level of in-school transmission.
- f. Regional schools commissioners (RSC) needed to be reaching out to all schools to advise and support them on their plans to have more children attending and delivering education to those not in school.
- g. RSC's REACT teams should be liaising closely with local authorities to put in place any local-level mitigation required. Unfortunately, local authorities had raised concerns with the CCO about a lack of engagement from the REACT teams.
- h. RSCs needed to provide regional level co-ordination between NHS England/Public Heath England and schools on regional-level data and access to testing.

- i. Local authorities should have been working with all their schools to provide support and reassurance in expanding the numbers of children attending. Directors of Public Health and Directors of Children's Services need to work together to deliver this.
- j. Local resilience forums should have been making a clear offer to local schools about access to: the latest relevant data, PPE (if required) and, most importantly, testing.
- k. The Department for Education needed a specific nurseries strategy to help them re-open and then re-establish after Covid-19. This needs to cover practical advice about how to reduce the spread of infection, as well as financial support, for nurseries whose numbers returning would not make an initial reopening feasible, as the Scottish Government have implemented.

Children without the resources to learn

- l. IT needed to be provided to a much wider group of children. The DfE should consider whether to expand their centralised scheme or whether to give schools the money to procure their own IT on behalf of their pupils.
- m. DfE should have published the data concerning (1) the number of children currently eligible for the scheme, and (2) the local allocations.
- n. The DfE should have been setting clearer expectations as to what schools should be doing to ensure pupils are accessing learning. This should include teachers checking in regularly with all pupils learning remotely, especially disadvantaged pupils.

Children in unsuitable accommodation

- o. The Government proved the principle of rapid, proactive action by housing 5,400 rough sleepers when the crisis began. But there had been no equivalent ambition to get children out of B and Bs and into long-term homes. The DfE needed to work with the Ministry for Housing, Communities and Local Government to set a national plan to get these families decent, stable homes.

Keeping children engaged throughout the summer

- p. I strongly supported funding for summer schools and other summer schemes, with a focus on opening up places for disadvantaged and vulnerable children.

Managing children's return to the classroom

- q. I wanted to see a Catch-Up Premium introduced. This should have been allocated to local areas in accordance with key indicators of deprivation. It should be up to schools to identify the children in greatest need of this additional support – it may not just be children on free school meals (who are disadvantaged according to the Government's definition). For example it might be most needed by children with SEND, young carers or children from low income families above the Universal Credit threshold. This funding needed to be available from September 2020.
- r. The Department for Education and schools needed to be preparing for a rise in challenging behaviour and school refusal stemming from the stress associated with returning to school. It is important that schools are sensitive and flexible in how they address these incidents. Teachers should identify any underlying causes of bad behaviour which might not be obvious (for example, parents do not always notify schools when a child experiences bereavement). Although it was important that schools manage behaviour (particularly in light of social distancing), there was a risk that we could see a spike in exclusions when children return to school if teachers were not flexible and understanding in their response to challenging behaviour.

Children who are delayed returning to school

- s. Schools would need to continue to offer remote learning to these children and ensure it was effective, e.g. by having weekly check ins with pupils and assigning mandatory work.
- t. The Department for Education would need to expand its digital access scheme so that all of these pupils are able to access online learning.
- u. Catch Up funding would need to be available to schools to support children in this group – however late they return, and in proportion with how much time they have spent away from school.

Transitions

- v. A rise in young people outside of education or employment was a likely consequence of Covid-19. The Government needed to plan now to minimise this, and to ensure that for each young person their time out of employment or work is short. This means:
- w. An expectation that start-dates and access points may need to be flexible to accommodate young people who have missed normal access pathways.

- x. More opportunities to participate in voluntary activities, including an expanded national citizenship service
 - y. Local area monitoring of NEET numbers, with joint action between job centres, colleges and local authorities to respond to rising numbers, with specific funding support if needed.
75. In a blog post, dated 11 June 2020 [AL2/45 INQ000651612], I responded to the announcements made by the government at that time that many students may not go back to school before September 2020, if then. I was extremely concerned about this. I believed that it was important to understand which children were missing out on education and why, so that those children could be targeted for additional educational support over the summer, in September and in the years to come.
76. The research I reported on in the blog was based upon the first wave of “Understanding Society’s Covid Survey”, which had been conducted over five days at the end of April 2020. It included a model on home schooling of all children who would usually be attending school at this time. It consisted of a sample of 4,559 school age children. The responses to the survey showed that the overwhelming majority of children (96%) were not attending school at the time of interview (around the end of April). For those who were attending, the most common reason was being a child of key workers. It was much more common for children of key workers to attend school when those children were younger; we understood that this was likely due to the fact that older children could more safely be left at home alone.
77. The survey demonstrated the following stark results:
- a. The experience of being at home differed dramatically from child to child. The majority of children who were at home had been provided with schoolwork. However, a large number of teenagers (roughly 1 in 5) had not been provided with any work.
 - b. There was a range in the level of work provided to children. In general teenagers received more work than young children, but many children received a small number of offline lessons per day.
 - c. Online lessons were less common, although some children received four or more per day.

- d. There was inconsistency in the extent to which work was marked by teachers. Some children had no work marked. Others had everything marked. Some children had no work that was expected to be assessed.
 - e. The most common amount of time spent on schoolwork per day was one to two hours for young children (those aged 12 and under) and two to three hours for teenagers. We noted that this was a substantial reduction from the five plus hours children would be spending at school per day. The distribution of time was quite widely spread. At least one in ten teenagers were spending more than five hours per day on schoolwork while just under one in ten spent less than one hour per day.
 - f. There were variations in the amount of help children who were receiving schoolwork would receive from their parents. It was not clear whether any support provided would make up for lost in person teacher support.
 - g. Older children overwhelmingly needed a computer or laptop for most of their work.
 - h. Most children had made use of some additional resources for education but only a small number had accessed paid tutoring/resources.
78. In a further blog dated 15 June 2020 [AL2/46 INQ000651613], I highlighted again the need to take any deprivation of education extremely seriously. We were concerned by the results of our survey which showed the huge disparity in access to education for those in the most deprived communities, compared with that available to those attending private schools. Our blog reported on a report from the Institute of Physical Studies which found that children from better off families were spending 30% more time on home learning than those from poorer families.
79. I went on to note our concerns that education was not being prioritised by the Prime Minister. I highlighted the need for a child rights approach moving forward. I noted the fundamental rights children have to be in school and to receive the wider benefits that would provide to them. I was concerned that it should not become the status quo for schools to remain closed and that those looking to keep schools closed should justify why this is necessary for each and every day that they deprived children of an education. I called for an immediate and wide ranging plan to help children receive the benefits that come from being in school. I was concerned not only with their formal education but also the opportunity for children to develop hobbies and interests, to keep mentally and physically active and to socialise with friends. I also called for the State to ensure that while children were unable to return to school because they have particular health risks, those children would receive the exact same benefits and opportunities through some

other means. I called on the government to act now on these three areas in order to uphold children's rights.

80. As is demonstrated in these blog posts, my office did much to gather relevant data to enable me to warn Government on the need take measures to protect children's right to education. We gathered our own data through surveys, we reviewed measures being implemented by other countries and we considered relevant data from bodies such as the Institute of Fiscal Studies. We also gained insight and data on the impact of school closures on children from our dialogues with trusted partners, including schools and local authorities.
81. I believe the key barriers preventing vulnerable children entitled to attend school from doing so included the following matters:
- a. High concerns over safety following government's blanket messages about the necessity of stay at home.
 - b. Some children were cared for by foster parents with other children who were not eligible for attendance therefore having one child attending and others not was difficult and decisions not to attend were made on a family basis.
 - c. Levels of infection were higher in some families.
 - d. A minority of parents may have been keen to keep their children out of the spotlight and view of social workers.
 - e. Domestic abuse increased during the first few weeks of the pandemic and some children's homes would have been more disrupted and vulnerable as a result.
 - f. Some families did not trust the authorities to protect their children.
 - g. Many social workers and teachers did not feel able to persuade parents to send their children to school with the backdrop of the strong stay at home message.
82. I believed that Government needed to be more ambitious in its approach to children's education during and following the pandemic. It was clear to me that schools would never have been 100 per cent safe, so risk had to be managed. Opening schools and ensuring access to education in my view needed a national creative effort on the scale of the Nightingale hospitals. That would have meant using the engine of Government to find alternatives to school closure – use of neighbouring public buildings, rapid testing, temporary classrooms, hiring retired teachers and recruiting and marshalling an army of

volunteers. Billions were spent on managing the impact on the economy and NHS – schools needed to be included too [M2/19].

83. It would also have meant introducing an ambitious recovery programme for education and wider childhood like that proposed by the Education Recovery Commissioner, Sir Kevan Collins in May 2021. Another opportunity to demonstrate a commitment to children's future was missed when a decision was taken to focus on a relatively limited tutoring programme as the primary focus for catch up [M2/19].
84. Sir Kevan's plan was to extend the school day by half an hour with 100 hours of extra teaching a year for sixth formers. He proposed to widen the number of disadvantaged children eligible for childcare/early years education, fund a recovery premium that schools could choose how to distribute, increase pupil funding for early years and disadvantaged sixth formers and hire more highly qualified early years practitioners. Instead, Government funded an extra year of teaching for teenagers who fail their A-levels, extra funding for training teachers, including early years teachers and extended tutoring to five million pupils by 2024 [M2/19].
85. Sir Kevan's plan was reported as costing £15 billion. Under his proposals, £12bn of the £15 billion would be paid directly to schools and used to help disadvantaged pupils. Ministers announced just £1.4 billion in funding at the time of refusing to fund the proposed recovery programme, £400 million of which was earmarked for teacher development programmes. Government said that £3 billion had been committed to catch up overall [M2/20]. I note that Sir Kevan Collins, resigned due to the government's failure to commit to sufficient catch-up funding.
86. I believe more could have been done to secure the attendance of vulnerable children at school including:
 - a. Better planning around communication and support to foresee the problems that subsequently occurred.
 - b. Better communication which built 'school is open for some' in from the start so it was seen as a benefit (like it was for the children of key workers who were able to attend) rather than some kind of punishment. This might have focused on the chance it would have given to more vulnerable children to keep up with their school work and get extra help from teachers and school staff who would have

more opportunities and scope to offer individual support as fewer children were attending.

- c. Bespoke targeting to encourage families to send their children to school. Less than 10% of vulnerable children were attending most of the time – as few as 2% for some. In comparison 85% of vulnerable children attended in Oasis schools which are all situated in areas of disadvantage with significant numbers of vulnerable pupils. Oasis, who ran 53 schools at the time, estimate that a total of 186,000 emails or calls were made to parents of pupils during the covid period to persuade and support them to send their children to school, with all staff undertaking the work on rota. In my view, the remarkably high rate of attendance in Oasis schools shows how more vulnerable children could have attended school nationwide if they had had better communications and support. The Oasis schools had a trusted relationship with most parents before the pandemic which helped.
- d. The DfE could have monitored and held accountable all local authorities accountable for getting target numbers of vulnerable children into school. In a future emergency local authorities and schools could be required to encourage and support all vulnerable children into school following the example of the Oasis experience.
- e. Some local authorities made the decision to allow all children in foster families to attend school which helped overcome feelings of inequity and practical problems around transport and collection.
- f. Some local authorities may also have provided transport for vulnerable children. In future emergencies this might be introduced as a national policy.
- g. Lessons for the first lockdown could have been learnt and implemented for following lockdowns

The Rule of 6

- 87. As with many aspects to our country's response to the pandemic, my evidence showed that children's needs were not considered as needing special treatment when it came to children's use of public spaces. From the outset, we were allowed an hour of exercise a

day and were not allowed to stop or stay in one place, something that children (who gain most of their exercise by playing) found difficult to relate to. In response to my request to Sage to clarify how the rules were formulated with children's best interests in mind [AL2/46a INQ000588094], Chris Whitty Chief Medical Officer and Sir Patrick Valance, Government's Chief Scientific Adviser wrote to me in July 2020 to assure me that wherever possible, in SAGE discussions about measures implemented during the pandemic, they sought to differentiate between the impacts on children and adults. However, the potential for differential social distancing requirements for adults and children had not been considered by SAGE and no advice on the potential had been provided by SAGE to ministers. The advice from SAGE has been focused primarily on family groups and their interactions as opposed to the specific differences between adults and children [AL2/47 INQ000239696] [M2/74].

88. The requirement for children to follow the same rules as adults continued with the introduction of the Rule of 6 in September 2020. The Rule came into force across the UK, with restrictions placed on the number of people meeting up both indoors and outdoors. However, only England counted children under the age of 12 as part of the six, with Wales and Scotland both ruling those under-12 exempt. [M2/75] In Wales, throughout the pandemic, there was greater consultation between the government and state agencies and the Children's Commissioner. For example, the Welsh Children's Commissioner's views were fed into a Health Impact Assessment of the staying at home and social distancing policy, prepared by Public Health Wales. This informed the rules relating to social distancing and took specific account of the differential impact on children.
89. I was not consulted or involved in the planning for the Rule of 6, or how it would apply to children.
90. I intervened with a report which called for children under-12 to be exempt from the rule of six in England as well [AL2/07 INQ000231345]. I raised concerns about children's isolation in all my reports, briefings and meetings with Ministers and officials throughout the pandemic and I pressed for relaxation of rules around the rule of six for children from the summer onwards. Despite my, and many parliamentarian and expert's calls to exempt, Government chose to continue to count them in the rule, which meant that children were unable to play in groups and many were unable to see their grandparents or extended families for many months. This continued to have a major impact on children's mental and physical health. [M2/76]

91. In addition to exempting young children from the Rule of 6, the report recommended excluding children under 12 from restrictions on individuals mixing with different households so they could continue to play together. This was also disregarded by decision makers [M2/77].
92. In my press statement accompanying the report [AL2/48 INQ000231379], I noted that children had suffered disproportionately as a result of lockdown measures – particularly the most vulnerable children – and I again called on the Government to come up with a comprehensive recovery package for the most disadvantaged, including welfare and housing to avoid a wave of family homelessness.
93. I was concerned that without additional government action, COVID-19 would trigger an intergenerational crisis with the economic impact over the pandemic on parents determining the future prospects of their children. I was critical of the fact that the most vulnerable children had seen their rights downgraded at a time when protection should have been increased. My concerns related to the fact that children had suffered enormously from ongoing isolation and anxiety during the pandemic, with most children not in school for over 100 days, many spent large amounts of time with only digital communication with friends.
94. Children have a right to play under Article 31 of the UNCRC. Play is important because it is the way that children socialise, how they make sense of the world around them, process and come to terms with difficult situations, and build relationships and friendships and gain validation. Without play, children's well-being and mental health can plummet. This was all the more important as some children had lost relatives. Many children did not have access to gardens at home and for these children access to public space was essential. It was reported that some children were making masks for their dolls to reflect the pandemic.
95. I continued to raise the need for the Government to review the Rule of 6 so that children aged under 12 could be exempt in my regular meetings with Ministers throughout the period the Rule was in force between September 2020 and November 2020, although I did not have any direct discussions with the Chancellor of the Duchy of Lancaster, who led on decisions for this policy.

Interventions in summer 2020

96. In June 2020, I published a briefing on the potential and need for a major programme of summer scheme support in response to Covid, out of concern about the extended period of time that children were out of school because of school closures [AL2/49 INQ000651614]. At the time, the DfE had not outlined any further plans for schools re-opening beyond years 10 and 12 returning in mid-June. The Deputy Chief Medical Officer had consistently been clear that outside activities pose less risk, and I felt strongly that this guidance should inform a sensible approach to enabling summer activities that schools run to re-start. If schools could not be open for these schemes over the summer, I was concerned that it seemed highly improbable that they could re-open in September.
97. That same month, I wrote to the Prime Minister highlighting concerns about the continued closure of sports clubs, play schemes, holiday clubs and youth spaces, saying that children faced a chronic lack of safe and structured activities which would have an impact on mental and physical health and vulnerability to exploitation. I asked the PM to intervene to remove the bureaucracy and delays in giving clearance for summer schemes to proceed [AL2/50 INQ000239695]. Despite some interest from Ministers, only limited activities took place over that summer [AL2/51 INQ000231365] [M2/78].
98. In July 2020, I also published a report on vulnerable teenagers at risk, drawing particular attention to the dangers of teenagers in the public space being preyed upon by those wishing to exploit them. Overall, these warnings were not heeded by Ministers and we saw increased levels of teenage vulnerability [AL2/42 INQ000231363] [M2/79].

Summary of my views of school closure and restrictions in the 1st lock down

99. In my view, there are questions about the integrity of assumptions made around the impact that school closures would have on the transmission of Covid; the apparent lack of any serious recognition of the short-term and long-term harmful effects of prolonged school closures on children; and the apparent failure of the government to prepare realistically for the scale and duration of school closures, despite having been advised repeatedly by SAGE for several weeks that school closures may be required, and that such closures would need to be lengthy in order to have any beneficial impact on reducing transmission [M2/12].

100. The risks and benefits of measures that affected children were assessed in a document published by SAGE in October 2020 [AL2/52 INQ000231400], prior to the January 2021 lockdown and the decision to close schools for a second time. The document contains the following observations and findings on the non-Covid impacts of school closures:

- a. "Large impact on health and wellbeing...School closures associated with possible increases in school dropout, child injury, domestic violence, child abuse but reductions in referrals. Reductions in social interaction erode social development and harm general wellbeing, and mental health of children and parents. Risk of division and anger in community if education of children suffers, without convincing explanation of the need.";
- b. "Substantial challenges for schools, further education and higher education with online teaching, including disparities between well-off and less well-off areas. Disruption of lab-based and medical courses (e.g. dentistry) will impact the graduate pipeline into health roles";
- c. "... home schooling IT equipment [required] to minimise exacerbation of educational inequality"; "Disruption of education, wellbeing of children and parents.";
- d. "Equity issues: Likely to have a higher adverse impact (education, physical and mental well-being) on vulnerable children and low income and BAME communities (e.g. less access to online learning/ less space at home to study)";
- e. "Equity considerations in terms of impact on most vulnerable and BAME groups. Schools which are most likely to be sites of transmission (high poverty, low resource), may be those with the least capacity to take up additional interventions due to background stressors and resource constraints. Affected areas would suffer in terms of adequate preparation of public exams and therefore perceived fairness of the system." [M2/14]

101. It is noteworthy that many of the issues identified in the SAGE report reflected my own concerns.

102. It is not apparent that alternatives to total school closure (apart from for vulnerable children) were considered and, if so, the basis upon which they were not taken forward. For instance, whether use of alternative venues for schooling, or allowing primary schools (where the risk of Covid transmission was determined to be lower) to open completely/on a phased basis was considered. A Government Equality Analysis document dated May 2020 acknowledged low numbers of vulnerable children attending

school and, in its conclusion, suggested that reopening primaries would be helpful in this regard [AL2/53 INQ000231333]. However, the full re-opening of primary schools did not take place until September 2020. The reasoning behind this delay was never clear and did not appear to be based on the evidence of experts, including myself as the Children's Commissioner for England [M2/54].

Part C – The reopening of schools

103. In late 2020, I published new analysis of what had happened in schools since they reopened in September 2020. It showed that in a challenging context of increasing community transmission and resources being stretched, schools had done remarkably well so that children were getting an education, while also limiting their risks from Covid. However, public health measures and a series of in school restrictions meant that many children were in and out of school during the term, particularly in disadvantaged areas where infection rates were higher [AL2/54 INQ000231357].
104. In November 2020, I wrote to the Schools Minister seeking clarification about the Department's work to support remote learning in the context of 14% of children still being absent from school [AL2/34 INQ000239699]. In the same month the Schools Minister replied assuring me that the Dept continued to do everything in their power to ensure that every child could attend school safely and where not have remote education. [M2/55]
105. A Temporary Continuity Direction was issued to make clear that schools had a duty to provide remote education with an extended support package for remote education in schools
106. Of the series of Covid-related publications the Office of the Children's Commissioner for England produced during my tenure, two in particular were designed with the likelihood of an inquiry in mind: 'Childhood in the time of Coronavirus' dated September 2020, and 'Putting children first in future lockdowns' [AL2/07 INQ000231345], [AL2/55 INQ000231356] I gave this advice and published this work in order to better identify vulnerable children who needed help both during the lockdown and once the crisis had passed [M2/24].
107. In doing so, I believe I provided a roadmap for what must be done to enable children to recover from their experiences, as well as arguing how better to put their needs first in

the event of future lockdowns. I summarised the challenge as twofold; firstly, to respond to Covid-19 – lessening the impact on the most vulnerable children by providing a comprehensive recovery package for children to mitigate the damage caused by the crisis. Secondly, to put children at the heart of any future emergency and address the underlying issues which make disadvantage children and their families so susceptible to adversity [M2/25].

108. I argued that there needed to be recognition of the long-term disadvantage the crisis has caused to children's education and mental health and that schools should target their catch up fund on vulnerable and disadvantaged children who had lost out the most. I also argued that there must be a focus on pastoral care, supported by accelerated implementation of the Government's Green Paper on mental health, so that every child could access counselling in school. I said that children's rights and protections should be upheld and where legal changes which have reduced children's rights were still in operation they should be reversed and never renewed [M2/25].
109. I argued that disadvantaged families needed additional support to provide care for their children and asked Government to introduce a package of welfare and housing support for families, to retain the £20 uplift in Universal Credit and Working Tax Credit for families, due to expire in April 2021, and introduce an additional £10 per week child payment [M2/25].
110. Looking to the future, I argued that children should be put at the heart of planning for further lockdowns and emergencies, local or national with schools the last to close and the first to re-open. The full range of services used by children should be prioritised, with children's centres and family hubs able to remain open and face to face visits from social workers and health visitors continued as far as possible [M2/25].
111. More broadly, I argued for better help and support for struggling families with greater investment in local authority early help services, the Troubled Families programme and health visitors to resolve problems and prevent crisis [M2/25].
112. While there was an initial focus on children's wellbeing in school, funding for this was not continued apart from the wider policy of mental health support teams in school. The £20 uplift to child benefit was also discontinued. The Government also gave some priority to increasing family support through policies such as a first stage development of family hubs following the pandemic.

113. Enforced absences due to infection (which was highest in the poorest areas, including large parts of the North) and other measures (such as the requirement for class 'bubbles' to isolate, which applied to all children and from which vulnerable children were not exempt) meant that many children missed significant amounts of school, even when schools had reopened. It has been estimated that on average each child missed 115 days of school in the first six months of the pandemic alone [M2/46].
114. I sought to ensure that were there to be future lockdowns there was better protection of children's rights and needs so that the impact on children of any such future lockdowns would be less damaging to children, particularly those who were vulnerable.

Part D - The closure of schools in January 2021

115. In December 2020 I wrote to the Health Secretary – copying to the Education Secretary and No10 – urging him to prioritise vaccines for teachers to enable schools to stay open [AL2/56 INQ000239700] [M2/55].
116. In that letter I noted that approximately 757 million school days were lost in the first lockdown alone. I noted that further disruption to schooling would be particularly harmful for children taking exams or learning to read for the first time. I was concerned to note the correlation between high areas of infection and areas of deprivation where children already experienced disadvantage.
117. I did not receive a response to this letter until 29 January 2021, when the Minister for Business and Industry wrote to confirm the Government's commitment to reopening schools as soon as it was safe to do so. The letter noted that the Joint Committee on Vaccination and Immunisation had advised on which groups of people to prioritise for COVID-19 vaccines. No mention was made of there being any consideration of the need to prioritise vaccines for teachers.
118. In early 2021, I made interventions and published reports that advocated an improved commitment, better planning and more creative, solution-based approach to opening schools and resuming school education for all children [AL2/57 INQ000231397, AL2/58 INQ000231385, AL2/59 INQ000231399] [M2/57].

119. In a blog dated 5 January 2021 [AL2/60 INQ000651615], I noted with concern, the further national closure of schools. I raised concerns about the harm caused by school closures and that harm increasing over time, with the most vulnerable children who were most vulnerable suffering disproportionately. I understood that the second national closure of schools would compound the difficulties caused by the first closures, including exacerbating difficulties for the 1 in 6 children who had a mental health disorder. I asked for a clear plan on how education would be delivered and the provision of laptops, broadband and data. I also called for schools to be reopened ahead of other sectors of society and the economy, with primary schools being the highest priority to reopen. More widely I called for the rights and entitlements of vulnerable children, including those with SEND and those with a social worker to be protected.
120. I sent a joint letter with Solace to the Prime Minister, urging him to set-out a roadmap for the reopening of schools to all pupils [AL2/61 INQ000231388] [M2/58]. I expressed my appreciation for Mr Johnson's personal commitment to reopen schools for all children as soon as possible but urged the Prime Minister to formalise a plan to achieve this aim. I requested that the Government set out clear criteria that schools would have to meet before coming out from under lockdown measures. I recommended that the SAGE sub-group on education meet again and consider new evidence that had emerged since its last meeting (particularly regarding the new strain and the impact of school closures and lockdown) and asked that the sub-group to assess
- a. The conditions that would need to be in place for on-site teaching to resume; and
 - b. Any additional measures that may be required (such as testing or vaccinations of school staff) to permit schools to reopen while mitigating the risk of transmission of covid.
121. I then requested that the conclusions drawn from considerations of these points be used to create a roadmap and asked that this be published to help all stakeholders have a clearer sense of when they could expect schools to be reopened. I emphasised that proactively planning for the reopening of schools would not only ensure that children would be able to resume their education without undue delay but would improve trust in the Government's strategy for dealing with the pandemic among schools, teachers, parents, and students.

122. I also sent a letter with the British and Irish Network of Ombudsman and Children's Commissioners (BINOCC) to the Chair of the Joint Committee on Vaccination and Immunisation about the prioritisation of teachers and other key workers [AL2/62 INQ000231393].
123. However, confusion and indecision in response to rising cases of Covid in the community led again to the closure of schools in January 2021 [M2/56, M2/57, M2/58].
124. The position is well-summarised in a report from the Institute for Government Analysis which looked at school closures and the cancellation of examinations: "[the] most important conclusion is that the most significant aspect of what happened is not just the failure to make contingency plans in the summer of 2020 when it was already obvious that fresh school closures might well be needed, and that exams might have to be cancelled again. Lessons were not learnt from the first lockdown, with the result that, for both school closures and exams, the story from July 2020 to January 2021 was a case of "pause, rewind, repeat ... The single biggest issue has, however, to be the failure in the summer and autumn of 2020 to learn lessons from the first wave of the pandemic - and to make contingency plans" [AL2/36 INQ000231401] [M2/13].
125. On 26 January 2021 I published a roadmap to reopening schools [AL2/59 INQ000231399]. In that report I made the following key points:
- a. Despite Government ministers repeatedly acknowledging the importance of reopening schools, the lack of a formal plan for doing so meant that children's education and wellbeing would continue to be compromised.
 - b. The Government needed to collaborate with SAGE to explore how schools could be reopened as quickly as reasonably possible without undermining efforts to suppress the covid virus.
 - c. I set out a framework that the Government could use to create an agile roadmap that it could refine in collaboration with schools, unions, and local authorities to enable schools to resume on-site teaching in a safe and manageable manner.
126. In the report I listed options the Government could implement to reopen schools. They were:

- a. Establishing a system whereby half of a class attended school in-person on alternating weeks (in line with previous SAGE estimates that this had an effect of 0.1-0.2 on the virus' R rate).
- b. A staggered return of pupils based on year group (depending on local circumstances) to minimise contact between students and allow room for the implementation of social distancing measures.
- c. Prioritising the return of pupils in years 11 and 13 to in-person teaching to ensure that they received adequate support ahead of their exams.
- d. Implementing a rota system across year groups and within classes to allow more children to receive some form of on-site teaching.
- e. The Government establishing a scale for the reopening of schools in certain areas, tailoring this in response to changes in local infection rates.
- f. Implementing additional safety measures to minimise the risk of transmission among returning students and staff.

127. I also outlined some key measures that would aid the swift and safe reopening of schools. They were:

- a. Implementing regular testing among teachers and school staff to identify asymptomatic infections.
- b. Prioritising the vaccination of all school staff after the first four vulnerable groups, starting with teachers and support staff in special education schools and alternative educational providers.
- c. Providing update guidance around social distancing and safety measures (such as the wearing of face masks and circulation of fresh air).
- d. Establishing if and how additional spaces on school premises can be used as classrooms.
- e. Providing more funding to cover the cost of implementing these additional measures, including salaries for supply teachers and purchasing personal protective equipment.

128. I emphasised that getting children back into classrooms was only half the battle, and that schools would play a crucial role in helping children to recover from the disruption that pandemic lockdowns had caused to their educational and personal development, as well as to their overall health and wellbeing. As such, I set out some practical steps the Government could take to support schools to do this. They were:

- a. Providing additional funding for a turbo-charged catch up programme that would include extra tuition to bring children up to speed with the curriculum, particularly in areas affected most severely by lockdowns.
- b. A long term plan to reduce the disadvantage gap between poorer and more vulnerable children and their peers.
- c. A review focused on next year's exams to learn the lessons of the last two years and recognise the differential impact on learning that the pandemic has caused.
- d. A massive drive to improve children's wellbeing, with more funding to increase access to specialist mental health services and an NHS funded counsellor in every school.

129. To conclude the report, I gave further recommendations for how the Government could hone the roadmap to be as effective as possible. They were:

- a. Reconvene the SAGE subgroup on schools to consider the evidence that has emerged since the last meeting on the effect of the new strain, the latest impact of school closures and lockdown on transmission rates, and likely effects of different forms of partial reopening.
- b. Come up with a suite of different school attendance options for SAGE to model, including particular variants of year and age groups, rotas, or class sizes.

130. I also recommended that, taking into account new evidence, SAGE rapidly assess:

- a. The community transmission conditions need to be in place for different levels of school reopening (without compromising wider efforts to suppress the virus), in terms of:
 - i. Levels and trends of the R rate by region
 - ii. Levels and trends of confirmed cases, infections and test positivity by age group, region and locality
 - iii. Progress on the vaccination rollout by age group, region and locality
- b. The effects of different attendance options on:
 - i. Within-school transmission
 - ii. The R rate
 - iii. Overall school attendance
 - iv. The disadvantage gap
 - v. Children's education, social development and wellbeing

- c. The increase in days attended by different age groups that becomes possible following a given reduction in infections or the R rate.
- d. The impact, since the beginning of term, of current levels of school attendance on community prevalence.
- e. Options for increasing the total 'headroom' available for school reopening, via other economic and social measures that reduce the number of new infections in the community or improve isolation rates among those infected.

Part E - Decisions in relation to the social care and protection of children

131. I was not consulted about the Adoption and Children (Coronavirus) (Amendment) Regulations 2020. Instead, I received an email on 16 April 2020 providing advance notice of changes, which were referred to in the email as 'minor', to children's social care secondary legislation. The email advised that the purpose of the changes was to continue to prioritise the needs of children whilst 'relaxing some minor burdens in order that local authorities can continue to deliver children's services without being unnecessarily hindered by process...' I was very concerned by the proposed changes and I emailed officials asking for an urgent meeting with the Minister.
132. I was also concerned that my office had only been informed of the changes to the regulations two days before they were published, and there was no formal consultation with my office. I strongly opposed the introduction of reduced regulations for social care and the protection afforded to children.
133. It was clear to me that the potential risks and harm to children in care ought to have prompted government to strengthen children's social care safeguards during the pandemic in relation to services which were already under immense strain pre-2020. I therefore intervened when government chose to introduce reduced regulation for children's social care in relation to the Adoption and Children (Coronavirus) (Amendment) Regulations 2020. I believed these significantly eroded the protection afforded to the most vulnerable children in care during the pandemic, Government figures show there were 223 child deaths involving abuse or neglect in 2020-21, up from 188 the previous year - a figure that also includes looked-after children. Contacts to the NSPCC's helpline from adults with concerns about the wellbeing of a child increased by 23% from the previous year to a record high of almost 85,000 in 2020-21. In 2020-21, there were 536 serious incident notifications relating to children, up by 87 on the number for 2019-20, with the largest increase recorded in the first half of the year, when

lockdown conditions were tightest [AL2/12 INQ000268039] [M2/82]. It is now apparent that during the pandemic there was a peak in cases of neglect identified at the conclusion of local authority assessments with 91,170 cases recorded in 2020 compared to 83,380 cases in 2024 [AL2/63 INQ000651616] [AL2/64 INQ000651617].

134. The passing of these regulation amendments in April 2020 made significant temporary changes to the legal protections for children in care. Under these amendments, the timescales for social workers to visit children in care were relaxed, along with timescales for care review meetings, independent visits to children's homes and Ofsted inspections (among other amendments). At a time of heightened anxiety, some of the most vulnerable children in the country could not be confident of seeing their social workers and Independent Reviewing Officers at regular intervals as they had previously. [M2/83]

The CCO press statement of 30 April 2020

135. On 30 April 2020, I issued a press statement [AL2/65 INQ000231402], calling for the revocation of Adoption and Children (Coronavirus) (Amendment) Regulations 2020 ('Adoption and Children Regulations 2020'). I made the following key points in that statement:

- a. I questioned the need for these relaxations. I noted the reports to my office from local authorities that staffing levels in social care are 'holding up well'. I therefore suggested that the relaxations to the legal protections to some of the most vulnerable children in the country was not necessary.
- b. I noted my key concerns, which were:
 - i. The relaxation of requirement that social workers must visit, in accordance with strict statutory timescales, children living in care, or who are privately fostered.
 - ii. The relaxation of the requirements to review plans for children in care to set timescales.
 - iii. The ability of Children's Homes to enforce deprivation of liberty of children showing symptoms of Covid and the lack of guidance relating thereto.
 - iv. The fact that independent panels for approving foster care and adoption placements became optional.
 - v. The relaxation of rules around approving temporary foster carers.
 - vi. The removal of the requirement for monthly visits to children's homes.

- vii. The increase of emergency foster carer placements from 6 days to 24 weeks .
- viii. The increase of short break placements from a maximum of 17 days to a maximum of 75 days.
- ix. The reduction of approval requirements for placements of children into care outside of their local area with connected foster carers.

- c. I noted my desire for the regulations to be revoked. I did not believe that there was sufficient justification to introduce the regulations. I was concerned that vulnerable children would be at risk due to the changes in practices introduced by the regulations.
- d. I also argued that if the Government did not agree to revoke the regulations, it should issue guidance to emphasise that the changes introduced by the regulations would only ever be used as an absolute last resort and for as short a time as possible. I also argued that the changes should only be used where local authorities could show that their workforce was significantly depleted. I also argued that the DfE and Ofsted should be notified by any local authority where they decided to invoke the changes under the regulations. I called for decisions taken by local authorities under the regulations and related data, should be monitored by the DfE and fed into monthly reviews of the regulations. Finally, I called for the DfE to immediately publish an assessment of the impact of these changes on children's rights.

136. Prior to the publication of my press statement, on 28 April 2020 I had written to Vicky Ford MP (the then Parliamentary Under Secretary of State for Children and Families) to express my concerns [AL2/66 INQ000239691]. I was concerned that the critical issues I had raised had not been addressed in the version of the regulations that had been sent to me. I stressed that my primary concern was the relaxation of the requirements for professionals to visit children in care and the relaxation of the skills requirement for those working in Children's Homes. I noted that, as was apparent from my previous communications with DfE officials, that there were no severe staff shortages and therefore the relaxations introduced under the regulations were premature. I asked that, in the absence of the revocation of the regulations, the government should clarify that the regulations should be used only as a last resort.

137. We were consulted on the second iteration of the guidance, and we published our response to that on 4 May 2020 [AL2/66a INQ000588095]. In summary in our response

we noted our concerns that the guidance seemed to be informed by the needs of local authorities and providers within the children's social care system rather than children. I was deeply concerned by the failure to prioritise the needs, rights or interests of children. In particular, I expressed concerns that the guidance did not provide sufficient clarity on how local authorities should balance their statutory duties against the needs and best interests of children. I called for the guidance to make clear that local authorities should only rely on exemptions to statutory duties when they could demonstrate it is in the overall best interests of children within their area. I called for clear safeguards on use of regulation changes including clear guidance on how local authorities should take decisions in relation to the exemptions and the information to be provided to the IRO and Ofsted to ensure appropriate scrutiny and oversight. I further noted the need for guidance around proactive safeguarding arrangements for identifying gaps in provision and changes to information sharing with so many safeguarding partners (including schools, health visitors etc.) operating in more limited ways. I expressed my view that local authorities needed to carefully consider whether adjustments were required to protocols for identifying and monitoring at risk populations in their area and thresholds for intervention. These concerns were not addressed.

138. On 5 May 2020, Vicky Ford MP responded to my letter [AL2/67 INQ000239684]. In relation to my suggestion that the regulations should only be used as a last resort, she noted that "...whenever possible, local authorities and children's social care providers should continue to meet the statutory duties that existed prior to the introduction of these" and that the "flexibilities" introduced under the regulations should not be used unless it was necessary to do so. She further advised that local authorities would be accountable for their decisions and should keep records on their use of the regulatory changes. She stated that such records may be reviewed by Ofsted, at their annual engagement meetings and subsequent inspections as well as in response to any complaints, concerns or whistleblowing. I remained concerned that reducing the requirement to fulfil statutory duties to very vulnerable children to 'wherever possible' did not provide the level of safeguards needed and left too much to chance. I continued to raise these concerns with the Minister and others.

139. I remained concerned that the request to dilute regulations had come from local authorities and many workforce decisions were already in train and were unlikely to be changed. For example, the move to on screen communication by social workers and the removal of requirements for children's homes to be registered as usual during this period.

140. I summarise below the concerns on the regulations and guidance I raised in my written evidence to the Joint Committee on Human Rights of 18 June 2020:

- a. The guidance issued by the Department for Education in response to Covid-19 on children's social care focused disproportionately on the local authorities' child protection role to ensure that children were not suffering immediate harm. However it did not provide adequate guidance on minimum expectations in relation to local authorities' broader statutory duties to provide help and support to children and their families where child in need and child protection plans were in place.
- b. Children in care were being placed in unregulated placements in circumstances where the law expressly prohibited the provision of care in such placements. Consequently, children were receiving no care even whilst other sources of support (including school/college, youth groups, peer support groups) had been closed down. I expressed my concern regarding one particular case my office was aware of where a child had moved from his placement to a family friend without the local authority becoming aware of this.

I was highly concerned about the expansion of non-secure children's homes powers to enforce the deprivation of liberty of a child under the Coronavirus Act (i.e. for the purpose of enforcing lockdown). I noted in my evidence that this posed a real danger of creating a conflict between the home and child. I further explained that my office had been continuously liaising with the DfE to provide guidance on the meaning of deprivation of liberty for children's homes. I further raised concerns that no data was being collected or monitored regarding children's homes making use of this provision

141. I remained concerned following the publication of the revised regulations on 28 August 2020. This was because of my understanding that many of the practices adopted under the previous iteration of the regulations would not change immediately. I believed that the negative impact of the earlier regulations would create a barrier to returning to normal practice. In particular, I was concerned about the continued reliance on screens for assessments, which I believe has a very negative impact. This was seen to be the case – remote assessments continued. I believed this undermined the effectiveness of the assessment process and lessened the ability of social workers to fully comply with their duties to protect vulnerable children.

Impact of relaxations to statutory framework for protected children

142. Prior to the pandemic, I believe the systems in place for protecting vulnerable children were inadequate. However, the pandemic significantly worsened those inadequacies and placed vulnerable children at greater risk. I believe that this was due to a combination of the increased needs of vulnerable children and the increase in the numbers of those children during the pandemic and inability of statutory services to meet these increased demands. The decrease in oversight occasioned by the reductions in safeguards introduced by the regulations and through school closures exacerbated these problems. Several concerning trends have emerged since the pandemic to which I believe the extended lockdown periods, closure of schools and relaxations of protections were a contributing factor. There has been an increase of children classed as Children in Need from 388,490 in 2018 to 399,460 in 2024. Sadly, abuse or neglect was identified as the primary need in 58% of children's services assessments in 2024. This figure has increased by 5 percentage points since 2018. There has further been an increase of looked after children by 11% from 75,370 in 2018 to 83,630 in 2024. Over the same time period, the number of children in secure homes and children's homes has increased by 31% and the number of unregistered care homes has increased dramatically by 500% from 144 to 931 between 2021 and 2024. There is further clear evidence to suggest that the relaxations led to vulnerable children becoming increasingly invisible to social services. There was a 31% drop in referrals (just under 36,000) made by schools in England to children's social care services between pre-Covid 2019/20 and 2020/21, when there were two school lockdowns. While nearly 600,000 children and young people were referred to children's social care services in the year to 31 March 2021, this was a fall of 7% compared to the previous 12 months [AL2/14 INQ000651604].

Findings of Child Safeguarding Practice Review Panel, published in May 2022 [AL2/68 INQ000270156]

143. I believe that the risks faced by vulnerable children are exemplified in the published findings of the Child Safeguarding Practice Review Panel into two of the children, Arthur Labinjo-Hughes and Star Hobson [AL2/68 INQ000270156].

144. The report highlighted four key issues in both cases relating to: (i) information sharing; (ii) critical thinking; (iii) specialist child protection skills; and (iv) organisational conditions.

I believe each of these issues were exacerbated by the pandemic and the relaxations to the statutory framework for protecting children.

145. In addition, the review panel highlighted a number of systemic factors which led to these issues. These included (i) issues relating to recruitment and retention of social work staff which affected capacity to conduct sustained direct work with families; (ii) funding levels, capacity and turnover leading to missed opportunities for triggering child protection processes and human errors caused by services under strain; and (iii) limited capacity also creating weak risk assessment and decision making processes, with gaps in early intervention provision limiting support for vulnerable families and access to specialist support.
146. The report makes the following recommendations:
- a. Recommendation 1: A new expert-led, multi-agency model for child protection investigation, planning, intervention, and review.
 - b. Recommendation 2: Establishing National Multi-Agency Practice Standards for Child Protection.
 - c. Recommendation 3: Strengthening the local Safeguarding Partners to ensure proper co-ordination and involvement of all agencies.
 - d. Recommendation 4: Changes to multi-agency inspection to better understand local performance and drive improvement.
 - e. Recommendation 5: A new role for the Child Safeguarding Practice Review Panel in driving practice improvement in Safeguarding Partners.
 - f. Recommendation 6: A sharper performance focus and better co-ordination of child protection policy in central Government.
 - g. Recommendation 7: Using the potential of data to help professionals protect children.
 - h. Recommendation 8: Specific practice improvements in relation to domestic abuse.
147. These recommendations were also included in the Independent Review of Children's Social Care, which concluded in May 2022 [AL2/69 INQ000588342]. It has not been fully implemented, but the government published a response in February 2023 [AL2/70 INQ000541058]. While some reforms are underway, others are still in the early stages of implementation, with some elements being tested through pilot programs. The current Government has committed increased funding for the programme in the recent spending review.

148. My view is that, although the issues identified in the report did not arise solely due to issues faced during the pandemic, they accord with concerns that I had about potential risks and the potential impact of the reduction in safeguards introduced during the pandemic. In short, the relaxation to the child safeguarding measures during the pandemic worsened existing failings in social care practices and placed vulnerable children at risk.
149. The risks faced by vulnerable children are also sadly reflected in the Local Child Safeguarding Practice Review, dated February 2024 [AL2/71 INQ000581928], in relation to the death of 10-month old Finley Boden who tragically died in his parents' care. I note that several issues were identified in this case that were likely exacerbated by the COVID-19 pandemic and the relaxations to the statutory framework for protecting children.
150. The review panel noted that there was limited oversight from social workers as a result of reductions in face-to-face meetings between social workers and parents. I note that the review suggested that reliance on telephone contact with the parents meant that their drug use was essentially self-reported prior to Finley returning to his parents' care. The parents' accounts were subsequently contradicted by drug testing. The review panel further comments on the parents' reluctance to engage with professionals being exacerbated by the Covid-19 regulations and by the practical difficulties resulting from adjustments to face-to-face working arrangements.
151. It is clear that Finley's case was also affected by staffing, continuity, skills and capacity issues as three social workers were allocated at different times during the course of his case. During a six week period whilst the allocated social worker took a leave of absence, no social work visits to parents or Child In Need meetings took place. In addition, the review panel notes that one social worker was only recently qualified and the other had no previous experience of statutory social work with children. In spite of this, there were concerns that limited support and supervision was offered to one of the allocated social workers. Local authority records suggest that this social worker expressed uncertainty regarding the requirements and format of social work and parental assessments.
152. These circumstances and responses by the authority were deeply inadequate for the care and protection required for a very vulnerable young infant at high risk due to his parents drug use, neglect and proven inadequacy to care for him.

153. The review further identified deficits in communication and information sharing between services involved with the family which meant that not all agencies were aware of plans for Finley to return to his parents care and a child protection conference regarding the return did not include all interested parties.
154. These findings were reflective of my own concerns of what could happen if regulations were diluted. As I have said repeatedly, I was particularly concerned about the move to assessment and visit by screen and the dangers these measures could pose to children if their parents were seeking to avoid contact with their social worker.
155. The recommendations from the serious case review panel regarding Arthur Labinjo-Hughes have been partially implemented. The National Child Safeguarding Practice Review Panel published a review in May 2022 [AL2/68 INQ000270156], outlining recommendations for both local and national improvements to child protection practices. These recommendations have led to changes in policy and practice, including the establishment of expert child protection units and a focus on multi-agency working. However, the implementation of all recommendations is ongoing, and the effectiveness of these changes is still being evaluated.

Changes introduced by the Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020 (S.I. 2020/471) ('SEND Amendment Regulations')

156. The SEND Amendment Regulations changed the nature of obligations owed by local authorities to meet the needs of disabled children, particularly in respect of Education, Health and Care plans.
157. In my comment on the changes to Special Educational Needs and Disability (SEND) duties, dated 12 May 2020 [AL2/37 INQ000231371] I provided my assessment of the modification of Section 42 of the Children and Families Act 2014 by the passing of the Coronavirus Act. Section 42 confers an absolute duty on local authorities to deliver the special educational and healthcare provisions of a child's EHCP; under the Coronavirus Act, a local authority was determined to have met this duty if it had used its "reasonable endeavours" to do so.
158. It was apparent to me that this change effectively removed children's absolute right to the provisions on their EHCP. The term "reasonable endeavours" was vague and, as

outlined in the guidance, would “vary according to the needs of each child and young person and the specific local context.” In my view, this gave local authorities and Clinical Commissioning Groups disproportionate power to determine what was reasonable without sufficient scrutiny, which I feared could exacerbate the “postcode lottery” of SEND provision that the Government had promised to address prior to the pandemic.

159. I stated that the proposal to amend the “reasonable endeavours” requirement to a duty to “take all practicable steps”, made during the passage of the Coronavirus Bill, would have helped to preserve local authorities’ and CCGs’ requirement to fulfil their Section 42 duties to some extent. I also pointed out that, while the guidance said that local authorities and CCGs should continue to review whether they were meeting their reasonable endeavours, reductions in the availability of key staff (noted by the Department of Education as a motivation for the change to Section 42) made it unlikely that doing so regularly would be feasible. This, I reasoned, made it more likely for blanket policies to be issued instead of meeting the needs of individual children, despite the guidance proscribing such an approach.

160. I warned that the Section 42 modification could therefore result in children being deprived of the vital services they needed to access education, an outcome that could cause significant damage in the immediate and long term.

161. I also expressed my concern about the modification’s effect of suspending the timescales which local authorities and CCGs previously had to adhere to (Regulations 4(1), 5(1), 8(1), and 13(2)). Under the Coronavirus Act, these bodies were only required to meet their obligations “as soon as reasonably practicable”, provided that delays were only the result of the pandemic. Local authorities were also given 6 weeks from receipt of a request for an EHC assessment to decide whether to conduct one; if they decided to do so, other authorities asked to provide additional information had 6 weeks from the date of the request to do so; and local authorities had a total timeframe of 20 weeks from the date of receiving the initial assessment request to finalise a plan. The changes to these timeframes meant that there was no guarantee that a child would receive a final EHCP plan before the academic year began, even if the initial request was submitted by 1 May 2020 (the date the changes came into effect). Local authorities had the right to suspend assessments requested prior to the 1 May deadline if the delay was related to covid and to complete the process “as soon as practicable”. I also noted that there was no clarity regarding how ongoing assessments would be treated when pandemic

measures were removed, nor as to how local authorities would be expected to handle the likely backlog of EHCPs.

162. Additionally, I expressed concern over a particular aspect of the Coronavirus Act which permitted local authorities to conduct their Regulation 18A duty to review EHCPs annually “as soon as reasonably practicable” if they experienced covid-related delays. I noted that phase transfer reviews had not been eased in for children who were transitioning between phases of their education and noted that there should have been a review for these children by 15 February 2020 or 21 March 2020, but that parents had reported that their local authorities had not met these deadlines. Although the guidance made clear that completing these reviews ought to have been a priority, I feared that there was a likely risk of these children being left without a school place at the beginning of the Autumn term. I also noted the potential inadequacy of the 15-day deadline given to parents to comment on a draft EHCP under Regulation 13(1), referring to the guidance’s recognition of this issue.
163. I noted that the effect of replacing the timescales for the First-tier Tribunal to give orders to local authorities under Regulation 44(2), and for the local authority to comply, could extend already lengthy wait times. Prior to covid, families would typically have to wait 20 weeks for the hearing to take place after registering their appeal; the relaxation of timescales meant that they could be waiting even longer, and there was no indication when any changes to an EHCP ordered by the Tribunal would be put into effect. I stated that the Government should publish guidance to provide greater clarity around this change, particularly regarding how it affected binding orders compared to non-binding orders.
164. While I acknowledged the difficulties the local authorities and CCGs were facing and welcomed their clear communication, I stated my concern that relaxing their duties towards children with SEND was disproportionate and risked further degrading local services that were stretched before the onset of the pandemic. As in my report, I expressed my view that a duty to “take all practicable steps” would have put a greater onus on local authorities and CCGs than the statutory duty to use “all reasonable endeavours” to fulfil children’s EHCP provisions and conveyed my wish that the Government adopt the higher expectation created by the proposed amendment.
165. I called on the Government, local authorities, and CCGs to clearly set out their reasons for making use of the changes created by the Coronavirus Act, along with supporting

evidence for doing so. I also asserted that the Government should publish an assessment of the impact that these changes had on children's rights as soon as possible.

166. I noted that the pandemic had disrupted the Government's planned SEND review (which had been announced in 2019 and promised to resolve the root issues with the SEND system) but expressed my hope that it would be undertaken as soon as possible.

Children and Young People in Detention

167. I do not believe that Government adequately considered or safeguarded the best interests of children in custody during the pandemic and I raised concerns about these issues throughout this period.

168. On 25 March 2020 I had written to the Lord Chancellor asking him to review the status of: (i) all children due to be released in the next six months; (ii) children aged under 14; and (iii) children in custody for non-violent offences and who could safely be managed in the community. I also asked that consideration be given to the need to reduce the number of children on remand in the secure estate and a temporary moratorium on short sentences for children. I called for a reduction in solitary isolation and action to urgently increase access to technology to allow young people to stay in touch with their family [AL2/72 INQ000231339].

169. I raised further concerns about the impact on children's rights and entitlements of changes to custody regimes caused by lockdown [AL2/72a INQ000239688]. I noted the need to maintain staffing levels to ensure that children in custody were safe and their basic needs met. I noted that these basic needs included: access to healthcare, the ability to socialise with peers and family, the ability to participate in education and to get some exercise [AL2/72 INQ000231339]. The Department's response failed to acknowledge the full implications of the changes on children's rights, and this failure was reflected in the measures introduced by the Prison and Young Offender Institution (Coronavirus) (Amendment) Rules 2020 [AL2/73 INQ000239692]

170. I was concerned that the changes introduced by these Rules which effectively regularised an emergency situation introduced following the beginning of lockdown. These rules included a set of draconian measures undermining child's rights to: (i) visits from family members or other professionals; (ii) access to education; and (iii) enjoyment

of other activities. Moreover, the regulations allow these restrictions to be extended for six months longer than any Coronavirus-related restrictions in place in the rest of the country.

171. I had particular concerns about the lack of access to education for children in custody. The rules required only reasonable endeavours to be used to provide education to children in YOIs, in contrast to other vulnerable children in the community who were entitled to face to face education throughout this period, in spite of the challenges caused by Covid-19.
172. On 22 February 2021, I published a briefing on the youth justice system [AL2/74 INQ000231346]. This report concluded that although there had been some improvements to the conditions children faced in custody, the situation remained concerning. I noted that more should be done to improve conditions for children, to bring them in line with those in Parc YOI in Wales, where children consistently accessed around 6 hours out of their cell each day, and aspiring to those in Oakhill STC where children on the main units could access five hours of education per day, plus two hours association time in the evenings. I asked for increased funding to be made available similar to the funds available to children in the community for Covid recovery. I asked that staff working in the secure children's estate be prioritised for vaccination. I called again for the population to be reduced if the existing compliment of staff could not be increased I noted again the imperative for children being able to access visits from family and friends and for their access to education to be improved.

PART F – Online Harms

173. Throughout the pandemic I raised concerns about the risk to children from online harms, through meetings with Ministers, in reports and blogs and through the media.
174. In September 2020, my office published a report, Childhood in the time of Covid [AL2/07 INQ000231345], which set out how the pandemic affected children's online lives in the areas of online learning, access to other support services, risks of criminal exploitation and child abuse.
175. In relation to online learning, I was particularly concerned regarding the digital divide creating significant educational barriers for many children who did not have internet access or home access to a laptop, desktop or tablet. It is clear that this was not a new

issue during the pandemic. I note from the ONS's report Exploring the UK's digital divide, published on 4 March 2019 [AL2/75 INQ000509869], that in 2018 of those aged between 11 and 18 years, 68% who did have home internet access reported that they would find it difficult to complete school work without it. However, these issues were exacerbated during Covid as a result of school closures and the move to online learning. Ofcom reported for the period between 9 January and 7 March 2020, that between 1.14m and 1.78m children in total in the UK had no home access to a laptop, desktop or tablet [AL2/76 INQ000103028].

176. Due to these pressing concerns around access to education, my office published a blog on 18 August 2020, welcoming the Government's announcement of the free laptops scheme in April 2020 whilst simultaneously raising concerns that only 37% of children eligible for the scheme would be allocated a device. My office further noted that there were several categories of children that had been overlooked entirely including disadvantaged children in every year group apart from year 10. These were around 1.34 million children, on the basis of those eligible for free school meals at the time. In our blog, dated 18 August 2020, my office called for more devices to be ordered as soon as possible given the delays in the global supply chain [AL2/77 INQ000651625].

177. In the Childhood in the time of Covid report I further noted that different approaches to online learning in schools were exacerbating the disadvantage gap. In the report I refer to information published by the Sutton Trust confirming that private school children were twice as likely to take part in daily online lessons as those in state school and 60% of private schools and 37% of schools in the most affluent areas had an online platform to receive work, compared to 23% in the most deprived schools [AL2/07 INQ000231345]. On the basis of these concerns, I recommended that the DfE should expand its laptop scheme beyond the 150,000 additional devices ordered at the time and every school should have a comprehensive remote education offer for children required to remain at home.

178. I note that the Ofcom report "Life in Lockdown", published August 2020 [AL2/78 INQ000560788] made the following key findings in relation to children's behaviours online:

- a. Children learning remotely were not doing as much schoolwork as they would in regular term-time; many were also missing extra-curricular activities and normal 'rites of passage'.

- b. Most children were lacking structure and routine, instead spending a large amount of time online, alone in their rooms.
- c. Most children were regularly 'multi-screening', either while gaming or when using social media.
- d. Some cited examples of people coming under pressure on social media because they had broken the 'rules' around lockdown.
- e. Trends included curation of profile images, attention-seeking behaviours and use of mirror shots. Some children in the study had an understanding that online attention could be monetised or used to develop careers.

179. The covid lockdowns and restrictions on going outdoors clearly resulted in an increase in screen usage in children. Some evidence suggests that screen use surged by 52% during the pandemic, adding an average of 84 extra minutes per day [AL2/79 INQ000651627]. As these habits have become further ingrained over time, there are reports that 12-to-15-year-olds are now spending an average of 35 hours a week on their smartphones. According to anecdotal evidence from teachers the increased use of digital devices and screen means children and young people are interacting less with the 'real world' since the pandemic [AL2/80 INQ000651628].

180. I was further concerned that many children no longer had face-to-face access to other support services including youth clubs, health visitors and children's centres. As a result, there was an increased risk that vulnerable children at risk of suffering domestic abuse at home would not be identified. A National Youth Agency Report, dated May 2020 [AL2/81 INQ000651629], noted that young people had been less willing to engage with youth work online, particularly in cases where youth workers did not have established relationships with young people and were seeking to build trust with new children remotely. These support services were also affected by access to devices and internet and the lack of safe spaces in which to speak confidentially additional concern was that the risk of criminal exploitation was amplified by children spending more time online during Covid making them vulnerable to the gang 'recruitment drive' during the pandemic. Further evidence of this trend is set out in a Crest publication, dated 19 May 2020 [AL2/82 INQ000651630] which reported that end-to-end encrypted apps such as WhatsApp, Instagram, Telegram and Wickr were being used to advertise the availability of drugs, recruit and groom young people and arrange drug deals.

181. The National Youth Agency Report dated May 2020 [AL2/81 INQ000651629] similarly highlighted concerns about a rise in incidences of child exploitation as a result of

increased use of online platforms and social media during Covid. The report further noted that children in local authority care were particularly vulnerable due to reductions in supervision of young people and capacity issues in care homes. The NYA report further refers to reports that in some areas social media was being used to escalate and incite gang violence by taunting or trapping gang rivals using social media.

182. I note that concerns regarding child exploitation are reflected in the number of child referrals into the National Referral Mechanism which peaked in 2022 at 1,932. Unfortunately, these numbers have remained high at 1,503 in 2024. This is still a 127% increase compared to before the pandemic in 2018 [AL2/14 INQ000651604].

183. A further issue in the context of online harms during the pandemic was the increased reports of online child abuse. In our report we refer to information published by the US National Center for Missing & Exploited Children (NCMEC) confirming that they received 12.1 million reports of suspected child sexual exploitation between January and June 2020, which marked a dramatic increase of 90% from the 6.3 million reports during the same time period in 2019 [AL2/07INQ000231345]. In a blog, dated 30 April 2021 [AL2/83 INQ000651631], NCMEC further shared their observations that during the pandemic child predators were using the darknet to discuss how to utilise the increased time children were spending online due to school closures and social distancing measures as an opportunity to groom children into producing sexually explicit material. In addition, they found that child traffickers had adjusted to the reluctance of buyers to meet in-person to engage in commercial sex by offering options for subscription-based services in which buyers paid to access online images and videos of a child. Moreover, the Internet Watch Foundation and its partners reported on 20 May 2020 that they had blocked at least 8.8 million attempts by UK internet users to access videos and images of child sexual abuse during lockdown [AL2/84 INQ000651632].

Part G Overall Impact of the pandemic on children

184. The pandemic has clearly affected every area of children's lives and I have addressed the impacts of the pandemic in the relevant sections of my statement above. In relation to issues not covered by the preceding sections, I set out my conclusions below.

185. Separately from the effect on educational outcomes and development, the pandemic had a significant impact on children's emotional and social development. A report published by Ofsted in April 2022 [AL2/16 INQ000267956] [AL2/17 INQ000268037],

found that the pandemic and covid lockdowns had resulted in children developing delays in learning speech and language; suffering problems with social interaction and confidence and delays in achieving other key milestones including walking and crawling. The latter further has had a direct effect on childhood obesity. It was further found that children were falling behind with developing self-care skills, including being potty trained, tying their shoelaces and taking their coats off.]. I consider that these trends in children's social and emotional development were caused at least in part by the government's failure to give adequate consideration to children's needs during the pandemic.

186. The impact of the pandemic on the most vulnerable children cannot be overstated. This includes children living in poverty and those at risk of exploitation and harm. In 2023/2024, there were 900,000 more children living in relative poverty compared to 2010/11. Since 2015/16, eligibility for Free School Meals has increased from 14.3% of pupils to 25.7% in 2024/25 [AL2/14 INQ000651604]. In addition, families with children under five saw a 32% rise in food insecurity over the past 5 years since the pandemic [AL2/14 INQ000651604]. I am concerned that these trends are related, in part, to government decisions on school closures, support and freedom to meet with friends during the pandemic which did not take due regard to children's rights or wellbeing.
187. In addition, there has been a significant increase in children facing homelessness since the pandemic. In the year ending March 2024, 34,150 households with children were homeless and qualified for support from the council under the main homelessness duty which marked an increase of 78% from 19,210 in 2019. The figures of children living in temporary accommodation have also increased by 33% from 124,330 in 2018 [AL2/14 INQ000651604]. These figures suggest to me that the growing need for affordable housing has not been adequately met since the pandemic.

Recommendations for future pandemic

188. In any future pandemic, greater consideration must be given to children's rights, wellbeing, experiences and perspectives. Children's perspectives and experiences should be reflected in scientific and public health advice and decision making. There should be a recognition that policies may have different or unique – and sometimes negative – impacts on children. Children should be recognised as a priority in any future emergencies.

189. Children's rights and protections should be strengthened and there should be a full incorporation of UNCRC into English domestic law. National children's rights impact assessments should be undertaken regularly and in any emergency to ensure children are considered in all decisions that will affect them.
190. It should be made clear who in Cabinet has overall responsibility for children during any future emergency.
191. The messaging and enforcement of emergency and lockdown rules must be child friendly. Specific press conferences which address children and the impact on children should be held regularly throughout any national emergency, as they were by the Norwegian Prime Minister during the pandemic.
192. Lessons must be learned from the chaotic and unnecessarily extended closure of schools to most children in 2020 and 2021. Education should be prioritised over other sectors – in other words, the first to open, and the last to close.
193. Should a situation arise where national social interaction needs to be limited, it should be recognised that in person access to education and in person access to play facilities should be protected as much as possible, and at the expense of adult activities if necessary.
194. In situations where a vaccine is found to tackle a pandemic, teachers should be a priority after health workers for vaccination.
195. Any rights extended to adults must also be given to children, for example the right to play outside or meet with friends.
196. Data gathering, including live local data should be prioritised to ensure that decision makers have the best possible information and intelligence to make informed decisions on priorities and resources.
197. Government should embark on a plan across departments to reduce the number of vulnerable children to improve capacity and resilience to emergency situations.
198. The full range of services used by children should be prioritised so that children's centres and family hubs are kept open and visits from social workers and health visitors to at-risk children continued as normally as possible.

199. The Government should support schools and children's services to undertake detailed preparation for any future emergency, including children's social care priorities and protocols, school buildings, access to tech for online and remote learning, and identifying local buildings that could be used as 'Nightingale Schools.'
200. Children with SEN support and those with EHCPs should be entitled to attend school as well as vulnerable children in the event of a lockdown.
201. Councils should do everything possible to ensure support and respite services remain available for disabled children and their families.
202. Priority should be given to increase protections for children who are likely to be particularly vulnerable or at risk of harm at home, and for babies and young children. Social work visits to these families should be prioritised.
203. The Government should ensure schools are able to provide counselling and other mental health and wellbeing support, even if remote, should another lockdown occur.
204. In the event of another lockdown, local authorities should monitor in real time the levels of referrals to children's social care, to identify levels of unidentified need. Greater information sharing between agencies, supported by central government, should be enabled to ensure proactive outreach to vulnerable families. Early years education settings and health services should be kept open, and the Government should support health visiting services so they can continue to provide support.
205. There should be clear guidance for youth justice establishments, including Young Offender Institutions, about how to implement virus restrictions in a way that protects children's wellbeing and welfare. The Government should protect timetables, including out of cell, in-person education, and outdoor activities. Access to family and professionals must be prioritised, including remotely when necessary.
206. The Government, local authorities and the police should make clear that children are allowed to play in public green spaces and should not be "moved on." The availability of green space for children should be maximised, which at a minimum should mean no closure of parks or playgrounds. Any definition of "exercise" should specifically include playing outdoors.

207. Protections for incomes and food security should be a priority. Free School Meals vouchers should be available during any lockdown, regardless of whether it occurs outside normal term time.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true. I understand that proceedings may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief of its truth.

Signed:

Personal Data

Baroness Anne Longfield CBE

Dated: 18 August 2025