

Witness Name: Nicola Dickie

Statement No.: 7

Exhibits: 8/01-8/49

Dated:08/08/25

UK COVID-19 INQUIRY – MODULE 8

WITNESS STATEMENT OF NICOLA DICKIE

I, Nicola Dickie, will say as follows: -

1. Convention of Scottish Local Authorities (COSLA)

- 1.1 The Convention of Scottish Local Authorities (COSLA) was formed in 1975. This coincided with the creation of the new structure of Local Government in Scotland under the Local Government (Scotland) Act 1973, which created a two-tier system. The Local Government etc. (Scotland) Act 1994 reorganised Local Government in Scotland again into 32 unitary authorities. All 32 of these unitary authorities are members of COSLA. COSLA also acts as the employers' association for local authorities.
- 1.2 COSLA's predecessor was the Convention of the Royal Burghs of Scotland. The Convention of Royal Burghs dates to the 16th century and was in operation until 1975. The Convention of the Royal Burghs undertook a similar role to COSLA, including engaging with the UK Government on behalf of Local Government in Scotland on a range of issues, including civil emergencies, emergency preparedness and risk management.
- 1.3 COSLA is a councillor-led, cross-party organisation. Our current Leadership Team include our President, Vice-President and five spokespeople:
 - a. President

- b. Vice-President
- c. Resources Spokesperson
- d. Health & Social Care Spokesperson
- e. Community Wellbeing Spokesperson
- f. Children And Young People Spokesperson
- g. Environment and Economy Spokesperson

Additionally, we have six political group leaders as follows:

- a. Scottish Green Party
- b. Scottish National Party
- c. Independent Group
- d. Scottish Liberal Democrats
- e. Scottish Conservatives
- f. Scottish Labour

NB COSLA's political team changes as a result of local elections, most recently in May 2022.

- 1.4 COSLA has a Chief Executive who is supported by a Director for Place Policy, Director of People Policy and Director of Membership and Resources.
- 1.5 COSLA's decision-making structures are summarised below:
Core to our decision making are:
 - Convention – is responsible for strategic direction, priorities and electing the Leadership team as well as approving COSLA's revenue and capital budgets on an annual basis and COSLA Plan for each Local Government term (with annual reviews). Delegates are elected members from each of COSLA's member councils, and appointed by their council on a basis that reflects the party-political representation within that council. Convention meets twice a year.
 - Leaders – is COSLA's main decision-making body and comprises the Leader of the Administration of each Member Council, and any Political Group Leader not also a Leader. Leaders meet at least eight times during the year to discuss and agree key political and resourcing issues.

- Policy Boards – we have four policy boards:
 - Children and Young People
 - Health and Social Care
 - Community Wellbeing
 - Environment and Economy

Each Board meets up to six times a year and is chaired by the corresponding spokesperson and is responsible for developing and agreeing COSLA's policy and positions for the topics within their remit.

Further details on the composition of COSLA can be found in COSLA's constitution exhibit ND-8/01 [INQ000114210], scheme of delegations exhibit ND-8/02 [INQ000114208] and standing orders exhibit ND-8/03 [INQ000114209], which are included as part of our submission.

- 1.6 COSLA champions councils' vital work to secure the resources and powers they need. COSLA works on councils' behalf to focus on the challenges and opportunities they face, and to engage positively with governments and others on policy, funding and legislation, by:
 - a. Engaging in key financial, legislative and policy developments to ensure they have the best possible impact.
 - b. Developing partnerships with Scottish, UK and international governments, parliaments, and the third and private sectors.
 - c. Campaigning on the issues that matter to our members and promote the image and reputation of local government.
 - d. Championing the role of local government in the governance of Scotland, and lobby for stronger local democracy and community empowerment.
 - e. Leading reforms that improve public services and save money effectively.
 - f. Negotiating fair and affordable pay and workforce conditions on behalf of all councils.
 - g. Supporting councils to work together, and deliver shared services that increase their capacity.

2. Local Government in Scotland

- 2.1. Local Government in Scotland comprises thirty-two unitary local authorities, commonly referred to as councils. Local authorities vary considerably in size and population, but all have responsibility for providing a range of public services to the communities in their area. Each council provides public services, including education, social care, waste management, libraries and planning to name just a few. Councils receive the majority of their funding from the Scottish Government, but operate independently and are accountable to their local electorates. Councils raise additional income via the Council Tax (a locally variable domestic property tax), and Business Rates (a non-domestic property tax- rates for this tax are set nationally by Scottish Government). Business rates are collected locally but then pooled and redistributed to each council. The Scottish Government guarantees the amount of Business Rates each council receives; protecting councils if the amount actually collected differs from the forecast.
- 2.2. Councils are made up of councillors who are directly elected by the residents of the area they represent. Each council area is divided into a number of wards, and up to three or four councillors are elected for each ward. There are currently 1,227 elected councillors in Scotland. Local elections are normally held every five years. The most recent election was the 2022 Scottish local elections, and the next election will be the 2027 Scottish local elections. It should be noted the political leadership team in COSLA, as noted in paragraph 1.3, changes at the start of a new Council term.
- 2.3. The Local Government (Scotland) Act 1973 provides many local authority powers and responsibilities for local government in Scotland. The Local Government etc. (Scotland) Act 1994 set up the current council structures. The Local Government in Scotland Act 2003 introduced a range of new duties for local authorities, including requirements to secure best value, engage in community planning, advance the wellbeing of the area and additional matters relating to the scrutiny of Local Government and other miscellaneous amendments and additional powers. The Local Governance (Scotland) Act 2004 sets out provisions for local

government elections and expenses, and new requirements for the membership of local authorities (including pay and pensions).

2.4. Key responsibilities of Scottish local government include:

- a. Maintenance of roads and pavements (except trunk roads which are the responsibility of Transport Scotland)
- b. Primary and secondary schooling
- c. Planning and Building Standards Services
- d. Housing and Homelessness
- e. Supporting non-commercial bus services
- f. Early Learning and Childcare Services
- g. Social Work and Social Care Services
- h. Protection of vulnerable children and adults
- i. Refuse collection, Recycling and Disposal
- j. Licensing for various provisions including taxis, parades.
- k. Food Hygiene inspections
- l. Environmental Health Functions
- m. Regulation of landlords
- n. Economic Development Services
- o. Sports and leisure services
- p. Public parks and green spaces
- q. Money Advice and Administration of Benefits including Council Tax Reduction Scheme (CTRS), Discretionary Housing Benefit and Scottish Welfare Fund
- r. Trading Standards Functions

2.5. Throughout the pandemic COSLA utilised its pre-existing governance structures as much as was possible. COSLA did, however, in common with other parts of civic society in Scotland, pivot resources in the organisation to prioritise pandemic related policy work. This meant the organisation was able to focus available resources for the benefit of COSLA member authorities and the communities they serve.

2.6. During the course of the pandemic COSLA continued to function as the membership organisation of all 32 local authorities in Scotland. COSLA

championed councils' vital work to secure the resources and powers they needed to response to the pandemic. That included COSLA's efforts on councils' behalf to focus on the challenges and opportunities our members faced, and to engage positively with governments and others on policy, funding and legislation. This included engaging in key financial, legislative and policy developments to ensure those developments had the best possible impact, developing partnerships with the Scottish and UK governments, parliaments, and the third and private sectors. COSLA also supported councils to work together and deliver shared services and mutual aid to increase their capacity to deliver services during the pandemic.

3. Children and Young People

- 3.1. The Convention of Scottish Local Authorities plays a significant role in various aspects of the lives of children and young people in Scotland. The Children and Young People Team leads on education and children's services for COSLA. Its remit covers most aspects of a child's life from pre-birth through to post 16 education and into the world of work. The team's work includes early years, primary and secondary education; promoting and integrating children's services; developing effective approaches to children & family social work services; addressing child protection and youth justice issues as well as aspects of employability and child poverty.
- 3.2. The team works closely with education, economic development, human resource and social work professionals in Association of Directors of Education ("ADES"), Scottish Local Authority Economic Development network ("SLAED"), Society of Personnel and Development Scotland ("SPDS") and Social Work Scotland ("SWS") to develop policy; to respond to and influence legislation and Scottish Government initiatives, and to provide support to elected members on the Education, Children and Young People Thematic Board. The overarching goal is to ensure that all children and young people in Scotland have the support and opportunities they need to thrive and reach their full potential.
- 3.3. COSLA has roles and responsibilities in the following areas:-
 - a. Early Years Provision

COSLA collaborates with the Scottish Government to implement the Early Years Framework, which aims to give children the best start in life by focusing on early intervention and prevention. COSLA works to support Local Government in the delivery of Early Learning and Childcare provision, including the implementation of 1140 hours of funded childcare to all 3 and 4 year olds and eligible 2-year-olds from August 2021.

b. Schools

COSLA works with local authorities to ensure the delivery of high-quality education in schools. This involves advocating for adequate funding, supporting teacher recruitment and training, and promoting inclusive education practices.

c. Further and Higher Education

While COSLA's direct involvement in further and higher education is limited, we support local authorities in providing pathways for young people to access further and higher education opportunities.

d. Education Outside of Mainstream Settings

COSLA supports alternative education provisions, such as special schools and units, to cater to the diverse needs of children and young people who may not thrive in mainstream settings.

e. Children's Physical and Mental Health

COSLA works with local health boards and other stakeholders to promote initiatives that support the physical and mental health of children and young people. This includes advocating for mental health services in schools and communities.

f. Children's Access to Healthcare

COSLA collaborates with the NHS and other health services to ensure children and young people have access to necessary healthcare services, including preventive care and treatment.

g. Children's Wellbeing and Development

COSLA promotes policies and practices that support the overall wellbeing and development of children and young people, including initiatives related to play, recreation, and personal development.

h. Children's Safeguarding and Social Care

COSLA recognises the important role played by local authorities in safeguarding children and young people and seeks to represent their views to government to support them to implement child protection policies, support social care services, and ensure the safety and welfare of vulnerable children.

i. Children's Online Safety

COSLA supports initiatives aimed at protecting children and young people online, including promoting digital literacy and working with partners to address online risks and harms.

j. Child Migrants and Asylum Seekers

COSLA coordinates refugee resettlement activities and advocates on behalf of local authorities to shape policies that support the integration of child migrants and asylum seekers.

k. Children in the Criminal Justice System

COSLA works with local authorities and justice partners to support children and young people in the criminal justice system, focusing on rehabilitation and reintegration into society.

- 3.4. In 2018, the Scottish Government and COSLA released a statement on the empowerment of schools; exhibit ND-8/04 [INQ000651042]. This set out the principles of developing a school led empowered system. Further information on this system and the roles of local authorities, regional improvement collaboratives, Scottish Government and national bodies can be found in ND-8/05 [INQ000651031] and ND-8/06 [INQ000651032].

- 3.5. During the specified period, COSLA continued to carry out its work relating to children and young people through continued liaison with Scottish Government and the professional bodies outlined above. During the specified period, COSLA governance structures continued to operate with the majority of decision-making being made at COSLA Leaders or Group Leaders meetings. The COSLA Children and Young People Board continued to meet to support policy development.

4. Pre-pandemic planning

- 4.1. As would be expected, COSLA became aware of Covid-19 in the early part of 2020. At the beginning of March 2020, internal structures started to be created to track issues related to Covid-19. The first meeting of the Scottish Government Resilience Cabinet Sub Committee (SGORR) in relation to Covid-19 took place on 16th March and was attended by the COSLA Chief Executive. There was a meeting of Group Leaders on 20th March 2020 that the Scottish Government Clinical Director joined to discuss the ongoing public health emergency and answer questions from Group Leaders.
- 4.2. Over the specified period, COSLA played a key role in the frameworks set up by the Scottish Government to respond to the pandemic. As the representative body for all 32 Scottish local authorities, COSLA had regular meetings with the Deputy First Minister (DFM). The DFM met with COSLA's Presidential Team, COSLA Leaders and on occasion, leaders from individual councils. In addition to the meetings with the DFM there were regular meetings between Cabinet Secretaries and the relevant spokespeople at COSLA who were the relevant policy leads. For instance, on matters pertaining to education the Cabinet Secretary would meet with COSLA's President or the Spokesperson for Children and Young People. These meetings were conducted weekly when there were particularly acute educational issues such as the phased reopening of establishments. No minutes were kept of these meetings, there were, however, other channels of communication that were in place to implement decisions, such as COSLA Leaders meetings and meetings of the political Group Leaders within COLSA.

- 4.3. In addition to these bilateral meetings COSLA was also represented on a number of groups set up by the Scottish Government, These included:-
- a. SGORR (Ministerial)
 - b. SGORR (Officials)
 - c. National Incident Management Team
 - d. National Contingency Planning Group
 - e. Shielding Group
 - f. PPE Group
 - g. Test and Protect
 - h. Education Recovery Group
 - i. Strategic Resilience Partnership
- 4.4. The Scottish Government was responsible for the core political and administrative decision making related to the Covid-19 response. Through involvement in the groups listed above, COSLA was in a position to reflect the views and concerns of local government and the professional bodies working within its structures.
- 4.5. In order to inform the position advocated by COSLA throughout the pandemic COSLA and local government consulted with and relied on expert, scientific and medical expertise provided by Scotland's Chief Medical Officer, Scotland's National Clinical Director, Public Health Scotland nationally and Directors of Public Health at local health boards. This was then augmented with expert professional advice from subject experts who would be delivering services on the ground. This included resilience structure and specialisms alongside traditional professional roles such as Chief Executives of Councils, Environmental Health Officers, Social Workers and the teaching profession. COSLA has well established working relationships with all of the professional associations in the local government family.
- 4.6. COSLA itself is not involved in emergency planning structures in Scotland and as such had not raised any issues or concerns concerning children and young people in emergency planning prior to January 2020. Individual local authorities

are involved in the established emergency planning structures that operate in Scotland.

- 4.7. The Scottish Resilience Partnership (“SRP”), exhibit ND-8/07 [INQ000130267] is a core group of the most senior statutory responders and key resilience partners in Scotland. The group acts as a strategic policy forum for resilience issues, providing collective assurance to Scottish Ministers, and local political leaders, that statutory responders and key resilience partners are aware of significant resilience gaps and priorities, and are addressing these. It provides advice to the resilience community on how best to ensure that Scotland is prepared to respond effectively to major emergencies. Scottish Councils are key participants of the SRP.
- 4.8. Regional Resilience Partnerships (“RRPs”) support multi- agency co-ordination at a regional level and are made up of several Local Resilience Partnerships (“LRPs”) normally based on geographic closeness. Since November 2013 there have been three such groups in the North, West and East of Scotland. Scottish Councils are key participants of RRP. The LRPs are determined by the RRP themselves, LRPs in the main take account of Scottish police divisional boundaries. LRPs support local working arrangements and maintain effective local liaison.
- 4.9. The RRP and LRPs bring together all the relevant organisations in an area to develop an effective approach in dealing with emergencies in accordance with the principles of subsidiarity and proportionality.
- 4.10. As COSLA is not itself a member of these planning structures it does not hold or have access to planning materials related to pandemic planning. All local authorities have business continuity plans in place for all their key functions to support the response to emergency situations.
- 4.11. Prior to the specified period the key challenges facing local authorities in the provision of services to children leading up to the pandemic were driven by societal and structural concerns. They included the impact of child poverty,

inequalities and the health and wellbeing of children and young. Funding for public services in general is a continuing concern in light of the long-term financial challenges facing Local Government in Scotland, and there are also a number of workforce issues including recruitment and retention. COSLA have also been advocating that there should be greater flexibility at a local level to meet local needs. In January 2020, COSLA released Exhibit ND-8/08, [INQ000651018] as part of their budget lobbying work. The document outlines the impact that reducing budgets have on the ambition to tackle child poverty.

5. The closure of schools to most children (announced on 18 March 2020)

- 5.1. As noted at para 4.2 above, COSLA met regularly with the DFM and other ministerial leads in the Scottish Government.
- 5.2. Between January and March of 2020 COSLA did not have any discussions with the Scottish Government in relation to planning for the possibility that schools might have to close as a result of the Covid-19 pandemic. There were no discussions about actions taken in other countries nor were there discussions, during this period, about actions schools might have to take to stay open.
- 5.3. On 16th March 2020 COSLA officers and Scottish Government officers discussed issues with teacher and pupil attendance at schools and the impact this was having. It was agreed during this call that a daily survey would be carried out across all schools gathering data on teacher and pupil attendance, exhibit ND-8/09 [INQ000651030]. At this time, the Scottish Government did not have the power to close schools as emergency legislation had not yet been passed. Under regulation 6 of the Schools General (Scotland) Regulations 1975/1135 ("the 1975 Regulations"), if a "health board competent person" advises a local authority that, in order to prevent "the spread of disease or other danger to health", a school should be closed, or certain pupils should be excluded from that school for a specified time, the local authority (not the Scottish Government) requires to close the school, or exclude pupils forthwith.
- 5.4. On 18th March 2020, the First Minister announced that the intention was to close schools and early learning establishments by the end of the week. On 19th March

2020 the DFM gave a speech regarding the closure of schools and the steps that local authorities were expected to take. This was based on the advice of the Scientific Advisory Group on Emergencies (“SAGE”). The education authority in each local authority took the decisions and actions necessary to close all schools.

- 5.5. Throughout the specified period, COSLA responded to Scottish Government consultations on Scottish specific Covid-19 related legislation. Evidence was submitted to the Education and Skills Committee held on 19th June 2020. ND-8/10 [INQ000220331], exhibit ND-8/11 [INQ000651025] is the official report from the session. The COSLA Spokesperson gave oral evidence at the committee on 27th July 2020, exhibit ND-8/12 [INQ000651026] is the official report of the evidence session. Evidence was also submitted to the Education, Children and Young People Committee on 1st December 2021, Exhibit ND-8/13 [INQ000220333] and 19/01/22, Exhibit ND-8/14 [INQ000220334]. The official reports to these sessions are provided as Exhibits ND-8/15 [INQ000651027] and ND-8/16 [INQ000651028]. Oral evidence was provided to the committee on 2nd March 2022 exhibit ND-8/17 [INQ000651029] is the official report of the session.
- 5.6. COSLA acted as the collective voice of Scotland’s councils, working closely with the Scottish Government and other stakeholders to shape national policy and ensure local authorities had the resources and flexibility needed to respond effectively to the significant challenges of providing remote learning to a significant proportion of the school population.
- 5.7. The closure of schools in March 2020 required extraordinary efforts by local authorities, school staff, learners, and families to move to remote learning in a very short space of time. The move towards greater use of digital devices in schools had been pioneered by a number of local authorities across Scotland prior to the pandemic, with some having already deployed a range of devices and support depending on local and individual needs, and digital learning strategies.
- 5.8. While local authorities entered the first period of remote learning from different starting points, in terms of digital devices, programmes and approaches, all

councils worked quickly to provide devices to as many children as possible who were at risk of digital exclusion.

- 5.9. Estimates from May 2020 highlighted that 50,000 devices had been issued to children across Scotland by councils, with a further 20,000 devices loaned out from schools when they had closed.
- 5.10. As referred to at 5.3, COSLA and Scottish Government had a call on 16th March 2020 to discuss the pressures being experienced in schools caused by staff and pupil absences. This led to engagement with individual local authorities to gain an understanding of the situation on the ground. COSLA set up a Workforce Issues Group which met for the first time on the 17th March 2020. The role and remit of this group was later ratified by COSLA Leaders at their meeting on 5th May 2020, exhibit ND-8/18 [INQ000517022]. In the initial stages of the pandemic the Workforce Issues Group had a daily call, this allowed for good communication between Scottish and Local Government, Trade Unions and professional associations.
- 5.11. COSLA was not involved in an assessment of the ability of individual local authorities to provide remote education.
- 5.12. COSLA was not directly involved in assessing the impact that school closures would have on child protection and child protection mechanisms in local authority areas. Issues such as these would be considered through the established resilience planning frameworks outlined above.
- 5.13. The Scottish Government provided an initial definition of what constituted a 'vulnerable child' on 26th March 2020, exhibit ND-8/19 [INQ000651036]. This definition had been agreed at pace at officer level given the rapidly developing situation. The Covid-19 Children and Families Collective Leadership Group ("CFLG") was set up to have a key, priority focus on 'vulnerable children and young people'. Exhibit ND-8/20 [INQ000651003] is a paper taken to the Children and Young People Board on 22nd May 2020 outlining the role of this group. COSLA were consulted as to which children would be included within a revised definition of 'vulnerable child' for the purposes of being able to physically attend

school. This was done through consultation with Scottish Government officials and other members of the Collective Leadership Group. COSLA Leaders agreed this revised definition on 29th May 2020, Exhibit ND-8/21 [INQ000300739].

- 5.14. The closure of schools as announced on 18th March 2020 presented significant operational and logistical challenges, including:
- a. Continuation of Learning: Transitioning to remote and online learning for the majority of pupils, with particular focus on those in S4–S6 due to exam preparations.
 - b. Support for Vulnerable Children and Young People: Ensuring continued care, protection, and access to food and education for children with complex needs or in difficult home environments.
 - c. Provision for Children and Young People of Key Workers: Establishing childcare and learning hubs to support families where parents were essential workers.
 - d. Workforce Planning: Managing staff availability and safety, including negotiations with employee representatives regarding in-person teaching.
 - e. Digital Access: Addressing disparities in digital infrastructure and access to learning materials across local authorities.

Continuation of Learning

- 5.15. A key challenge for local authorities was how learning could be provided when all schools and early learning settings closed on March 20th 2020.

Education for the majority of children and young people would be through distance learning and online learning, with different forms of on-going contact with teachers rather than in-school, face-to-face. The Covid Education Recovery Group (“CERG”) was set up in April 2020 with the purpose of providing advice to ministers and local government leaders on the implementation of education policy and delivery in the context of the Covid-19 pandemic. Exhibit ND-8/22 [INQ000651013] is the terms of reference for this group. The Scottish Government held the secretariat. The Group met regularly throughout the specified period and considered and advised on education strategy informed by scientific evidence and guidance supplied by the Covid 19 Advisory Subgroup on

Education and Children's Issues. Exhibit ND-8/23 [INQ000651046] is the terms of reference for the subgroup.

- 5.16. There were significant challenges putting arrangements in place in such a short timescale. These challenges included global supply issues the availability of digital technology in different local authorities, ensuring access to learning materials as well as the challenges of workforce planning including ensuring the safety of staff. Support for S4-S6 who were in the exam phase was prioritised.

Support for Vulnerable Children and Young People

- 5.17. It was widely recognised by Local and National Government that vulnerable children and young people would require more intensive (including in person) support. The lack of visibility of children and young people in the initial period of school closure was a challenge. This issue was raised at COSLA Leaders on 17th April 2020, COSLA Leaders 20-04-17 Item 08 Vulnerable Communities, exhibit ND-8/24 [INQ000650999]. There were challenges in accessing home environments for social work staff and there was a need to balance face to face visits for both staff and members of the household which is likely to have had an impact on the number of face-to-face visits undertaken. It was priority for local authorities to continue to provide food and nutrition to vulnerable children and young people eligible for free school meals. This presented a logistical challenge which was met by rapidly establishing access and delivery mechanisms.

Provision for Children and Young People of Key Workers:

- 5.18. The Scottish Government provided official guidance on key workers during the COVID-19 pandemic, in a letter published on 1 April 2020. This letter, issued by the Cabinet Secretary for Health and Sport and COSLA, outlined the definition and status of key workers in Scotland. It was directed to Integration Joint Boards and local authorities and included links to relevant guidance and resources. Nonetheless, local authorities faced a range of challenges. Guidance, exhibit ND-8/25 [INQ000651015] on who was a key worker was welcome. Nevertheless, there were representations from a range of occupational groups at a local level advocating for their constituency to be considered as key workers. As a result, trade unions were reporting that there were different approaches being taken in

different local authorities, exhibit ND-8/26 [INQ000650998] resulting in some workers not covered by the guidance being deemed key workers. The COSLA Workforce Issues Group worked to resolve these issues. Local authorities faced a significant challenge in establishing educational hubs where vulnerable children and young people and those of key workers could receive face to face education and support. Whilst there was flexibility in the use of the school estate these different models needed to be delivered against a backdrop of significant diversity of the estate across Scotland, and differing local public service and economic landscapes. Any face to face learning concerned employee representatives and this required intensive discussion and negotiation at a national level through the CERG while adhering to scientific advice on physical distancing, face coverings as well as hygiene and ventilation. Hubs were also able to support vulnerable children, not just those of key workers. Local authorities had to balance limited capacity while prioritising both groups.

Workforce Planning:

- 5.19. The urgency and complexity of workforce planning when schools closed was a significant challenge for our members. The overall aim was to maintain essential services in relation remote learning, providing support for vulnerable children and young people and childcare and education for those from families of key workers, all whilst adapting to a rapidly changing public health crisis. Staff had to be quickly reassigned to new roles such as working in hubs. A number of staff were absent due to illness, self-isolation or shielding. The introduction of new protocols had to be carried out at pace and in the context of concerns from staff and their Trade Unions. The Workforce Issues Group established by COSLA (discussed at para 5.10) provided a forum for these concerns to be raised and where possible mitigated.

Digital Access

- 5.20. There were a number of challenges faced by local authorities in terms of digital support and digital access in the immediate aftermath of schools closing as set out in para 5.16. The aim was to ensure consistency of learning and services for children and families. Digital exclusion was a significant issue with many families

not having access to a digital device or a reliable internet connection. Local authorities took a number of steps to attempt to address this approach, this included 'loaning' devices out from schools as well as taking steps to procure large numbers of digital devices with challenges in procurement in the midst of global supply challenges, identifying and prioritising recipients, tracking devices and providing technical support to families.

- 5.21. COSLA and the Scottish Government worked closely over summer 2020 to agree an approach to distribute £25m of devices and connectivity solutions to children and young people. Funding was made available to local authorities to allow devices to be bought, in line with local digital learning strategies, and to ensure they could be added to a council's IT estate, in order to ensure the availability of ongoing support including security and protective software. Exhibit ND-8/27 [INQ000651006], COSLA Leaders Paper 20-06-26 Item 5.
- 5.22. Despite global supply issues, councils made very good progress in ensuring additional devices were distributed to children and families. This funding supplemented the existing support that had been provided by councils through the provision of devices from their own sources of funding and devices that were 'loaned' from schools during closure. The provision of devices meant the experience of the second period of remote learning, from January 2021, was improved for many children and young people.

6. The impact of lockdown on the provision of social care services

- 6.1. The Scottish Government Resilience Room met for the first time on 18th March 2020 in relation to the Covid-19 pandemic. At this stage whilst COSLA were aware of the intention to close schools it was not aware that there was likely to be a national lockdown. Exhibit ND-8/28 [INQ000651012] is a note from the SGoRR meeting held on 19th March 2020 showing there were discussions on the impacts of school closures and the cancellation of children's hearings.
- 6.2. COSLA were made aware of the intention to announce a national lockdown immediately prior to the announcement itself on 23rd March 2020.

- 6.3. Exhibit ND-8/29 [INQ000651043] is the template COSLA officers used to support the SGoRR meeting on the 26th March 2020. It shows that there were ongoing discussions relating to child protection issues.
- 6.4. Prior to the announcement of the first national lockdown, COSLA's members did not contact COSLA seeking guidance or assurance as to how they could provide social care services to children in the event of a full lockdown. It is not the role of COSLA to advise its members on the operational aspects of delivering services. When it became apparent that the costs associated with delivering services would be much higher due to lockdown COSLA negotiated with Scottish Government for provision of additional funding, these negotiations began prior to June 2020, exhibit ND-8/30 [INQ000590936] and continued throughout the specified period. COSLA also ensured that guidance was developed at a national level to ensure consistency of service whilst the practicality of delivering that service remained a matter for the individual Local Authorities.
- 6.5. COSLA is not aware if its members had started their own planning as to how to provide children's services in event of a lockdown. As outlined above, resilience structures would have been used by local authorities to determine their ongoing response to the developing situation. COSLA does not collect information on operational decision making within individual local authorities. Local authorities have professional expertise in such matters and would have worked with partners across resilience structures to ensure business continuity.
- 6.6. Neither was COSLA involved in assessing the risks that a lockdown (coupled with school closures) might present to children's mental and physical health and to their safety. COSLA did not receive any communications from its members about remotely conducted visits or assessments and whether there was concern about their use in relation to children.

- 6.7. The challenges faced by local authorities following the lockdown were multi-faceted. We have already set out the challenges faced as a result of the closure of schools in paras 5.4 to 5.12 of this statement.
- 6.8. From the start of the pandemic local authorities had to balance the need to protect public health, including legal duties to follow public health advice provided by the Scottish Government, with the need to maintain support for our communities, particularly the most vulnerable. This led to some face-to-face services being suspended to mitigate spread of the virus and this applied to some children's services.
- 6.9. However as set out above, following the initial closure of schools in March 2020, a great deal of work was undertaken to continue to provide school-based support for the children and young people of key workers and vulnerable children. Teachers and pupils adapted to remote learning despite some issues with different levels of access to digital devices and access to broadband, with significant efforts to distribute suitable equipment. Access to free school meals was also a focus locally. In June 2020 the Scottish Government provided additional money to support the provisions of free school meals over the summer, Exhibit ND-8/31 [INQ000651005].
- 6.10. As was the case for many services throughout the pandemic, some parents, carers and young people had to self-isolate or shield. Local authority staff and staff within commissioned services also had to shield due to underlying health conditions or self-isolate due to close contact and/or positive tests. This led to additional demands being placed on the remaining workforce who worked hard to maintain the delivery of essential support and services.
- 6.11. During the early months of the lockdown (March–May 2020), local authorities received a notable decrease in child protection referrals. This was largely attributed to reduced visibility of children due to school closures and limited contact with professionals. The Scottish Government's report into domestic abuse and other forms of violence against women and girls (VAWG) during

COVID-19 lockdown for the period 30th March 2020 to 22nd May 2020, exhibit ND-8/32 [INQ000651024] provides further information on referral rates.

- 6.12. There were increases in child protection referrals and Inter-agency Referral over the course of the remainder of lockdown, exhibit ND-8/33 [INQ000651017], Coronavirus (COVID-19): domestic abuse and other forms of violence against women and girls during Phases 1, 2 and 3 of Scotland's route map (22 May 2020 to 11 August 2020). Discussions during the pandemic resulted in local authorities and partners undertaking increased assessments of risk and need, with increased focus on plans in place for children. As part of the dataset, children's contact with a professional was carefully monitored and this included all children with a multi-agency plan in place, all children with a child protection plan, and all young people eligible for aftercare support.

7. The initial relaxations to statutory requirements

- 7.1. As with all areas of policy development that impact on local government, COSLA works with the Scottish Government officials as policy is developed in relation to children and young people. COSLA uses the structure of policy boards to develop an agreed political mandate based on its analysis of and response to the policy as it is developed. For particularly significant developments and those with a financial impact, decisions will be sought from COSLA Leaders. In general, where policy development relates to children and young people it will be initially considered by the Children and Young People Policy Board.
- 7.2. Where new legislation is being taken through Parliament that impacts on local government COSLA will submit evidence to the relevant parliamentary committee in order to inform the process and ensure that the voice of local government is heard. Reference is made earlier in this statement to such submissions relating to children and young people during the specified period.
- 7.3. COSLA were not formally consulted on the Coronavirus Act 2020 or Coronavirus (Scotland) Act 2020 as it was put in place at pace and without time for a consultation process. Many conversations were held during March 2020 related to how public health could be protected, COSLA was involved in these

discussions with the Scottish Government rather than the UK Government. COSLA officials met regularly with the Cabinet Secretary for Health and Sport, the Cabinet Secretary for Education and with the Deputy First Minister during the period that the 2020 Act was being prepared. These meetings were not recorded. COSLA officers also consulted with local government professionals in order to be able to provide verbal advice to Scottish Government officers. The easements outlined in the 2020 Act were intended to allow local authorities to provide urgent care without delay. The Scottish Government produced guidance on the provisions for local authorities on 3rd April 2020, subsequently updated in November 2020 (Exhibit ND-8/34 [INQ000582761]). The guidance highlighted that local authorities should keep a record of decision making during this period, including decisions to dispense with the duty to assess, decisions to conduct full or partial assessments, and decisions about the provision of support.

- 7.4. If concerns were raised by COSLA members these would have been communicated to COSLA and, if appropriate, raised with the Scottish Government through established channels, such as the regular meetings with Cabinet Secretaries.
- 7.5. The provisions allowed local authorities the flexibility to focus on prioritising those with the most urgent need while ensuring effective safeguards. Local authorities were still expected to do as much as they could to meet people's needs. While provisions under the 2020 Act softened assessment duties, the main duties to provide support and care under section 12 of the Social Work (Scotland) Act 1968 remained in place.
- 7.6. The Scottish Government and Social Work Scotland (professional leadership body for the social work profession) consulted with COSLA and the Society of Local Authority Chief Executives ("SOLACE") to develop monitoring questions to ascertain the extent to which the powers were being used. These were agreed by COSLA Leaders in May 2020 (Exhibits ND-8/35 [INQ000300724] and ND-8/36 [INQ000300725]). Information collected in the survey gave an outline of:
 - a. the extent to which powers were being used across the country;
 - b. the governance process that determined the use of the powers;

- c. whether the powers were deemed useful, or not, in responding to the virus; and
- d. numbers of assessments completed under the powers.

- 7.7. The survey was completed by local authorities on a monthly basis with the results collected by the Scottish Government. COSLA are aware that a number of local authorities enacted the easements. We do not hold a comprehensive record of this as the monitoring was conducted by the Scottish Government. We do not hold data on the number of members who enacted easements during the relevant period. It is not within the remit or role of COSA to scrutinise or oversee this type of activity by its members.
- 7.8. COSLA did not provide any advice or make submissions to the UK or Scottish Governments on the continuation of easements beyond the meetings described in para 7.3 above.
- 7.9. COSLA was not involved in assessing the impact that the easements had on children during the pandemic. Nor was it provided with or asked to contribute to a Children's Rights Impact Assessment by the Scottish Government.
- 7.10. COSLA did not have any involvement with the Alternative Children's Rights Impact Assessment carried out by the Observatory of Children's Human Rights Scotland, with the support of the Children and Young People's Commissioner Scotland dated July 2020

8. Children's contact with social workers

- 8.1. COSLA did not receive information from its members about the extent to which social workers across different local authority areas were conducting social work visits remotely. COSLA is a membership organisation and does not collect data relating to the performance of individual members as it does not perform any oversight role.

- 8.2. COSLA did not receive any information on the appropriateness of decisions being made by social workers on whether to see children face to face. As stated above COSLA does not have a role to scrutinise the performance of individual local authorities.
- 8.3. COSLA did not receive formal data or information relating to the effectiveness or limitations of conducting social work visits remotely.
- 8.4. COSLA does not, in general, collect information on how local authorities deliver their services.

9. Contact with Health visitors

- 9.1. In Scotland the Health Visitor service is provided by Health Boards and COSLA has no involvement in the service in general and this did not change during the specified period.

10. Domestic violence

- 10.1. In Scotland the Scottish Government's and COSLA's partnership approach to tackling all forms of gender-based violence and abuse, including but not limited to domestic abuse and coercive controlling patterns of behaviour, is captured in and enframed by our jointly owned Equally Safe strategy, exhibit ND-8/37 [INQ000651033]. The strategy, originally published in 2014, aims to prevent and eradicate all forms of gender-based violence against women and girls.
- 10.2. The strategy is rooted in its vision and analysis, which identifies entrenched gender inequalities as both cause and consequence of gender-based violence. Its framework aligns with International Human Rights standards and the Istanbul Convention, ratified by the UK Government in 2023, addressing responsibilities of both UK and devolved governments.
- 10.3. From the outset and through its refreshments to date, input informing its design and the design of Equally Safe Delivery Plans, exhibit ND-8/38 [INQ000651034] has been gathered through extensive engagement across government and public sector stakeholders and with survivors of gender-based violence.

- 10.4. Since the start of the Covid-19 pandemic, a number of relevant impacts and risks emerged, including increased risk of domestic abuse due to lockdown and challenges in access to safe housing, constraints related to accessing safe spaces, challenges for front line services in offering support, increased risk of sexual exploitation, and perpetrators being more hidden.
- 10.5. The Scottish Government's Justice Analytical Services ("JAS") published regular reports on the impact of COVID-19 on people experiencing domestic abuse and other forms of violence against women/girls during phases 1, 2 and 3 of Scotland's route map. These were both informed by and shared with local authorities, the Violence Against Women Partnerships ("VAWPs") and their local members. The JAS published monthly reports on the impact of Covid-19 on the justice system in Scotland an example of which is produced as Exhibit ND-8/38a [INQ000551215], these reports contained information on the rates of domestic abuse incidents recorded by Police Scotland.
- 10.6. Throughout the pandemic, national and local government instigated arrangements to help co-ordinate a strategic and measured response to the pandemic. The Scottish Government chaired a fortnightly meeting with victim support organisations, public bodies and local government to ensure swift awareness of important developments across the sector and to provide a forum for discussion on how to respond to these. The 31 VAWPS quickly transitioned to monthly network meetings during the pandemic (with Scottish Government and COSLA in attendance at all meetings) to ensure there was a joined-up approach taken to all relevant matters. COSLA, the Scottish Government, the Improvement Services and Public Health Scotland established weekly VAWG facing meetings to share learning from concerns raised by VAWPSs/Local Authorities which were captured in a template, exhibit ND-8/39 [INQ000651014], to enable risks/concerns to be recorded. Where relevant, this info was also received by JAS to inform their weekly reports.
- 10.7. Although measures necessary to prevent the spread of the virus were introduced, it was emphasised locally and nationally that the rules would not prevent women and children leaving their home to escape domestic abuse. Guidance, exhibit

ND-8/40 [INQ000369697] and Exhibit ND-8/41 [INQ000176212], was created and promoted nationally and locally to highlight that advice, and/or rules, do not prevent anyone from taking measures to escape or keep themselves safe from domestic abuse.

- 10.8. As referenced at para 5.4, the CFLG involving senior leaders across the children's sector was established in May 2020 to review intelligence about the impacts on children, young people and families and to provide local and national leadership in delivering a response. The intelligence included weekly data reports from the 32 Chief Officer Groups and Police Scotland, and broader evidence reports. The Leadership Group held a 'deep dive' on domestic abuse and children and young people on 11th June 2020 involving key stakeholders, and officials formed a cross-governmental domestic abuse group to consider explore and take forward subsequent recommendations. Exhibit ND-8/41a [INQ000651633] are the minutes of that meeting which also note the actions to be taken. The CFLG followed up on this item on 6th August 2020 and Scottish Government officials updated the meeting that they were in the process of setting up an internal working group to further co-ordinate and drive activity relating to domestic abuse and children and young people. Exhibit ND-8/41b [INQ000651634] is the note of the meeting held on 6th August 2020 and exhibit ND-8/41c [INQ000651635] is the presentation given by Scottish Women's Aid to the meeting.
- 10.9. The Equally Safe Year Three Update Report published by the Scottish Government and COSLA in November 2020 included a joint Scottish Government and COSLA report on the COVID 19 response to Violence against Women and Girls up to that date, exhibit ND-8/42 [INQ000651035].
- 10.10. There were a number of local authority initiatives and strategies to tackle domestic violence which were specific to the pandemic that COSLA is aware of through its involvement in Equally Safe. Two examples are provided below.
- 10.11. Across Scotland, local Cedar (Children Experiencing Domestic Abuse Recovery) projects were unable to offer their regular model of in-person group work. During

spring and summer 2020, Cedar Projects engaged with service users to identify what support was required by families and what support could be offered within the restrictions. In response to this feedback, coordinators began offering a suite of virtual support, including phone and virtual 1-1 support for mothers and children, virtual wellbeing support groups for different age ranges of children, helped mothers access emergency support around food, finances and the courts, and provided activity/craft packs for children, developed virtual activities and resources for mothers and children to complete, and provided wellbeing packs for mothers. While this support focused on wellbeing, mental health and practical support, rather than therapeutic recovery, it remained based on the ethos of the Cedar model by continuing to be trauma informed, focused on supporting mothers to support their children, and provided weekly structured support for families where required. Evaluation from projects has been positive in terms of the impact on children and their families.

- 10.12. Fife Council Housing Services had/have a close working relationship with Fife Women's Aid. At the start of lockdown, it was evident that there would be a significant pressure on women living with abusive partners and increased pressure on Women's Aid refuge. In response to this, the Council quickly identified six additional properties to be managed by Women's Aid. Cedar, Women's Aid and Educational Psychology also worked closely together to support schools prepare for children returning after living with domestic abuse during lockdown. This included preparing and disseminating information about what to look out for, highlighting available support services and signposting to other support resources. The Council also supported negotiations to enable specialist services to safely link with schools.
- 10.13. COSLA are aware that there were other examples of good practice locally which were developed to respond to local needs and circumstances. In Dundee the VAW Partnership responded to the pandemic by forming a small group of key operational managers during the first week of lockdown. This group met regularly after its establishment to ensure the situation was closely monitored. The Partnership also collated both qualitative and quantitative data to present at meetings, and regular reports have been produced to compare data directly with

corresponding dates in 2019. The Western Isles VAW Partnership ran a social media and community engagement campaign during lockdown to ensure women were aware of the local and national support services available to them during this period of heightened risk, and the pathways to accessing the services.

- 10.14. COSLA have not conducted any analysis as to the effectiveness of these interventions.

11. Impact on different groups of children

- 11.1. From the outset, schools and local authorities recognised that the disruption caused by school closures and the wider public health protection measures taken in response to the pandemic were likely to more significantly impact on children and young people who had additional challenges such as but not limited to: -

- a. children with Care and Support plans;
- b. children living in foster care;
- c. children living in children's care homes;
- d. children subject to a compulsory supervision order with a condition requiring the child to reside in secure accommodation;
- e. children living in unregistered children's homes;
- f. care leavers;
- g. children with additional support needs and/or disabilities;
- h. children held in secure accommodation or in Youth Detention Accommodation;
- i. unaccompanied asylum-seeking children;
- j. children with an identified mental health need (whether or not subject to a formal diagnosis);
- k. children living in poverty;
- l. children who were clinically vulnerable (or who had clinically vulnerable family members); and
- m. children from minority ethnic backgrounds.

- 11.2. In May 2020, COSLA was involved in developing an updated definition of "vulnerable children" to be used nationally in relation to hub access, identification of children and young people and the provision of prompt support. The definition was developed through a small group of Scottish Government officials and COSLA officers, with wider input from the COVID-19 Children and Families Leadership Group. This definition was agreed by COSLA Leaders on 29 May 2025, exhibit ND-8/21 [INQ000300739]. This definition was intended to assist in ensuring that all children in vulnerable circumstances received appropriate help.

- 11.3. There is, of course, significant cross over between the groups of children and young people identified above. We have already demonstrated in this response how local authorities worked quickly to establish education hubs that would provide support to vulnerable children. A priority for local authorities was to provide support to children and families living in poverty given the strong correlation between poverty and multiple disadvantage.
- 11.4. Following the closure of schools, local authorities took a range of steps to ensure that children and young people eligible for free school meals would continue to receive either food packages, vouchers or a cash payment. In many cases the need to put in place alternative method at speed drove the options that local authorities adopted, with food parcels and/or vouchers able to be distributed at pace. Following engagement with children, young people, families and the third sector, the vast majority of local authorities had moved to cash payments for free school meal alternatives by January 2021.
- 11.5. Given the wide range of additional support needs individual learners have, the expertise and judgement of school staff and children's sector professionals working mostly closely with them, was key in understanding how to provide that support with schools and other face-to-face services closed. The education and children's services workforce demonstrated creativity, sensitivity, and a real understanding of and commitment to Getting It Right for Every Child ("GIRFEC") in their endeavours to provide support and learning opportunities.
- 11.6. In March 2021 Education Scotland published a report, exhibit ND-8/43 [INQ000182884] focused on approaches taken by local authorities and schools to provide learning for children and young people with complex learning needs during the period of remote learning. As well as highlighting examples of practice illustrating what worked well in schools, it noted that local authority support, professional learning and ongoing reflection resulted in improved approaches to meeting the needs of learners with complex needs. It also noted that schools had taken positive steps to increase engagement with and support for parents of children and young people with complex learning needs. There was recognition

that local authorities and schools can learn from the experiences of remote learning to identify what has worked successfully that could be continued post-pandemic to support learners with complex need.

- 11.7. Children and young people's mental health and wellbeing was consistently identified as at risk of being negatively impacted by school closures and the wider impacts of the pandemic and public health measures. Children and young people reported concerns about the impact of the virus on family members, finances, relationships with friends, impact on learning, qualifications and future opportunities.
- 11.8. Local Government continues to work with partners to support children and young people's mental health and wellbeing and over the past 20 months, particularly focused on responding to the negative impacts of the pandemic. A range of approaches and provisions were, and continue to be, in place and are dependent on local needs, including but not limited to art-based therapies targeting those not engaged in school and/or finding it hard to leave home, a hybrid online/offline youth work-based approach, and digital services.

12. Child protection referrals

- 12.1. The work of COSLA in relation to child protection was undertaken through the CFLG. The group was co-chaired by the Scottish Government and a Council Chief Executive representing the Society of Local Authority Chief Executives (SOLACE). The CFLG received ongoing intelligence on child protection referrals, service access and delivery and emerging risks and safeguarding concerns. The group used this data to inform national coordination, identify gaps, and support local authorities in adapting services. The data collection was agreed through discussions between local government and the Scottish Government in April and May 2020, and an initial dataset was agreed. This was collected and sent to stakeholders weekly initially, and fortnightly in October 2021. The data from local authorities was collated and shared with the Scottish Government by the Improvement service.

- 12.2. Quantitative data from local authorities and Police Scotland about vulnerable children and young people was used. This includes data on child protection, looked after children and children reported as missing, education hub attendance and free school meal provision. COSLA were aware that local authorities used real-time data to track attendance at hubs, referrals, and other indicators of risk. It is our understanding that risk assessments were updated regularly by local authorities to reflect changing circumstances in families due to the pandemic.
- 12.3. Whilst COSLA had a role at a national level through the CFLG we were aware that local authorities sought to increase and enhance multi agency co-operation and communication including increasing the frequency of Child Protection Committees and Chief Officers Groups meetings to coordinate responses and share intelligence across services. Agencies used virtual platforms to continue inter-agency referral discussions (IRDs) and case conferences. We were also aware that social workers and education staff conducted regular check-ins with at-risk families via phone, video calls, or socially distanced home visits.

13. The closure of schools in January 2021

- 13.1. COSLA continued to represent its members through participation in the CERG and the CFLG as well as through the various subgroups that formed part of these critical national strategic groups. COSLA had no role in collecting data on attendance levels for children attending schools. This is data that was published by the Scottish Government.
- 13.2. COSLA were not aware of a change in the number or type of concerns being noticed or disclosed about vulnerable children in the specified time period. There continued to be regular meetings of both the CERG and the CFLG where there were (weekly) reports on the data being gathered.

14. Communication during the pandemic

- 14.1. As outlined at paras 4.2 to 4.5 COSLA had effective communication frameworks with the Scottish Government throughout the specified period. The COSLA

Spokesperson for Children and Young People had regular meetings with the Cabinet Secretary for Education.

- 14.2. The CFLG and the CERG were important forums that allowed for COSLA to raise issues on behalf of its members.
- 14.3. COSLA worked in partnership with its members and a wide range of professional associations such as the Association of Directors of Education and SOLACE to contribute to a wide range of policy development and guidance, for example, exhibit ND-8/44 [INQ000182770]. This is an impact assessment which was developed in consultation with the CERG and looks at the impact that the guidance on reducing risk had on children and young people, parents and carers, and school staff. Any concerns in the ability of local authorities to keep schools open or close schools will have been addressed through the CERG and its various subgroups ensuring that there were effective communication and involvement of key stakeholders throughout the specified period.

15. **Impacts, Assessment and Guidance**

- 15.1. COSLA does not have a role in conducting research or assessing impact. In our role as co-sponsors of Public Health Scotland (“PHS”) we are aware that they have conducted research on the impact of Covid-19 on children and young people, exhibits ND-8/45 [INQ000203282] and ND-8/46 [INQ000189652].
- 15.2. COSLA are also aware of the joint report of the Scottish Government and the Centre for excellence for Children's Care and Protection, titled The impact of Covid-19 on children and families in Scotland: Understanding needs and services through local social work data, dated July 2021, exhibit ND-8/46a [INQ000223009]. The conclusions that can be drawn from this report are that there is a growing middle tier of children with complex but non-critical needs. The findings suggest that these children require targeted support but may not meet the threshold for statutory intervention. The report noted that as restrictions were eased it anticipated that there would be an increase in service demand and that there were enduring concerns around poverty, mental health and domestic issues. The report recommended that national partners reinforce the principles

around GIRFEC (getting it right first time for every child), increase funding for social work and Third Sector Services, invest in mental health services and trauma informed workforce development and improve data collection and analysis across agencies to better identify and respond to emerging needs.

16. Lessons learned from the pandemic

- 16.1. COSLA engaged in a number of discussions in relation to the COVID-19 Recovery Act on the provisions relating to future schools closure, aiming to build upon the need from strong relationships and communications between local authorities, health boards, the Scottish Government, children, young people and their families. A response was submitted to the consultation on the Bill Committee; exhibit ND-8/47 [INQ000220335]. We were clear that COSLA:
- a. Supported making the powers over continuity directions and to have regard to the advice of the chief medical officer. These will provide local authorities with the appropriate legal protection should there be a future pandemic which required the closure of schools.
 - b. Noted it will be crucial that the Scottish Government engage closely with local government in the use of any powers. Both through bilateral discussion on the education directions, and through the CERG (co-chaired by the COSLA Spokesperson and Cabinet Secretary for Education and Skills) on broader advice and guidance for COVID, there has been strong and consistent engagement with Local Government throughout the response to COVID-19.
 - c. Was clear that direction making powers create the scope for Scottish Ministers to confer additional functions on local authorities, we believe there would be merit in including a mechanism to ensure that Scottish Ministers are required to consult and engage with local authorities in the development of any direction”.
- 16.2. In June 2021, COSLA Leaders considered a paper on ‘Pandemic Proofing in Education’, exhibit ND-8/48 [INQ000300860] which considered a wide range of topics including national qualifications, outdoor learning, digital, funding and workforce, facilities & catering. Many of these key themes have continued in COSLA work including:

- a. Shaping our response to Professor Hayward's review of qualifications and assessment.
 - b. Engagement in the refreshed Scottish Government Learning for Sustainability Action Plan and linked Strategic Group on Outdoor Learning.
 - c. Work with the Scottish Government, initially on their commitment to provide a digital device for every child, and subsequently on a joint Digital Education Strategy.
 - d. Work to expand free school meals to children in primary schools.
 - e. Continue advocacy for improved funding for Local Government.
- 16.3. COSLA continues to work closely with Public Health Scotland, alongside a range of other education partners, to consider and agree guidance to support health protection particularly in relation to protocols for managing infectious diseases, hygiene practices, and outbreak responses. This includes being involved in the stakeholder group to consider Public Health Scotland's 2024 guidance on health protection in children and young people's settings, including education. COSLA worked in partnership with its members and a wide range of professional associations such as the Association of Directors of Education and SOLACE to contribute to the development of a wide range of guidance). This guidance, exhibit ND-8/49 [INQ000651037] was developed in consultation with the CERG. Any concerns on the ability of local authorities to keep schools open or close schools will have been addressed through the CERG and its various subgroups.

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.

Personal Data

Signed: _____

Dated: _____08/08/25_____