

Witness Name: Esther Kavanagh

Dixon

Statement No.:1

EKD/s:102

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UK COVID-19 INQUIRY

WITNESS STATEMENT OF Esther Kavanagh Dixon

I, Esther Kavanagh Dixon, will say as follows: -

Introduction

1. I am the Chief Officer of the Association of Directors of Children's Services Ltd (ADCS) of Bloc, 17 Marble Street, Manchester, M2 3AW. I was appointed as Acting Chief Officer in October 2021 before being appointed to the permanent position in September 2022. I have worked for ADCS for 10 years and prior to this, held a number of roles in local authority (LA) children's services. I am authorised by ADCS to make this statement on its behalf in relation to Module 8 of the Covid-19 Inquiry.
2. I became Chief Officer during the period in scope for this module. The previous ADCS Chief Officer, Sarah Caton, led the Association from its inception in 2009. In the early stages of the pandemic, Sarah coordinated much of ADCS' work and managed the interface between ADCS and the government on issues concerning children, young people and families. Sadly, Sarah passed away in December 2021 due to Covid-19. As such, it has not been possible to seek clarification on all matters covered by the Rule 9 Request. I would like to take the opportunity provided by this witness statement to pay tribute to Sarah for her dedication to ADCS and the tireless work she did on behalf of ADCS members, both prior to and during the pandemic. She is dearly missed.

3. This witness statement is the most accurate account given the resources and time available. I have oversight of the work of ADCS Ltd, however, the period in scope was a period of intense activity, particularly at the onset of the pandemic, where advice and information was sought on new and emerging issues, and provided under extreme time pressures. As time went on, issues relating to Covid-19 became business as usual.
4. ADCS is not necessarily aware of discussions that may have taken place between the government and individual ADCS members, or when individual ADCS members were asked to respond to information requests or to take action in their capacity as LA employees; ADCS has no role in overseeing or monitoring such interactions.

Part A – The role and responsibilities of the Association of Directors of Children's Services

5. The ADCS is the national leadership Association in England for statutory directors of children's services (DCS), appointed under the provisions of the *Children Act 2004*, and their senior management teams working in local authorities. Membership of ADCS is also open to the chief executives of children's services trusts (and other alternative delivery vehicles), and their senior staff. The Association brings together leaders of children's services from a wide range of professional backgrounds to provide a national voice as a champion for children with local and central government and with the public.
6. ADCS was established in February 2007 and became incorporated as a company limited by guarantee in January 2009. As such, the governance, operation and work of the Association is overseen by a Board of Directors and governed by Memorandum and Articles of Association. **[EKD/001 - INQ000643042]**.
7. The ADCS Board of Directors comprises of the President, Vice President, Immediate Past President, Honorary Treasurer, Honorary Secretary and four other Elected Directors. All Directors have a term of office of three years,

however, individuals who join the Board on 1 April in any year as Vice President hold this role for 12 months before becoming President on 1 April in the following year, before transitioning into the Immediate Past President role for their final year. Details of the ADCS Vice President, President and Immediate Past President during the period in scope can be found in Appendix A. The current Board of Directors is as follows:

- **President** – Rachael Wardell, Executive Director – Children, Families and Lifelong Learning, Surrey County Council
- **Vice President** – Ann Graham, Director of Children’s Services, Haringey London Borough Council
- **Immediate Past President** – Andy Smith, Strategic Director of People Services, Derby City Council
- **Honorary Secretary** – Jane Moore, Director of Children and Family Services, Leicestershire County Council
- **Honorary Treasurer** – Tim Aldridge, Executive Director of Children and Learning, Camden London Borough Council
- **Elected Director** – Suanne Lim, Director of Early Help & Children’s Social Care, Derby City Council
- **Elected Director** – Sukriti Sen, Director of Children and Education Services, Coventry City Council
- **Elected Director** - Diane Benjamin, Director of Children’s Social Care, Hackney London Borough Council
- **Elected Director** - Harmesh Bhogal, Director of Children’s Services, Bedford Borough Council.

8. ADCS is a member-led organisation, consisting of individual Ordinary, Associate and Honorary members. The ADCS membership year runs from 1 April to 31 March. As at 1 January 2020, there were 1545 members in total: 1404 Ordinary Members, 139 Associate Members and 2 Honorary Members. There are key national leadership roles that DCSs are nominated into to help steer the work of the Association. In addition to the ADCS Board of Directors, policy committee chairs (x6) and chairs of regional groups (x9) play a key role in the functioning of the Association. ADCS employs a small staff team (9 people/ 7.5 full time equivalents) to coordinate and facilitate the work of

the Association.

9. ADCS does not have a formal relationship with any similar organisations in the devolved administrations, links are made as and when required on issues of shared interest.
10. The role and responsibilities of a DCS are set out in Department for Education (DfE) statutory guidance. This states that: *“The DCS has professional responsibility for the leadership, strategy and effectiveness of local authority children’s services and, as such, this post should be at first tier officer level. The DCS is responsible for securing the provision of services which address the needs of all children and young people, including the most disadvantaged and vulnerable, and their families and carers. In discharging these responsibilities, the DCS will work closely with other local partners to improve the outcomes and well-being of children and young people. The DCS is responsible for the performance of local authority functions relating to the education and social care of children and young people. The DCS is responsible for ensuring that effective systems are in place for discharging these functions, including where a local authority has commissioned any services from another provider rather than delivering them itself.”* [EKD/002 - INQ000540762]
11. ADCS conducts its work through a comprehensive policy committee structure which spans the breadth of children’s services. Through meetings of policy committees and other regular forums for engagement, ADCS has provided the views of members and acted as an interface to government on the range of policy issues related to children, young people and families. Each policy committee is chaired by a statutory director of children’s services, nominated and elected to the position by ADCS members. The policy committee structure is as follows:
 - **Education** looks at all aspects of education from the early years to further education, skills and training plus assessment, school improvement and standards, as well as school place planning and admissions

- **Families, Communities & Young People** covers safeguarding, youth work, youth justice, child poverty, family justice, preventative services and the early years
- **Health, Care & Additional Needs** looks at all forms of permanence, special educational needs and disabilities (SEND), and the health and wellbeing of children and families
- **Resources & Strategy** covers all aspects of funding for children's services, commissioning, and school capital
- **Standards, Performance & Inspection** covers the breadth of inspection activity, intervention, sector-led improvement, data and performance management
- **Workforce** takes in professional standards and registration, training, qualifications and workforce planning.

12. Whilst ADCS regularly provides comment on draft guidance to support the work of both government departments and partner agencies, ADCS does not routinely develop formal guidance for members. There are a number of exceptions to this where ADCS has produced guidance material in consultation with ADCS members and the wider sector. This includes the ADCS Age Assessment Guidance and the ADCS and Home Office Joint Working Guidance on Age Assessment. ADCS has also worked closely with the Children and Family Court Advisory and Support Service (Cafcass) to agree a small number of documents to support joint working between local authorities and Cafcass in relation to public law, this includes a social work evidence template and associated guidance, practice guidance on the use of Section 20 of the Children Act 1989 and a Section 7 report policy. These documents act in the good practice space, ADCS cannot compel member LAs to use these materials. All such material can be found in the family justice resource hub section of the ADCS website. **[EKD/003 - INQ000643044, EKD/004 - INQ000643045, EKD/005 - INQ000643046]**

ADCS' involvement in pre-pandemic planning

13. ADCS does not have a role in national or local emergency planning. As such, prior to January 2020, ADCS did not gather members views regarding

emergency planning or hold, or have access to, materials which considered planning for or responding to a pandemic.

Challenges facing children's services

14. In the years prior to the pandemic, ADCS published two key documents which set out the challenges faced by members. The ADCS position paper, *A country that works for all children* explores the impact of different initiatives and policies on children's lives and outcomes, touching on child poverty, welfare reforms, and the impact of austerity across the breadth of children's services, including schools, and early help. The second, ADCS Safeguarding Pressures, is research that tracks activity across key domains of safeguarding and child protection activity, from initial contacts at the front door to entries and exits from care. Phase 6 of the research was published in November 2018 and provides an overview of the challenges facing ADCS members, particularly in the context of increasing demand and reducing resources. The research references the 50% reduction in LA funding since 2010 and while the majority of LAs had protected children's services from budget cuts, this was unlikely to continue given 80% of councils feared for their financial sustainability. In the context of reduced resources, individual LAs made decisions regarding funding priorities. **[EKD/006 - INQ000643047, EKD/007 - INQ000643048, EKD/008 - INQ000643049]**

15. In December 2018, ADCS submitted a response to the Housing, Communities and Local Government Committee's inquiry on funding and the provision of LA children's services **[EKD/009 - INQ000643050]**. In this written evidence, ADCS explained that LAs had protected the most vulnerable children and their families from the impact of austerity, however, this resulted in a reduction in vital early help and community services, including children's centres and libraries. As a result, the ability of LAs to intervene early was significantly eroded due to lack of funding. Funding had fallen since 2010 and yet, the number of children and families requiring help and support had increased dramatically. An estimated 2.4 million initial contacts were made to children's social care in 2017/18, representing a 78% increase over the last decade, with a 22% increase in these contacts progressing to a formal referral to children's social care over the same period. The number of children subjects of child protection plans increased by

87% between 2008 and 2018 and an estimated 644,430 child in need assessments were completed in 2017/18. As at 31 March 2018, 75,480 children were in care - an increase of 24% in ten years with a notable rise in the numbers of adolescents coming into care. [EKD/007 - INQ000643048]

16. In 2020, ADCS responded to the government's call for evidence to help inform the 2020 comprehensive spending review (CSR). ADCS argued there was a clear moral and economic imperative for HM Treasury to put children at the heart of its spending plans. ADCS members believed that the impact of the pandemic on children and families would be significant and long-lasting, therefore, significant investment would be required to support LAs to respond appropriately. [EKD/010 - INQ000643051]

The ADCS' work during the pandemic

17. It is not the role or function of ADCS to assess or monitor the performance, activity or impact of individual LAs or ADCS members; this is beyond the remit of the Association. ADCS seeks to support its members via information exchange, both between ADCS members and with third parties, such as government departments, and voluntary and community sector organisations. Both prior to the 18 March 2020 and throughout the pandemic, ADCS acted as a conduit for information exchange between ADCS members and central government in order to represent the views of ADCS members, providing constructive feedback and challenge. While this involved sharing the professional opinion of members in relation to the range of issues impacting children and how these were emerging or developing locally, it did not constitute formal assessment or monitoring. Individual LAs will have undertaken this as part of their emergency planning and civil contingency work. Local resilience forums provide this function across a place, drawing in partners from across the public sector. ADCS is not privy to this information and does not hold this information.
18. ADCS commissions biennial research exploring the pressures within the safeguarding system. The Safeguarding Pressures series explores the pressures facing children's services over the period 2007/08 to 2023/24 via both quantitative and qualitative data. Phases 7 - 9 cover the period in scope and

provide an indication of the impact of the pandemic on the needs of children, young people and families, and the services delivered by LAs and partners to support them. I do not seek to replicate the findings of this research within this witness statement and will point the Inquiry to this research wherever possible.

Closure of schools

19. ADCS was contacted by the DfE on 5 March 2020 requesting a meeting to discuss Covid-19. This discussion took place on 6 March 2020 where ADCS raised a number of issues, this included the impact on schools and school closures. A note of the discussion suggests that at this time, the main consideration was the prevention of pre-emptive school closures. **[EKD/011 - INQ000643054, EKD/012 - INQ000643055]**

20. I am not aware of any discussions between ADCS and the UK government about school closures in other countries.

21. On 18 March 2020, the ADCS President, Vice President and Chief Officer met with Minister Ford during which the issue of school closures was raised. Later that day, a further call took place at 3.30pm with DfE officials, ahead of which ADCS shared a log of relevant issues for discussion, as did the DfE. At this meeting, ADCS was informed that at 5pm, the Secretary of State for Education would announce the closure of all schools to all but 'vulnerable children' and children of key workers from Friday 20 March. On this call, DfE officials provided details as to the cohorts of children which would be included in the definition of 'vulnerable child', including children in need, children with a child protection plan, children with an education, health and care plan, and children receiving SEN support. ADCS was not consulted on the definition of a 'vulnerable child'. **[EKD/013 - INQ000643056, EKD/014 - INQ000643057, EKD/015 - INQ000643058, EKD/016 - INQ000643059, EKD/017 - INQ000643060]**

22. ADCS recognises the critical role schools play in both the welfare and protection of children, however, given the clear need to adhere to public health guidance, I am not aware that ADCS offered any advice about the

sorts of steps which schools might take in order to remain open.

23. Prior to 18 March 2020, a number of DCSs made contact with the ADCS Chief Officer seeking information and advice about the likelihood of school closures and stressing the need for guidance from the DfE. Many were concerned about the risks of a national announcement being made to the public before LAs were briefed and prepared to communicate and support schools on the detail of implementation. **[EKD/018 - INQ000643061]**
24. Schools are the mechanism by which professionals see children on a regular basis. Never before had all schools closed to most children with little or no notice, and with no opportunity to develop plans for delivering teaching and learning in this new environment rather than face-to-face in the classroom. This resulted in significant challenges for ADCS members. Schools play a vital role in the multi-agency safeguarding system in terms of developing relationships, identifying concerns and delivering support, as described in *Working together to safeguard children 2023: statutory guidance*. When face-to-face interaction with children ceased, so did the environment for which much of this activity took place. The limited delivery of teaching and learning via digital platforms and other remote methods, rather than face-to-face in classrooms, removed the insight teachers and school staff had to the day to day lives of children. This is indicated in the DfE analysis of the Vulnerable Children and Young People Survey (VCYPS). **[EKD/019 - INQ000541087]**
25. At the onset of the pandemic, just under 1.5 million children were eligible for means tested free school meals (FSMs). This daily meal came to an abrupt end with the closure of schools and ADCS members were concerned about the welfare of this cohort of children given there was no alternative provision immediately available. ADCS raised the impact of reduced access to FSMs with the DfE from the outset of the pandemic. **[EKD/020 - INQ000643063]**
26. The timing of the government's public announcement of the closure of all schools, prior to briefing LAs, created significant challenges as this allowed for limited time to plan and support communications with schools, parents and

carers. In the absence of official guidance, LAs were required to implement contingency arrangements in isolation.

27. Schools had never before been asked to close for the majority of pupils and shift to providing home-based work for children, often supported by existing platforms. Overtime, a shift to digital delivery took place, however, many schools and families lacked the technology needed to support this and while IT equipment and internet access was made available to some, this took time to implement.

28. Ensuring compliance with continually evolving public health advice to support the school attendance of vulnerable children and children of key workers was challenging. While attendance at school was in the best interests of some children, the messaging of 'Stay home, protect the NHS, save lives' was a powerful mantra and lacked the nuance to support parental confidence in the attendance of vulnerable children at school, in some cases exacerbating existing concerns. **[EKD/020 - INQ000643063]**

The impact of lockdown on the provision of social care services

29. During a call with the DfE on 23 March 2020, ADCS was informed of the Prime Minister's intention to announce a UK national lockdown during the Covid-19 press briefing that evening. Prior to this call, ADCS was not aware of the planned lockdown and discussions with the government had focused on how children's services would be delivered within the context of school closures, the requirements for self-isolation and the impact this would have on family functioning, direct access to families for assessment, and the workforce in terms of capacity to deliver services. There were ongoing discussions on such issues from early in 2020, for example, the agenda items logged for discussion at the ADCS and DfE meeting on 13 March 2020. **[EKD/021 - INQ000643064, EKD/022 - INQ000643065]**

30. Prior to the announcement of the first national lockdown, ADCS members were managing the closure of all schools to most pupils and the requirement to self-isolate. I am not aware that ADCS members were in contact with the Association regarding a possible lockdown.

31. Prior to 23 March 2020, ADCS was involved in discussions with the DfE about the need for regulatory flexibilities to ensure LAs were able to continue to meet their statutory responsibilities while also adhering to public health guidance. This did not constitute any form of assessment. **[EKD/022 - INQ000643065]**
32. The national lockdown presented unprecedented challenges to ADCS members in the delivery of services to children. LAs had to completely rework their practice, policy, recording and reporting arrangements in relation to all activity that would usually take place on a face-to-face basis as people were told to stay at home and adhere to social distancing requirements, and the majority of the workforce became home based or worked in a hybrid way. Such arrangements also had to be reviewed as and when national guidance changed, as the pandemic progressed, and as localities and regions were subjected to different guidance and restrictions.
33. Those services that remained open, critically children's early help and social care services, had to adapt to ensure that the welfare of children was safeguarded despite the impact of Covid-19. Children were risk assessed to inform individualised visit and support plans, with face-to-face visits continuing when necessary and services flexibly delivered, and Covid-19 risk assessments undertaken to support this activity. There was no national guidance on how to conduct risk assessments, each LA would have developed their own approach detailing what factors to take into account, along with how such information was recorded and reviewed.

The initial relaxations to statutory requirements

34. I am not aware that ADCS was consulted on the *Coronavirus Act 2020* in respect of the easements to the *Care Act 2014* and how these applied to young people between the ages of 18 and 25.
35. In respect of the *Adoption and Children (Coronavirus) (Amendment) Regulations 2020*, on 18 March 2020, the DfE shared a note containing a list of the children's social care regulations which were under review for potential amendment.

Specific details of the possible amendments were not provided. ADCS responded on the same day providing initial comments based on the limited information available. The potential amendment of regulations was also discussed during a call at 3.30pm on the same day. **[EKD/012 - INQ000643055, EKD/023 - INQ000643066, EKD/024 - INQ000643068]**

36. On 23 March 2020, the DfE provided a further update setting out the planned regulatory changes. ADCS responded on 23 March 2020 and then again on 24 March 2020, seeking clarification about how broad any amendments might be, and providing additional comments about complaints mechanisms and routes to redress. **[EKD/025 - INQ000540807, EKD/026 - INQ000643071]**

37. In addition to this, ADCS received an email from the Chair of the Adoption and Special Guardianship Leadership Board on 20 March 2020 seeking views on operational changes members of the Board had implemented in response to the pandemic, views on what flexibilities should be included in emergency legislation and if there was anything further government could do to help. ADCS responded on the same day providing some initial comments. **[EKD/027 - INQ000643072]**

38. While ADCS provided initial comments and contributed to discussions about what flexibilities might be helpful, ADCS was not consulted on the detail of the regulatory provisions introduced in the *Adoption and Children (Coronavirus) (Amendment) Regulations 2020*. The extent of ADCS' involvement is outlined in an email from ADCS Chief Officer to ADCS Board of Directors, Policy Committee Chairs and Regional Chairs, and in a written submission to the Education Select Committee. **[EKD/028 - INQ000643073] / [EKD/029 - INQ000643074]**.

39. ADCS was not consulted on the detail of the regulatory provisions introduced in the *Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020*.

40. ADCS raised the need for flexibilities in relation to special educational needs and disability regulations early in the pandemic. Social distancing requirements, school closures and the redeployment of health staff severely impacted the ability

of all partners to undertake assessments of need and deliver the support outlined in education, health and care plans that were already in place. **[EKD/030 - INQ000643075]**

41. During a call with the DfE on 3 April 2020, ADCS was informed of the government's intention to use the regulatory flexibilities as contained in the *Coronavirus Act 2020*. Draft guidance outlining the arrangements for the temporary changes was shared with ADCS on 16 April 2020 ahead of a call to discuss this which took place on 17 April 2020. ADCS provided written feedback on this guidance on 18 April 2020. An updated draft guidance document was shared with ADCS on 20 April 2020 and comments were provided on 21 April 2020. **[EKD/031 - INQ000643076, EKD/032 - INQ000643077, EKD/033 - INQ000643078, EKD/034 - INQ000643080]**

42. Given the unprecedented circumstances in which ADCS members were working and the public health guidance at the time, ADCS stressed the need for regulatory flexibilities that provided LAs with the ability to deviate from regulations where this was in the best interests of children e.g. if they, or a member of their family was clinically vulnerable and the household was shielding. The flexibilities also allowed LAs to balance core statutory duties with the realities of remote working and national public health guidance about limiting contacts and household mixing to prevent the spread of the virus. The DfE shared a list of regulations that were under consideration for easement, however, ADCS was not privy to the detail of the proposed regulation changes prior to implementation, therefore, it was not possible to raise any issues.

43. In August 2020, the DfE conducted a consultation on the children's social care regulations. In its response, ADCS supported the continuation of regulatory flexibilities, recognising the Covid-19 related restrictions that continued at that time. **[EKD/035 - INQ000643081]**

44. ADCS was supportive of temporary changes to the law introduced by the *Special Educational Needs and Disability (Coronavirus) (Amendment) Regulations 2020*. ADCS was disappointed that these flexibilities were not applied retrospectively to

cover the period from the announcement of the closure of schools given the impact this had had on the ability of partners to deliver against their duties. ADCS provided feedback in both May and September 2020 supporting the extension of flexibilities. [EKD/036 - INQ000643082, EKD/037 - INQ000643083]

45. ADCS did not monitor the use of regulatory flexibilities by LAs, however the feedback provided to the DfE to support the extension of such measures provides an indication of how they were being used and the impact of such. [EKD/036 - INQ000643082, EKD/037 - INQ000643083] *ADCS Safeguarding Pressures* 7, published in February 2021, suggests that not all LAs used the regulatory easements and flexibilities granted by the *Adoption and Children (Coronavirus) (Amendment) Regulations 2020*. [EKD/038 - INQ000588305]. Ofsted may have further information on this issue, gathered during its assurance visits to LAs.

46. ADCS did not issue guidance as to how LA children's services should make use of any statutory relaxations. I am not aware that ADCS was provided with, or asked to contribute to, a Children's Rights Impact Assessment.

Other Regulatory changes

47. I am not aware that ADCS was consulted on the *Health Protection (Coronavirus, Restrictions) (No 3) (England) Regulations 2020* nor that the Association raised any concerns about such

Children's contact with social workers

48. Through discussions with members, ADCS was aware that social workers were conducting social work visits remotely (digitally enabled either via video or phone call), however, the Association did not monitor this activity. The DfE's VCYPs provides insights into this. [EKD/081 - INQ000513526]

49. In summer 2020, ADCS published a policy paper, *Building a country that works for all children post Covid-19*, that sought to capture the issues and challenges as well as the gains during the initial stages of the pandemic. While recognising that digitally enabled contact undertaken during the pandemic reduced the line of

sight into household composition and context, ADCS members reported that this more frequent and informal contact did allow for stronger relationships between some social workers and children and families. [EKD/039 - INQ000267961]

50. *ADCS Safeguarding Pressures Phase 7* also provides a short analysis of respondents' views regarding the benefits and challenges of working remotely. Respondents suggested that while there were some clear benefits in relation to attendance at meetings by professionals, the lack of access to reliable technology and connectivity, and the limitations of not being in the room and seeing the wider context were challenging. There was also the suggestion that young people wanted face-to-face interaction with professionals that were supporting them, a shift to online as default did not fully meet their needs. [EKD/038 - INQ000588305]

51. Where information and resources were forthcoming from ADCS members, partners and government, ADCS shared these via the ADCS website to support local planning and service delivery. In 2024, ADCS developed a new website and this resource is no longer available, however, the following examples are provided as an illustration of the types of information hosted. [EKD/040 - INQ000643086, EKD/041 - INQ000643087, EKD/042 - INQ000643088]

Assessment and guidance

52. Across April and May 2020, ADCS attempted to track government requests for feedback on pandemic related guidance. At the time, the ADCS staff team were working in such a dynamic and demanding environment that it was not possible to dedicate resource to maintaining this record over the long-term. [EKD/043 - INQ000643089]
53. ADCS provided comments on a significant number of guidance documents, and iterative versions, throughout the pandemic period. It is not possible to provide a summary of the key points raised as each set of comments related to a specific document. The following examples are provided to illustrate the types of guidance ADCS was asked to comment on, along with the comments provided.

[EKD/044 - INQ000643090, EKD/045 - INQ000643093, EKD/046 - INQ000643095, EKD/034 - INQ000643080]

54. While the comments provided were specific to the guidance being developed, there were a number of process related themes that can be summarised. The pace at which comments needed to be provided was challenging yet there was often a lag in publication; guidance was often published without prior warning, often late at night and at weekends; and, there was no strategic overview of the guidance required or a forward view for review. **[EKD/047 - INQ000643096, EKD/048 - INQ000643097, EKD/049 - INQ000643098]**

Communication and work with government during the pandemic

55. The list of key meetings, appended to this statement as Appendix B, provides an overview of the principal mechanisms by which ADCS communicated with the government. Early in the pandemic, ADCS established bi-weekly calls with the DfE. This was the principal mechanism by which ADCS communicated with the DfE on pandemic related issues linked to children's services. Following each of these calls, a summary email was sent by the ADCS Chief Officer to the ADCS Board of Directors, ADCS regional chairs and ADCS policy committee chairs. The following examples are provided as illustrations **[EKD/050 - INQ000643099, EKD/051 - INQ000643100]**.
56. ADCS was also involved in a range of stakeholder forums, such as the Schools Stakeholder Group and the Vulnerable Children and Young People Board. There were also frequent short notice calls with Ministers and government officials to discuss various issues related to the pandemic. From Friday 13 March 2020, the ADCS weekly e-bulletin provided an overview of the issues ADCS had raised with government over the course of the week. This was circulated to all ADCS members, the following examples are provided as illustrations. **[EKD/052 - INQ000643101, EKD/053 - INQ000643102]**.
57. ADCS is a conduit for information exchange between ADCS members and government. ADCS provides a collective voice for members and used this to help support the government to develop the response to the pandemic. The outline of

key meetings provides an indication of the sheer number of calls which ADCS was involved with. During such calls, ADCS members and employees will have shared information about emerging challenges in relation to the provision of services for children and families, and where members wanted the support of government to address these. ADCS would hope that through these mechanisms, the information that was shared helped to inform government policy about children and their needs for the better.

58. Within the DfE, the main point of ministerial contact was with the Secretary of State for Education and Minister for Children and Families. More regular contact took place with senior civil servants, the main contacts being Indra Morris, Graham Archer, Dominic Herrington, Fran Oram and Sophie Langdale.

59. Early in the pandemic, ADCS established effective channels of regular communication with the DfE, initially, via bi-weekly meetings, turning to weekly meetings as the pandemic progressed. In addition to this, ADCS had meetings with other government departments and joined various government forums as detailed in Appendix B. There were also frequent ad hoc, usually short notice, meetings and discussions that took place through the course of the pandemic about specific issues or cohorts of children.

60. The sheer scale of activity in the early stages of the pandemic was challenging as ADCS was asked to engage on multiple fronts, often in an uncoordinated way and on extremely tight timescales. While effective communication channels were established, it was not always apparent how the information shared during discussions was utilised by government and the impact this had. It is the view of ADCS members that children and children's services were not a priority for government and this was apparent in the lack of priority given to them both in terms of the pandemic response and recovery to date, as described in the discussion paper *Building a country that works for all children post Covid-19*.
[EKD/039 - INQ000267961]

61. Children and children's services were not prioritised by government in the pandemic response, or in recovery. For example, after the first lockdown, some

leisure and retail services reopened before schools did. Health services were prioritised for personal protective equipment (PPE) over nursery and childcare settings which were encouraged by government to remain open to allow key workers to work. Staff have close contact with children and provide intimate care, yet they were never prioritised for access to PPE, to testing or to vaccinations. The government appointed a “recovery tsar” who estimated £15 billion was needed for education recovery. Just one tenth of this number was pledged by government leading to Sir Kevan Collins’ resignation, at the time he said: *“A half-hearted approach risks failing hundreds of thousands of pupils. The support announced by government so far does not come close to meeting the scale of the challenge and is why I have no option but to resign from my post.”*

Regional Education and Children’s Teams

62. ADCS did not have a formal role in relation to the DfE’s Regional Education and Children’s Teams (REACT). At the point at which the teams were being established, ADCS provided the DfE with views gathered from a number of DCSs about the approaches being taken in different regions to help inform the development of standardised terms of reference. This was then further discussed at the ADCS/ DfE regular call on 7 April 2020. **[EKD/054 - INQ000643103, EKD/055 - INQ000643104]**
63. ADCS raised a number of concerns about the evolving role of REACT including the need to be more forward looking with an eye to reset and recovery; to coordinate the demands that were being placed on DCSs from various government departments and Ofsted; and to share intelligence to ease the burden of such demands. **[EKD/050 - INQ000643099]**
64. In written evidence to the Education Select Committee inquiry into the impact of Covid-19, ADCS suggested that REACT resources had not been used to the full potential. It was the view of ADCS members that the work of REACT Teams should have been forward looking with a clear priority on ‘recovery’, rather than just reporting on what LAs had done. This position is also echoed in evidence provided to the National Audit Office (NAO). **[EKD/029 - INQ000643074, EKD/056 - INQ000643105]**

65. In July 2020, the DfE initiated a piece of research to take a 'temperature check' on the REACT initiative, to which a number of DCSs were invited to share their views. A number of common messages were put forward for DCSs to share with the DfE about their experiences with REACT. The common messages included:

- The arrangements helped build stronger relationships with DfE Regional School Commissioners and Ofsted Regional Directors and provided a conduit for information sharing
- The DfE's operational model is fragmented; much activity bypassed REACT and REACT leads were not always aware of key national developments
- Engagement of REACT on education was strong, the engagement on issues relating to social care and SEND was weaker

66. The question of the effectiveness of REACT was also raised again in early 2021 as ADCS raised concerns about how the DfE was using the meetings convened along with the intelligence gathered by REACT. **[EKD/057 - INQ000643106, EKD/058 - INQ000643107]**

Vulnerable children's attendance at school

67. The key data collection for LA children's services in the pandemic period was the VCYPs. **[EKD/59 - INQ000643108]** There were also data collections around:

- School attendance – the DfE made a direct data request of schools on attendance (overall numbers as well as vulnerable and key worker children) **[EKD/060 - INQ000643109]**
- SEND – LAs were asked about case worker capacity and current availability; educational psychologist capacity and current availability; plan requests; use of timescale extension; any other comments
- Early years settings – LAs asked by the DfE to report on open rates of settings, workforce absence and child attendance rate **[EKD/060 - INQ000643109]**
- Children's services financial data were also being reported to the Ministry of Housing, Communities and Local Government (MHCLG) as part of a wider LA return during the pandemic period. **[EKD/061 - INQ000643110]**

68. In the early stages of the pandemic, the DfE stood up a weekly survey in response to ministerial anxieties about the need to have “eyes on” the most vulnerable children, young people and families during lockdown. The initial VCYPs asked about: concerns for specific cohorts of children, their attendance at school, key workforce availability, access to testing, and PPE, the closure of settings as well as referrals to children’s social care, assessments undertaken and the number of children entering care. This ask was reviewed and refined after the second collection and iteratively over time. Between April 2020 and July 2022, 39 waves of the VCYPs were undertaken, initially on a weekly basis, then fortnightly, in spring 2021 it shifted to monthly and then it returned to a fortnightly collection in early 2022 with the advent of the Omicron variant.
69. The DfE shared an initial draft of the survey with ADCS that sought to capture insights of children and children’s services. ADCS sought feedback on this draft from a small group of ADCS members drawn from the Standards, Performance and Inspection Policy Committee, sharing back various comments and suggested amendments in an attempt to make the survey more reflective of the way LAs capture and record data (in line with the DfE reporting requirements), less burdensome and more insightful **[EKD/068 - INQ000643117]**.
70. In response to the next couple of waves of the survey, ADCS also gathered more extensive feedback from a wider pool of ADCS members via the nine ADCS regional groups on the survey format and approach. While ADCS members were keen to provide assurances, as well as insights, to ministers and government to ensure children, children’s services and safeguarding was kept on the agenda, this approach was not felt to be helpful. **[EKD/069 - INQ000643119, EKD/070 - INQ000643122]**. The key issues highlighted in this feedback were as follows:
- The lack of consultation in designing the ask and the short timeframe(s) to comment
 - Proportionality as some of the data asks were unique asks requiring manual trawls through individual records

- Challenges in linking social care and education data held in different systems, this required manual trawls by staff, exacerbated by the frequency of the data collection (initially weekly)
- Unrealistic timeframes for completion plus the frequency of collection impacting on reliability
- Queries about the timeliness of insights being gathered by the DfE and shared back with respondents to benchmark local data
- Lack of specificity or clarity in some asks to allow comparisons e.g. in the ask about the number of assessments, it was unclear, at least initially, whether this was started, completed, snapshots or cumulative figures being requested
- The ability of LAs to capture and report on workforces they do not directly employ e.g. privately owned children's homes
- The ability to monitor and report on availability and use of PPE and testing for the children's workforce in an extremely dynamic situation against the backdrop of national guidance stating that health care settings were prioritised for access to both PPE and testing
- The capacity within LAs was raised with the survey launching in the same window as LAs were working on statutory data returns plus many LAs redeployed office-based staff into frontline response roles e.g. volunteer coordination.

71. It is important to note that while the survey was issued to DCSs, multiple people and teams were involved in gathering data for the response and in fielding follow up questions; the wider national context created a lot of new data work at the local level. All LAs were doing extra work locally to assure and understand local services whilst adapting to the national guidance on general behaviours. For example, many had to completely rework practice, policy, recording and reporting around visits and reviews in light of the evolving and dynamic social distancing guidelines, which varied from place to place as tiers and local and regional restrictions were introduced.

72. Attendance data was collected from schools directly. In addition, LAs were also initially asked to report on the attendance of specific cohorts of children e.g. with SEND or a social worker, in the earliest waves of the VCYPs which required

additional manual inputs and trawls. For example, some children with SEND or a social worker were placed or educated outside of their home LA and data was not automatically reported and shared with the home LA. Where this was the case, additional calls and follow ups were required to develop a complete picture. This ask was subsequently dropped from future editions of the VCYPs as it was a duplicated ask – schools were also asked to report these data directly to a different part of the DfE.

73. A suite of common data indicators is routinely collected via regional improvement and innovation alliances (RIAs), which are groups of LAs working together to benchmark and improve services and outcomes for children, young people and families. The RIA data are shared with the DfE on a quarterly basis and there was a degree of overlap with the survey focus and this established dataset which was already part of business as usual operations and collected on a longer timeframe.
74. The initial collection was withdrawn and replaced with a shorter collection which was more focused on key tasks and activities in children's social care, duplicated questions were also removed, e.g. about school attendance, as these data were being asked of schools too. Unique asks that required manual trawls of casefiles were removed and clarification of asks added to address issues raised by ADfS members e.g. about assessments.
75. Many of the original concerns still stood with the amended collection for ADfS members. These fell into common themes, from the proportionality of the ask in a time of unprecedented crisis, anxiety about the precedent set in terms of such regular data collections and the reliability of the unverified data plus the follow up queries this generated from the DfE when viewed out of context. In regular engagements with the DfE, parallels with school attendance data or the number of vaccines delivered each day were often drawn but these are simple and straightforward asks, the children's social care system is much more complex.
76. During the life course of the VCYPs, the DfE sought to make changes to the collection e.g. the addition of SEND and resource questions. ADfS continued to

underline the added burdens created by amended, new or different asks and the pressures ADCS members were under in responding to the pandemic as well as an ongoing query about the impact and usefulness of these data.

77. From summer 2020 onwards, ADCS regularly called for the end of the VCYPs. Once the pandemic context became business as usual, findings became relatively stable and predictable fairly quickly. Often only the open text questions about pandemic responses and impact, showing change over time plus staff availability, which mirrored the evolution of the virus and the infection picture in the wider community as new variants took hold and became dominant e.g. Delta, Omicron, offered insight. **[EKD/062 - INQ000643111, EKD/071 - INQ000643124, EKD/072 - INQ000643125]**. The calls to end the VCYPs were supported by other representative bodies in the local government family, including the Local Government Association (LGA) and the County Councils Network (CCN). A series of letters between ADCS, the LGA, CCN and the DfE capture the challenges at the time. **[EKD/063 - INQ000643112, EKD/064 - INQ000643113, EKD/065 - INQ000643114, EKD/066 - INQ000643115, EKD/067 - INQ000643116]**. While wanting to provide assurances to ministers as well as evidence for investment in children and children's services, it was rarely evident to ADCS members how these data were being used to influence policy and funding decisions in central government.

78. ADCS is not aware of a mechanism or exercise used to monitor local application of the 'vulnerable child' definition for the purposes of attending school. Individual local authorities worked with local schools, parents and carers to encourage and facilitate the attendance of vulnerable children, including children in care, at school. ADCS had no role in this. In March 2020, ADCS agreed to canvass a selection of DCSSs as to their local arrangements for maximising the attendance of vulnerable children and young people at school during Covid-19 school closures in order to support DfE officials to inform advice to ministers. Safeguarding Pressures research offers some insights on this front also, particularly Phase 8, which covered the period 1 April 2020 – 31 March 2022. **[EKD/073 - INQ000643126, EKD/074 - INQ000546933]**

Health visitors

79. ADCS was not consulted on the redeployment of LA commissioned health visitors or on changes as to how home visits would be carried out.
80. Following the first spike of infections, ADCS emphasised the need for health visitors to remain in their substantive posts going forward, even in the event of a second spike, to ensure that both young babies and their parents were receiving the support they needed. The backlog of registrations of live births further complicated this matter and ADCS encouraged government to incentivise health visitors to pursue those registrations. [EKD/075 - INQ000643128]

Domestic violence

81. While ADCS members anticipated a rise in domestic violence due to the impact of lockdown restrictions, there was little opportunity to prepare for this given the nature of the lockdown announcement. The ADCS e-bulletin, dated 24 April 2020, suggests that during a cross government multiagency call on safeguarding, health partners reported seeing a significant increase in domestic abuse and so called honour-based violence in some local areas. [EKD/076 - INQ000643129]. The following week, policing partners report a small increase in domestic abuse crimes, suggesting this did not mirror the increase in calls to national support helplines. [EKD/077 - INQ000643130] ADCS made a request to members seeking practice examples, however, did not receive any responses which is unsurprising given the scale of the challenge being experienced by ADCS members in their local areas.
82. The *Domestic Abuse Act 2021* introduced a statutory definition of abuse, recognising that children can also be victims. Statutory guidance was also produced to support the aims of the Act, namely to promote awareness, protect and support victims, hold perpetrators to account, transform the justice response, and ensuring effective responses.
83. A common and consistent theme through the ADCS Safeguarding Pressures research is the prevalence of domestic violence as a presenting factor in referrals and assessments to children's social care. In Phase 8, respondents reported

rising prevalence of negative parental factors and the “pressure cooker” home environment created by lockdowns was reported as a direct contributory element to this. Throughout the pandemic, ADCS members saw an increase in safeguarding concerns for children living in households experiencing parental conflict and domestic abuse, with more families who were just about coping before the pandemic subsequently requiring statutory support. [EKD/074 - INQ000546933]. The data from the DfE’s VCYPs will provide a much more granular view of levels of activity in relation to this.

84. More recently, *ADCS Safeguarding Pressures Phase 9* suggests that while domestic violence remains one of the most common presenting factors in referrals to children’s social care, this has now been overtaken by parental mental health and substance misuse. [EKD/078 - INQ000643131]
85. Throughout the pandemic there was ongoing discussions in multiple and frequent forums about the risks posed to children and families, domestic violence is one such risk. REACT contacted LAs in January 2021 with a specific data request in relation to domestic abuse. While the spotlight on this issue was welcome, it was another unexpected request via REACT with little co-ordination and an unhelpful focus; seeking information about local response would have been more appropriate. [EKD/079 - INQ000643132]. The DfE provided ADCS with an overview of the feedback from this exercise. [EKD/080 - INQ000643133]
86. ADCS members were concerned about the potential increase in hidden harm due to the conditions created by the closure of schools, lockdowns and public health guidance to isolate; this was a theme throughout the Association’s engagement with government. ADCS welcomed the focus brought on this issue by government, the Prime Minister’s Summit being an example of this which was attended by the ADCS President. ADCS expressed concerns about children’s increased exposure to hidden harms as a direct result of the pandemic in the submission to the 2020 CSR. [EKD/010 - INQ000643051]. The ADCS policy paper, *Building a country that works for all children post Covid-19*, recognises the increased public awareness around hidden harms and domestic abuse as a positive development. [EKD/039 - INQ000267961]

87. Concerns about risks to children were communicated through the regular meeting forums which were established between ADCS and the DfE. Concerns about new risks to children and families, or exacerbation of existing risks, due to the impact of the pandemic and how the system was responding were raised in such forums. This included consideration of the needs of the following cohorts of children in the context of the pandemic: children with child in need plans; children with child protection plans; children in care; care leavers; children with special educational needs and/or disabilities, and unaccompanied asylum-seeking children. A weekly summary of issues raised was provided to ADCS members via the e-bulletin [EKD/53 - INQ000643102]. Information and views were shared for consideration by the DfE colleagues, generally a formal response was not expected nor received.

88. Covid-19 reinforced the fact that children in conflict with the law continue to be defined by their offending status rather than their age or needs. During the pandemic lockdowns, vulnerable children were prioritised for school attendance by the DfE, however, children in custody were not afforded the same entitlements by the Ministry of Justice (MoJ). Daily custodial routines in Young Offender Institutions and Secure Training Centres were disrupted, with visits, time out of rooms and access to education affected. National pandemic response and infection control plans did not distinguish between adults and children e.g. the isolation of children arriving in custody for 14 days, and youth courts were left out of initial MoJ/ HM Courts and Tribunals Service recovery planning. And, between April - August 2020, while the government ran an early release scheme for prisoners to reduce the risk of infection in custodial settings, no under 18s were released. [EKD/095 - - INQ000643053]. Such issues were raised with representatives of the Youth Justice Board and Youth Custody Service. [EKD/102 - INQ000651101].

The decrease in child protection referrals

89. Local assurance on the range of children's social care activity, including child protection referrals, would have been undertaken by LAs and within local partnerships. The VCYPs issued by the DfE included data relating to child

protection referrals, as well as narrative comments from LAs. The picture regarding referrals was extremely dynamic and varied across the country, with some LAs seeing smaller fluctuations and reporting rates recovering more quickly than others. [EKD/081 - INQ000513526] Covid-19 quickly became business as usual and services adapted accordingly.

90. *ADCS Safeguarding Pressures Phases 7, 8 and 9* include narrative insights and data covering the pandemic period in relation to children's social care activity. [EKD/038 - INQ000588305], EKD/074 - INQ000546933, EKD/078 - INQ000643131 EKD/082 - INQ000546929, EKD/083 - INQ000546932, EKD/084 - INQ000546934]. Phase 8 of this research covered 1 April 2020 – 31 March 2022, key excerpt: *"All respondents stated that there was an overall increase in safeguarding activity over the last two years, despite an initial reduction in referrals linked to lockdowns in the early stages of the Covid-19 pandemic."*

91. LAs will have worked closely with local partners during the pandemic period to underline the importance of children's wellbeing, welfare and safety. Greater anxiety about hidden harms, including domestic abuse reinforced the message that safeguarding is everybody's business. *ADCS Safeguarding Pressures Phase 7* research suggests that schools retained contact with pupils who were on FSMs, for example, and undertook home visits. Where concerns arose these will have been shared with the LA e.g. unexpected non-attendance of a vulnerable child at school. LAs and schools will also have worked together to ensure that all children who benefit from school as a protective factor could attend if this was felt to be in their best interests as the criteria for vulnerable children offered a degree of flexibility here. [EKD/038 - INQ000588305], EKD/074 - INQ000546933]. This excerpt from *ADCS Safeguarding Pressures Phase 7* report illustrates this point: *"Respondents reported that key to keeping children and families safe and well during this time has been excellent joint working between schools and local authority children's services. This includes joint assessment of vulnerability and oversight, and regular communication, maintaining contact with vulnerable children whether they were attending school or not."*

The DfE's VCYPs also captured relevant insights, e.g. the analysis of waves 1 – 4. [EKD/059 - INQ000643108].

92. ADCS members reported that whilst nationally, referrals decreased, they became more complex [EKD/038 - INQ000588305, EKD/074 - INQ000546933], EKD/084 - INQ000546934, EKD/085 - INQ000546935]. This was also a feature in responses to the DfE's VCYPs, see wave 14 of the survey, for one such example: *"In later survey waves (9-14) a growing number of local authorities also describe an increase in the complexity of the cases that they are seeing. Examples of increased case complexity vary but local authorities tell us that these include cases involving: elevated mental health issues amongst parents and children, neglect and emotional abuse, parental issues relating to alcohol and mental health, cases involving non-accidental injury, increases in the number of new-born children that are being presented in care proceedings, increases in cases involving young people self-harming, referrals where the family are in acute crisis and escalations of risks in cases that are already open to children's social care."* [EKD/059 - INQ000643108]

93. Phase 8 of Safeguarding Pressures included a deep dive focus on children's mental health and ADCS members raised significant concerns here. The findings of this exercise were published as a standalone thematic report; key findings as follows: *"Respondents reported evidence of increased prevalence and demand for mental health services. The cohort of children most affected was reported to be adolescent aged children, along with a high number of children experiencing significant trauma and those with neurodiversity... Emotional disorders, particularly anxiety, depression and eating disorders are also rising, as is self-harm, suicide and suicidal ideation. The wider challenging economic climate and cost of living crisis increases pressure on struggling families and can test emotional resilience; such circumstances are a contributory factor to the emotional wellbeing of children and their families."* [EKD/074 - INQ000546933]

94. ADCS members reported that growing numbers of children and families had a multiplicity of overlapping and/or unmet needs or that existing needs became more entrenched as the lockdown and subsequent periods of social distancing

prevented or delayed identification of need and disrupted work with children and families, resulting in both risks and harm escalating or becoming more entrenched. Factors such as child and parental mental health, self-harm, delayed assessment or treatment for health conditions as well as reduced access to support services, plus poverty were particularly relevant here. For children who depended on face-to-face time with a specific adult to support them with their family life, the length of time lockdowns persisted caused additional pressures for them and their families. [EKD/074 - INQ000546933]. This excerpt from *ADCS Safeguarding Pressures Phase 8* highlights this matter: *"All respondents stated that there was an overall increase in safeguarding activity over the last two years, despite an initial reduction in referrals linked to lockdowns in the early stages of the Covid-19 pandemic. More children who were not previously known to social care services were presenting at a later stage, with greater levels of need and higher risks, and as a result, more children were immediately becoming subjects of child protection plans or care proceedings."* [EKD/083 - INQ000546932]

95. The pandemic response necessitated a rapid shift to home working and later hybrid working. This supported the ongoing provision of children's social care services, with staff being able to work at home if they were isolating due to caring responsibilities or asymptomatic illness, for example. Many residential care workers chose to isolate with the children they were caring for when there was a positive case of Covid-19 within the home. The provision of statutory services was prioritised by LAs. Workforce availability was covered in the DfE's VCYPs, see wave 4 analysis, for example: *"From the open text responses, local authorities provided examples where staff had been re-deployed, and some described cases where virtual training had been delivered to assist practitioners in reflecting on the impact of coronavirus (COVID-19) upon practice. Some local authorities said that they have a rota for when social workers can work in the office."* [EKD/059 - INQ000643108]

Or see wave 8 for example: *"Overall, feedback gathered from the open text responses suggest that workforce availability linked to the coronavirus (COVID-19) outbreak has not been as problematic as originally expected."* [EKD/086 - INQ000643141]

Further comments and reflections on workforce challenges as well as benefits during the initial stages of the pandemic are captured in the ADCS policy paper *Building a country that works for all children post Covid-19*. [EKD/039 - INQ000267961]

96. Local authorities will have put in place relevant monitoring arrangements for placement sufficiency and availability in line with local needs and demands. Complexity of need, along with placement sufficiency and stability is touched upon in the ADCS Safeguarding Pressures research series, Phase 8, which covers the entirety of the pandemic period is of greatest relevance here. [EKD/074 - INQ000546933]

The closure of schools in January 2021

97. ADCS members had significant and wide-ranging concerns about the closure of schools to large numbers of learners, these concerns were articulated in the policy paper ADCS published in summer 2020 on recovery, summarised, below:

- Disrupted access to early education may lead to developmental delays in the youngest children.
- Funding and sustainability of the early years sector
- The loss of routine may be particularly challenging for some children with SEND.
- Others may be disengaged by remote learning options and demotivated as a result.
- Schools transition challenges are likely to be heightened by disruptions to settling in and taster sessions.
- The cancellation of formal exams disrupting young people's study or work plans.
- Learners of all ages missed out on significant milestones and memories e.g. prom, plus trips and celebration events.
- Some children and young people will have experienced some deep, and possibly profound, losses in their family or local community requiring longer term help and support, this particularly applied to children from global majority backgrounds. [EKD/039 - INQ000267961, EKD/087 - INQ000643142]

98. Other factors at play included the lack of access to IT equipment, wifi or a quiet place to do learning at home for learners from deprived households, concerns about heightened family tensions during lockdowns resulting in exposure to increased risks or harm in the home and access to food for those learners who are usually eligible for means tested FSM. These issues were discussed and raised at regular intervals with government resulting in the provision of food vouchers, laptops and the ongoing focus on hidden harms. **[EKD/088 - INQ000643143, EKD/089 - INQ000643144, EKD/090 - INQ000643145]**

99. Between 2016 and 2021, ADCS carried out an annual survey of LAs on elective home education (EHE). The DfE now collects and publishes national data on this cohort. In 2020, survey responses from 133 LAs suggested that in October 2020, the EHE cohort had grown by over a third (38%) on the previous year and feedback from responding LAs clearly indicated that health concerns over Covid-19 were the primary reason for parents or carers choosing to formally home educate their child. However, some parents or carers noted that their positive experience of educating their child at home during the partial school closures was a contributory factor. **[EKD/091 - INQ000643146]**

100. The final ADCS survey on EHE, showed the number of children being EHE in October 2021 again rose by approximately a third (34%) compared to the same point (the first school census day) in 2020. The most common reason cited by parents and carers for home educating their child/ren was due to health reasons directly related to Covid-19 followed by health/emotional health reasons. **[EKD/092 - INQ000560894]** Some sample comments from responding LAs illustrate the picture and context at the time: *“There have been significant increases in the number of EHE notifications with the main reason given as mental health and anxiety. Due to the disruption in terms of attending school as a result of the pandemic, lockdowns and ‘bubble’ closures across all key stages; this resulted in parents reporting that children did not want to return back to school.”*

“There has been a significant increase in the number of parents/carers electing to home educate children across the borough. There are a number of reasons for this, mostly attributable directly or indirectly to Covid, including parental anxiety about a child in a school setting, an increase in parents working from home or temporarily not working, and parents reporting an improvement in their child’s mental health outside of a mainstream school setting.”

101. ADCS members have expressed concern about the educational experiences as well as the safety and wellbeing of some children who are EHE over a number of years and have long called for the creation of a register for all children who are electively home educated to provide visibility of this cohort and support the identification of concerns, whether safeguarding or about the quality of education being provided. See 2020 survey excerpt: *“Every child has the right to a high-quality education in a safe learning environment and ADCS is concerned that without powers to see both the child and their place of learning, we cannot know that these children are safe from harm or exploitation. LAs can only safeguard children who are known to them and without a mandatory register, there is no way of knowing the full extent of this cohort.”* [EKD/091-INQ000643146]

ADCS assessment as to the impact the pandemic has had on children and children’s services

102. ADCS has consistently flagged concerns about the lack of focus on, and investment in, children’s recovery from the pandemic experience from the publication of *Building a country that works for all children post Covid-19* in summer 2020 to date. Most recently, the views of ADCS members have been collated and captured in a 2024 policy paper, *Childhood matters*, as well as the latest phase (9) of the ADCS Safeguarding Pressures research. [EKD/039 - INQ000267961, EKD/093 - INQ000643148, EKD/094 - INQ000643149] This excerpt from a summary briefing on the research illustrates the point: *“This latest phase of the research, covering the period 1 April 2022 – 31 March 2024, shows some changes in safeguarding activity which have not previously been seen, or not seen to this extent. These include:*

The lasting impact of Covid-19 on children and young people's lives and on their outcomes is increasingly visible in growing levels of mental health need among children plus their parents and carers, via heightened inequalities, deteriorating behaviour in schools resulting in rising exclusions as well as social and developmental delays in younger children. Families are less resilient and have more entrenched and overlapping needs and challenges as the pandemic aggravated or accelerated needs. Leaders of children's services are clear the impact of the pandemic on children and young people has been significantly underestimated and will endure for many years to come without more focus, attention and investment." [EKD/084 - INQ000546934]

Lessons learnt

103. In July 2020, ADCS published *Building a country that works for all children post Covid-19*. The purpose of the discussion paper was three-fold: to put children, young people and their lived experiences of Covid-19 front and centre in recovery planning; to articulate what is needed to restore the public support services they rely on; and, to capture the learning from a very complex global emergency. The paper drew on experiences and views of ADCS members to identify key challenges and issues as well as gains. It considers the impact of the early stages of the pandemic on children's education, their mental and physical health, family functioning and on the public services that support them. [EKD/084 - INQ000546934]

104. Phases 7 (2021), 8 (2022) and 9 (2025) of the ADCS Safeguarding Pressures research capture information about the pandemic period, from early response through to recovery, including reflections on lessons learnt. Phase 8 also included a separate and standalone thematic report on children and young people's mental health given the strength and intensity of concerns ADCS members raised here. The most recent iteration of this research, which draws on data returns from LAs as well as qualitative interviews with multiple senior leaders in children's services saw the ongoing impacts of Covid-19 on children and young people emerge as a common theme. [EKD/038 - INQ000588305]
 EKD/074 - INQ000546933 EKD/078 - INQ000643131 EKD/085 - INQ000546935]

105. Two more recent ADCS policy papers also reflect on the impact of the pandemic on children in conflict with the law, published in November 2021, and on all children and young people, published in March 2024. **[EKD/095 - INQ000643053, EKD/093 - INQ000643148]**

106. ADCS has not conducted a formal assessment or evaluation of pandemic responses directly. Individual LAs and local partnerships will likely have considered local responses as part of usual emergency response and local resilience forum activity and workplans, ADCS is not sighted on this work.

107. The only other activity of note to share is a joint piece of work between ADCS and Cafcass to better understand the reasons for, and impact of, delays in the family justice system on children involved in public law proceedings. During the period covered by the Inquiry, snapshot exercises were undertaken in autumn 2020, spring 2021 and summer 2022 (two further snapshot exercises have subsequently taken place as delays in the family court system persist). Cafcass analysts coordinated the request and analysis of the LA responses received to each of these exercises, which were subsequently shared back via regional reports. **[EKD/096 - INQ000643150, EKD/097 - INQ000643151, EKD/098 - INQ000643152].**

108. While ADCS had no role in either monitoring, directing or evaluating local service provision or arrangements in individual LAs, the Association sought to facilitate local planning and responses via:

- The regular collation of all relevant guidance issued by government into one place, whether this related directly to children and children's services, local government or public health. ADCS published over 200 versions of a spreadsheet that brought this all together, the following examples are provided for illustrative purposes. **[EKD/99 - INQ000643153, EKD/100 - INQ000643154, EKD/101 - INQ000643052]**
- Gathering and sharing practice guidance and research from related organisations and bodies e.g. charities, government agencies

- Ad-hoc sharing of local practice resources from member authorities to assist other LAs in reconfiguring local practice and services via the ADCS website.
109. In considering this submission, ADCS reflected on internal ways of working during the pandemic period, with internal feedback loops being a particular strength. On different arrangements and forums that were stood up across government as part of pandemic recovery and response, ADCS would advocate for the following as critical to a national response in the event of a future crisis or emergency scenarios:
- Government and its agencies must recognise the distinct needs and rights of children and young people
 - Forums on specific areas of policy or service delivery with cross cutting and consistent membership that meets regularly rather than ad-hoc requests to meet or share information.
 - It is also important that government and its agencies focus on recovery as well as response to emergencies and disasters, including a pandemic scenario.
110. In the policy paper, *Childhood matters*, ADCS considers what, if anything could be done to mitigate the ongoing impact of the pandemic on children and young people. The key recommendation here is for the Cabinet Office to: *“Develop and co-ordinate an ambitious, cross government plan for childhood, which pays specific attention to understanding, mitigating, and removing income, health, racial, geographical, and educational inequalities, alongside a resourcing and implementation strategy. This should be led from the centre of government, setting out clear, measurable milestones and objectives, with progress reported in a transparent way.”* [EKD/093 - INQ000643148].
111. A clear and comprehensive plan for childhood would act as a framework for future pandemic responses, with focus on what is needed to support children’s education and family functioning and how to mitigate inequalities, whether geographical, educational or racial.

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**

Dated: 25 July 2025

Appendix A – ADCS Vice President, President, and Immediate Past President post holders between 1 January 2020 – 28 June 2022

1 January 2020 – 31 March 2020

- Vice President – Jenny Coles
- President – Rachel Dickinson
- Immediate Past President – Stuart Gallimore

1 April 2020 – 31 March 2021

- Vice President – Charlotte Ramsden
- President – Jenny Coles
- Immediate Past President – Rachel Dickinson (until 01/07/2020)

1 April 2021 – 31 March 2022

- Vice President – Steve Crocker
- President – Charlotte Ramsden
- Immediate Past President – Jenny Coles (until 31/07/2021)

From 1 April 2022

- Vice President – John Pearce
- President – Steve Crocker
- Immediate Past President – Charlotte Ramsden

Appendix B - Key meetings

Throughout the pandemic period, ADCS was involved in a significant number of meetings relevant to the provisional scope for Module 8. These meetings were a mixture of ad hoc discussions and regular forums which were established with the purpose of supporting the pandemic response. Many of them took place in the early stages of the pandemic when the government was in the emergency planning phase. As time went on, many discussions relating to Covid-19 became business as usual.

Given many of the people who attended such meetings on behalf of ADCS are no longer in post, it has difficult to identify 'key' meetings and therefore the below is a list of meetings where the impact of Covid-19 on children and children's services was likely to be a focus of discussion.

The below list is not exhaustive, it is intended to provide an overview of the key engagements that took place during the period in scope. Minutes of meetings may be held by the convening department. Where the organiser of the meeting is known, name and email address have been provided.

Date	Meeting title	ADCS Attendees	Convening Department	Meeting organiser
06/03/2020	Julian Ward	ADCS Chief Officer	DfE	Julian Ward, Julian.ward@education.gov.uk
18/03/2020	DfE re Covid-19	ADCS President and Chief Officer	DfE	Sarah Lewis Sarah.lewis@education.gov.uk
13/03/2020 18/03/2020 07/05/2020 04/06/2020 01/07/2020 17/11/2020 16/12/2020 03/03/2021 13/04/2021 26/05/2021 06/07/2021	Minster for Children and Families	ADCS President and Chief Officer	DfE	
23/03/2020	DfE re Covid-19	ADCS Chief Officer	DfE	

Various dates from 20/04/2020 Monthly from 24/06/2020	Early years sector Covid-19 response	ADCS policy officer	DfE	Susie Owens Susie.Owens@education.gov.uk
24/03/2020 07/04/2020 14/04/2020 Weekly from 28/04/2020 Fortnightly from 21/10/2020 Weekly 07/01/2021 – 18/03/2021	Secretary of State for Education	ADCS President and Chief Officer	DfE	
Daily from 25/03/2020 Weekly from 22/06/2020 – 30/09/2020, Fortnightly from 07/10/2020	Covid-19 planning for recovery in family justice	ADCS policy officer	Cafcass	Jacky Tiotto Jacky.Tiotto@cafcass.gov.uk

Weekly from 02/04/2020 Fortnightly from 18/06/2020 – 30/11/2020 Continued to meet on a less frequent basis, stood down in March 2022	Schools Stakeholder Advisory Group	ADCS Education Chair and Policy Officer	DfE	Anna Hawkins Anna.HAWKINS@education.gov.uk
03/04/2020 17/04/2020	DfE SEND call with ADCS and LGA	ADCS Education Chair, HCAN Chair, Senior Policy Officer	DfE	Ruth Jesson Smith Ruth.JESSON-SMITH@education.gov.uk
06/04/2020 17/04/2020 27/04/2020 16/6/2020 31/07/2020 27/08/2020 and on a quarterly basis thereafter	Youth Custody Service	ADCS President	YCS	Helga Swindenbank Helga.Swindenbank@justice.gov.uk

Weekly from 16/04/2020 Fortnightly from 01/04/2021	DfE and Ofsted	ADCS President, Vice President, Immediate Past President and Chief Officer	DfE	Graham Archer Graham.Archer@education.gov.uk
17/04/2020 01/05/2020 22/05/2020 08/07/2020 31/07/2020 02/10/2020 18/01/2021 01/02/2021 22/09/2021 02/02/2022 27/04/2022	Vulnerable Children National Board	ADCS President	DfE	Paul Roberts vulnerablechildren.COVID@education.gov.uk
24/04/2020	Vulnerable Children's Survey	ADCS President, Vice President, Workforce Chair, SPI Chair, Policy Officer, DCS in Essex.	DfE	

Weekly from 21/04/2020 – 28/07/2020	DfE Senior Officials	ADCS President, Vice President, Immediate Past President and Chief Officer	DfE	Graham Archer; graham.archer@education.gvo.uk
07/05/2020, 21/05/2020	DfE Stakeholder meeting – opening schools for more pupils	ADCS President, Education Chair, HCAN Chair and Chief Officer	DfE	
12/05/2020	Education Select Committee	ADCS President	House of Commons	
21/05/2020	Hidden Harms Summit	ADCS President	Cabinet Office	
09/06/2020 and then monthly from 01/07/2020 – 09/12/2020	Indra Morris	ADCS President	DfE	Indra Morris Indra.MORRIS@education.gov.uk
Monthly from 24/8/2020	Family Justice Recovery and Implementation Group	ADCS Policy Officer and DCS	Ministry of Justice	Neal Barcoe Neal.barcoe@justice.gov.uk

10/9/2020 14/12/2020	DCSs meeting with Minister Ford	Facilitated by ADCS President	DfE/ ADCS	Minister Ford's office
20/11/2020	Schools mass testing	ADCS Chief Officer and Education Chair	DfE	Anna Hawkins Anna.HAWKINS@education.gov.uk
From 14/1/21	Permanent Secretary's Stakeholder Group	ADCS President and Chief Officer	DfE	Susan Acland Hood Secretary-Diary.PERMANENT@education.gov.uk
Weekly 11/04/2021 -15/04/2021 Fortnightly 21/04/2021	National Schools Commissioner.	ADCS President and Chief Officer	DfE	Dominic Herrington Dominic.herrington@education.gov.uk

Appendix C - Glossary of terms

ADCS – Association of Directors of Children’s Services Ltd, a membership organisation for senior leaders working in children’s services in top tier local authorities across England

Cafcass - Children and Family Court Advisory and Support Service

CCN – County Councils Network (a cross-party special interest group of the LGA representing England’s county local authorities)

CSR – Comprehensive spending review, the HM Treasury process to determine funding settlements for government departments and agencies

DCS – Director of children’s services, a statutory role as set out in the *Children Act 2004*

DfE – Department for Education

EHE – Elective home education, where children are educated in the home by parents, carers or others for myriad reasons

FSMs – Free school meals, in this context means tested FSM entitlement and access for four-to 16-year-olds is referred to throughout and is a proxy measure for household income and vulnerability (there is also a universal FSM offer for all pupils in reception, years one and two in primary school)

LGA – Local Government Association, the national membership body for all councils across England, including districts

LAs – Local authorities, in this context top tier local authorities in England are referred to throughout

MHCLG – Ministry of Housing, Communities and Local Government

NAO – National Audit Office

Ofsted – Office for Standards in Education, Children’s Services and Skills, inspects schools and other education settings as well as wider children’s services e.g. social care, children’s homes

PPE – Personal protective equipment, in this context masks, aprons etc

REACT – Regional Education and Children’s Teams were set up with the aim to better coordinate the DfE’s asks of LAs about education, children’s social care, SEND etc.

RIIA – Regional Improvement and Innovation Alliances are sector-led improvement bodies set up by LAs working collectively on regional footprints to improve children’s services and outcomes

SEND – Special educational needs and disabilities, the key legislation here covers children and young people from birth up to the age 25 years

VCYPS – Vulnerable Children and Young People Survey issued to LA children’s services by the DfE during the pandemic.