

Dated: 24 July 2025

WITNESS STATEMENT OF JAMES BOWEN

I, James Bowen, am the Assistant General Secretary of the National Association of Head Teachers ("**NAHT**"). My office address is Centenary House, 93-95 Borough High Street, London SE1 1NL.

1. I make this statement on behalf of NAHT in response to a letter dated 8 April 2025, sent on behalf of the Chair of the UK Covid-19 Public Inquiry (the "**Inquiry**"). This statement is made for the purposes of Module 8 of the Inquiry, which is examining the impact of the Covid-19 pandemic on children and young people in England, Wales, Scotland and Northern Ireland. As requested, this statement focuses on the period of time between 1 January 2020 and 28 June 2022.

Introduction

2. The education system was not well-prepared for a pandemic. Years of funding cuts had undermined many of the support services that schools should have been able to call on both during and after the pandemic. Children's social care was under immense pressure, children's mental health services were struggling to meet demand and there was a shortage of other key specialists such as speech and language therapists and educational psychologists. School infrastructure was in a poor state, with inadequate ventilation, and in dire need of investment. There was little, if any, preparation carried out by government to prepare schools for what might happen and be needed in the event of a pandemic.

3. Then, when Covid-19 hit, schools were often left waiting for important guidance, information and updates from government, causing uncertainty and anxiety amongst school leaders, staff, parents and pupils. School leaders were frequently left without the crucial advice they needed for too long, with special schools particularly affected by the absence of timely information. When guidance was published it was often inadequate and failed to address many of the key questions school leaders and teachers had. Government attempts to support vulnerable families were well-intended but frequently undermined by poor implementation, the Free School Meal voucher scheme being a good example of this. The government's plans for educational recovery were wholly inadequate and often plagued with poor delivery – the failures of the National Tutoring Programme in year one demonstrate this well.
4. The impact on children, young people and schools has been notable. Despite the huge efforts of schools and parents, in many cases, the pandemic has exacerbated pre-existing issues and inequalities, and we now face a difficult road to recovery. There is a crisis in children's mental health and ongoing challenges with attendance and absence – mitigating the impact on children has been and continues to be a long-term project.
5. This statement seeks to address these fundamental issues, and in doing so, is structured as follows:
 - (A) Structure and role of NAHT;
Engagement with government
 - (B) Learning and education prior to the pandemic;
Delivering the curriculum
Attainment
Attendance
SEND
Vulnerable children and social care
Children's mental health services
Capacity to deliver lessons and learning remotely for pupils prior to the pandemic
 - (C) Planning for the pandemic;
 - (D) School 'openings' and 'closures';
Re-opening in Spring/Summer 2020
Re-opening in September 2020
'Closing' in December 2020

Re-opening in January 2021

Potential Judicial Review proceedings involving the Welsh Government

Attendance issues

- (E) Learning and education during the pandemic;

Exams and grades

- (F) Keeping schools safe – non-pharmaceutical interventions and infection prevention and control;

Lack of clear guidance

Social distancing

Cleaning

Testing

The use of bubbles

Face coverings

Ventilation

The impact of NPIs on children

Government support

Removal of NPIs

- (G) Remote learning;

Government guidance and support;

- (H) Impact on children;

Children's wellbeing

Safeguarding and food security

Gaps in learning

- (I) Education recovery;

National initiatives

- (J) Reflections and recommendations;

6. It is important to recognise that school leaders and NAHT members are not homogenous groups. This statement reflects what leaders we were in touch with were telling us at the time or what they told us through the surveys and polls we ran. We cannot say that all our members thought the same or took the same action and we have had to generalise throughout. A further challenge in providing this statement has been that the Department for Education ("DfE") constantly updated their guidance and advice (sometimes daily). Much of the guidance has since been deleted from the DfE website or we only have access to the last version (for example advice on safety measures changed significantly over the course of the pandemic and we do not have access to all the earlier iterations). NAHT did

not keep daily copies of the government's advice, so much of this statement is produced from memory rather than with direct access to the DfE documents.

7. We have referred mainly to national government guidance. Local guidance varied significantly from Local Authority to Local Authority, and we do not have a detailed record of what all the 317 Local Authorities in England did or those in Wales and Northern Ireland.

(A) Structure and role of NAHT

8. NAHT is a trade union representing school leaders across England, Wales and Northern Ireland. We represent more than 38,000 head teachers, executive heads, CEOs, deputy and assistant heads, vice principals, school business leaders and middle leaders. Our members work across the early years, primary, special and secondary schools; independent schools; sixth form and Further Education ("FE") colleges; outdoor education centres; pupil referral units, social services establishments and other educational settings. In addition to the representation, advice and training that we provide for existing school leaders, we also support, develop and represent the school leaders of the future. It is important to remember that we are a trade union representing school leaders, not the professional body for school leaders.
9. NAHT works with a wide range of stakeholders across the education sector. This includes but is not limited to other education trade unions, charities, third sector organisations, local authorities and employers. The way we work with these organisations depends on the nature of the relationship. For example, we sometimes partner with charities to jointly advocate for specific campaign goals, whereas our work with employers focuses more on our role as trade union representative and involves negotiation and bargaining as a recognised trade union. We also work closely with other trade unions where we can support and jointly advocate for mutual campaign goals. An example of this would be our joint union work on advocating for improved school funding.

Engagement with government

10. NAHT engages regularly with government when it comes to education matters. It is important to note that the nature of this interaction in England has changed somewhat since the 2024 General Election but, prior to the pandemic, in England engagement took the form of formal periodic meetings as well as more ad-hoc, informal conversations

between NAHT officials and DfE officials. The regular, formal meetings were known as the 'Programme of Talks'. These usually took place on a monthly basis and were normally attended by representatives from each of the education unions. These continued during the pandemic, although our records suggest there may have been a hiatus in meetings between March and September 2020, with a greater focus on ad-hoc meetings on issues arising. Agenda items for the Programme of Talks were agreed between government and the unions in advance and tended to focus on key issues of the day or relevant live policy debates. The meetings were chaired by a senior DfE official and attended by the relevant DfE officials, depending on the agenda items. On occasion, a government minister would join for a part of the meeting. There were also a range of additional standing groups that NAHT attended with other union representatives.

11. In addition, NAHT officials would regularly be invited to meet with DfE officials (sometimes with other unions) to discuss policy proposals so that the DfE could seek NAHT's views and share these with the relevant minister. Different members of NAHT's policy team would attend these depending on the nature of the item being discussed to ensure that the person/people with the appropriate expertise represented NAHT.
12. NAHT officials would also sometimes request meetings with the relevant DfE policy team where a particular concern or idea was suggested by our members that we wanted to bring to the attention of government officials. Sometimes NAHT officials would take small groups of NAHT members to discuss specific matters of policy with DfE officials.
13. NAHT has a policy team which, at the time of the pandemic, was made up of a Deputy General Secretary (who has now left the organisation), a Director of Policy, 3 senior policy advisors, a policy officer and 4 research assistants. In addition, NAHT has a Director for Wales and an equivalent role for Northern Ireland. During the pandemic, the relevant member of the team attended meetings with government. For example, our Director for Wales represented NAHT in talks with Welsh government and our exams specialist attended meetings on exam policy.
14. The General Secretary of NAHT would also have periodic catch-ups with the Secretary of State and government ministers. These meetings could be a general catch-up or more focused on specific issues, depending on what was happening at the time. The General Secretary was also invited to attend meetings with the government's medical and scientific advisors on a number of occasions during the period in question.

15. During the pandemic, the frequency of these meetings increased significantly. At the height of the crisis, NAHT officials (often along with officials from other unions) were meeting DfE officials multiple times a day on a variety of issues relating to the pandemic. These meetings tended not to have an official agenda and were not minuted, instead they were quick discussions on the fast-moving situation or rapidly developing policies. These meetings were often called at very short notice.
16. As the pandemic progressed, the DfE also introduced more formal 'catch-up' meetings with education unions and other stakeholders. For example, a regular 'stakeholder' meeting with the Permanent Secretary was established which was usually attended by the NAHT General Secretary or a deputy. Later, the DfE also set up a weekly Friday morning 30-minute leadership unions meeting attended by us, The Association of School and College Leaders ("**ASCL**") and the Confederation of School Trusts ("**CST**"). This was seen as another method for getting quick feedback from the front-line back into the department.
17. NAHT also engaged regularly with other governmental agencies during this period, including Ofqual, the Standards and Teaching Agency ("**STA**") and to a lesser extent, Ofsted.
18. During the pandemic, NAHT's General Secretary also spoke with the Secretary of State on a more regular basis to reflect the intensity of the situation. These were sometimes bilateral conversations, but more often the meetings were also attended by other education union General Secretaries.

Wales

19. In a similar vein to England, pre-pandemic, our interactions with the Welsh Government tended to be around set piece meetings that were usually every term or sometimes more regularly given the pace of educational reform in Wales both pre- and post-pandemic. Up until 2020, meetings between trade unions and government were usually the Union Partnership Group meetings, with additional meetings if and when specific issues arose, for example on the implementation of the new curriculum or new additional learning needs legislation.
20. At the time of the pandemic, the Welsh Government was implementing its social partnership arrangements and even though the legislation did not come into force until 2023, there was a drive to establish more regular engagement and that piece of work was

already underway. When the pandemic started, it is fair to say that for a few months at the very least meetings were irregular and happened with very little notice but they were frequent. Our Director for Wales was NAHT's primary representative in such meetings. In the beginning there were rarely formal agendas and the meetings were more of a vehicle to share information and ask questions. Into the summer of 2020 the Welsh Government, unions and employers established the Schools Social Partnership Forum ("**SSPF**"), which was much more organised with terms of reference. The first meeting took place on 21 July 2020. Those meetings were more formalised in stating who chaired and the kinds of items to be discussed. The SSPF still continues to be the main engagement vehicle between government, education unions and the employers.

21. Outside of the SSPF during the pandemic, unions were able to speak directly to government officials, each sharing their phone numbers, and so discussions between meetings, particularly after any major changes in Covid-19 responses for schools, continued around the clock without any agendas or notes. Unions also had a number of meetings with the then Minister for Education, Kirsty Williams. Ms Williams would either join SSPF meetings or direct calls with her would happen via Microsoft Teams, again with no set agendas.
22. It is fair to say that we had frequent and ongoing dialogue at various levels of government during this period.

Northern Ireland

23. In Northern Ireland, NAHT(NI) engages with the Department of Education and all employing authorities through a combination of regular bilateral meetings, participation in policy and operational working groups, formal consultation processes and collective negotiations. This engagement typically focuses on key areas of education policy affecting school leaders, including curriculum and assessment, special educational needs, leadership development and workforce matters. NAHT(NI) has established and sustained productive working relationships with senior civil servants and contributes routinely to policy development through structured dialogue and formal written submissions.
24. NAHT(NI) is a constituent member of the Northern Ireland Teaching Council, through which it participates in the Teachers' Negotiating Committee, the collective bargaining mechanism that negotiates pay and terms and conditions of service. In addition, NAHT(NI) enjoys direct and frequent engagement with political representatives. This includes

regular dialogue with individual MLAs, engagement with political parties and formal contributions to the work of the Northern Ireland Assembly's Education Committee. These political engagements are often initiated by NAHT(NI), but also arise in response to invitations from policymakers.

25. Departmental officials also routinely seek input from NAHT(NI) via informal channels, and the union ensures the voice of school leaders is represented in project boards, stakeholder events and time-limited advisory groups. In all fora, NAHT(NI) seeks to provide evidence-informed insight that reflects the lived experience of school leaders and the operational realities of the education system.

26. During the COVID-19 pandemic, NAHT(NI) continued to maintain active communication with officials and provided consistent representation through political engagement, including regular dialogue with the Education Committee and party education spokespeople. Our Director NAHT(NI) was our primary representative in these meetings and conversations.

Scotland

27. NAHT does not represent members in Scotland so does not engage with the Scottish government on a regular basis.

(B) Learning and education prior to the pandemic

Delivering the curriculum

28. In 2014, the government introduced a new National Curriculum for schools. This presented schools with a major challenge as they needed to plan, resource and prepare to teach a whole new set of curriculum content. However, by the time of the pandemic, things were relatively stable, and those changes had started to embed across the school system. The biggest challenge cited by NAHT members in relation to the curriculum at that time was the sheer amount of content that needed to be covered. Many school leaders spoke of how the curriculum was simply overloaded or overcrowded in terms of content, making it difficult to cover it all in the time available.

Attainment

29. Whilst the end of Key Stage 2 data is only one measure of attainment for primary-aged pupils, the data suggests that prior to the pandemic, attainment in England was gradually rising over time. In 2017, 61% of pupils achieved the government's 'expected standard' in reading, writing and maths combined [JB/01 - INQ000648428]. In 2018, it rose to 64% and in 2019 it rose again to 65% [JB/02 - INQ000648429].
30. It is worth noting that in 2016, government changed the end of Key Stage 2 primary 'SATs' assessments, making them more demanding in line with the updated 2014 National Curriculum. This was undoubtedly a challenge for primary schools who had to react and prepare pupils for these more demanding tests and assessments.
31. The data also shows that the gap between disadvantaged pupils and their peers was gradually decreasing over time – from 3.34 in 2011 to 2.91 in 2019, as measured by the disadvantage gap index [JB/02 - INQ000648429]. Whilst the gap did decrease over time, the attainment of disadvantaged pupils remained a challenge for the English school system. The key drivers for the disadvantage gap have been well documented by organisations such as The Education Policy Institute [JB/03 - INQ000648430] and include perinatal factors, the physical and home environment, the impact of maternal deprivation, family stress and functioning and the home-learning environment.
32. At secondary level it is important to note that GCSE, A level and AS level qualifications were significantly reformed from 2015 with students taking the first exams in some reformed subjects in 2017. In the summer of 2018, exams in all reformed qualifications were available. This means that comparisons between annual attainment data from 2017-2019 should be treated with significant caution. In addition, comparisons between nations are more complex following that process of reform. The GCSE 9-1 grade scale in England was first introduced in 2017 and by 2019 was used by nearly all subjects in England. The grade scale for GCSEs reformed for Wales remained unchanged (A*-G). In 2019, A* in Northern Ireland was recalibrated to align with the grade 9 standard in England. C* was also introduced in 2019, to broadly align with the grade 5.
33. In 2019, data shows that at Key Stage 4 overall results across the UK remained stable with small increases at grades 7/A (0.3 percentage point increase to 20.8%) and 4/C (0.4 percentage point increase to 67.3%), with no change in the proportion of students achieving at least a grade 1/G (98.3%) [JB/04 - INQ000648431]. In English language,

70.2% of 16-year-olds taking the subject achieved a 4/C compared to 69.6% in 2018 and in maths 70.8% achieved a grade 4 compared to 70.1% in 2018.

34. When looking at the nations separately, in England, overall GCSE attainment was up slightly at the 7/A and 4/C boundaries; 20.7% of entries in England were graded 7/A or above, compared to 20.3% in 2018, while 67.1% of entries received a grade 4/C or above compared to 66.6% in the previous year.
35. In Northern Ireland, overall GCSE attainment was also up slightly at the 7/A and 4/C boundaries; 30.5% of entries in Northern Ireland were graded 7/A or above, compared to 29.4% in 2018, while 82.2% of entries received a grade 4/C or above compared to 81.1% the previous year.
36. Overall attainment in Wales was up slightly at the 4/C boundary but slightly down at 7/A boundary; 18.4% of entries in Wales were graded 7/A or above, compared to 18.5% in 2018, while 62.8% of entries received a grade 4/C or above compared to 61.6% in the previous year.
37. In 2019, the attainment gap between disadvantaged pupils and their peers at the end of Key Stage 4 in England was measured at 3.70 [JB/04 - INQ000648431]. This gap, which is based on average grades in English and mathematics GCSEs, had widened by 0.4% compared to 2018, the second small increase in a row. This means that disadvantaged pupils were, on average, achieving less than their non-disadvantaged peers in these crucial subjects.
38. A level and other results are the best indicator of attainment for young people post-16. In England in 2019, the average point score per entry for A level increased each year since 2016 and the average grade was C for disadvantaged students (increased from C- in 2018), and C+ for all other students (the same as in 2018) [JB/05 - INQ000648432]. Attainment for Applied General and Tech Level qualifications was broadly consistent with 2018 figures. The average grade for Tech Levels and Applied General qualifications was Merit+ for all students, regardless of their disadvantage status.
39. In Northern Ireland, the A* - E pass rate remained stable with a 0.1 percentage point increase to 98.3% and there was a slight increase in those awarded the top grade, with 8.8% of entries receiving an A* Grade, up 0.6 percentage points from 2018.

40. In Wales, the percentage of students achieving A* - E grades was 97.6%, a minor increase when compared with 2018 (97.4%). The proportion of results awarded A* - A grades was 27.0% (0.7 percentage points higher than 2018). The percentage of pupils achieving 3 A* - C grades in A level (or equivalent) was 57.6%, a decrease of 0.4% from 2017/18. The percentage of pupils achieving 3 A* - A grades also decreased by 0.3% from 2017/18 to 13.1%.

Attendance

41. DfE data shows that prior to the pandemic, absence rates were relatively stable (2016/17: 4.5%; 2017/18: 4.7%; 2018/19: 4.5%) [JB/06 - INQ000610432]. This increased significantly to 7.6% in 2021/22. The absence rate is the total number of sessions missed due to absence for all pupils as a percentage of the total number of possible sessions for all pupils.
42. The picture is similar for persistent absences (2016/17: 10.8%; 2017/18: 11.2%; 2018/19: 10.9%). This increased to 22.5% in 2021/22. The persistent absence rate is the percentage of pupils in schools missing 10% or more of their scheduled school time within a year.
43. Schools have always worked hard to support pupils and families to maximise attendance. Prior to the pandemic, whilst the absence data remained largely stable, school leaders reported growing challenges with putting the right level of support in place for families. This largely came down to capacity and funding. Pressure on school budgets meant that it was increasingly difficult to afford to have members of staff, such as family support workers or pastoral staff, who could focus on supporting families and improving pupil attendance. Cuts to Local Authority budgets also meant that there was a reduction in the number of Education Welfare Officers – the professionals who would have previously worked with schools and families to support pupils struggling with poor attendance. Whilst governments have sought to rebuild support for attendance in recent years, there was a lack of such support available when the pandemic hit.

SEND

44. Provision and funding for SEND was a clear and growing concern for school leaders prior to the pandemic. Reforms to SEND introduced by the government in 2014 led to a rapid rise in the number of children and young people with Statements of Special Needs or

Education and Healthcare Plans (“EHCPs”). In 2015 there were 240,183 such plans in place and by 2020 that figure had grown to 390,109 [JB/07 - INQ000648434]. This undoubtedly placed significant pressure on the school system to meet the needs of pupils. The data also shows that the number of pupils with SEND but without an EHCP was growing in the lead-up to pandemic.

45. In 2019, the Local Government Association reported that Local Authorities were facing a funding gap of £806 million, stating *“there is simply not enough money to keep up with demand”* [JB/08 - INQ000648435]. They were also clear that *“many children and young people with special educational needs and disabilities could miss out on the high-quality education they need if councils aren’t given adequate funding to manage to unprecedented rise in demand”*.
46. In the years building up to the pandemic, school leaders were frequently reporting major concerns about getting pupils access to crucial support services, such as speech and language therapy and educational psychologists. A shortage of access to such services meant children faced delays in receiving the specialist support they needed.
47. In addition to this, pressure on schools’ own budgets meant they too were finding it increasingly challenging to fully meet the needs of all pupils with special educational needs.

Vulnerable children and social care

48. NAHT members were also telling us about the growing pressure on children’s social services in the build-up to the pandemic. School leaders were frequently reporting major challenges getting timely access to social services for vulnerable children, or children they deemed to be at risk.
49. Demand on social services increased significantly in the years leading up to the pandemic. Our members frequently reported that it was becoming harder to access these services and that thresholds for interventions were increasing. This view was supported by findings from the 2018 All Parliamentary Group for Children report, *‘Storing Up Trouble’* [JB/09 - INQ000598066], which found that *“70% of the 1,710 social workers surveyed for this Inquiry told us that the threshold for helping ‘children in need’ had risen in the last three years, while half said the point at which a child protection plan was triggered had gone up”*. This appeared to be in response to growing demand and insufficient resources to meet

that demand. The impact of this was a growing number of children being left without the support they needed.

50. School leaders also reported frustrations with the quality of support received from many of these services. High turnover of social workers and increasing workloads meant continuity and quality of care was often lacking. For schools, this meant they were often having to 'step-in' and fulfil the role of social workers, knowing that if they did not, no other support would be available.

51. In summary, the children's social care system was under significant strain and in a vulnerable state before the outbreak of the pandemic.

Children's mental health services

52. Children's mental health services were also under significant strain prior to 2020. In 2020, the Children's Commissioner for England reported growing demand on Children and Young Persons Mental Health Services and that only a third of children referred received treatment within a year [JB/10 - INQ000648437]. Once again, this unmet need often fell back on schools to address as there was simply no-one else available.

53. Our view is that a decade of austerity between 2010 and 2020 put SEND, mental health and social care services under huge strain, meaning they were not well-equipped to respond to the needs of children and young people when the pandemic occurred.

Capacity to deliver lessons and learning remotely for pupils prior to the pandemic

54. It is important to remember that NAHT members are school leaders, most of whom would not have delivered the lessons directly themselves but would have been responsible for the overall leadership and co-ordination of remote learning in their school.

55. It is fair to say that our members and their teams had very little experience of organising the delivery of lessons remotely prior to the pandemic. This was not part of initial teacher training, nor was it likely to have featured as part of any ongoing professional development for the vast majority. The only experience that would come close to this would be when schools provided learning materials for pupils on long-term sick leave or who were unable to attend school for other reasons. These were generally very rare instances and dealt with on a case-by-case basis. We have no evidence that 'live' online lessons were used

in these circumstances. In such circumstances, schools might have sent home a pack of learning materials or links to some online learning resources, but this would not usually have involved delivering 'live' lessons remotely.

56. Most schools were not regular users of video conferencing-type software for learning prior to the pandemic and the use of software such as Skype, Microsoft Teams or Zoom would have been new to the majority that used it. Many schools would not have had such software installed prior to the pandemic and there was no guidance or suggestion from government that this was something that should be being considered by schools. It is also important to remember that remote learning does not necessarily equate to 'live' lessons or video calls (as explained further below).

57. Whilst it was very different to the remote learning required during the pandemic, the setting of homework prior to the pandemic meant that schools had some experience of providing learning materials and tasks for pupils to access at home. Often this would be in the form of a 'follow-up' activity following a lesson in school, for example to complete a maths worksheet at home following a related lesson in class. Prior to the pandemic, schools would sometimes have suggested pupils use the internet to assist with homework, such as for research purposes, or to access a specific piece of online software, such as an educational game or task. However, schools were generally mindful that not all pupils had equal access to the internet and so homework rarely depended on this. Some schools also provided homework clubs in-school for pupils where internet access was an issue.

(C) Planning for the pandemic

58. Prior to January 2020 there was very little, if any, guidance for schools on how to respond to a pandemic. There was some generic, high-level guidance (now removed from the government website) on 'temporary school closures' but this primarily related to events such as severe weather and was focused on short-term closures. Whilst there was a passing reference in the now-removed guidance to the need to cover a range of potential incidents including a 'flu pandemic', there was virtually no detail or further information about this and, as far as NAHT is aware, schools had not been issued any information on how to respond to a pandemic beyond this prior to January 2020.

59. Whilst it is difficult to put a precise date on when NAHT and schools started to plan for the pandemic, it is fair to say that awareness began to grow throughout January to March 2020

as it did with the wider public. Initially, in line with government guidance [JB/11 - INQ000648438], preparation was focused on cleaning and hygiene measures and how to identify symptoms of Coronavirus and minimise the risk of transmission in schools. The primary responsibility for schools at that point was putting in place government recommended measures to help keep children safe in school. Our first communication to members on the topic was on 27 February 2020 [JB/12 - INQ000648439]. In that we said *"Clearly, this is a situation that is developing on a day-by-day basis and NAHT has it under constant review...Our best advice to you is to stay on top of the official health advice and information from the government and act accordingly"*. We reiterated that advice to members in a newsletter sent on 4 March 2020 in which we said: *"As the coronavirus situation continues to evolve, we are republishing our guidance for you, to include the latest information from the government. Our position remains that the best things schools can do is to follow the latest government public health advice and links to this can be found below"* [JB/13 - INQ000648440].

60. Our first significant press release on Covid-19 was on 16 March 2020, in which we said [JB/14 - INQ000648441]: *"School leaders and their teams are determined to play their part in the national civic response to this crisis. We will use the meeting to bring some clarity and direction. Vulnerable children and families are uppermost in our minds. For some children a day at school is a place of sanctuary and nourishment as well as a place of education"*. This reflected our members' particular concern for the most vulnerable pupils in their care.

61. NAHT shared and promoted early government guidance to members to assist them in their response to Covid. Our advice to members at this time, and throughout the pandemic, was to follow any advice coming from government and in particular the DfE and Public Health England. At this point government was not asking schools to prepare for widespread closures and the focus was on keeping pupils and staff safe in school. We believe there may also have been some 'update emails' being sent directly to schools from the DfE at this time, but we do not hold records of these.

62. NAHT advised government at this time that school leaders needed much more detailed guidance on a wide range of issues including medically vulnerable pupils and staff, use of PPE, pregnant staff and pupils with medical needs. The view of our members at the time, reflected in the emails we received, was that the government's early advice to schools was insufficient and inadequate – we shared these member concerns with the DfE and offered to work with them to horizon scan, plan for various scenarios and produce joint

communications [JB/15 - INQ000648442] [JB/16 - INQ000648444] [JB/17 - INQ000648445].

63. On 3 March 2020, the government published a 'coronavirus action plan' which made a short and limited reference (a single paragraph) to the possibility of school closures but included little detail. By this point, some schools were considering that closures could be a possibility, but the focus remained primarily on safety measures in schools as per the government's published guidance.

64. During March, NAHT officials continued to offer to meet with DfE officials to discuss 'scenario planning'. Our records suggest that this led to some high-level conversations with DfE officials at the joint union Programme of Talks later that month. NAHT also continued to share a wide range of questions and concerns from our members with DfE officials throughout this period.

65. As stated above, during March 2020 the correspondence we received from members suggested that the government advice to schools was late, inadequate and insufficient [JB/18 - INQ000648446]. To help support schools, NAHT began to issue regularly updated FAQs to its members as well as offering one to one support through our advice line (see by way of example [JB/19 - INQ000648447]). This was an attempt to support members who had questions that no-one in government was answering for them. At the top of these FAQs was a very clear statement that school leaders should always follow DfE and PHE advice. Our FAQs were designed to supplement the official guidance and help leaders who were trying to make difficult decisions without the necessary information from government being provided. By this stage it was becoming increasingly clear that school closures were a possibility and so we issued some short advice on things schools should considering in the event closures were necessary. We also included some initial advice on safeguarding pupils. Again, these were intended to be helpful prompts for school leaders and not to replace any official government guidance.

(D) School 'openings' and 'closures'

66. It is worth emphasising that schools were never closed, as such. If not fully open, they were at least open to vulnerable and key worker children and providing remote education to the remainder (i.e. restricted opening). References to the 'closure' of schools should be interpreted with this in mind. The issue of when and how to restrict or widen this opening

of schools was significant given the potential for the rapid transmission of the virus through schools and, consequently, local communities. Throughout the pandemic, education unions sought engagement with the government to ensure that decisions properly took account of the scientific data and the risks to staff, pupils, their families and the wider public. However, the recurring theme was a distinct lack of engagement by government and an unwillingness to share the reasoning behind those decisions the government did take. Unions were consistently raising the same issues, such as the lack of appropriate PPE, difficulties with social distancing, advice on mask wearing, inadequate ventilation and protection for vulnerable groups. We set this out in further detail below.

67. NAHT did not take a formal position between January and 17 March 2020 in respect of whether schools should be kept open or closed in response to Covid-19. Our view at the time was that such a decision needed to be taken by government, informed by their scientific experts. Whilst we saw it is our role to probe and ask questions about the government's decisions on restricting attendance and the wider 're-opening' of schools on behalf of our members, we maintained the overarching position that ultimately our members would need to follow the official government policy (subject to local risk assessments). NAHT members' first responsibility is the safety and welfare of both the pupils and staff in their community. Where government was making decisions that appeared to be in conflict with that responsibility, we saw it as our role to highlight that and call on the government to justify and explain the decisions it was taking in relation to schools.

68. At that time, we were receiving emails from members asking us for advice as to what they should do if they were unable to keep their schools open due to safety concerns because of staff shortages. In an email to members, sent on 16 March 2020, NAHT General Secretary, Paul Whiteman, stated: *"I need to be very clear that we are not suggesting schools disregard official government advice that schools should remain open if at all possible"*, but that, as with any other time and circumstance, *"school leaders continue to be responsible for judging whether it is safe to do so given their unique and individual circumstances"* [JB/20 - INQ000648448]. The point being made in this email was that school leaders would need to make decisions about the safe operation of their schools based on their unique circumstances and risk assessments as they would do at any other time. For example, in non-Covid times, if extreme weather meant that only a small proportion of staff could get to school, the Headteacher had to decide whether or not it was safe to open.

69. On that same day, Paul Whiteman attended a short 30-minute meeting with the Secretary of State for Education, and colleagues from the ASCL and the CST. Whilst there were no recorded minutes from that meeting, a subsequent note to members indicates that there was some discussion about whether or not schools should close and Paul explained to NAHT members that: *"The government argues that the social impact of total closure outweighs the health risks of keeping central points of our social fabric open. There is also deep concern about the care of our most vulnerable children"* [JB/21 - INQ000648449].
70. During this period, we saw a key role for us to be sharing with government the many questions and concerns being raised by our members. The aim of this was to seek answers from the government and their medical experts about what schools should do. As explained above, we regularly collated questions from members and sent them to civil servants at the DfE either so they could reflect these in their guidance to schools or give us direct answers that we could relay to members. Our 'advice' to government was primarily based on raising the very practical issues and questions that were arising in schools at the time.
71. It is important to point out that NAHT has over 38,000 members and we should not assume that they all had the same experience during the pandemic or shared the same views. Different leaders will have taken different approaches depending on the unique circumstances of their schools. However, it is fair to say that during the first period of restricted attendance in March 2020, school leaders were having to manage two competing and potentially conflicting priorities. On the one hand, they were being told that there was a need to restrict attendance in school to protect the NHS and slow down transmission of the virus. This should be seen in light of the Secretary of State for Health initially alluding to safe levels of school attendance being around 20% on BBC Radio 4's Today programme (there was a lack of clarity initially about whether schools should be limiting attendance to 20%, or whether that figure only applied at a local, or even national level). This was also occurring in the wider context of the whole country being told the importance of not mixing with people outside of their household and maintaining social distancing at all times. At the same time, they were also being asked to allow children of key workers and vulnerable children to attend school in person.
72. The priority for school leaders ahead of the March 2020 lockdown and the attendance restrictions being imposed was to manage demand for places within safe parameters. Between the publication of the key workers list on the evening of Thursday, 19 March 2020 and schools restricting attendance on Monday, 23 March 2020, there was a genuine

concern from school leaders that they would not be able to manage the demand from families requesting key worker places. Many leaders told us that it would be incredibly difficult to process requests for key worker places and vulnerable children and set up provision within the 24 hours' notice they were given. NAHT's message to members at this time was to move quickly but in an organised manner to avoid confusion and chaos at the school gate on the Monday morning. These challenges were compounded where schools had staff that were absent either due to contracting Covid-19 themselves or who were having to shield due to an underlying medical condition or the medical vulnerability of a household member.

73. When national restrictions on school attendance were put in place, our general position was that we wanted the restrictions to be lifted as soon as it was safe to do so, and we were clear that remote education was no substitute for in-school provision. We recognise that 'safe' is a subjective term, and not a straightforward test, but we felt that the government had a duty to explain why they believed it was safe to lift attendance restrictions at various points and to be transparent about the evidence such decisions were being based on. We also emphasised that when children returned to school after periods of attendance restrictions, it was important that this was sustainable and that effective safety measures (including NPIs) were put in place to minimise the risk of outbreaks and therefore further disruption to education. This is why we were pushing for government to take stronger action around issues such as ventilation (as detailed further below).

74. On an individual school basis, we were clear that, as at any other time, school leaders would need to take decisions about the safe running of their school based on dynamic risk assessments. For example, school leaders need to be sure they have sufficient staff in school to be able to operate safely. This was true before the pandemic in instances such as extreme weather where staff might not be able to make it to school. If a school did not have sufficient staff to operate safely, school leaders, in partnership with governing bodies might have to make short-term decisions not to open. Whilst we did not encounter a significant number of schools in this position, we did reiterate that our advice remained the same as always – such decisions would need to be based on individual risk assessments.

Re-opening in Spring/Summer 2020

75. As early as April 2020, press speculation grew on the subject of wider school re-openings. This constant speculation in the media and 'off-the-record briefings' was deeply unhelpful to school leaders who regularly contacted NAHT to ask whether or not there was truth in

the speculation and what they needed to do as a result. In an email to members on 16 April 2020 we stated that: *"The speculation is enormously damaging to your efforts, and it demonstrates a lack of understanding of the school context and how it differs from others"* [JB/21 - INQ000648449]. We reiterated that *"NAHT's position remains that schools should only reopen when the scientific evidence is clear that it is safe to do so. Safe for pupils, safe for staff and safe for parents"*. We also addressed the need for the return to be properly planned for and well-communicated to schools and shared with our members the questions we were putting to government at the time, including:

- 75.1. What is our level of confidence in the scientific and medical advice relied on by the government for any decisions concerning a return?
- 75.2. Will school teams have access to reliable and timely safety advice as circumstances change?
- 75.3. Is there clarity that social distancing in most school settings is impossible to achieve? If so, have wider social distancing rules been relaxed and to what effect? Are plans appropriate to each phase and setting?
- 75.4. Although the safety of children is always the first thing on the minds of school leaders, it is not just about how the virus is dealt with by the young. Transmission from children to adults, teachers, carers, elderly relatives, is of equal concern. How will a return to school impact on such risks, especially for those with family members in vulnerable categories?
- 75.5. What consideration is the government giving to individual schools' readiness to return?
- 75.6. What consideration is the government giving to the role of PPE and testing as part of any plan to return to school?

76. We took the same position in Wales, with a press release on 28 April 2020 stating: *"We are clear that there should be no wider opening of schools until it is safe to do so. Safe for pupils, safe for staff, and safe for parents and the wider community. But it is important that any considerations about a future return must be carefully thought through, so we welcome the announcement by education minister Kirsty Williams today. We agree that the five key principles set out are sensible but require further details on how those principles will be maintained in practice. It is vital that any plan for return is informed by the profession. It is school leaders who have the clearest understanding of the practicalities and challenges that will need to be faced. We urge the minister to bring in education unions from the outset of this process as the profession must be at the heart of any plan to return to school"* [JB/14 - INQ000648441].

77. On 7 May 2020, NAHT was one of the signatories to a joint letter sent to the Secretary of State for Education on the wider re-opening of schools [JB/22 - INQ000192247]. The statement set out a series of principles and 'tests' that we supported on the issue, including:

- 77.1. the safety and welfare of pupils and staff as the paramount principle;
- 77.2. no increase in pupil numbers until full rollout of a national test and trace scheme;
- 77.3. a national Covid-19 education taskforce with government, unions and education stakeholders to agree statutory guidance for safe reopening of schools;
- 77.4. consideration of the specific needs of vulnerable students and families facing economic disadvantage;
- 77.5. additional resources for enhanced school cleaning, PPE and risk assessments; and
- 77.6. local autonomy to close schools where testing indicates clusters of new Covid-19 cases.

78. The government responded to this by inviting all the education unions to a meeting with some of the government's scientific advisors on 15 May 2020. In this meeting, the advisors sought to provide some reassurance to the group about how they were using the scientific evidence to inform their advice to government. It was also an opportunity for the education unions to ask questions. The meeting was attended by NAHT General Secretary, Paul Whiteman. Whilst we do not have minutes from the meeting, the meeting invite suggests that the DfE recorded the meeting so they could have a formal record of what was discussed.

79. As the government's approach started to develop, NAHT offered advice regarding its plans for a wider re-opening of schools in the summer of 2020. This advice was primarily focused on the implementation and logistical challenges schools would likely face. A good example of this was the conversations that took place about the government's suggestion that pupils should be taught in smaller groups. DfE officials initially suggested that group/bubble sizes should be around 12 pupils. We pointed out how challenging it would be to have all children back at the same time on that basis as there simply was not sufficient staff or space in school for each class to be split into three. At this time we were also reiterating the importance of the government providing clear guidance on school transport; for special schools where some of the NPIs being recommended were more

difficult to implement; and for clear guidance around those children with medical vulnerabilities or who lived with vulnerable people (this final point was being raised by many of our members as a particular concern as they had staff that were medically vulnerable – therefore creating significant challenges with having enough staff to cope with an increase in the number of pupils attending school). We also suggested that a phased approach to pupils returning would make a smoother transition easier to achieve.

80. Whilst these sorts of broader conversations took place in the days and weeks leading up to the announcement, we were not involved in detailed discussions about which year groups should return and it was only at the very last minute that we discovered the plan was for children in the reception year, year one and year 6 to return first in primary schools. Although we had previously been asked for our views on which year groups should return first, the final decision appeared to be a very high-level governmental one that we were not involved with.

81. On 24 May 2020, the Prime Minister announced that he hoped it would be possible to increase the number of pupils attending school from 1 June 2020 (a final decision was not taken until later that week). We expressed frustration not just at the lack of consultation and forewarning about which year groups would return, but also the very short notice schools were being given to plan for this.

82. As noted above, we had been clear with the government for weeks that schools would need to plan properly for any such changes and it was not as simple as 'flicking a switch', with classrooms needing to be prepared, staffing rotas altered, and food arrangements planned, to name but a few considerations. We also explained that to be able to implement the safety measures advised by government, such as reduced class sizes, some schools might need a degree of flexibility in how they planned for a wider re-opening [JB/23 - INQ000648451]. The government did respond to these concerns to some extent, with the Prime Minister saying that some schools might need a little longer, depending on local circumstances.

83. Our overall response to the Prime Minister's announcement is best summarised in our press release issued on 30 April 2020, in which we said: "*The government clearly feels that we are past the peak. It is essential to plan but we should not risk a second more harmful peak. Asking schools to admit more pupils must be safe and consistent with the country's overall Covid-19 health response, with all reasonable measures taken to protect students, staff, parents and the wider community. The government will need to*

communicate all of its thinking very clearly, in order for there to be sufficient public confidence that sending more pupils into school is safe for everyone. The planning the Prime Minister mentions must be done collaboratively with the profession in order for the next stage to be successful" [JB/14 - INQ000648441]. This reflects our position, which was to be constructive about supporting the broader 're-opening' of schools, but reminding the government that work still needed to be done to build the confidence of many pupils, parents and school staff.

84. This was reflected in an Opinion poll for the Observer, published on 24 May 2020, which suggested 54% of parents of secondary aged pupils and 43% of parents of primary aged pupils were anxious about the prospects of their child returning to school, with the chief executive of the parent organisation 'Parentkind' saying: *"Parents are not convinced about messages around schools being safe. They are not sure about that message from the government, or that the evidence for that is being communicated"* [JB/24 - INQ000648452]. We had carried out a similar poll of NAHT members at the start of May 2020 that found only 10% of school leaders felt confident that it would be safe to open their school to more pupils in the coming weeks [JB/14 - INQ000648441].

85. NAHT spent the period between the Prime Minister's announcement and the return of more pupils the following week supporting members with their plans and answering as many of their questions as possible via our advice team.

Re-opening in September 2020

86. When the government announced in mid-June 2020 that all pupils would return to school in September, NAHT was broadly supportive of the ambition [JB/25 - INQ000648453]. However, we were once again frustrated that it took until 2 July 2020 for the government to publish guidance on how schools should manage having all pupils back and still maintain the safety measures and NPIs required. We also highlighted the importance of planning for different future scenarios and a 'plan B' during the autumn term, including the risk that further attendance restrictions could potentially be required if transmission rates and pressure on the NHS increased. On 28 August 2020 we issued a statement saying that schools were ready to welcome pupils back at the start of the autumn term, but we warned that our members lacked confidence in the systems and structures that sat around schools [JB/25 - INQ000648453]. Only 7% of our members reported having confidence in the government's test, trace and isolate scheme. There were also low levels of confidence expressed in the arrangements for a potential lockdown in their area. The aim of this press

release was to help give parents confidence that their child's school was ready for them to return, but at the same time to highlight the wider concerns our members had. Given their experiences of the testing and tracing in the autumn term, it turns out they were right to be concerned.

'Closing' in December 2020

87. The situation in schools in early to mid-December 2020 had become extremely difficult. It was at this time that Covid cases began rising sharply due to the emergence of the new 'Alpha' variant. The government's policy to relax Covid rules to allow more mixing during the Christmas holidays, coupled with the recommendation that people reduce social contacts for at least five days before meeting others, posed a challenge for schools. Our members became concerned that parents would start withdrawing their children from school so as to not risk having to shield over Christmas, particularly as they saw Covid cases rising. Given our members' fears that attendance would plummet in the final week, we recommended that the government allow schools some flexibility and the option to move to remote learning for a few days before the end of term if they felt that would be better [JB/25 - INQ000648453]. The government responded by saying that schools could finish for the end of term a day early if they chose to by using one of their five 'In-service Training Days' (INSETs). The idea being that this would give families an extra day to isolate if they needed to. As NAHT pointed out at the time, this did not really constitute much of a compromise, not only because it was a single day, but also because schools already had the freedom to set INSET days when they wanted to in the academic calendar.

88. The Welsh government took a different approach and instructed secondary schools and colleges to move to online learning from Monday, 14 December 2020. We broadly supported that decision but raised concerns about the challenge schools would face in providing both online learning and in-person learning for vulnerable children. We also questioned the decision to apply this only to secondary schools in Wales and worried that we would see the same drop in attendance that we were predicting in England as parents took matters into their own hands [JB/25 - INQ000648453].

89. Generally speaking, when governments in different nations took different approaches to Covid safety measures, this often damaged the confidence parents and school leaders had in those decisions, particularly as different rules could apply to two schools close to the border and only a few miles apart. We were highly critical of the way government treated a small number of London schools (mainly schools in Greenwich and Islington) in

the week before the Christmas holidays. These schools had been told to close by their Local Authorities but were then criticised by central government for doing so, with the government using its legal powers to force those schools to reopen. This put our members in an incredibly difficult position, through no fault of their own.

Re-opening in January 2021

90. The situation around re-opening in January 2021 was incredibly challenging for NAHT members, probably the most difficult experience of the pandemic for many of them. Once again, school leaders had to deal with last-minute government announcements relating to schools, leaving them with very little time to implement the major changes that were being demanded of them.
91. As late as 17 December 2020 (a matter of days before the end of term) the government announced that secondary schools would need to stagger the return of pupils and, more significantly, set up asymptomatic testing centres so that all pupils could receive two tests, three days apart. At the same time, students in exam years (Years 11 and 13), vulnerable children, and children of critical workers would return in-person immediately. Pupils in primary, special, and alternative provision schools were expected to return at the beginning of January as previously planned.
92. It is hard to overstate the scale of the challenge this posed for school leaders in secondary schools. With just a few days left before the end of term, they were being asked to create, organise and staff testing centres on school grounds. Once again, the most obvious challenge delivering this was staffing the centres and transforming spaces not designed for such purposes. There were also wider challenges about consent collection, supervision, the willingness of school staff to run such centres without adequate training, as well as fears about potential medical liability. All of this was far out of the scope and expertise of school leaders. The government initially responded by saying that the army might be able to support schools, but the army was quick to distance themselves from this idea and little support ever materialised.
93. NAHT's view was that the concept of widespread asymptomatic testing as a way to break chains of transmission made sense, but the expectation that schools could run it and with such short notice was enormously challenging. Our members were also questioning why primary schools were being treated differently from secondary schools – a point we raised on their behalf publicly and directly with government [JB/25 - INQ000648453].

94. On the same day, we also raised significant concerns about the late publication of guidance from the Welsh government and their instruction that schools should develop plans for a phased return in January [JB/25 - INQ000648453].
95. In both cases, the late publication of major policies made it extremely difficult for schools to communicate properly with parents and families in a calm and reassuring manner. This sense of confusion and chaos was further magnified on 30 December 2020 when the government in England announced a further delay to the start of the staggered return for secondary schools in January. The government said this was to allow more time for the rollout of mass testing in schools. NAHT expressed enormous frustration that our clear advice that schools would need more time to implement this had been previously ignored, only for the government to change its mind midway through the school holidays [JB/25 - INQ000648453].
96. At the same time, the government announced that some schools in high transmission areas would remain closed for most pupils (except vulnerable pupils, key-workers' children, and exam-year students) at the start of January. The announcement also meant that some primary schools might be told to switch to remote learning but that there would be 'higher thresholds' for doing so based on the rationale that 'evidence suggests that transmission is limited between young children'. In a press release on 31 December 2021, we raised our members concerns over these new plans, asking: *"how it can be safe for schools in some tier 4 areas to open while schools in other tier 4 areas are being told to move to remote learning. In some instances this means different approaches for schools only a few roads away from each other"* [JB/25 - INQ000648453].
97. At this point our members were becoming very concerned about how the government was interpreting the scientific data it had available and the decisions it was making based on it. We also felt the government was not being transparent in relation to the data and evidence they had on the impact of the variant in circulation at the time. In particular, we raised concerns that the government was not sharing the evidence justifying distinctions drawn between primary and secondary schools, the geographical distinctions they have made and the evidence justifying the compulsory introduction of mass-testing. If that evidence was available we felt it should be in the public domain.
98. It was for this reason that we took the position outlined in our press release of 2 January 2021 [JB/26 - INQ000648454], in which we called on the government to:

- 98.1. move all schools to home learning for a brief and determined period for most children;
 - 98.2. provide proper support to make the home learning experience as good as it can be;
 - 98.3. establish a properly organised, resourced and funded mass testing regime for schools in place of the botched DIY system being imposed;
 - 98.4. undertake work with school leaders and PHE to establish and agree new Covid-related safety measures in schools during the temporary restriction;
 - 98.5. urgently review its approach to special schools, APs and Maintained Nursery Schools to protect all staff and pupils in those communities;
 - 98.6. immediately prioritise vaccinations in education; and
 - 98.7. then agree an orderly return.
99. Whilst we remained of the view that we wanted to see children in school and that it was the best place for their education and their wider wellbeing, it was becoming increasingly obvious that the government's plans for school re-opening in January were becoming untenable.
100. We repeated the same calls in Wales also [JB/26 - INQ000648454].
101. The government largely ignored these calls, insisting their plans as previously announced would go ahead, with large numbers of pupils returning on Monday, 4 January 2021. Then, in a televised address on 4 January 2021, the Prime Minister announced that full attendance restrictions would in fact be reapplied to all schools, with the majority of pupils switching to remote learning the next day.
102. NAHT members once again had to react immediately and find a way to communicate to parents and families what the arrangements would be for the next morning and also put in place plans to provide in-person provision for vulnerable children and the children of key workers, whilst also providing remote education for the majority of pupils that would be at home. It is important to remember that the announcement was made at 8pm, with the expectation schools would have arrangements in place and have communicated these to parents and families by 9am the next morning.
103. We reacted to this announcement in an email to members that evening in which we said: *"While we have been calling on the government to take decisive action for some time,*

*the handling of this announcement has once again been utterly shambolic. We all appreciate this is a rapidly moving situation and that decisions have to be made quickly in light of the changing data. However, it was clear that action needed taking **before** the start of term and not one day into it. The government's dithering on schools over the last few days has injected chaos into the system and means that the plans many of you made over the weekend and today will once again now need re-writing. Had the government worked with the profession as we were calling on them to do over the Christmas break, this could have been handled so much better" [JB/27 - INQ000648455].*

104. NAHT continued to work to support members in the days that followed to help them respond to the new set of instructions from government.

Potential Judicial Review proceedings involving the Welsh Government

105. On 9 February 2021 we sent a pre-action protocol letter to the Welsh government [JB/28 - INQ000350273]. This letter was sent following an announcement by the Welsh government on 5 February 2021 regarding the proposed relaxation of attendance restrictions later that month. The Welsh government proposed that some children would start returning to school from 22 February, whereas the policy in England at the time was that attendance restrictions would not be relaxed until 8 March. In short, we were concerned that the Welsh government was moving too quickly to relax attendance restrictions; that the scientific evidence was not clear that it was safe to do so (based on the timescales being proposed); and that the Welsh government had not explained clearly why it felt it was safe to relax attendance restrictions in Wales more quickly than in England.

106. In an open letter to headteachers [JB/29 - INQ000648456], the Welsh government referred to a report published by its Technical Advisory Group ("TAG") [JB/30 - INQ000066327] as the basis for its decision. We were very concerned that the report did not appear to offer clear and strong support for relaxing attendance restrictions in schools from 22 February. Whilst the report stated that a partial and phased return to face-to-face learning in schools should be considered, it made no clear reference to when that should commence. We did not dispute that a partial and phased return was sensible, the question was over the timing.

107. We also pointed out that the TAG report had made clear that "*Current infection prevention and control measures should be reviewed to consider how these could be*

strengthened in light of the increased prevalence of a more transmissible variant” but that guidance had not yet been published, making it impossible for school leaders to know how and whether they could implement such measures in their settings. It is worth reiterating that, at that time, the government in England was suggesting children would not start returning until the 8 March 2021, a full two weeks later than the start of a phased return in Wales. We could see nothing in the TAG report that explained or justified the Welsh government’s decision to relax restrictions earlier than in England. Furthermore, the view of our team in Wales at the time was that the Welsh government had not properly engaged or consulted with us and the other education unions, nor had they taken the time to explain to us the scientific basis for the decisions being taken. It is important to remember that the report in question and the open letter to headteachers was released on the same day.

108. We also raised concerns in the pre-action protocol letter that our members had a range of legal obligations in relation to the safety of both pupils and staff. Our fear was that our members could be forced into a position where they would be told to expand attendance, even if their own risk assessments suggested it was not safe to do so. Our letter sought confirmation that headteachers and governing bodies retain the power not to open schools if they consider this necessary; or alternatively confirmation that in view of the lack of supporting scientific evidence, schools (in Wales) would not be expected to increase attendance as early as planned.
109. The lack of meaningful engagement and proper consultation by the Welsh government, coupled with the lack of clarity around the authority of individual school leaders and governing bodies to make decisions about expanding attendance, explains our decision to issue a pre-action protocol letter. However, it is important to stress that we hoped to avoid judicial review, we did not want to detract from the efforts being made to address the pandemic and we recognised the difficult decisions the government was faced with, and we made this all clear in the letter itself.
110. The Welsh government responded on 11 February 2021 [JB/31 - INQ000648458]. In that response they stated: *“Providing that there has been compliance with public law principles, and providing that there are no directions to the contrary, it is the view of the Welsh Ministers that governing bodies may cause the premises of a school to be closed to pupils.*

As we pointed out in our previous letter to the NAHT dated 26 January 2021 we would expect school governing bodies (including head teachers) to work with the maintaining local authority in deciding whether, or not, to close the premises of a school."

111. This reply gave some reassurance that school leaders and governing bodies retained the authority to make decisions about increasing attendance based on their own individual risk assessments. Having reviewed our internal records, my understanding is that NAHT took no further action after this and that some pupils did start returning to school in Wales from 22 February 2021.

Attendance issues

112. Once it became clear in March 2020 that most schools were not being overwhelmed by demand from children of key workers (for most this was after a few days), they were able to start doing more to encourage certain groups of pupils to attend. During this period, we are aware that many schools prioritised the most vulnerable pupils. This was often children living in care or where the school was aware of another vulnerability. This sometimes meant encouraging the family or carers to send the child to school, or alternatively setting up monitoring systems to regularly check in on those children via phone calls to home. Schools also worked closely with social workers during this period but sometimes found that social workers with large caseloads were keen to push the responsibility for this back on to schools and school staff.

113. School leaders also reported that, despite encouragement, it was often very difficult to ensure vulnerable children who were eligible for places attended school. In a survey of our members carried out on the 6 May 2020, we asked our members about the reasons why some children identified as vulnerable were not attending school, despite a place being available to them. 72% of respondents reported that the parents/carers of eligible pupils were unwilling to access a school place because of safety concerns for their children; 50% said that parents/carers of eligible pupils were unwilling to access a school place because of safety concerns for others in their household; and 49% said that parents/carers had said they had alternative arrangements in place. I exhibit a document summarising NAHT's various survey results, including this May 2020 survey [JB/32 - INQ000648459].

114. Whilst we should be very careful not to over-generalise, in some cases these were pupils who already struggled with attendance or who in some cases were disengaged with

education and so when attendance became non-mandatory it became very difficult to ensure they attended. In many cases, the parents of vulnerable children decided to keep their child at home and the DfE advised schools to grant a leave of absence where this was the case.

115. Another challenge school leaders faced in promoting attendance was a lack of confidence that many had in the measures the government was taking to ensure that schools were safe. This is an important point, and the safety of schools is addressed in greater detail later in this statement. Briefly here, in most cases, teachers and leaders were going into school with no or very little PPE equipment, no ability to socially distance and with government guidance effectively limited to cleaning of surfaces and regular handwashing. Whilst some sectors and businesses were able to take additional measures, such as erecting plastic screens or similar, that was not an option for schools. It is hard to overstate how concerned leaders were about their schools becoming centres of outbreaks at this time. School leaders' first priority is always the safety of pupils and with Covid-19, this extended to the wider community too. Many leaders were genuinely worried that their schools were not safe places for pupils and so felt conflicted about encouraging pupils to attend. We should not forget that, particularly in the early stages of the pandemic, very little was known about the virus and its impact, including the long-term effects and the advice being given to the wider public was stay at home and do not mix. Leaders also had a duty of care to their staff, and whilst the early signs were that children were less likely to be badly affected by Covid-19, that was not the case for the adults working in schools, many of whom were more vulnerable due to their age or medical condition.

116. During this time, we were advising government that the reintroduction of fines for poor attendance was unlikely to be effective. As we said at the time, *"If you are a parent and you are worried about safety, a fine is unlikely to make you feel any safer. The government understands this, but the threat of fines still remains, so we're urging the government to take the threat of fines off the table, for the coming term"* [JB/25 - INQ000648453]. Our view was that a more positive approach was likely to be more effective. The government decided to stick to its plan to reintroduce parental fines, although it did say that these should be a 'last resort'.

117. Leaders were telling us throughout the pandemic that their encouragement to attend school did not always make a significant difference as parents had already taken a view on school attendance based on what they were seeing in the news, social media and

hearing elsewhere. NAHT itself sought to support efforts to encourage all pupils to return to school in September 2020 when we issued a press release, on 4 September, urging parents to have confidence that schools were ready [JB/25 - INQ000648453]. In that press release we said: *"Everyone wants to see pupils back in class next week, with their teachers and their classmates. These figures clearly show that school leaders and their teams have worked incredibly hard over the summer to get schools ready for the start of the Autumn term"*. We cited data from our own survey to show that schools were using the full extent of the safety measures that had been recommended by government, including: regular additional cleaning of classrooms and school premises; creating and maintaining pupil bubble groups; staggering lunchtimes and breaktimes; staggering start and finish times for pupils.

118. NAHT does not collect attendance data from schools and whilst there may have been some anecdotal evidence from members, the best evidence on attendance rates for different groups of pupils is contained within official DfE data [JB/33 - INQ000648460]. The DfE data shows that:

- 118.1. the overall absence rate for 2020/21 was 4.6%;
- 118.2. the absence rate for pupils with an Education and Healthcare Plan in the same period was 13.1%;
- 118.3. for those with SEN support, the overall rate for 2020/21 was 6.5%;
- 118.4. for pupils with no SEN the figure was 3.9%;
- 118.5. the overall absence rate for pupils eligible for Free School Meals ("FSM") was 7.8% across the full year, more than double the rate for pupils who were not eligible for FSM at 3.7%; and
- 118.6. the persistent absence rate for FSM eligible pupils across the whole year was 24.4% compared to 8.3% for pupils who were not eligible for FSM.

119. The way school leaders managed concerns about attendance during the period in question did not change dramatically compared with pre-Covid times, as the tools available to them did not change. It primarily consisted of contacting parents to discuss the concerns and to identify possible solutions. When this was at the time when schools were open to all pupils, this often involved explaining and providing reassurance around the safety measures being taken in school. In some circumstances, NAHT is aware of schools that worked with families on a staggered return to help build confidence. In some cases, families were clear that their child would not return until they deemed it to be safe, even if the government had decided to remove attendance restrictions.

120. Whilst the government did start to ask for schools to submit daily attendance data to it during the pandemic, support for schools from government on attendance during this period was limited. When it came to encouraging attendance, most of the government's work was aimed directly at parents. This often took the form of blogs or press releases aimed at reassuring parents that schools were safe. Schools were asked to reassure parents that school was safe and to work with families who were anxious about returning when attendance restrictions were limited. We do not recall the government providing specific or additional support on attendance beyond that already stated during that time.
121. In February 2022, Ofsted published research and analysis that highlighted some of the work schools were doing to improve attendance as the period of attendance restrictions drew to a close [JB/34 - INQ000648461]. The purpose of this work was to provide examples and case studies on which other schools could draw, but it came very late in the pandemic.

(E) Learning and education during the pandemic

122. NAHT recognises the unprecedented nature of the pandemic. We acknowledge the scale of the challenge this posed for the DfE and its officials. In a short space of time officials had to redesign swathes of existing government policy and procedure as it relates to schools. Almost every single aspect of school policy was affected by this crisis. In NAHT's dealings with the DfE it was apparent that officials had been working exceptionally hard as they attempted to manage these changes.
123. However, NAHT members' experience concerning the communication of government decisions made to restrict or increase attendance in schools was, for the most part, extremely negative. In most instances throughout the pandemic, school leaders received virtually no warning of announcements regarding school 'closures' and wider re-opening, with school leaders finding out about such decisions at the same time as parents and the rest of the wider public during national briefings. This left leaders in the invidious position of facing questions from parents that they simply did not have the answers to. It also made planning and a coherent response incredibly difficult to achieve. Whilst this was to some extent understandable and unavoidable in the early stages of the pandemic, the fact that this continued throughout 2020 and into 2021 and 2022 remained a source of deep frustration.

124. A good example of this was the government announcement that schools would be asked to restrict attendance for the first time in 2020. Whilst talk of potential mass school closures had been circulating in the press for a few weeks, and there had been examples of individual school closures, government advice up until this point was that schools should remain open for all pupils. School leaders found out about the need to restrict attendance via the Prime Minister's briefing to the country on 18 March 2020. On the same date schools were asked to prepare to remain open for the children of critical workers and for vulnerable pupils just a few days later. This announcement and the subsequent publication of the critical workers list created significant pressure on school leaders.

125. There were two specific problems in relation to the critical workers list. The first was the late publication of the list which was only made available to schools in the early hours of the morning of Friday, 20 March 2020, ahead of schools re-opening for critical workers on Monday, 23 March 2020. This effectively gave school leaders one working day to liaise with parents and to identify the scale of the demand whilst also preparing staffing rotas and making the necessary adaptations to the school layout. This meant school leaders were having to not just deal with large numbers of requests from parents but also then try to work out what staff would be needed to care for the pupils that were in school and which staff might be free to start working on supporting those that would be at home. The second issue was the extremely broad nature of the categories included in the list. These ranged from national government roles to communication and financial services. In many cases this meant that there was a need for schools to prioritise based on the number of pupils they could realistically accommodate, given the need for social distancing and staffing restrictions as staff became ill or needed to self-isolate. Some of our members reported receiving hostile letters from companies demanding that their employee's child be given a place in school so they could continue to attend work. At the same time, schools were dealing with additional guidance on the matter coming through from Local Authorities [JB/35 - INQ000648462].

126. Mixed and confusing messages from senior government figures about 'safe proportions' of pupils attending did not help school leaders trying to plan for the new arrangements starting on 23 March 2020. As stated above, initial communications from DfE officials to us suggested that an attendance figure of around 20% would be considered safe. The Health Secretary then repeated that figure in relation to school attendance on the Today Programme. Later guidance from the government then suggested that there was no agreed definition of a 'safe level' for schools. This led to confusion within the sector

and meant school leaders were left to try to work out for themselves what proportion of pupils could safely be in school based on their staffing levels, and the ability to implement reasonable social distancing measures.

127. NAHT had examples at the time of school leaders in areas with very high levels of key worker families being faced with requests for up to 60% of children to attend. This put them in an extremely difficult position as it was not clear how to balance the need to reduce numbers attending school with the need to provide keyworker and vulnerable child places.

128. During this first week of restricted attendance at school (23 to 27 March 2020), school leaders were contacting us, asking us to ask the DfE questions such as: Should school staff be changing and washing clothes as soon as they get in? What should schools do in terms of daily cleaning regimes? Why are school staff not being provided with PPE equipment? Should schools be asking parents to report pupils' temperatures at the start of each day? Should staff who are living with vulnerable people be in school? Initially, there was no clear guidance on such matters from government.

129. Throughout 2020 and into 2021, school leaders were highly critical of the quality of the guidance being provided to them and the timing of it. The clear message we received from our members in March 2020 was that the guidance was nearly always too late and leaders were left having to make decisions and answer parental questions without a clear steer from government. For too long at the start of the pandemic, schools were left with very high-level guidance about hygiene and cleaning measures but a lack of specific guidance on critical issues such as what action to take in relation to: pregnant staff, the role of PPE in schools, changes to safeguarding expectations, supporting those with underlying medical conditions and those living with people with underlying medical conditions. In those first few weeks of reduced attendance, schools had very little information from government about what to do in such instances and were largely left to fend for themselves.

130. An email sent by NAHT to members on 24 March 2020 reflects that our members felt the guidance at the time for schools was inadequate and not sufficiently clear in terms of how to keep pupils and staff safe [JB/36 - INQ000648463]. When further, more detailed guidance was later published by DfE, leaders felt it still failed to answer some of the key questions they, their staff and the families they served were asking.

131. A particular and significant concern for our members at this time was the absence of any specific guidance for special schools. Special schools were in a unique and particularly challenging position. This was due to a range of factors, including the additional needs of the pupils in their care and the requirements for staff to carry out medical procedures; the fact that all children in special schools have EHCPs and were therefore all eligible for a place in school; the fact that children in special schools often travel longer distances and rely on Local Authority provided transport (often taxis); and the difficulty some pupils in special schools had in understanding and following new safety measures and social distancing. It is hard to overstate how frustrated our members in special schools were with the complete absence of specific guidance for their sector and the fact they had to wait many weeks for this to appear [JB/37 - INQ000648464]. When guidance was eventually published for special schools, our members in those settings did not find it helpful.

132. On 4 June 2020 we ran a poll for members working in special schools [JB/32 - INQ000648459]. 578 members responded, with relevant findings as follows:

132.1. 86% of respondents did not agree that DfE guidance for Special Schools and Alternative Provision Settings had been published in a timely manner;

132.2. 73% of respondents felt that the delays in producing appropriate DfE guidance had affected their setting's ability to effectively plan decisions; and

132.3. 13% of respondents agreed that the DfE's guidance had supported their setting to effectively plan their provision during the coronavirus pandemic. Three quarters of respondents disagreed with this.

133. We raised these concerns publicly in a press release on 15 June 2020, in which we said: *"The government's official policy for special schools is insufficient. Schools have been told they should not need additional PPE to keep staff and children safe, but our members are telling us the opposite, with the majority reporting an increase in need. There are also worrying inconsistencies between government PPE guidance for education settings and the PPE advice provided for the health and care sectors, which clearly does not take into consideration the level of medical provision regularly required in special schools. Not enough attention has been paid to the needs of special schools during the Coronavirus crisis. The government must step up to protect our most vulnerable children by providing comprehensive specialist advice and sufficient suitable PPE"* [JB/14 - INQ000648441].

134. School leaders found out plans for the 'phased re-opening' of schools in June 2020 (better described as a relaxation of attendance restrictions) via the Prime Minister's briefing on 24 May 2020. It was at this point that schools first learnt about plans to allow all children in early years, reception and year one from 1 June 2020. Secondary schools were told that some year 10 and 12 pupils would be able to return from the 15 June 2020, but only 25% at any one time. The guidance that followed this announcement provided school leaders with significant challenges [JB/38 - INQ000648040]. In particular, the guidance that primary class sizes should be limited to half their usual size (which in most cases meant around 15 pupils) was a source of major concern, both in terms of staffing and physical capacity. For some, this was simply unworkable as they did not have enough staff or the space in school to achieve it. This particularly affected infant schools, where it meant two thirds of pupils were expected to return.
135. Similarly, in September 2020 ahead of a 'full return' to school for all pupils, school leaders were left waiting for official government guidance about how to manage outbreaks and localised lockdowns. This was only published late in the evening on Friday, 28 August 2020. Once again, this gave school leaders little time to read, respond and react to the guidance, to put appropriate plans in place and communicate those with parents.
136. School leaders faced similar challenges in January 2021, when within less than 24 hours of the start of the new term, they discovered attendance restrictions would be reimposed via the Prime Minister's briefing to the nation on the 4 January 2021. By this stage, associated guidance from the DfE was being published in a more timely manner but the announcement itself meant schools had to immediately switch to remote learning by the next day and had little time to explain to pupils or to communicate with families.
137. In summary, NAHT members frequently expressed frustration at delays in receiving official government guidance and the inadequacy of it when it was published. School leaders felt there was little meaningful consultation about the guidance ahead of its publication. What the DfE called 'guidance' often felt to leaders like another list of instructions and directions for them to complete under a period of immense stress and pressure. Leaders spoke of feeling like they were 'drowning in guidance' with daily updates from the DfE bringing a new set of actions and expectations, sometimes differing from the actions they had been asked to take only a few days before. This was not helped by the fact that in the early part of the pandemic, the DfE would make changes within the guidance but not make it clear to leaders which parts had changed, meaning leaders were left to re-read the whole document and work out the changes for themselves (albeit NAHT

sought to support members by communicating where changes had been made by government).

138. All of this created a sense of chaos and incoherence in terms of the communications coming from the government. On top of this, schools were then also receiving advice and guidance from councils and Local Authorities, Public Health England, the Health and Safety Executive, employers and other sources. Leaders would often comment that they had to spend so long reading and digesting the constant flow of 'guidance' that they had little time to enact it.

139. Although NAHT staff did sometimes get to speak with DfE officials about guidance prior to its publication, this rarely felt like meaningful consultation and is better characterised as an opportunity to offer last minute drafting notes and observations on documents shortly before they were published. There was little sense that the feedback and those notes were acted upon by government. We got the strong sense that the 'sign-off process' (involving DfE, the Cabinet Office, Public Health England, the Department for Health and Number 10) contributed to excessive delays and led to early drafts being substantially changed as it went through the system. The impact of this was that schools felt they were often unable to communicate with parents and families in the clear and measured way they would like. With schools finding out about major decisions on school attendance at the same time as parents, there was a sense that schools were then often playing catch-up and were unable to answer the many questions they were receiving from staff and parents alike.

Exams and grades

140. On 18 March 2020, the government announced that exams for that academic year would be cancelled. The challenge school leaders faced at this time was that they found out about these major decisions via public statements, at the same time as their students and the rest of the population. This meant they were not able to provide students and parents with the information and reassurance they were seeking in those early days and weeks as they simply did not have the information to do so. From a school and college perspective, this made communication about what would happen with exams and the awarding of qualifications extremely difficult. At this stage students were understandably extremely anxious about what the cancellation would mean for them and their grades.

141. Our members reported that the advice and guidance that was coming through often felt piecemeal, with expectations on them being drip-fed in stages between March and May 2020. School leaders were also trying to bring a sense of coherence to a wide range of different information. For example, they were trying to understand advice and guidance coming through from both Ofqual and from separate exam boards. This piecemeal approach and the delays to guidance appeared to have an impact on students too. A 2022 Ofqual report found: *“it seems that the wellbeing of many students was negatively impacted by both their levels of uncertainty about what was happening, and by the timing and nature of guidance”* [JB/39 - INQ000648466]. This certainly fits with what we were hearing from our members at the time.
142. It is also fair to say that many of our members felt frustrated at how long they had to wait for guidance on the awarding of Centre Assessment Grades (“CAGs”). Whilst such delays were perhaps unavoidable given the scale of the task Ofqual were facing, it does suggest that no planning had been done in advance for such a scenario. Another challenge our members faced was the time pressure to digest and understand what would be required of them, communicate that to staff, students and families and then carry out the enormous amount of work involved in switching to a CAG system. This was at the same time as trying to implement all the other non-exam related government guidance that was being issued on a regular basis.
143. When more detailed guidance arrived in schools in early May 2020, members reported a lack of clarity in many aspects of the guidance, including in terms of what evidence they could and could not use to inform their CAGs and how to moderate their judgements. Our members also expressed significant concerns that the requirement to rank order every individual student in every subject had been retained despite NAHT’s opposition to the proposal. The ranking required a level of precision which simply was not realistic. We argued that whilst some form of ranking might be necessary, the use of bands rather than a ‘league table’ type approach might be better. The guidance told teachers to rank pupils but did not give clarity about how to do it or what to do when teachers felt two students should be ranked at the same level within a grade. This provided real challenges for teachers who were then tasked with doing this. Such precise ranking was only necessary so that the algorithm linked to historical performance could be later applied.
144. It is also important to remember the broader context surrounding exams and how that impacted the experience of both our members and students. At the start of 2020 schools were still getting to grips with reformed qualifications that relied heavily on final exams.

This meant that teachers' understanding of assessment for the new qualifications was at an early stage of development and there was minimal non-exam assessment to rely on. This made the process of CAGs more challenging than it otherwise would have been.

145. NAHT members also raised concerns about a range of other issues related to the government's decisions around exams. For example, they expressed frustration that the guidance that had been released referred to the use of appeals and the use of an 'autumn series' so that students could potentially take an exam in the autumn if they were unhappy with their grade, but there was no detail about what this would look like, creating a vacuum that caused anxiety in the system. Our members were also very concerned about the pressure they and their teachers might face if they were the ones determining the pupil's grade, rather than an external marker. The concern was that teachers and leaders would face undue pressure from parents and students about the grade the teacher was going to award. They did not feel the guidance supported them with this.

2020 results

146. In the run-up to results being published in August 2020, our members expressed concerns about the impact of the 'algorithm' that would be applied to CAGs and what this might do to students' grades. There was a sense of uncertainty around how much the grades could change. At a pre-results meeting with Ofqual on 12 August 2020 we raised members' concerns where CAGs had been reduced by two or more grades [JB/40 - INQ000648467]. We shared an example of a school that had a student whose result had been changed from a C to a U by the algorithm and we were clear that it seemed very difficult to justify this. Our members had previously accepted that there might be a need for some change, such as by one grade, but were deeply concerned about such major changes to the CAGs. As detailed further below, we raised our concerns around the use of historical data to adjust CAGs as early as April 2020 in an Ofqual consultation response.
147. On 13 August 2020 (A-Level results day) we publicly raised our concerns about results that had been lowered (particularly by two grades or more) and highlighted that it was not fair on students for their grades to be changed so significantly due to the historical data from that school or college [JB/41 - INQ000648468]. This whole situation created enormous anxiety and stress for students who were relying on these results for their progression and, in many cases, for their university place, as can be seen from some examples of the emails we were receiving at that time [JB/42 - INQ000648469] [JB/43 - INQ000648470] [JB/44 - INQ000648471]. This was only alleviated when the decision was

made by government to revert to using the CAGs and students received these revised results a week later.

148. The government then decided to not apply to the algorithm to GCSEs, but it is important to remember that there was a period, before the decision was taken, when GCSE students were very anxious that they might be about to go through the same experience.

2021 exams

149. When schools returned in September 2020, the government's policy was that exams would go ahead in summer 2021 with some limited adaptations to support students. Our members raised concerns that the adaptations being proposed did not go far enough. They were also frustrated that it took until December 2020 for Ofqual to consult on the detail of what those adaptations should look like. The other unknown facing school leaders at that time was the number of GCSE, AS and A-Level students that would be taking exams in the autumn series.
150. By early January 2021 events had taken over and the government announced that summer exams would not go ahead once attendance restrictions were re-applied. The fact that the decision was taken earlier in the year (compared with 2020) meant schools had longer to prepare for the switch and Ofqual had more time to prepare its guidance.
151. Overall, there was a sense that the government had learnt lessons from the previous year, and the guidance was generally better than in 2020. Importantly, any reliance on schools' historical data or 'algorithms' was removed. There was also greater clarity with the guidance than in the previous years, including clarity that teachers should only assess content that had been taught, and that teachers should decide grades as late as was practicable in the academic year.
152. Whilst the guidance was generally better, as we said in our 9 August 2021 press release, *"it was obvious to schools and colleges last summer [2020] that contingency arrangements would be needed in 2021 and yet it took until the end of March [2021] to produce the details for generating grades in the absence of exams"* [JB/25 - INQ000648453]. We had also urged Ofqual to consider the need for a contingency plan like 2020 and to communicate this early to allow schools to prepare (see further below regarding our consultation response). The government's assumption that exams would

go ahead in the summer of 2021 created unnecessary risk and instability in the system. There was a sense that the government was hoping for the best but failed to prepare for the worst.

153. Despite the improvements in the guidance, our members reported that the process remained extremely time-consuming and stressful for their teachers and still referred to the pressure from students and parents associated with grading. Our members were also unhappy that the government had decided that schools were expected to hear appeals in the first instance. Our view was that these should be managed by exam boards as it placed an unfair pressure on schools and our members.

154. School and college leaders worked hard to minimise any negative impact on the wellbeing of their students throughout this time and worked hard to keep them informed about what was happening as best they could, but there is no doubt that the uncertainty was extremely stressful for many. Often, schools simply did not have the answers students and parents were asking for as they had not themselves received the guidance from government. Reports in some parts of the press that focused on so-called 'grade inflation' also created a sense for some that their grades were in some way worth less than previous cohorts. It is likely some students would also have been concerned about moving on to the next stage in their education having missed some content due to the pandemic.

155. Overall, communication from government to students and families about exam arrangements throughout 2020 and 2021 was not as good as it should have been. This was particularly true in 2020 when the government failed to adequately explain the nature of the algorithm that would be applied to CAGs and why it was necessary. Whilst this was not solely a communication issue (the concept itself was clearly deeply flawed), the reaction in August 2020 suggested that parents and students were not fully aware of how it would work in practice and what it would mean for their grades. Whilst schools were able to explain how this would work to some extent, they had no idea of the level of impact it would have for students until the results were published.

156. The government's communication improved in 2021, although this was partly due to the fact the underlying policy of teacher-assessed grades ("**TAGs**") was simpler to understand. Throughout the pandemic, the government did not do enough to explain to students and families the details of the policy decisions surrounding exams, relying on schools and colleges to do that for them. This was reflected in the 2022 Ofqual report referenced above, which found many stakeholders believed: *"it seemed to be left to*

teachers to explain the situation to their students among whom the level of understanding varied considerably”.

Ofqual consultations

157. NAHT responded to a number of consultations regarding exams and alternative certification models during the pandemic and our responses set out the positions taken on behalf of our members to the questions asked and proposals put forwards. NAHT's press releases over the period reflect the positions taken in response to the numerous consultations, although it is important to note that throughout the pandemic NAHT's public position with regards to exams and the awarding of qualifications was to be supportive of the approach being proposed by government wherever possible, aiming to build trust in the system and not to undermine the confidence of students, parents and the wider public.

158. In broad summary, NAHT accepted the government's decision to cancel exams in 2020 and 2021 as we felt there was no real alternative in the circumstances. We were generally supportive of the policy to use moderated teacher assessment as the basis for grades in both years – seeing this as the best alternative option in the time available. We were however critical of a number of specific aspects of the detailed proposals. Our members also raised concerns about the timing of the guidance and the lack of clarity within it, as already detailed above.

159. Our first consultation response came about following an email from Ofqual on 25 March 2020 seeking to consult on the initial information schools and colleges would be expected to give to allow students to be awarded a calculated grade based on teachers' judgements for their GCSEs, AS and A levels [JB/45 - INQ000648472]. This request focused on a set of nine detailed questions about the expectations of teachers and leaders in schools and colleges in relation to the information exam boards would need from them in order to calculate grades for their students. The key points in our response, submitted on 27 March 2020 [JB/46 - INQ000648473], were:

159.1. NAHT supported the use of teacher-estimated grades and broad rank orders as the fairest approach following exam cancellations. We agreed with the holistic judgement criteria but sought clarity on whether teachers could include additional relevant factors;

159.2. NAHT strongly opposed allowing schools to decide whether to include work produced by students after the closure of schools and colleges, warning this could

lead to inconsistency and anxiety for students. Instead, we advocated for a national cut-off at the point of school closures. We also stressed the need for clear guidance on access arrangements and special considerations;

159.3. NAHT believed that teachers could provide holistic grades for subjects with additional components and accepted the need for rank ordering. However, we stressed the difficulty of ranking students without sufficient evidence, especially in large or multi-teacher cohorts. We proposed using broader descriptors and emphasised that rankings should not be arbitrary;

159.4. NAHT opposed sharing estimated grades with students or parents before final results, as this risked undue pressure and confusion; and

159.5. We called for transparency on how centre-level volatility would be handled and requested clarity on appeals and the proposed autumn exam series. Concerns about exam fees were also raised, with a call for fair, consistent treatment across awarding bodies.

160. On 16 April 2020, Ofqual published the consultation '*Exceptional arrangements for exam grading and assessment in 2020*', which sought views on their proposed emergency regulatory framework for awarding GCSE, AS, and A level grades in summer 2020. It explored the use of CAGs, student rank orders, statistical standardisation, appeals processes, and the autumn exam series. The consultation closed on 29 April 2020 and the key positions set out in our response were [JB/47 - INQ000648474]:

160.1. NAHT was concerned that over-reliance on historical centre performance could unfairly penalise students, particularly in improving schools serving disadvantaged communities. We urged Ofqual to ensure that students receive the grades they deserved, not those predicted by past trends (to be clear, this was NAHT raising specific concerns about what was later referred to as the 'mutant algorithm' by the Prime Minister);

160.2. NAHT called for transparency in how historical data was used and how standardisation models were developed. We stressed that any adjustments must be evidence-based and communicated clearly to maintain trust in the fairness of the grading process;

160.3. NAHT was concerned that the consultation framed confidentiality as a risk posed by schools, rather than recognising the need to protect them from pressure to disclose centre assessment grades and rank orders. NAHT members opposed sharing this data, even post-results.

- 160.4. We expressed concern about the lack of a clear cut-off date for evidence, warning that using work produced after schools and colleges closed could lead to unfairness and undermine trust in the process;
- 160.5. NAHT stressed the need for clear guidance on rank ordering, especially in large or mixed-teacher cohorts, and supported allowing tied rankings where no clear evidence exists;
- 160.6. NAHT supported the proposals for appeals but urged Ofqual to prohibit appeal fees in 2020 and to allow appeals where results significantly differ from centre expectations, especially due to over-reliance on historical data; and
- 160.7. NAHT welcomed the decision to exclude 2020 data from accountability measures but urged early clarity on how 2021 assessments would reflect the disruption caused by school closures. We highlighted that adjustments to performance measures and exam content would be necessary, particularly for Year 10 and 12 students who had missed significant learning time.
161. Following this consultation, Ofqual confirmed that grades would be awarded based on CAGs and student rank orders, submitted by schools and colleges. These would be subject to a statistical standardisation process to ensure consistency across centres and years. Appeals were limited to process errors and data issues, not professional judgement. Ofqual also confirmed that an autumn exam series would be available for students wishing to improve their grades. The consultation outcome acknowledged concerns about fairness, particularly for improving schools and disadvantaged students, and committed to transparency in the standardisation model. However, the use of historical data remained a key component.
162. On 24 April 2020, Ofqual published a consultation on exceptional arrangements for awarding vocational, technical and other general qualifications in summer 2020 which sought views on calculated grades, adapted assessments, delayed assessments, appeals, and equality impacts. In our submitted response [JB/48 - INQ000648475]:
- 162.1. NAHT broadly supported Ofqual's flexible approach but stressed the need for greater consistency across awarding organisations to avoid confusion and unfairness. We raised concerns about using different methods for students taking the same qualification and warned against over-reliance on historical centre performance, which could disadvantage improving schools and vulnerable learners;
- 162.2. NAHT opposed requiring schools to submit additional evidence to support CAGs, citing workload and feasibility concerns. We strongly advocated for calculated

grades wherever possible, especially for students with SEND or from disadvantaged backgrounds, and warned that adapted or delayed assessments could exacerbate inequalities;

162.3. NAHT also urged Ofqual to exempt schools from disclosing CAGs and rank orders to students and recommended that any data requests be handled by awarding bodies; and

162.4. We highlighted the disproportionate impact of the proposed arrangements on students with protected characteristics and called for transparency, flexibility, and government funding to mitigate these effects.

163. Following this consultation, Ofqual confirmed a three-route model for Vocational Technical Qualifications (“VTQs”) – calculated results where possible, adapted assessments where calculation was not feasible and delayed assessments as a last resort. They acknowledged the need for flexibility and fairness, particularly for learners with SEND and those from disadvantaged backgrounds.

164. On 22 May 2020, Ofqual published a consultation ‘*Additional GCSE, AS and A level exam series in autumn 2020*’, which sought views on proposed arrangements for an additional GCSE, AS, and A-Level exam series in autumn 2020, following the cancellation of summer exams due to Covid. The consultation explored the scope, format, timing, grading, and delivery of the autumn series, including equality and regulatory impacts. In our response [JB/49 - INQ000648476]:

164.1. NAHT supported the principle of offering a full range of GCSE, AS, and A level exams in autumn 2020 to ensure fairness for students dissatisfied with their calculated grades or unable to receive one;

164.2. However, we raised strong concerns about the feasibility and burden on schools;

164.3. NAHT opposed requiring schools to host the full series and instead proposed using centrally funded local hub centres;

164.4. We agreed that exams should follow the same format as summer exams and supported excluding non-exam assessments (except for art and design), though we warned this could disadvantage some students; and

164.5. NAHT also called for clarity on fees, exemptions from data disclosure, and special consideration for vulnerable groups, including students with SEND, those shielding, and those from disadvantaged or BAME backgrounds.

165. In response to the consultation, Ofqual confirmed that all GCSE, AS, and A level subjects would be available, that grades would be based on exam performance only, except for art and design, and that normal reviews and appeals processes would apply.
166. On 2 July 2020, Ofqual published the first of their consultations in relation to the 2021 exams which sought views on proposed changes to the assessment of GCSEs, AS, and A levels in summer 2021 in response to the disruption caused by the pandemic. The consultation explored optionality in exam questions, exam length and timing, non-exam assessments, contingency planning, and equality impacts. In our response [JB/50 - INQ000648477]:
- 166.1. NAHT expressed strong disappointment with the limited scope of Ofqual's proposals for 2021 exams, arguing they failed to adequately address the significant disruption students had experienced. We criticised the lack of meaningful adaptations to exam content and format, noting that only a few subjects (for example, GCSE History and Geography) were offered flexibility;
- 166.2. NAHT called for broader content reductions across all subjects and warned that the current approach would place unreasonable pressure on students and teachers, potentially harming wellbeing and educational outcomes.
- 166.3. We also urged Ofqual to acknowledge the likely need for a contingency plan should exams not be able to go ahead, involving CAGs and rank orders, similar to 2020, and to communicate this early to allow schools to prepare;
- 166.4. NAHT supported maintaining the usual number and format of exams but opposed extending exam lengths. We also opposed delaying results days, even if exams were pushed later; and
- 166.5. NAHT highlighted the disproportionate impact on disadvantaged and vulnerable students and called for more proactive planning to mitigate these effects.
167. In August 2020, Ofqual confirmed limited adaptations for 2021 exams, including optional topics in some GCSE subjects (for example, History, Ancient History and Geography), reduced practical work requirements in sciences and arts but no widespread reduction in content or optionality across most subjects.
168. In December 2020 Ofqual consulted on '*Support materials and advance information in 2021 GCSE, AS and A level exams*', seeking views on how advance information and support materials could be used to help students whose education had been disrupted by

the pandemic, including what subjects should include such measures and how they should be implemented. In our response [JB/51 - INQ000648478]:

- 168.1. NAHT supported the proposal to provide students with advance notice of exam topics and access to support materials to help them focus revision and access exams fairly, given the disruption to learning;
- 168.2. We agreed that information should guide revision without enabling memorisation or narrowing learning excessively but disagreed with limiting topic detail to preserve progression, arguing that additional support will be needed at the next stage of education;
- 168.3. NAHT supported topic and material disclosure across all subjects and believed it would not disadvantage students with protected characteristics;
- 168.4. NAHT urged early release of topic information, before January 2021, to benefit the most affected students. We also called for updated special consideration guidance to support students facing exceptional challenges; and
- 168.5. While welcoming adaptations, NAHT stressed that more needed to be done to address unequal learning experiences and recommended centres provide information on curriculum gaps to aid progression, emphasising that revising for exams and preparing for future learning are distinct needs.

169. The consultation received over 10,000 responses, including many from students. The majority supported the use of advance information and support materials to help students prepare for exams amid ongoing disruptions. However, before these measures could be implemented, the government made the decision in January 2021 to cancel summer exams altogether due to continued uncertainty and fairness concerns. As a result, the proposed advance information and support materials were not introduced as initially planned, although the consultation findings were still published to inform future policy and exam adaptations.

170. Following the announcement to cancel exams in 2021, on 15 January 2021 Ofqual published a consultation which sought views on the arrangements for awarding GCSE, AS and A level grades in summer 2021, including how teachers should assess students and what evidence should be used. In our response [JB/52 - INQ000648479]:

- 170.1. NAHT supported a flexible, teacher-led approach to awarding grades, emphasising that grades should reflect a broad range of evidence gathered over time,

- not just recent performance. We advocated for optional use of exam board materials, flexibility in assessment timing, and recognition of non-exam assessments;
- 170.2. NAHT strongly opposed proposals for schools to handle appeals, arguing this would place undue pressure on teachers and damage relationships with students and families. We called for appeals to be managed solely by exam boards;
- 170.3. NAHT also highlighted the disproportionate impact of the pandemic on disadvantaged and vulnerable students, including those with SEND, from BAME backgrounds, or with low attendance;
- 170.4. We urged Ofqual to ensure flexibility in assessment content and timing, and to provide clear guidance to minimise bias; and
- 170.5. NAHT stressed the need for extended timelines to manage teacher workload and ensure robust quality assurance.
171. Following this consultation the government confirmed that grades in summer 2021 would be based on teacher assessments, using a range of evidence including classwork, coursework, mock exams, and optional exam board-provided materials. Teachers were instructed to assess only the content students had been taught, and to determine grades as late in the academic year as practicable. Schools were required to implement internal quality assurance processes, and exam boards would conduct external quality assurance, including sampling. Appeals would be made to schools in the first instance, with further appeal to exam boards if necessary, a point of contention for NAHT. The outcome aimed to ensure fairness while acknowledging the varied impact of the pandemic on students.
172. A parallel consultation from Ofqual launched on the same date, 15 January 2021, seeking views on how VTQs should be awarded in 2021 following the cancellation of exams, including the use of teacher-assessed grades, adapted assessments, and regulatory arrangements. In our response [JB/53 - INQ000648480]:
- 172.1. NAHT supported the use of TAGs and flexible assessment arrangements for VTQs, emphasising the need for parity with GCSEs and A levels;
- 172.2. NAHT called for clear guidance from awarding bodies, flexibility in evidence requirements, and minimal additional burdens on schools;
- 172.3. We raised concerns about accessibility for students with SEND, those from disadvantaged backgrounds, and those in care or custody, urging Ofqual to ensure adapted assessments were inclusive and delays did not hinder progression;
- 172.4. NAHT opposed school-led appeals processes and emphasised the need for transparency and fairness; and

- 172.5. We also highlighted the disproportionate impact of the pandemic on BAME and low-income students, calling for proactive measures to mitigate these effects and support student wellbeing.
173. As a result of this consultation, the government confirmed that VTQs would be awarded using a flexible approach, including TAGs where exams could not take place, and awarding organisations were permitted to adapt assessments and use alternative evidence to ensure students could receive results. The outcome emphasised fairness, flexibility, and consistency with general qualifications. Special consideration and equality impacts were acknowledged, with adaptations allowed to support students with SEND and those facing disadvantage.
174. On 17 March 2021, Ofqual launched a consultation seeking views on the scope, format, eligibility, and timing of a proposed autumn 2021 exam series for GCSEs, AS, and A levels. In our response [JB/54 - INQ000648481]:
- 174.1. NAHT questioned the need for a full autumn exam series in 2021, arguing it could undermine confidence in the TAGs awarded that summer.
- 174.2. We recommended limiting entries to students who were unable to receive a TAG or who needed a higher grade for progression;
- 174.3. If the series went ahead, NAHT supported using exams only (except for art and design) but emphasised the need for fairness, especially for disadvantaged students. We advocated for adaptations such as advance notice of content and additional support materials, as had been planned for the summer series;
- 174.4. NAHT raised concerns about the burden on schools, suggesting local hub centres be used to reduce logistical and financial pressures; and
- 174.5. We also highlighted the disproportionate impact on students with SEND, those from disadvantaged backgrounds, and those with disrupted education, urging Ofqual to mitigate these effects and ensure equitable access.
175. As a result of this consultation, the government confirmed that an autumn 2021 exam series would go ahead for GCSEs, AS, and A levels and that all students who received a TAG in summer 2021, or who would have entered summer exams, were eligible. Exam boards were required to offer all GCSE and A level subjects, and AS exams in core sciences and maths. Exams would be in their usual format, with no adaptations (except for previously announced changes in subjects like English literature and geography) and

grades would be based solely on exam performance, except for art and design, which would be assessed via a task.

176. The consultation process then moved to focus on the awarding of qualifications in 2022. Ofqual's consultation, launched on 12 July 2021, sought views on proposed adaptations to GCSE, AS, and A level exams in summer 2022 to mitigate the impact of Covid-19-related disruption, including topic choices, advance information, support materials, and changes to practical and non-exam assessments. In our response [JB/55 - INQ000648482]:

176.1. NAHT broadly supported the proposed adaptations, including topic choices in subjects like English literature and history, and the use of formulae and equation sheets in maths and science;

176.2. However, we strongly opposed delaying the release of advance information, arguing it should be provided at the start of the autumn term to allow teachers to plan effectively and support students who had experienced significant learning loss;

176.3. NAHT emphasised the unequal impact of the pandemic, particularly on disadvantaged students and those with SEND, and called for flexibility in assessment arrangements to avoid exacerbating existing inequalities;

176.4. We also urged the government to publish contingency plans early and provide funding to cover additional costs incurred by schools; and

176.5. NAHT warned that a one-size-fits-all approach could disadvantage vulnerable groups and stressed the importance of intersectionality in assessing equality impacts.

177. Responding to the consultation, the government confirmed that exams would go ahead in summer 2022, with adaptations to support students affected by the pandemic. These included optional topics in certain GCSE subjects (such as English Literature and History), advance information on exam content to be released by 7 February 2022, and support materials like formulae and equation sheets in maths and science. The outcome aimed to balance fairness, flexibility, and certainty, acknowledging the varied impact of COVID-19 on students.

178. A consultation launched on 30 September 2021 sought views on proposed contingency plans for awarding GCSE, AS, A level, Project, and AEA qualifications in 2022 in the event that exams were cancelled due to Covid-19, including improvements to the TAGs process and guidance for evidence collection. In our response [JB/56 - INQ000648483]:

- 178.1. NAHT welcomed the early planning for contingency arrangements and supported a national approach to implementing TAGs if exams were cancelled. We agreed with the principle of collecting evidence throughout the year but emphasised that assessments should align with normal teaching and not be additional burdens;
- 178.2. NAHT raised concerns about unclear language in the draft guidance, particularly around assessment timing, content coverage, and feedback. We stressed the importance of clarity to avoid inconsistent implementation and unnecessary workload;
- 178.3. NAHT also called for early release of grade descriptors and exemplification materials to ensure fairness and consistency;
- 178.4. We supported the continuation of internal and external quality assurance processes but urged exam boards to improve timelines and reduce administrative burdens; and
- 178.5. NAHT recommended using CAGs rather than TAGs to reflect the collaborative nature of the process and reduce pressure on individual teachers.
179. Following the consultation, the government confirmed that exams would proceed in summer 2022 but contingency plans were approved in case of cancellation. If needed, TAGs would be used, based on evidence collected during the academic year under consistent national guidance. Teachers were advised to plan assessments that mirrored exam conditions and covered taught content, with flexibility to accommodate disruption. Quality assurance processes would mirror those used in 2021, and appeals would follow a two-stage process. The government emphasised fairness and consistency, and committed to reviewing equality impacts if TAGs were implemented.

(F) Keeping schools safe – non-pharmaceutical interventions (“NPIs”) and infection prevention and control

180. NAHT members faced a range of challenges implementing NPIs in schools and classrooms.

Lack of clear guidance

181. Initially the main challenge was a lack of clarity about what NPIs to use and how they should be tailored for different settings. In a press release on the first day of restricted

attendance in schools (23 March 2020) NAHT called for “*clear guidance on how to keep the pupils and staff that continue to attend school safe...From masks or other PPE, to distancing children from each other, to sufficient supplies of soap and hand sanitiser, schools urgently need answers to their questions about effective safety measures. We also need the government to provide further guidance for special schools and those providing Alternative Provision as we know many of these are currently open to a higher percentage of pupils*” [JB/14 - INQ000648441]. This call was replicated in a press release in Wales on 24 March 2020 [JB/14 - INQ000648441]. Our records suggest that updated safety guidance was released by government on 25 March 2020.

Social distancing

182. At the start of the pandemic, a major concern was the ability of schools to implement social distancing. Whilst social distancing could be a problem in all schools due to the layout and size of school buildings and classrooms, it was a particular challenge when it came to the youngest children. Even with reduced numbers attending schools, it was often simply not realistic or possible to ask 4-, 5- and 6-year-olds to remain socially distanced either from each other or from school staff. Whilst initial government guidance recommended the use of social distancing as an NPI, following conversations with us and other stakeholders they did then recognise and reflect in the guidance that this was not always possible, particularly for younger children.

183. Despite that, this certainly caused some anxiety and worry in schools. In the early stages of the pandemic, there was a very clear wider public message that social distancing was key in reducing the risk of transmission. Understandably, many in school were worried about the implications of not being able to stick to that in their settings. The government’s argument at the time was that the reduced numbers in school, coupled with smaller groups sizes would mitigate that risk.

184. School leaders in special schools also reported significant challenges implementing social distancing. Some of the children and young people in their care understandably did not understand the need for or importance of social distancing, making this much more difficult to achieve. There were also children that required personal and intimate care, making social distancing impossible. Special school staff were particularly frustrated with the lack of specialist guidance on this topic in the first few weeks and months of the pandemic, particularly in relation to the use of PPE. Special school leaders reported major challenges in accessing appropriate PPE at this time. In the findings of a poll over leaders

in 578 special schools and Alternative Provision Settings released by NAHT on 15 June 2020, the majority of respondents (87%) said it had been necessary to increase the use of PPE in their settings during the Coronavirus pandemic, but 51% had experienced difficulties obtaining adequate supplies [JB/32 - INQ000648459]. Nearly three quarters (73%) said that the DfE's guidance on the use of PPE did not meet the needs of pupils and staff in their setting. 45% said they were concerned about the suitability of PPE for pupils with particular needs – for example, the suitability of facemasks for pupils with a hearing impediment.

Cleaning

185. School leaders also reported challenges implementing some aspects of the government's initial guidance [JB/38 - INQ000648040], which included: *"cleaning frequently touched surfaces often using standard products, such as detergents and bleach"*. This was partly due to a lack of available cleaning equipment due to a surge in demand. The second challenge was having enough staff available to clean surfaces, table, light switches and so on, as well as caring for the pupils and managing the class.

Testing

186. The priority for education unions throughout the pandemic was to ensure the safest possible working and learning environment for staff and students, by keeping infection levels as low as possible, which would at the same time ensure the best possible continuity of education for their students. Arrangements for testing evolved over the course of the pandemic but schools were always at the forefront of measures to control the spread of infection. Unfortunately, the use of testing and the government's test, trace and isolate ("TTI") scheme caused a range of challenges for school leaders throughout the pandemic. For example, problems with testing in the autumn term of 2020 had a direct impact on schools. Prior to schools reopening in September 2020, NAHT had already raised concerns about the testing system, with only 7% of school leaders saying they were confident in the TTI scheme [JB/25 - INQ000648453]. We were raising these concerns both publicly and with government directly – see for example our letter to the Secretary of State for Education dated 9 September 2020 [JB/57 - INQ000648484]. In that letter we advised that pupils were missing school unnecessarily due to delays in accessing tests and receiving their results. As schools returned in September 2020, it soon became clear that the testing system was overwhelmed with staff and pupils unable to access tests or

get results in a timely manner. We released the findings of a poll of 736 school leaders on 18 September 2020 [JB/25 - INQ000648453], and those findings showed:

- 186.1. 82% of schools had children currently not attending because they could not access a test to rule out Covid-19, and 87% had children currently not attending because they were waiting for their test results; and
- 186.2. 45% of schools had staff currently not at work because they could not access a test to rule out Covid-19, and 60% had staff currently staying home because they were waiting for their test results.

187. Similar issues were occurring in Wales, and on 11 September 2020, we wrote to Education Minister Kirsty Williams and Health Minister Vaughan Gething, urging them to make school staff a priority group for testing [JB/58 - INQ000648485].

188. The main challenge this caused was that both staff and pupils were being forced to isolate whilst waiting to access tests or for the results, meaning pupils and staff were potentially missing school when they may not have had Covid. This posed a particular challenge for school leaders in terms of staffing as a lack of staff put pressure on the school's ability to remain open. This problem was amplified due to confusion and inconsistent advice about who else should isolate if a pupil or member of staff tested positive or was thought to be positive, with confusion over whether whole 'bubbles' should then be sent home or not. Schools were often left waiting for advice on this from local public health teams that were struggling to manage demand, leaving school leaders to have to make decisions on their own.

189. Another challenge linked to testing and contact tracing was the level of involvement expected of schools and school leaders. Once testing was established, it became clear that school leaders would effectively have to run the contact tracing themselves, working out where there had been contacts and then informing families accordingly. This included school leaders being asked to continue to run contact tracing during the Christmas holidays in 2020 after schools had broken up. We raised this with the Secretary of State for Education in a letter sent on 11 December 2020 [JB/59 - INQ000648486]. In December 2020, it was announced that secondary schools would be asked to set up and run their own asymptomatic testing centres using Lateral Flow Tests prior to students returning in January. The significant challenge for schools in relation to this policy was the expectation they would need to staff the on-site testing. Leaders were concerned about the training those staff would receive, whether school staff would be willing to take on such a

responsibility and any liability associated with running such test sites, both for the individuals involved and as a school. As we said in a press release on the 30 December 2020: *"What we have here is the education system supporting the public health response to Covid, when what we need is support from the health system to preserve the quality of education for young people. Teaching is the only profession that is being asked to do two things – preserve education for children AND play a part in the mass testing programme"* [JB/25 - INQ000648453]. Another challenge at this point was understanding and explaining why primary schools and special schools were being treated differently to secondary schools and were not eligible for widespread asymptomatic testing.

190. An NAHT poll of 401 members in May 2021 found that, on average, members estimated that they had spent 44 hours following up on testing and contact tracing between September 2020 and May 2021, with many reporting having spent more than 100 hours [JB/60 - INQ000553686]. On 14 May 2021 in a press release we said: *"To begin with schools accepted that they were the people best placed to track and inform students when there was a Covid case in their school, because they were the ones who had all the contact information. But it has been a full year now and absolutely no effort has been made to release school leaders from this burden, or to give them additional staff or resources to do it. School leaders were the ones forced to phone families over the Christmas holidays, for example, to tell them they had to isolate. They have been responsible for delivering this bad news with virtually no training or guidance on how to do this. School leaders and their teams have been effectively propping up the national test and trace infrastructure since last September. This has had a particularly hard impact on schools in areas with high rates of infection – as we see from the hundreds of hours reported by many leaders"* [JB/26 - INQ000648454].

191. One specific issue I recall we raised with government in meetings in early 2021 was the guidance that siblings of those who have tested positive for Covid could continue to attend school, even if they shared a room. Given the very close contact most siblings had, we were concerned about the risk of the virus passing between siblings and therefore between bubbles in school. Our view at the time in England and Wales was that it would be sensible to ask siblings to have a negative test before attending school.

192. Frustrations around testing and contact tracing in the education sector continued throughout the rest of 2021. On 1 July 2021, NAHT, NEU and the ASCL jointly wrote to Gavin Williamson, expressing our continued dismay with the Government's handling of TTI [JB/61 - INQ000553687]. The letter pointed to schools and staff, particularly primary

schools, being in the dark as to testing arrangements for the new term in September and fears over an even further increase in the burden of public health responsibilities being placed on schools. We asked the Government to commit to the following actions:

192.1. to direct NHS Test and Trace to provide more support to schools and colleges with contact tracing and for this support to be in place for the beginning of the summer holidays; and

192.2. to limit the role of schools and colleges in the organisation and running of asymptomatic testing sites, which should instead be carried out by an appropriate public health body.

193. Gavin Williamson did subsequently confirm in a statement in the House of Commons that NHS Test and Trace would be taking over from headteachers the role of contacting close contacts of children who had tested positive [JB/62 - INQ000553688], but concerns remained.

194. The messaging from Government continued to confuse, with Stay At Home guidance issued on 13 August 2021 stating that those below the age of 18 years and 6 months would not be required to self-isolate if they live in the same household as someone who develops Covid-19, suggesting they could still attend school. This, when read in conjunction with DfE guidance and FAQs that had been issued to all education settings in June 2021, meant it was unclear whether tracing of close contacts in such settings would continue. The DfE's FAQs for schools stated that: "*Contacts in an educational setting will be traced if the positive case specifically identified an individual as having close contact which will normally have occurred in a social setting e.g. sleepovers.*" However, the guidance from PHE in place at that time did not make a distinction between contacts in a social setting and those that occurred on school sites given that the location at which a contact occurred would make no difference epidemiologically to the risk of infection, especially if both took place indoors. Close contacts on school sites did not result in advice to seek a PCR test, increasing the risk of infection. Further, the risk of contagion was increased by a lack of any requirement on NHS Test and Trace, a learner or their family to inform schools who the close contacts of someone testing positive might have been.

195. Covid-19 cases were high during the autumn term, with the Office of National Statistics stating in October 2021 that those "*working in the education sector continued to be more likely to test positive in comparison with those working in other sectors; this is likely related*

to the continuing higher infection levels among school-aged children” [JB/63 - INQ000553690].

196. In February 2022, the Prime Minister announced that free symptomatic Covid testing for the general public would no longer be available after the end of March. This had significant implications for the education sector, as removing the ability for pupils and staff to access free tests if they have potential Covid symptoms was likely to lead to people either attending school or college when they had Covid, therefore transmitting to others, or to them staying off school with symptoms that may not be Covid-19 at all. NAHT, NEU, GMB, UNISON and education organisations jointly wrote to Nadhim Zahawi on 9 March 2022, expressing our collective concern and urging the Government to continue to make PCR testing available to all those attending or working in education settings with potential Covid symptoms after the end of March [JB/64 - INQ000553694]. In addition, we continued to urge leaders to inform staff, parents and students of any positive cases, as soon as possible, without identifying any individuals directly or indirectly, so people could follow the relevant public health advice that applied to them. On isolation, despite the removal of the legal requirement for positive cases to self-isolate, public health advice was that this should continue to happen, so we strongly urged schools to require anyone, staff or pupil, who tests positive, or with suspected Covid-19, to stay at home and avoid contact with other people, so as to reduce the risks of in-school transmission and wider disruption to education.

The use of bubbles

197. Central to the government’s approach to NPIs in school was the use of ‘bubbles’. This was the idea that groups of pupils would be kept in separate ‘bubbles’ to reduce the risk of the virus spreading. It also meant that contact tracing was supposedly easier and a smaller number of pupils would need to isolate in the event of a positive case in a school.

198. There were several challenges for schools in implementing this. The biggest one being staffing capacity and space. Primary schools were told that bubbles should be up to 15 pupils (around half an average class). The problem here was that most primary schools work on a model of one teacher per class and so overnight double the number of teachers were required to facilitate such an approach. This was on top of the need to also manage remote learning for those not in school. The only real solutions available to schools was to ask Teaching Assistants (“**TAs**”) to take responsibility for teaching bubbles under the supervision of a teacher. Whilst TAs play a vital and irreplaceable role in schools, it is

important to note they are not qualified teachers, and this placed a significant demand on them.

199. A lack of space also posed a challenge. As with the need for more teachers, this policy effectively required primary schools to double the number of classrooms if bubbles were not to mix. Very few, if any, primary schools had this number of spare classrooms and so schools had to adapt libraries, halls and communal spaces to act as classrooms. A further challenge was how schools would provide lunches to pupils without mixing bubbles. The standard model in most primary schools is for pupils that are having 'cooked' school-provided lunches to eat in the hall. The bubble policy mean they had to revisit this and find alternatives. Many schools also staggered their start and end times to try to minimise the risk of bubbles mixing when arriving at and leaving school.

200. The question of how to deal with confirmed Covid-19 cases within bubbles and who should be asked to self-isolate as a result has been covered above but was certainly another challenge associated with the 'bubble' policy. Too often, school leaders could not get the advice they needed from local public health teams who were overwhelmed, so had to make decisions themselves about what to do and who should isolate.

201. In secondary schools, the government advised that bubbles could be an entire year group, this was to reflect the fact that pupils in secondary schools do not stay in one class as they do in primary but move within different groups, access different lessons and teachers. Whilst this helped somewhat with timetabling in secondary schools, it still made it difficult to ensure that pupils were taught by their usual teachers or subject specialists without those teachers moving between the bubbles.

Face coverings

202. In the early months of the pandemic, pupils and staff in school were told by government that face coverings were not necessary or recommended in schools. In fact, between March 2020 and August 2020, the government actively discouraged the wearing of masks in schools. Its guidance claimed that as pupils would be in their own separate bubbles there was no need for masks [JB/65 - INQ000648487]. It also warned that 'misuse' of face coverings could "*inadvertently increase the risk of transmission*".

203. This posed challenges for school leaders as parents and school staff could see that some other countries were recommending the use of face coverings in schools, and many

were nervous about the UK government's guidance. This was further complicated by emerging evidence from the World Health Organisation on the effectiveness of face coverings and the Scottish government's decision in August 2020 to require pupils and staff to wear coverings in communal spaces and corridors. School leaders implementing government advice often found themselves in a difficult position where some parents and staff felt coverings should be worn, whereas others disagreed. The lack of guidance on whether masks could be worn if individuals *wanted to* also caused challenges for leaders who were left to decide for themselves what policy should be taken in this regard. Our recollection is that most took an approach of supporting the decision of staff to wear masks if it made them feel safer in school.

204. On the eve of pupils returning to school for the start of the autumn term in some parts of the country in 2020, the government then announced that it had changed the guidance and that face coverings would now be mandatory in secondary schools in communal spaces and corridors in areas in a local lockdown. Leaders of secondary schools not in local lockdown restrictions were told they could decide whether or not to require face masks. This announcement caused further issues. The first challenge was the late announcement and the need for schools to react quickly and communicate this with parents and staff. Another challenge for leaders was explaining how and why the guidance had changed when for a long period the message was that face coverings were not needed. The 'flexibility' for leaders outside of lockdown areas also proved to be a challenge as it shifted the decision for what was already becoming a controversial topic for some onto the shoulders of school leaders.

205. The guidance on the use of face coverings in secondary schools continued to change throughout the rest of the pandemic, with schools being asked to reintroduce masks and then remove the expectation on several different occasions. For example, with the rise of the Omicron variant, the English government temporarily reintroduced masks in secondary school classrooms on 4 January 2022, and then reversed the policy two weeks later. Once again, this felt to schools like a rushed and chaotic decision that they were then expected to communicate to pupils and parents.

206. NAHT did not receive a significant number of reports from school leaders suggesting that they were having major issues with secondary pupils using face coverings. However, it should be noted that the majority of our members are based in primary schools where face coverings for pupils were not recommended by government.

Ventilation

207. As the pandemic progressed and understanding of the airborne nature of Covid-19 increased, government NPI guidance began to shift towards emphasising the importance of ventilation in schools. Schools were told of the importance of ensuring good ventilation and increasing airflow in buildings to help minimise risk of infection. School leaders were quick to act on this advice and did all they could to ventilate classrooms and spaces. They followed government advice to open doors and windows where possible and to ensure a good flow of air.
208. However, due to the poor state of repair of many school buildings, a significant number of school leaders reported real challenges in this area. Examples included windows that would not open or had even been painted shut. As many schools had been designed and built without ventilation in mind, there were examples of classrooms with no windows and limited ways to increase ventilation. In the winter months, schools also faced the challenge of ventilating classroom but also keeping them warm enough to learn and work in.
209. NAHT, along with other education unions, was repeatedly urging the government to do more to help schools improve ventilation. In August 2021, NAHT was party to a joint-union letter to Gavin Williamson calling for urgent action by the DfE to invest in ventilation measures in schools, including the provision of CO2 monitors [JB/66 - INQ000119157]. Late that month, the government did announce that schools would start to receive CO2 monitors to help them ensure rooms were being adequately ventilated. Whilst this was generally welcomed, initially schools only received a small number of devices, meaning they had to be moved from class to class, which was far from ideal. The monitors posed a further challenge in that identifying a lack of poor ventilation was not the same as fixing the issue and schools were often with the challenge of trying to ventilate spaces that were not easy to ventilate due to the reasons outlined above. Whilst the government eventually made some air cleaning/filtration units available to schools, this again took some time to implement, meaning many schools often decided to explore their own solutions.
210. NAHT continued to call for greater support from the government to help with improving ventilation in classrooms. In a press release on 20 August 2021 we said: *"We need to remember that identifying problems with ventilation, whilst absolutely necessary, are not the same as solving them. Where inadequate ventilation is identified, this needs to be addressed without delay, and the necessary resources provided. There is no escaping the fact that this is likely to require further investment from government"* [JB/67 -

INQ000648489]. In Wales, on 24 August 2021, we said: *“We urge the Welsh Government to install carbon dioxide detectors in all schools in Wales to identify areas of poor ventilation, and supply sufficient funding to ensure that any area of poor ventilation can be promptly addressed. If areas are identified, then urgent action must be taken to ensure increased ventilation”* [JB/67 - INQ000648489]. In a press release in England in October 2021 we said: *“The delivery of CO2 monitors needs to be accelerated – too many schools are still waiting for these devices to be delivered. We also need the government to be far more proactive about actually improving ventilation. The DfE announced it would be trialling the use of air purifiers in August but we have seen nothing since”* [JB/67 - INQ000648489].

211. In November 2021, the government announced it would provide 1,000 HEPA air filters for some special schools and AP providers and that it would set up a ‘marketplace’ for other schools to use to buy filters if they wanted to. The units on offer cost either £424 or £1,170 each, depending which model the school chose and schools were expected to pay for them. In January 2022, the government announced it would be sending 7,000 HEPA filters to schools where it had not been possible to improve ventilation. Once again, NAHT members felt that the government was reacting too late to a situation and implementing a measure that they were calling for months previously.

The impact of NPIs on children

212. Different NPIs had different impacts on children. It is very difficult to isolate and quantify the impact of individual NPIs as a range were being used simultaneously and so the impact can only be seen in the aggregate. However, there is no doubt that the different NPIs combined created a very different school experience for pupils than they were used to. School looked and felt different, and routines changed dramatically. The impact of bubbles meant children missed key whole-school events for a period of time, be that sports days, school plays, sports fixtures, nativities and other important milestones. Schools worked incredibly hard to mitigate any negative impact on pupils, but it simply was not possible to completely negate all impacts during this time.

213. The government’s recommendation to use bubbles (as described above) was an understandable strategy to attempt to reduce transmission of the virus. However, the fact that it meant some children could not have their usual teacher or a qualified teacher would have had some impact on their learning. Equally, it meant school ‘felt’ very different for pupils with routines and whole-school events, such as assemblies disrupted. It also meant

some children were unable to socialise and interact with friends at school if they were not in the same bubble.

Government support

214. Government support for NPIs came mainly in the form of guidance and advice, or a setting out of expectations of what schools should do. For example, government issued guidance on cleaning, placing pupils in bubbles and face coverings at different times during the pandemic but it was largely left to schools to implement these measures. Some efforts were made by government to overcome some of the challenges associated with implementing NPIs. For example, in December 2020 the government asked for retired teachers to offer their services to schools to help manage the additional staffing requirements. However, this policy came very late in the day and disappeared relatively quickly.
215. School leaders initially struggled to get help from local public health teams where there were suspected or confirmed cases of covid in schools. This meant they were often left without the crucial advice they needed and led the DfE to set up a 'national helpline' to get advice to schools. However, NAHT members reported serious concerns about the helpline with staff on the helpline apparently being underqualified and not able to give leaders the assistance they needed.
216. NAHT members highlighted the absence of any meaningful support around PPE for the majority of schools. As with many other sectors, schools struggled to source the PPE they needed for first aid care, for dealing with suspected covid cases and for when children required close, personal care (most relevant to special schools). The initial guidance to schools was that they should try to source PPE themselves or ask their Local Authority for help, stating: *"Education and childcare settings and providers should use their local supply chains to obtain PPE. If education or childcare settings cannot obtain the PPE they need they should approach their local authority (LA). Local authorities should support them to access local PPE markets and available stock locally, including through coordinating the redistribution of available supplies between settings according to priority needs"* [JB/38 - INQ000648040]. In January 2021, roughly a year into the pandemic, the government began to allow special schools to access the online PPE portal to order free PPE – this did not apply to mainstream schools.

217. One NPI area where government did try to provide more active support and practical resources to schools later in the pandemic was ventilation. As stated above, schools were sent CO2 monitors by government between August 2021 and December 2021. Whilst the devices were welcome, many school leaders reported long delays waiting for the monitors to arrive, and NAHT criticised the government's aim to have them all delivered by the end of term as being too slow.
218. NAHT's overarching position when it came to NPIs was similar to our position on government decisions around school 'closures'. We were clear that we were not experts in disease prevention or virology and that it was the government that had access to such experts. Whilst this remained the case throughout the pandemic, it was particularly true in the beginning where we knew very little about the virus. With that in mind, we saw our primary role not as giving advice to government in this field, but in asking questions and posing the questions that our members were asking about NPIs. As the evidence grew regarding the effectiveness of NPIs, we took a more active role in calling for specific measures, such as more effective ventilation.
219. In the early months of the pandemic, our primary role was to signpost the official government advice on NPIs to our members. Where we did try to help members interpret or implement the advice, we were always clear that they should stick to the government guidance as their primary source. We were also clear with the government that our members wanted to see and understand the scientific rationale for the NPI recommendations so they understood why they were being asked to implement them and could explain that to pupils, parents and staff.
220. We were able to offer feedback to the government in terms of any challenges schools would face in implementing the NPI guidance. For example, when the government was considering the use of bubbles, we spoke with DfE officials on the phone about the challenges involved in splitting classes into smaller groups. At one point, the government told us it was considering bubbles smaller than 15. Our advice, from a purely logistical perspective, was that that would be hard to achieve both in terms of staffing and space in schools. Unfortunately, I am unable to provide any records of these calls.
221. We took a similar approach with face coverings. We were clear that no-one wanted to see face coverings being worn for longer than necessary but that if the science supported their use, we would support that decision. We did question the government's advice to schools at the start of the pandemic that face coverings should not be worn when other

countries were starting to recommend their use in schools. Again, we were clear that our members needed to understand the scientific basis for such decisions. In response to this, the government arranged for the education unions to meet with the Deputy Chief Medical officer for England who, I recall, reiterated that they did not recommend the wearing of face coverings in schools and suggested that they could actually run the risk of increasing the spread of Covid due to the likelihood of children touching them regularly.

222. Ahead of a return to school in January 2022, NAHT, along with five other education unions, issued a joint statement [JB/67 - INQ000648489], calling on the government to take a number of actions to mitigate the risks of Covid transmission and calling on it to provide more support to minimise disruption in schools and colleges by taking such steps as:

- 222.1. providing government-funded air cleaning units to every school and college classroom that needed these devices;
- 222.2. committing to providing schools with more resources in the event that on-site Covid-19 testing was again required; and
- 222.3. providing improved financial support to schools and colleges for the costs of supply staff to cover for Covid-related absence.

Removal of NPIs

223. NAHT offered government advice when it came to the periodic removal of NPIs in schools, particularly if we were concerned these might be happening too soon, where it appeared at odds with the scientific evidence or where we felt it ran the risk of creating further disruption down the line. For example, on 6 July 2021 the government announced an end to the 'bubble' system in schools and a stripping back of isolation rules. Whilst we could understand and shared the desire for a 'return to normal' as soon as possible, our members were raising concerns that this was being announced at a time when Covid was still prevalent in schools. Commenting that day, we said: *"No school leader wants to have restrictions in place any longer than are needed, but there will be a sense of real concern amongst many that the worsening situation they see before their eyes is at odds with the government's narrative of relaxation and return to normality. Schools have seen a near doubling of children contracting COVID-19, with 28,000 confirmed cases reported in the last week alone. School leaders and parents alike will want more reassurance than has been given so far that removal of restrictions are supported by scientific evidence, not driven by political convenience"* [JB/67 - INQ000648489]. This reflected a concern that

politicians were being driven by a desire to show that things were returning to normal and as such they were ignoring or discounting the situation in schools at that time.

224. We were also clear that if the government was determined to remove the majority of NPIs in schools, they would need to explain to pupils, parents and staff why they believed now was the right time to do that. In a press statement on 5 July 2021, we said: *“To maintain public confidence the government need to explain clearly to parents and schools alike why arrangements we were told were critical to maintaining pupil safety until now, are no longer needed going forward, despite the soaring infection rates in schools. No school wants to see restrictions in place any longer than they have to be, but we must ensure that in relaxing rules now we do not create further longer-term disruption in the months to come”* [JB/67 - INQ000648489].

225. The government largely ignored these concerns and proceeded to remove most NPIs ahead of September 2021. In a press release in October 2021 we raised concerns about the growing number of staff and pupils missing school due to illness: *“The big issue schools are having at the moment is the number of children and staff off sick due to Covid and other illnesses. The government removed ‘bubbles’ and other isolation protocols to try and keep more children in school, but, as we predicted, this seems to be leading to a high number of pupils missing school as a result of becoming ill. The most recent attendance figures show we have record numbers of pupils absent as a result of Covid or suspected Covid and a significant number off with non-Covid related illnesses. Our members are particularly concerned about the current guidance relating to siblings and household contacts. At the moment, if a child tests positive for Covid, their siblings can continue to attend school, even if they share a bedroom, for example. Our members say this is actively contributing to the spread of Covid in schools. School leaders want the government to revisit its guidance, particularly when it comes to contact tracing and self-isolation. No one wants to see a child miss any time off school, but there is a real risk that the current policy is inadvertently leading to more children missing school in the long run”* [JB/67 - INQ000648489].

226. We expressed similar views when it came to the removal of the requirement for secondary pupils to wear face coverings in April 2021, making clear that the government should closely follow the scientific advice. An occasion where our advice was slightly more directive was at that time when rumours were circulating that the government was considering dropping the requirement for secondary school pupils to wear face coverings. Our view, as expressed in a joint union letter to the Secretary of State on 1 April 2021, was

that “the government should not rush into changing this policy at short notice without careful consideration of the scientific evidence surrounding the wearing of face coverings in schools. Clearly, the safety and wellbeing of all members of school communities and their families should remain our primary concern at this time” [JB/68 - INQ000648490]. We concluded that: “our view is that the current evidence does not justify a change in policy on face coverings at the start of next term and we see little advantage in changing policy so soon”.

227. NAHT’s overall view is that government officials were prepared to listen to our views and advice on NPIs, particularly as they related to practical realities of implementation in schools and the logistical challenges associated with them. However, our sense was that most of the decisions had been pre-determined and there was little scope for change, other than minor tweaks. We believe government took too long to respond to calls for a stronger focus on ventilation and that the response, when it came, was lacking in ambition. We feel that our clear advice that government needed to do more to communicate the rationale for relaxing NPI requirements to parents, pupils and staff was not properly acted upon, meaning that not enough work was done to build confidence amongst those key stakeholders. Finally, whilst we understood the government’s desire to ‘get back to normal’ as quickly as possible, we believe that the political imperative to demonstrate that sometimes led decision-making around NPI removal, when a more gradual approach may have been a better option and could have actually reduced school days missed in the long run.

(G) Remote learning

228. It is important to remember that prior to the pandemic, there was no agreed understanding of what ‘remote learning’ constituted or entailed. Remote learning was not a feature of the school system. As noted above, the nearest experience schools would have had was in the setting of homework.

229. In the first few weeks of the first lockdown in March 2020, DfE officials were telling us that the priority for schools was setting up their offer for vulnerable children and children of key workers, and that a focus on setting up remote learning could come later. These comments were made in informal meetings and phone calls with DfE officials and therefore we do not have contemporaneous records of who said them and when and it was never said publicly by the DfE.

230. Remote learning came to mean an expectation that schools would provide some form of learning materials so that pupils could continue to access the curriculum at home. This could take different forms but most schools did one or more of three things: 1) provided regular tasks, activities or worksheets by posting on the school website or sending directly to families; 2) directed pupils to online learning tools and videos that supported the curriculum (such as a website with relevant maths activities); and 3) provided 'live' video lessons via video conferencing software.

231. School leaders discovered there was a significant challenge balancing the need for remote learning with managing the children of key workers and vulnerable children that were attending school in person. The biggest challenge was that staff were required to teach and care for the children who were in school so could not also be hosting live lessons at the same time – they simply could not be in two places at once, and this was a particular challenge for smaller schools with a smaller staff. Concerns about balancing these competing demands were reflected in a member survey we carried out on 27 April 2020 where 82% (6,273 people) said that balancing the provision of remote learning with the new increased need for in-school education was something they would need to focus on ahead of any wider 're-opening' of schools that term [JB/32 - INQ000648459].

232. In a later survey on 6 May 2020 we asked our members what remote learning looked like in their schools [JB/32 - INQ000648459]. 99.7% of respondents said they were providing home learning resources for pupils not attending school. 95% of respondents reported that these home learning resources were either broadly or closely aligned to the curriculum. We also asked them at that point in time what remote learning looked like in their school. The most frequent responses were:

- 232.1. sharing existing online resources (via email or school websites) (86%);
- 232.2. producing/creating our own online resources (78%);
- 232.3. providing physical resources (such as books and worksheets) (71%); and
- 232.4. additionally, 67% of schools were liaising with parents/carers to ensure accessibility of home learning for pupils.

233. Ahead of the 'full re-opening' of schools in September 2020, we asked members how confident they were that they could quickly switch to remote learning / blended learning if that was required [JB/32 - INQ000648459]. The results showed a growing level of confidence but still a degree of concern amongst some school leaders, with 64% of

respondents indicating that they were either confident, or extremely confident that they could quickly switch to a remote/blended learning approach if necessary, but 23% of respondents either not very confident, or not at all confident that this would be possible.

234. Schools faced a number of challenges when it came to remote learning. As mentioned above, one of these was that it was completely new to them and there existed no government guidance or support prior to the pandemic, so schools were having to work it out as they went along. There was still no guidance when schools first went into restricted attendance in March 2020 (further evidence of a lack of preparation by government). Another challenge, also already referred to above, was trying to balance in-person provision for some pupils and remote learning for others. This became increasingly difficult when more pupils returned to the classroom after lockdowns. On top of this, children had different levels of access to technology at home. Most obviously this was in the form of devices to work on such as laptops, desktops and tablets but also in terms of access to reliable and quick broadband. This was a particular problem in households where there were siblings who might all need access to a device and had to share. This meant schools could not rely on children all being online at the same time and had to come up with flexible solutions that allowed children to use technology at a time that worked for them.

235. Schools had to take decisions about what form of remote learning offer would work best for their communities and often had to adapt this as they learnt more about the needs of their families. Many schools went to incredible efforts to ensure resources were provided, including personally delivering home learning packs to families who could not access materials online. Quite clearly, there was a socio-economic divide when it came to access to devices and the internet with school leaders reporting that children living in households with lower income levels were the least likely to have access to such tools.

236. It is important to point out that there were significant differences and challenges in terms of how different groups of pupils were able to access remote learning. This was a particular challenge for the youngest pupils. The curriculum and teaching for children in the early years and into Key Stage 1 is by nature very hands-on, experiential and practical. Five-, six- and seven-year-olds do not spend their school days simply sitting and listening to a teacher talking for long periods, learning takes place through guided activities and experiences. Therefore, translating this into a remote learning experience was difficult. In many cases schools tried to provide a blend of activities with some online tasks but also a range of practical activities children could do with their families, for example counting objects, reading together and learning through play together.

237. There were also similar challenges for providing online learning to children with special educational needs across all age groups. School leaders reported that children with higher levels of special educational needs found it harder to access online learning and that their ability to do so often depended heavily on the level of parental support available at home. This was unsurprising as many children with additional needs rely on skilled teachers and TAs to support access to the curriculum when in school. Whilst children with EHCPs, those with the most complex needs, were able to attend schools, many chose not to. It is also important to note that there is a higher number of children with special educational needs that do not have an EHCP whose needs may be deemed less complex but many of whom still found it hard to access remote learning. To mitigate this, schools worked hard to develop resources that were appropriate for different groups of pupils based on the knowledge they had of their needs.
238. The capacity and ability of parents to support their children with remote learning made a big difference at this time. In some cases (often where parents were furloughed) they were able to provide this support, however, in other cases, such as where parents were still attending work or where they were working at home and did not have time to support their children, that help was less available. It is also worth noting that parents had different levels of confidence when it came to supporting their children. All of these factors contributed to children having very different experiences of remote learning.
239. There was much talk during the pandemic about schools providing 'live lessons' via video-conferencing software and sometimes an assumption made that this was the 'best' form of remote learning. Whilst many schools did develop such an approach, the challenges in doing so were significant and complex. Some of those have already been mentioned above, but there were also initially significant safeguarding concerns linked to providing live lessons. Placing a live camera in children's homes and then sharing that with all other children on the call carried obvious risks that schools had to consider. Equally, schools had to consider the security of video conferencing software and the risk that other users could 'hack' or enter live lessons. All of these challenges combined meant that whilst an increasing number of schools did try 'live' lessons over the course of the pandemic, the decision to do so was not always an easy or straightforward one and for some other options were better. I address safeguarding in further detail below.

Government guidance and support

240. At the start of the pandemic, there was virtually no guidance or support for schools from government on providing remote learning. The focus in those early weeks remained largely on measures schools should take to reduce the risk of the virus spreading and on logistics for providing in-person support for children of key workers and vulnerable children.

241. One of the challenges in discussing the guidance and support that did later materialise is that most of it has now been withdrawn from the government's website and is no longer available to view. However, our recollection is that during March 2020, the DfE issued some brief guidance that was largely focused on a set of prompts and questions for schools to consider. This included questions such as:

- Where you are intending to use digital resources or platforms, do staff have the required devices and logins and know how to use them?
- Have you provided staff with information on online safety and safeguarding linked to remote delivery?
- Have you considered which staff have the technical knowledge to maintain safer IT arrangements, and are contingency arrangements in place if these staff become unavailable?

242. The questions posed were sensible and somewhat helpful, but provided schools with a huge amount to work through at a moment of extreme crisis, where they were also trying to manage the vast challenges associated with implementing safety measures in schools and switching to a model of education where some children would be in school and some at home.

243. On 19 April 2020, the DfE announced that it would provide a 'package to support online learning'. This package was made up of three components: free laptops to help vulnerable and disadvantaged young people; the launch of Oak National Academy to support schools and pupils with video lessons; and major telecommunications providers to temporarily exempt educational sites from data charges. NAHT broadly welcomed this announcement as a step in the right direction. Those teachers and leaders behind Oak National Academy deserve particular credit for producing video lessons linked to the curriculum that schools could then use to support remote learning. We know many of our members used these as they developed their remote learning offer.

244. There were parallels between the laptop scheme and the FSM voucher scheme from earlier in the year, in that both were well intentioned and welcome in principle but were hampered by delivery failures. In the initial stages, the provision of devices was limited to children in Year 10 (that did not already have one); those who were receiving support from a social worker; and care leavers. NAHT received feedback from leaders that the scheme was not working effectively with complaints including the website not allowing users to order laptops even when pupils were eligible and long delays in receiving devices and poor-quality devices when they did arrive. NAHT raised these concerns with DfE officials who cited supply issues caused by increasing demand for laptops during the lockdown.
245. In the summer of 2020, the government expanded the eligibility criteria for the laptop scheme so that more disadvantaged children in a wider range of year groups could become eligible. Over time, a growing number of devices were delivered but there was an initial 6–8-month period where children were left without the devices they needed, hence why schools often stepped in at this point.
246. On 22 April 2020, the Education Endowment Foundation published a paper for schools examining the best evidence on supporting students to learn remotely [JB/69 - INQ000642019]. Its key finding was that the quality of the teaching is more important than the way it is delivered. In particular, it highlighted that different approaches to remote learning suit different types of content and pupils. The fact that this paper was published in late April demonstrates how knowledge of effective remote learning was evolving and developing in ‘real-time’ as the pandemic progressed.
247. At the beginning of May 2020, the DfE published a series of ‘case-studies’ (now removed from the DfE website) to share with school leaders examples of what some schools were doing to support remote learning. NAHT had previously sent the DfE case studies we had sourced from our members to help with this but the DfE used few if any of these. School leaders reported that the case-studies published by the DfE were of limited use to them as they needed to decide what would work in their context and they had little time to work through 20 or more case studies with all the other demands on their time.
248. In October 2020, the DfE issued the ‘Remote Education Temporary Continuity Direction’, which legally required schools to provide immediate access to remote education for pupils unable to attend due to Covid-19 restrictions. It was unclear why the government

felt this was necessary as there was little evidence at the time to suggest schools were not providing remote education to those not in school.

249. As late as January 2021, when the government took the decision to enter into another national lockdown and reduce school attendance, some schools were reporting that they were still waiting for devices to be delivered. Due to the limited scale of the scheme and failings with delivery, schools found they were often having to loan school laptops or, in some cases, even purchase laptops themselves for pupils.

250. On the 6 January 2021, the DfE published updated expectations for schools regarding remote learning (this guidance has now been removed from the DfE website and is no longer available). The guidance set out expectations for the minimum amount of remote learning schools should be providing to pupils. On the same day the Secretary of State for Education gave a statement in the House of Commons in which he said parents who felt their child's school was not providing 'suitable' remote education should report them to Ofsted [JB/70 - INQ000648492]. The guidance was in fact predominantly a list of new expectations for schools and school leaders found it unhelpful for parents to be pitted against schools at a time when schools were working incredibly hard to manage the challenges associated with remote learning.

251. Overall, school leaders were clear that remote learning was not as effective as in-person teaching where teachers could work with individuals, constantly assess pupils' learning and respond in 'real-time' to children's learning needs. This was particularly true for the youngest pupils and those with additional needs. Whilst it can be seen as a necessary response to the restrictions on attendance, it was by no means an ideal situation. As the pandemic progressed, schools became more confident in providing remote education, and a wider range of resources became available to them. By the lockdown of 2021, most schools were in a better position to deliver it. However, many of the fundamental challenges associated with remote learning highlighted above never went away.

252. Since the pandemic, there have been some marginal improvements in technology in classrooms, but nothing transformational. Financial pressures on school budgets mean that schools have not been able to invest significantly in technology since 2022. A shortage of access to devices or poor Wi-Fi connectivity remains an issue for many. The 2023 Technology in Schools Survey found just 63% of schools reported having a fully functional Wi-Fi signal throughout the school [JB/71 - INQ000648493]. The government's

attempts to improve connectivity through its 'Connect the Classroom' project has had a positive impact for some, but investment has been limited and the ambition of the project was recently scaled-back.

253. Remote learning is not commonly in use now. Whilst the best alternative during the pandemic, it cannot achieve the same as in-class teaching. Where it has remained in use is in response to short-term school closures, for example school closure due extreme weather conditions.

(H) Impact on children

Children's wellbeing

254. Children's wellbeing, alongside their safety, has always been the highest priority for school leaders. This was true before, during and after the pandemic. School leaders are on the frontline when it comes to keeping children safe and play a pivotal role in the safeguarding of children and young people. Positive wellbeing amongst pupils relies on this crucial safeguarding work. The wellbeing of children is at the heart of everything schools do. Schools are judged and held accountable for their work to promote pupil wellbeing through the current Ofsted framework.
255. A 2020 survey of our members found that 79% had a whole school approach to promoting positive mental health and wellbeing, with 78% saying they had a designated member of staff responsible for mental wellbeing in their school or college [JB/32 - INQ000648459]. However, school leaders were also telling us that they were increasingly struggling to be able to afford staff in such roles due to real-terms cuts to school funding.
256. There is no doubt that prior to the pandemic school leaders were reporting growing concerns around pupils' general wellbeing and mental health. School leaders witnessed an increase in pupils with a diagnosable mental health condition but were struggling to get timely specialist support for those pupils. Our 2020 survey showed that just 4% of school leaders agreed that Child and Adolescent Mental Health Services ("CAMHS") responded quickly to requests for support, with 5% agreeing that children referred to CAMHS get help when they need it. This paints a picture of a crisis in mental health support provision on the eve of the pandemic.

257. NAHT did not carry out any formal surveys on the impact on pupils' wellbeing, mental health or physical health during the pandemic as a range of other organisations were already carrying out similar, larger scale research. However, there is a raft of information available publicly about the negative impact of Coronavirus on the wellbeing and mental health of young people. Anecdotally, the feedback we received from members was that the pandemic impacted different children and their families in very different ways. There is no doubt that for some children there was a negative impact on their physical health, mental health and general wellbeing and this has been reflected in the data published by others during and since the pandemic. School leaders saw first-hand the negative impact for children who were understandably frightened about the pandemic and what it might mean for their health and that of their families. They also saw the negative impact on children who were physically separated from their peers and teachers during lockdown and those who were unable to access outdoor spaces easily. The impact on older students concerned about what the pandemic would mean for their exams and qualifications has been mentioned above. Many members reported that they noticed a negative impact on some children's social and emotional development when they returned to school. This manifested in very different ways, depending on the child, but examples included increased levels of challenging behaviour and emotional regulation, difficulty interacting with peers and difficulty with social and communication skills, such as turn taking and listening to cues and instructions.

258. School leaders were concerned for all children, but particular concerns were raised for the youngest children who were at a crucial phase of early development during the pandemic. School leaders know that the early years of a child's life are crucial for their social and emotional development, their speech and language development and their physical development and NAHT members certainly worried about the potential long-term impact on the youngest children who were missing out on nursery or the early months of school at this time. School leaders have reported seeing a growing number of children starting school with speech and language delays following the pandemic and have often been left frustrated at the lack of access to specialist services such as speech and language therapists that they can see their pupils need.

259. In terms of behaviour, school leaders certainly reported concerns about the behaviour of some children as they returned to school following an extended period at home. Again, there is a range of publicly available data that suggests teachers and leaders believed that the pandemic had a negative impact on pupil behaviour [JB/72 - INQ000648494]. Whilst it should be stressed that this was not a concern for all children, our members reported

that children struggled to re-engage and cope with fitting back into the routines and expectations of school life.

260. Whilst for many children, the pandemic did have a negative impact on their wellbeing, school leaders also reported that for some children there were actually positive impacts too, such as being able to spend more quality time with their families and build positive relationships. This of course very much depended on the child's home life and their parents' capacity and ability to meet their needs at that time.

261. Whilst NAHT as a union does not claim to be specialists in pupil wellbeing and mental health, we have previously partnered with other organisations to provide support for our members and to support pupil mental health and wellbeing. In July 2020 we worked with the Anna Freud Centre and the PSHE Association to produce guidance aimed at helping school leaders and their staff, in all phases of education, to support children and young people with their mental health and wellbeing in light of the impact of the pandemic [JB/73 - INQ000648495]. This was in response to a growing demand from our members who were concerned about the wellbeing of their pupils. Throughout the pandemic, we continued to signpost resources from specialist organisations, such as the Anna Freud Centre, to our members.

262. School leaders were able to use this advice to help support children and young people's wellbeing and deal with concerns as they arose. As always, where concerns became more serious and beyond the expertise of school staff, who are not mental health specialists, schools would have made referrals to local child mental health services.

263. NAHT also continued to support the charity 'Place2Be' with their annual Mental Health Week and signposted members to the resources and tools it produced. We also encouraged members to take part in research linked to children's wellbeing and mental health during the pandemic.

264. Limited support on wellbeing and behaviour was provided by the government at this time, with the focus of most government guidance initially being more on immediate safety concerns. For example, in June 2021, the government published guidance online entitled '*Promoting and supporting mental health and wellbeing in schools and colleges*'. This was a resource designed to help schools develop a whole-school approach to wellbeing. The DfE also referred schools to a separate guidance document published before the pandemic entitled '*Mental health and behaviour in schools*' [JB/74 - INQ000648496].

However, the emphasis in this document was on helping schools to identify children that might need additional support and ideas for what that might look like. The feedback we received from members was that this sort of written guidance was of limited use and rarely taught them anything they did not already know. This did not feel like 'support' from a school leader's perspective.

265. NAHT officials met with DfE officials hundreds of times during the pandemic, sometimes multiple times a day. In many of these conversations, advice and observations were provided on children's wellbeing. Given the informal and frequent nature of these meetings and conversations it is not possible to provide a record of what was discussed. However, one key piece of advice that NAHT did give to government was the need to place wellbeing and mental health at the heart of any plans for Covid 'recovery'. We were often frustrated that the government's messaging and focus seemed to be primarily on academic recovery and the need to 'catch-up' with lost learning. Whilst academic recovery was clearly crucial, NAHT members were clear that academic recovery would only be possible if schools were able to focus on supporting pupils to reintegrate socially and emotionally as they returned to school. This is alluded to in a letter to the Secretary of State for Education on the 11 June 2020 in which we said [JB/75 - INQ000648497]:

"The impact of an enforced period of isolation on young people is little understood, yet likely to be significant for many. This might range from loss of routine, social interaction and self-regulation through to erosion of mental health and coping with anxiety, bereavement and trauma. Clearly, support for pupils is needed over the summer and NAHT calls on the government to work with schools through Local Authorities to co-ordinate a local offer of support for young people. Assuming social distancing rules allow, we could use the summer profitably through youth groups and youth charities to provide the sort of activities to draw young people out of their homes and encourage resocialisation and be school ready by September."

Safeguarding and food security

266. NAHT members expressed concerns about the safety of pupils and their access to food during the pandemic. As these concerns were mainly raised through our helpline, on video calls or through emails we received we are not able to quantify precisely how prevalent those concerns were. That being said, we know that many leaders were worried about individual children who they felt might be at risk. In most cases, these would likely have been children already subject to some level of social services involvement, and some

would have been subject to a child in need plan or a child protection plan, although school leaders were also acutely conscious that some children without a plan could also be at increased risk. Even though schools could encourage those children to attend, once attendance became non-mandatory some parents and carers decided that their child would remain at home.

267. School leaders and their teams did a great deal to try and mitigate those risks and support the children in question. Where children were not in school, many leaders set up regular phone calls and 'check-ins' with families so they could try to check on the child's welfare. In some instances, schools also arranged socially distanced home visits, although this was obviously very difficult and often not practical in the early stages of the pandemic due to the restrictions around mixing and social contact. Where children had social workers but were not attending school, those schools informed the social worker as per the government guidance at the time. On 6 May 2020, we carried out a survey of our members to ask them what actions their school had taken to reach out to vulnerable pupils not attending [JB/32 - INQ000648459]. The most commonly cited actions were:

- 267.1. telephone calls to vulnerable pupils and/or their families at home (98%);
- 267.2. liaising with social services to ensure continued provision of support (81%);
- 267.3. online contact with vulnerable pupils and/or their families at home (79%);
- 267.4. conducting regular or ad hoc home visits (35%); and
- 267.5. providing access to school-based wellbeing support (such as a counsellor) (43%).

268. Where school leaders and their teams became particularly concerned about the safety or welfare of a child, they would have made a referral to children's social care in the usual way.

269. Some NAHT members reported frustrations with local children's social service teams at the time, feeling that on occasion the social worker was trying to pass responsibility for the child's welfare onto the school, rather than taking on that responsibility themselves. Schools often found that social workers were struggling to cope with excessive caseloads at this time and were unable to provide the support schools felt was required.

270. The support received from local government came largely in the form of written 'guidance' or instructions/actions for schools to take. The government issued updated safeguarding guidance to schools in 2020 (our internal records suggest this was published

on 27 March 2020). The guidance for schools sought to reflect the increased vulnerability of some children at home and gave schools prompts for new areas to consider when reviewing their child protection plans in light of the pandemic. The guidance also signposted schools to a range of sources of information about online safety at the end of the guidance.

271. We also know that the DfE was actively monitoring the attendance of vulnerable children at this time and working with Local Authorities to track this data and to encourage more vulnerable children to attend school.

Food security

272. Children getting access to food was certainly a concern for our members during this period. We first raised concerns about this in the early weeks when attendance restrictions applied in schools, in an email to the DfE on 11 March 2020 [JB/15 - INQ000648442] [JB/16 - INQ000648444]. The government instructed schools to continue to provide lunches for children that were eligible for free school meals whether they were in school or not. The government initially recommended that this took the form of 'food parcels' for families, although some schools set up 'voucher schemes'. Schools went to incredible efforts during this time to ensure families that were entitled to it received food. This included examples of teachers and leaders travelling hundreds of miles to deliver parcels to families.

273. On 31 March 2020, the government announced the National Free School Voucher scheme that was intended to provide the family of each eligible child with a weekly shopping voucher worth £15. Whilst we initially welcomed the scheme in a press release issued on the same day [JB/14 - INQ000648441], the technology supporting the scheme quickly proved to not be fit for purpose. A poll of just under 1,000 NAHT members at the time showed that 96% had experienced problems with the national scheme [JB/32 - INQ000648459]. 65% said that their attempts to get technical support with the scheme had been unsuccessful and 84% had been forced to switch to an alternative voucher scheme instead. 5% reported that they had actually given their own money to support families. The problems experienced included: an inability to log into the website; excessive delays in using the website; frequent crashing of the site; extended delays in receiving any vouchers; and parents experiencing problems with the vouchers once they have been issued. To try to mitigate those issues, many leaders worked through the night in an attempt to gain access to the system and get vouchers for the families entitled to them.

The main consequence of the failings of this system was families not receiving the vouchers and schools having to step in and make alternative arrangements.

274. When the scheme was originally announced by the government, the message to school leaders was that if their existing caterers were able to continue to provide solutions, such as lunch-bags, they should continue to do so, but if not, schools should use the national voucher scheme. Where schools had their own voucher schemes established, they were encouraged to move to the national voucher scheme.

275. The pressure on the national scheme was exacerbated when the restrictions placed around the School Financial Reimbursement Scheme meant that a large number of schools felt they had no alternative other than to use the national voucher scheme or run the risk of not being fully reimbursed for the additional costs incurred. Once it became clear that the national scheme was not working well, schools were then told that they could use their own local schemes and apply for reimbursement at a later stage. However, given the restrictions noted above many school leaders simply did not have confidence that they would be reimbursed and so chose to stick with the national scheme. At this point, a relatively simple solution would have been to make an unequivocal statement that all schools would be reimbursed for any additional spending as a result of providing free school meal vouchers and that such a commitment would be separate from the more bureaucratic and restricted reimbursement scheme.

276. It appeared that the government significantly underestimated the likely demand for the national voucher scheme and that the provider was unable to handle the scale of the requests from schools. Whilst some of the early problems were later ironed out, the initial few weeks and months had a serious impact schools' ability to provide families with the vouchers they were entitled to.

277. NAHT quickly and repeatedly raised concerns with DfE officials about the failings of the voucher scheme in the regular catch-up meetings we had and in email correspondence [JB/76 - INQ000648498]. We were told that those concerns were being taken back to the provider who was working to fix the technical problems. We repeatedly advised government to allow schools to use their own voucher schemes they had already set up and, after some weeks, the government did agree to this. However, as explained above, complex restrictions around financial reimbursement means many schools did not feel confident in doing so. By the time of the January 2021 lockdown, the government

confirmed that schools could then use local voucher schemes and that they would be reimbursed if they do. We welcomed this as a sensible decision.

278. NAHT repeatedly suggested that free school meal vouchers should be available to children in the school holidays [JB/14 - INQ000648441] [JB/25 - INQ000648453] [JB/26 - INQ000648454] and we were frustrated that it took the intervention of a Premier League footballer, over the course of months, to convince the government to continue the scheme over the school holidays. We did however welcome the news on 15 June 2020 in a press release where we said: *"Holiday hunger has always been a great concern for school leaders and this summer is likely to be especially challenging for many low-income families given the impact of lockdown on finances. We agree that the government must not let children go hungry over the summer and should provide funding to extend free school meals"* [JB/14 - INQ000648441].

279. In January 2021, we were critical of the government's decision to no longer provide food vouchers in the holidays and instead switch to a reliance on the Covid Winter Grant Scheme provided to councils. We were concerned that this would mean some children experiencing holiday hunger would no longer get access to food. On 14 January 2021 we issued a press release saying: *"The government's constantly changing, badly thought out and last-minute schemes to help with holiday hunger during the Covid crisis are leaving families and children anxious that they literally don't know where their next meal is coming from. The government must urgently clarify for families how they will be helped during the upcoming half term holiday so they can be assured that they will not go hungry. It is shameful that this is even something we are having to worry about in this country"* [JB/26 - INQ000648454].

Gaps in learning

280. NAHT members were clear that many children did have gaps in their learning as a result of restricted attendance at schools. There are several reasons for this. As stated above, school leaders were clear that remote learning was not as effective as in-person learning. Responsive teaching where teachers observe and monitor children's learning in-lesson is simply much harder to achieve online than in person. Equally, when in-person learning takes place, teachers can split children into smaller groups and TAs are able to support individuals and small groups. Secondly, there were some pupils that simply did not access the remote learning provision or who only partially accessed it. Whilst schools could try to encourage pupils to access it, there was a limit to what they could do in this regard.

281. When pupils returned to school after lockdowns, our members reported that assessments showed there were gaps in their learning. National data sets and research by organisations such as the Education Policy Institute also provided evidence of ‘learning loss’ during the pandemic [JB/77 - INQ000648499].
282. Of particular concern was the disproportionate impact this appeared to have on children from disadvantaged backgrounds. This was observed by our members and supported by the Education Policy Institute research referenced above.
283. In terms of addressing the gaps in learning, there are a few key points to make. School leaders were clear that this was not something that could be rushed and ‘crammed’. This is why NAHT was not particularly supportive of the idea of intensive summer schools or similar proposals. School leaders were clear that academic recovery needed to be built on strong foundations where a focus on social and emotional ‘reintegration’ would be important. Equally, schools needed to carry out assessments of children’s learning on their return so they could pinpoint if and where gaps existed and adjust the curriculum accordingly. In the primary phase, many of these assessments would have been focused on the core subjects of reading, writing and maths, whereas in secondary, such assessments were across a broader range of subjects.
284. In June 2020, as attention began to turn to the concept of educational recovery, we were calling on the government to work with the profession to design a long-term plan for educational recovery and to consider the use of a ‘catch-up premium’. In a press statement issued on 13 June, we said: *“Beyond the initial recovery, there are likely to be gaps in learning for many children that will need to be addressed. Schools have done an incredible job providing remote learning during lockdown, but we know that there has been low engagement from some pupils, especially those already at risk of falling behind. Lack of access to technology and the internet has also hindered learning for some. Recovering this lost learning won’t be a quick or easy job. It will take a considerable long-term investment of time, money, energy and resources, which the government must recognise and provide. This must be led by education experts. There already exists a wealth of knowledge within the profession about how to narrow achievement gaps. We need to draw on this expertise in order to come up with a sustainable, long-term plan, and the government should give serious consideration to a ‘catch-up premium’ to allow schools to focus on activities that are proven to work. If the government works with the profession,*

drawing on their commitment and expertise, and produces a long term, joined up and fully funded package of help, then real success is possible" [JB/14 - INQ000648441].

285. In terms of what steps were actually taken in schools, these primarily revolved around curriculum adjustments, i.e. revisiting content and concepts that would have been covered earlier in the year or in previous years. Schools also put in place targeted intervention and support for groups of pupils. Some schools used the government's tutoring scheme to help with this, but many also relied on their own intervention programmes and small-group provision.

286. The question of whether schools were able to address the gaps in learning is a complex one. In terms of academic achievement, many children continued to achieve well following the pandemic and many pupils who were in school during the pandemic have gone on to achieve very well in end of Key Stage assessments and formal exams. The national disadvantage gap index at Key Stage 2, which initially rose post-Covid, has been falling in the past two years but remains above the figure for the last year before the pandemic, suggesting there is still more work to be done to support this particular group of pupils.

(I) Education recovery

287. One of the clearest long-term impacts of the pandemic has been on pupil attendance. Before Covid-19, the overall absence rate was 4.7%. This increased to 7.6% in 2021/22 [JB/06 - INQ000610432] and by 2022/23 had only come down slightly to 7.4% [JB/78 - INQ000648500]. Furthermore, the number of children who are persistently absent has nearly doubled since the pandemic. Severe absence – meaning missing more than half of school – has more than doubled from 0.8% to 2%. This is clearly a major concern as it means that since the pandemic, a growing number of pupils are struggling to engage with school and education at all, which is likely to have long-term consequences for them.

288. It is important to point out that the attendance challenges are more acute at secondary level than primary which have been quicker to move back towards pre-pandemic levels. There has been talk from some of the breakdown in the social contract between schools and families. School leaders report that some families have become more relaxed about their child missing school than they were previously and are more likely to take children

out of school for long weekends or holidays than previously. There also appears to have been a shift in some parental attitudes. These were captured well in the Public First report, *'Listening to, and learning from, parents in the attendance crisis'* [JB/79 - INQ000648501]. That report included the finding that: *"Covid has caused a seismic shift in parental attitudes to school attendance that is going to take a monumental, multi-service effort to change"*.

289. Whilst we must be careful not to assume that all the current attendance issues were caused by the pandemic, it certainly appears to have been a major factor.

290. Some of our members have also raised concerns that they are seeing an increase in the number of children presenting with challenging behaviour in school since the pandemic. As with attendance, it is important to point out that most children behave well in school, but our members have reported that they have seen a growing number of children that struggle to regulate their emotions and engage in the usual routines of the school day. However, it is very important that we are careful not to draw simplistic conclusions about this and assume that this is directly or solely linked to the pandemic. Many of our members also point to other factors, including an increase in the number of families living in poverty.

291. Our members report that they have continued to see a growth in the number of children struggling with their mental health since the pandemic. This is borne out by official data that shows a significant growth in the number of children being referred to mental health services for conditions such as anxiety [JB/80 - INQ000648502]. Again, NAHT would urge caution and care in drawing simple conclusions about this increase. Whilst we know that the prevalence of mental health issues amongst children and young people appears to be increasing, the causal factor is less clear. Mental health is another complex area affected by a range of factors. We also must be cognisant of the fact that schools were reporting growing concerns with children's mental health prior to the pandemic.

292. In terms of learning (in the more traditional, academic sense) NAHT members reported that when many children returned to school after lockdown, their progress had been affected. Unsurprisingly, teachers found that some children struggled with previously taught concepts, and they need to go back and cover material and curriculum content they had covered prior to the pandemic, or even in previous years. Recent national data, such as end of Key Stage 2 statutory assessment data, suggests national attainment levels have started to recover over the last three years but remain slightly below pre-Covid levels [JB/81 - INQ000588423]. The disadvantage gap index measurement (which summarises

the attainment gap between disadvantaged pupils and all other pupils) has also shown signs of recovery in recent years but the gap remains wider than pre-pandemic levels, suggesting that the attainment of disadvantaged pupils has been particularly affected.

293. Post-Covid recovery has been a complex process for schools. Mitigating the impact on children has been and continues to be a long-term project, as can be seen from the ongoing challenges associated with getting attendance back to pre-pandemic levels. In most cases, these are not quick fixes. It is also important to remember that some of the issues and impacts outlined above were already present before the pandemic. In some cases, the pandemic did not *create* the issues, but it served to accelerate and exacerbate them, the crisis in children's mental health being one example.

294. In terms of addressing some of these issues, schools have worked incredibly hard to increase attendance and to tackle the ongoing challenges around persistent and severe absence. It is also true that improving attendance post-pandemic has become a major priority for the DfE. Schools have not just continued to reiterate to pupils and parents the importance of good attendance but have used attendance data to intervene and follow-up individually with families where attendance has become a cause for concern. Schools have used a wide range of tools to support children and families, this can include arranging for children to come in to breakfast clubs for a 'soft start' or the pupil meeting with a designated member of staff at the start of each day.

295. The reduction in the number of Education Welfare Officers in the years leading up to the pandemic has not helped schools in this regard, as they have often struggled to access the specialist support that many of these children and families would benefit from. Whilst the government has subsequently tried to rebuild such support through its 'attendance mentoring' scheme, many NAHT members still point to a lack of capacity when it comes to external specialist support.

296. Mitigating the impact on children's mental health has been a complex task. In the immediate aftermath of the pandemic, schools did a lot of work to support children with understanding and managing their emotions. Much of this work would have been 'whole-school' work delivered in class – many schools had a particular focus on Personal, Social Health and Economic lessons and activities.

297. Some children required more intensive support and, where available, schools were able to put in place more tailored, 1:1 support using school counsellors or pastoral workers.

A 2022 DfE report [JB/82 - INQ000648504] found that as part of their recovery strategy: *“Some schools also employed more Teaching Assistants (TAs), pastoral staff, family workers and school counsellors to support additional pastoral interventions, but in some areas demand for these roles was higher than supply, resulting in schools lacking these specialist services.”* The same report also noted that: *“Pastoral interventions often placed substantial demands on staff resources, as these were delivered in addition to their existing responsibilities. Teachers noted that academic and pastoral support needs were often highly related”*.

298. In the more severe cases, schools made referrals to Children’s Mental Health Services. This more bespoke and specialist work was made more challenging in many cases for schools who had had to reduce their pastoral teams as a result of long-standing budget pressures. Schools also found that Children’s Mental Health Services were simply unable to keep up with demand and many children were left waiting long periods for the support they needed.

299. Schools have worked equally hard to mitigate the impact on children’s learning. When children returned to school after lockdowns, teachers assessed where any gaps had occurred and adjusted the curriculum accordingly. In many cases, as mentioned above, this meant revisiting previously taught content or going back to learning from previous years to establish a firm foundation on which to build. Given the reduction in teaching time available, teachers and leaders also had to make decisions about what parts of the curriculum to cover in the time they had and where to prioritise. For some (particularly younger children in the primary phase), this meant a greater focus on the core subjects or reading, writing and maths. Some schools also reported increasing teaching hours for Personal, Social, Health and Economic education and Physical Education. The latter was part of schools’ attempts to mitigate the impact of lockdown on children’s physical health and to get children active again after a period at home.

National initiatives

300. There were effectively three major national initiatives for education recovery and learning ‘catch up’: the Catch-Up Premium (2020/21); the Recovery Premium (2021-2024); and the National Tutoring Programme (2021-2024).

301. The Catch-Up Premium launched in June 2020 and was an initial package of financial support for schools to help support children as they returned to school after the first

national lockdown. The DfE distributed funding based on the number of pupils in each school. Mainstream primary and secondary schools were allocated £80 per pupil (those in reception to year 11). The DfE allocated £240 per pupil to special schools, high-needs units in mainstream schools, alternative provision and hospital schools in recognition of the higher costs of supporting the pupils in these settings.

302. We welcomed the additional funding for schools and the freedom for schools to make local decisions about how best to spend the money, based on their knowledge of children's needs. However, many school leaders were critical of the amount of funding they received at that point and the difference it would make. The general feeling was that £80 per pupil was not sufficient to have a meaningful and significant impact.

303. NAHT did not collect data on which resources and guidance schools found most useful during this period, but many members spoke favourably about the resources produced by the Education Endowment Foundation that government shared. These highlighted some of the best evidence-based strategies that schools should consider. Some schools also reported that they received useful guidance from their Local Authority to help plan recovery strategies. Whilst there was a limited amount of guidance and information on effective recovery strategies beyond this, schools did not report major concerns about this and most felt confident to put strategies and interventions in place that would benefit their pupils.

304. From 2021/22 onwards, the Catch-Up Premium evolved into the Recovery Premium and, in February 2021, the government announced an additional £302 million to support primary and secondary schools in their recovery work. NAHT again welcomed this announcement, as well as the appointment of Sir Kevan Collins as Education Recovery Commissioner around the same time. Four months later, when the government revealed the next stage in its recovery package (around £1.4 billion, spread over three years, equating to around £50 per pupil per year), Sir Kevan resigned from that post, criticising the government's full recovery plan as being *"too narrow, too small, and delivered too slowly"*, saying that it fell *"far short of what is needed"* [JB/83 - INQ000648505]. Most NAHT members we heard from agreed with Sir Kevan's analysis of this package.

The National Tutoring Programme (NTP)

305. The government saw the NTP as central to its educational recovery strategy, and expanded the scale and reach of the programme between 2020 and 2022. NAHT was supportive of the idea of the NTP and felt the rationale for it was sound. There is a strong

body of evidence suggesting that small group and 1:1 tutoring can be effective to support pupils' learning and progress. However, like with the free school meal programme and the laptop scheme, the implementation of the programme was not successful and our members' experience of the NTP was extremely poor.

306. The company initially appointed by the DfE to run the programme struggled to make it work. Our members reported that the website to access to the programme was incredibly difficult to use and it was very hard to even find a tutor through it. Those that could, often reported major problems with the quality of the tutors and tutoring companies. Too often tutors had little or no subject knowledge in the areas that they were supposed to be tutoring, they were of poor quality and, in some instances, simply did not show up. Many NAHT members reported rapidly losing faith in the scheme. Considering this, it was not surprising that the company appointed to run the scheme missed the delivery targets it had been set.

307. NAHT argued at this time that rather than forcing schools to have to use externally appointed tuition companies as the first iteration of the scheme did, schools should be able to run tutoring themselves and use staff already known to the pupils. The government responded to this by introducing school-led tutoring. Whilst some NAHT members still felt frustrated that they were being forced to go down a prescribed route in terms of strategies for recovery, many were more positive about the scheme now that they could appoint their own school-based tutors. Many schools used part-time teachers, retired teachers or Higher-Level TAs to do this. These individuals brought the added advantage that they were known to the children and could communicate regularly and directly with the class teacher. School-led tutoring rapidly became the most popular option within the NTP.

308. In November 2022 (at the start of year three of the scheme), the DfE set up a strategic tutoring advisory group. NAHT agreed to join this group and the Deputy General Secretary of NAHT at the time, Nick Brook, became the group's chair. We hoped our involvement in the group would help government to sustain and improve the scheme going forward. However, at this point, our members highlighted another major challenge with the scheme. Between years two and four of the scheme, the subsidy provided by the government dropped significantly, from 75% of the costs in year 2, to 50% in year 4. Many school leaders told us they simply could not afford the costs of the scheme, particularly with the subsidy disappearing entirely after the 2023/24 academic year. Furthermore, they did not believe that the government would back the scheme in the long-term and therefore many were not inclined to use it, preferring to rely on their own recovery strategies which were

more sustainable. NAHT argued within the group that the government should maintain a higher subsidy, but the government decided that would not be possible.

309. Overall, we see the NTP as a policy failure. What had the potential to be a positive intervention failed due to poor implementation and a lack of long-term financial support from the government. Whilst some leaders did report a positive short-term impact from tutoring on pupils, the programme did not have the long-term transformational impact many hoped it would have.

(J) Reflections and recommendations

310. Arguably, the most important lesson that should be learned from the pandemic is the importance of being well-prepared.

311. In March 2020 the school system was not well-prepared for a pandemic. There were three primary reasons for this. Firstly, due to years of wider funding cuts, many of the support services that schools should have been able to call on both during and after the pandemic were simply not able to meet demand. As the nation entered the pandemic, children's social care was under immense pressure, children's mental health services were struggling to meet demand and there was a shortage of other key specialists such as speech and language therapists and educational psychologists. Those services were therefore not able support children and schools and the way they should have been able to.

312. Secondly, schools themselves had suffered from a decade of underfunding which created significant challenges when the pandemic hit. Perhaps the best example of this was the state of school buildings. A 2017 National Audit Office report [JB/84 - INQ000648506] found that it would cost £6.7 billion to return all school buildings to satisfactory or better condition, and a further £7.1 billion to bring parts of school buildings from satisfactory to good condition. As outlined earlier, the state of many school buildings became a real problem when ventilation became a key part of the guidance to schools.

313. Thirdly, we are aware of little, if any, preparation carried out by government to prepare schools for what might happen and be needed in the event of a pandemic. As far as we are aware, the government had given no thought to the potential need to restrict attendance, provide in-school provision for key workers and vulnerable children,

commence remote learning, consider food supply and many other implications of the pandemic. Furthermore, schools had received no guidance or information about the sorts of actions they might need to consider taking in such an event. All this combined created a sense that the government was making things up as it went along, hence why schools were often left waiting for important guidance, information and updates.

314. Preparation for a future pandemic should also involve having basic guidance that can be adapted to the situation ready to go, clear knowledge of which schools will need PPE and how to get it to them and contingency plans for issues such as free school meals supply.

315. Looking to the future, it is easy to get sucked into a simplistic binary debate about whether schools should be open or closed if this were ever to happen again. That is of course understandable, and a key learning point should be how can we ensure that schools stay open for as many pupils for as long as possible. There is no doubt that we have learnt that extended periods away from school and from peers and trusted adults can have a negative impact on the health, safety, wellbeing and learning of many children and young people. There is equally no doubt that we have learnt that schools serve not only an educational function but also a protective one, keeping children safe and identify concerns quickly when they arise.

316. It is right that the government should reflect on how it ensures keeping schools opens remains a high priority. Ultimately, this will be about containing the spread of any future virus, so the NHS does not become overwhelmed. However, we must not assume the next pandemic will look the same as the last one. For example, if in a future pandemic we saw a virus that was causing very serious illness in children, a simplistic focus on 'keeping schools open' would likely become meaningless as parents would almost certainly take matters into their own hands and remove their children from harms' way. We must learn to prepare for different scenarios.

317. Whilst no-one wants to see a return to remote learning, we should learn lessons about what did and did not work and consider what could be done in advance, so we are able to effectively and efficiently switch to some form of remote learning in the future.

318. Lessons should also be learnt about 'recovery'. Clearly, the best approach is to minimise and mitigate the impact in the first place, reducing the need for recovery, but we should also be prepared that it could be necessary. Overly rigid recovery programmes

based on what the government has decided will work best and run from the centre did not prove to be as effective as they could be. Putting to one side the failings around procurement and delivery of the NTP, there are important lessons to be learned about supporting and trusting schools to put in place programmes and packages of support based on their knowledge of the needs of their pupils. NAHT would suggest that in future, there should be a greater focus on getting resources directly to the front line rather than funnelling that support through third parties and private companies.

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

James Bowen

Dated: 24 July 2025